

# COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE MEETING

Date: Tuesday 2 February 2021

Time: 6.30 pm

Venue: Remote Meeting: The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council Website

Membership:

Councillors M Burton, Joy, Khadka, Mortimer (Chairman), Powell (Vice-Chairman), Mrs Robertson, D Rose, M Rose and Young

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

---

<b><u>AGENDA</u></b>	<b><u>Page No.</u></b>
1. Apologies for Absence	
2. Notification of Substitute Members	
3. Urgent Items	
4. Notification of Visiting Members	
5. Disclosures by Members and Officers	
6. Disclosures of Lobbying	
7. To consider whether any items should be taken in private because of the possible disclosure of exempt information.	
8. Minutes of the Meeting Held on 5 January 2021	1 - 6
9. Presentation of Petitions (if any)	
10. Questions and answer session for members of the public (if any)	
11. Questions from Members to the Chairman (if any)	
12. Committee Work Programme	7
13. Reports of Outside Bodies	8
14. Reference from Licensing Committee - Draft Busking Guidelines	9 - 22

---

**Issued on Monday 25 January 2021**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

15. 3rd Quarter Financial Update & Performance Monitoring Report 2020/21	23 - 47
16. Maidstone Borough Council Tenancy Strategy 2021 - 2026	48 - 61
17. Assisting Ineligible Rough Sleepers	62 - 68
18. Strategic Plan – Proposed Areas for Focus 2021-2026 and Key Performance Indicators for Covid-19 Recovery	69 - 98
19. Maidstone in Bloom Boroughwide Competition 2021	99 - 103

### **INFORMATION FOR THE PUBLIC**

In order to ask a question at this remote meeting, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 29 January 2021). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5p.m. one clear working day before the meeting (i.e. by 5p.m. on Friday 29 January 2021). You will need to tell us which agenda item you wish to speak on.

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).

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

Should you wish to refer any decisions contained in these minutes to the **Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy, Communications and Governance** by: **27 January 2021**.

## **MAIDSTONE BOROUGH COUNCIL**

### **COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 5 JANUARY 2021**

**Present:** Councillors M Burton, Joy, Khadka, Mortimer,  
Mrs Robertson, D Rose, M Rose and Young

**Also Present:** Councillors McKay and Perry

105. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Powell.

106. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

107. **URGENT ITEMS**

There were no urgent items.

108. **NOTIFICATION OF VISITING MEMBERS**

Councillor Perry was present as a Visiting Member for Item 16 – Maidstone Borough Council Owned G&T Sites Investment Proposal.

Councillor McKay was present as a Visiting Member for Item 17 – Heather House and Pavilion Building Update.

109. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

110. **DISCLOSURES OF LOBBYING**

Councillor M Rose had been lobbied on Item 12 – Committee Work Programme.

Councillor M Burton had been lobbied on Item 16 – Maidstone Borough Council Owned G&T Sites Investment Proposal, Item 18 – Fees and Charges, and Item 19 – Medium Term Financial Strategy and Budget Proposals.

Councillors M Burton, Mortimer, Mrs Robertson and D Rose had been lobbied on Item 17 – Heather House and Pavilion Building Update.

111. **EXEMPT ITEMS**

**RESOLVED:** That all items be taken in public as proposed.

112. MINUTES OF THE MEETING HELD ON 1 DECEMBER 2020

**RESOLVED:** That the Minutes of the meeting held on 1 December 2020 be approved as a correct record and signed at a later date.

113. PRESENTATION OF PETITIONS

There were no petitions.

114. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

115. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There was one question from Members to the Chairman.

Question from Councillor Vizzard to the Chairman of Communities, Housing and Environment Committee

*'Maidstone Dawn Patrol Rotary Club has been involved with providing some community projects for a local women's refuge. We are also now aware that for men suffering from domestic violence there are emergency arrangements in place with local hotels. This has caused us to become interested in what provisions are being made for housing and other support when these women and men need to move on to more permanent accommodation. We are involved in lobbying our MPs for support. We note that central financial support is provided to tier one councils, in Maidstone's case KCC. MBC is the housing provider but does not receive the finance direct but is reliant on KCC to distribute.*

*What housing priority is given or could be given to victims of domestic violence and abuse in Maidstone? Secondly, how well is the system of KCC funding tier two councils working for Maidstone, and to what extent is that funding meeting the known need locally?'*

The Chairman responded to the question.

Councillor Vizzard asked the following supplementary question:

*'If any of the people who have suffered domestic abuse wish to move out of the area, have we got reciprocal arrangements with the councils in other areas to assist the victims of domestic abuse to move?'*

The Chairman agreed to provide a written response to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council Website.

To access the webcast recording, please use the link below:

<https://www.youtube.com/watch?v=Fg48Des4YGw>

116. COMMITTEE WORK PROGRAMME

It was confirmed that lobbying letters sent to KCC and the UK Government regarding the sale of fireworks would be circulated to the Committee once sent.

In response to questions, the Director of Regeneration and Place confirmed that the funding necessary for the Local Nature Reserves would be included in the draft budget proposals which would be presented to the Policy and Resources Committee on 20 January 2021, with the Committee to be updated.

A request was made to schedule two briefings in the near future; on waste and recycling and the Council's housing portfolio.

**RESOLVED:** That the Committee Work Programme be noted.

117. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

118. WASTE SERVICES UPDATE

The report was introduced by the Waste Manager and updates to the waste collection contract were outlined.

The introduction of electronic payments for garden waste had resulted in a significant decrease in administrative work and increased data accuracy, which led to a more reliable service. It was confirmed that the paper payment system remained available, the six complaints received regarding the electronic system having been resolved.

Revised routes had been implemented for garden waste rounds, resulting in a reduced number of missed bins and a reduction in road mileage. Biffa had purchased new, larger vehicles which had improved capacity while reducing the service's environmental impact. A nine percent increase in the number of households using the service since 2013 was highlighted.

The Committee expressed their thanks to Waste Services and Biffa staff.

**RESOLVED:** That the report be noted.

119. MAIDSTONE BOROUGH COUNCIL PLACEMENT POLICY

The Housing and Inclusion Manager introduced the report and outlined the Placement Policy attached at Appendix 1 to the report, which would provide a framework and guidance for Officers within the Housing Advice Service, and transparency for applicants regarding the decision-making process. It was noted that the Ministry of Housing, Communities and Local Government expected Local Authorities to implement a placement policy.

There had been a significant increase in homeless approaches to the Council, seeking suitable and affordable accommodation in both the private rental sector and for temporary accommodation. Demand was from the local area as well as other local authorities looking for placements in Maidstone.

The difficulty in finding suitable, affordable properties for large families was highlighted; of the 30 households placed into long-term private rental accommodation within the last two years, 20% were for four-bedroom properties. A substantial percentage of applications were from families fleeing domestic violence.

In response to questions, it was confirmed that the Equalities Officer would partake in the 12-month review to assess whether any unintended consequences of the policy had occurred, including any negative impacts on particular groups. It was requested that information on property refusals be included.

Following the 12-month review, the Committee would be updated.

**RESOLVED:** That

1. The Placement Policy be endorsed; and
2. The policy be reviewed after 12 months to ensure no unintended detriment is being caused to any specific groups of people, as set out in the Equalities Impact Assessment.

120. MAIDSTONE BOROUGH COUNCIL OWNED G&T SITES INVESTMENT PROPOSAL

The Housing Development Officer introduced the report, outlining the proposed investment and schedule of work for two Gypsy and Traveller Sites, located at Water Lane and Stilebridge. The identified areas for improvement were the amenity blocks, electricity and water supply to individual plots, road surfaces, communal lighting and signage.

It was noted that the ongoing tender process was guided by the tender requirements and delivering value for money, rather than the £1 million budgeted. The final cost of the project would be provided later this year.

**RESOLVED:** That

1. The planned works at Water Lane and Stilebridge mobile home sites be agreed; and
2. The Director of Regeneration and Place be given delegated authority to enter into the necessary contracts and other agreements to enable works to take place.

## 121. HEATHER HOUSE AND PAVILION BUILDING UPDATE

The Housing Delivery Manager introduced the report, highlighting the updated designs of both the community centre and residential elements. Following the second pre-application meeting with the Planning team, the number of residential dwellings proposed had decreased from 12 to 11, with three 4-bed houses replacing three of the 3-bed houses. This was to lower the density of the development and increase the range of houses in line with the Local Plan Policy. In order for the rugby clubs to continue using the building, the design had been updated to include additional changing room facilities and increased storage. The updated design increased the budget shortfall from £234,476 to £399,029. This could be reduced to £299,029 if the Council's bid to the Land Release Fund was successful, which would be confirmed in February 2021.

Concerns were expressed that further information was required due to the increased funding shortfall and that the designs focussed on the promotion of the rugby clubs' use of the building rather than as a community centre facility. As such, the Committee considered whether it was appropriate to defer the item. However, it was noted that further information would be provided as the scheme progressed.

It was confirmed that the additional facilities proposed would enable the rugby clubs to continue using the building, rather than the rugby clubs being the primary users. It was explained that the rugby clubs have a high profile locally, and their presence at the centre had a positive impact on the community which it was important to maintain.

In response to questions, the Housing Delivery Manager confirmed that the Stones Community Trust were aware of the designs proposed and continued to express an interest in managing the facility.

**RESOLVED:** That the Policy and Resources Committee be recommended to accept the enlarged and enhanced scheme, in line with option 3.3 of the report, with an increased funding gap of a further £0.25 million, and approve at risk expenditure of £200,000 to make a detailed planning application for the scheme, but that the construction project should not commence until the increased funding gap has been bridged.

## 122. FEES AND CHARGES 2021-22

The Head of Finance introduced the report, and highlighted the changes made since the item was deferred on 1 December 2020. These included freezing charges for burial rights, adult cremations and containers for cremated remains, and a reduction of the increases previously proposed for interment fees and plot rental charges for the Memorial Hall and Gardens of Remembrance.

Some of the proposed increases had been retained where required to offset the increased cost of service provision.

**RESOLVED:** That

1. The proposed discretionary fees and charges set out in Appendix 1 to the report be agreed; and
2. The expected statutory fees and charges set out in Appendix 1 to the report be noted.

123. MEDIUM TERM FINANCIAL STRATEGY AND BUDGET PROPOSALS

The Director of Finance and Business Improvement introduced the report and referenced the Medium Term Financial Strategy presented to the Committee on 1 December 2020, whereby the financial implications and budget gap caused by Covid-19 were outlined.

As a result of the Local Government Finance Settlement and the Chancellor's Spending Review, the Council's budget gap had been reduced from £2.4 million to £1.6 million but remained significant. Proposed savings focussed on business transformation and protecting frontline services, totalling £0.7 million for this Committee.

The commitment to capital investment would continue and interest rates remained low. The proposed capital programme was expected to be worth over £80m over the next five years.

**RESOLVED:** That

1. The revenue budget proposals for services within the remit of this Committee, as set out in Appendix A to the report, be agreed for submission to Policy and Resources Committee; and
2. The capital budget proposals for services within the remit of this Committee, as set out in Appendix B to the report, be agreed for submission to Policy and Resources Committee.

124. DURATION OF MEETING

6.30 p.m. to 9.10 p.m.

## 2020/21 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
GP Provision - Briefing Note	CHE	02-Mar-21	Cllr Request	No	Alison Broom	Alison Broom
Reprocurement of the Waste and Recycling Contract Update	CHE	02-Mar-21	Officer Update		William Cornall	TBC
Homelessness Horizon Scanning - Possession Proceedings	CHE	02-Mar-21	Officer Update	No	John Littlemore	John Littlemore
Heather House and Pavilion Update	CHE	06-Apr-21	Officer Update		William Cornall	Andrew Connors
Parks Delivery Plan for Biodiversity	CHE	06-Apr-21	Officer Update	No	Jennifer Shepherd	Andrew Williams
Local Nature Reserves Update Report	CHE	06-Apr-21	Cllr Request	No	William Cornall	Andrew Williams
Refresh of Council Tenancy Strategy	CHE	06-Apr-21	Officer Update		John Littlemore	TBC
Possible Provision of further Council owned G&T Sites	CHE	TBC	Cllr Request		William Cornall	TBC

# Agenda Item 13

## NOMINATION FORM TO OUTSIDE BODY

Date 5<sup>th</sup> January 2021

<b>NAME:</b>	Clive English
<b>ADDRESS:</b>	C/O Maidstone Borough Council Maidstone House, King Street, Maidstone
<b>TELEPHONE NO:</b>	
<b>NAME OF ORGANISATION APPLYING FOR:</b>	Cutbush and Corral Almshouse Charity
<b>ROLE APPLYING FOR:</b>	Nominative Trustee
<b>REASON FOR APPLYING:</b>	<p>I have been a Trustee at Cutbush and Corral Almshouse Charity for several years. I have contributed at Board Level and through the Buildings Sub Committee, particularly on policy issues such as human resources, and finance and on issues such as property renovation and management.</p> <p>I believe that I can continue to make a significant contribution.</p>
<b>WHAT SKILLS AND EXPERIENCE COULD YOU BRING TO THE ORGANISATION?:</b>	<p>I have a good understanding of General Administration and the principles of operating as a Charity Trustee, including human resource and financial issues. Additionally, I have a good knowledge of Housing and Planning issues, which are particularly relevant to a housing provider.</p>

## **MAIDSTONE BOROUGH COUNCIL**

### **COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE**

**2 FEBRUARY 2021**

#### **REPORT OF THE LICENSING COMMITTEE HELD ON 14 JANUARY 2021**

##### **BUSKING GUIDELINES CONSULTATION RESULTS**

### **Issue for Decision**

The proposed draft Busking Guidelines were subject to a public consultation process between 9 September 2020 to 1 November 2020. The consultation results were presented to the Licensing Committee on 14 January 2021.

The Licensing Committee recommended that the Communities, Housing and Environment Committee approve the draft Busking Guidelines.

### **Recommendation Made**

That the proposed Draft Maidstone Busking Guidelines as attached at Appendix 2 to the report be approved.

### **Reasons for Recommendation**

On 18th June 2020, the Licensing Committee heard the Council's proposal to adopt new Busking Guidelines which are intended to encourage good community practice in shared spaces for performers, business and residents alike. The draft Busking Guidelines were subject to a public consultation from the 9 September to the 1 November 2020.

The consultation sought feedback on the whether they were in favour of the introduction of Busking Guidelines, out of a total 93 responses, 79 (84.9%) answered yes. They were also asked if the proposed Guidelines were proportionate, again out of 93 responses, 67 (72.0%) answered yes.

The Council does not take the introduction of regulating busking and street entertainment lightly, but considers it necessary due to complaints received about some buskers and the detrimental impact it can have on the daily lives of our residents and workers. Our current lack of licensing enforcement powers over buskers and not having a dedicated resource to respond to any impact effectively needs to be considered if we make the Guidelines too prescriptive.

Currently there is nothing in place to regulate street entertainment in Maidstone and the Guidelines are considered the starting point and will be kept under review. Given the lack of enforcement powers the Licensing Department have over street entertainers the Guidelines stipulate what actions can be taken by other departments/parties.

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

An alternative is not to adopt the guidelines; however this is not advised as the Licensing Committee has approved the document and it will help to encourage good community practice in shared spaces. The voluntary document will be implemented as the starting point which will be kept under review and replaced with a more prescriptive version if future circumstance determine it should be.

## **Background Documents**

None

## **Appendices**

Appendix 1 – Consultation response summary

Appendix 2 – Draft Busking Guidelines

## Busking Guidelines Consultation

### Methodology

The consultation on the draft busking guidelines was open from 9 September until 1 November. It was promoted online through the Council’s website and social media channels. Residents who have signed up for consultation reminders were also notified about the consultation. In addition, residents in receipt of Council Tax Support were emailed and notified of the consultation (as part of a reminder about Council Tax Support Consultation taking place within the same time period).

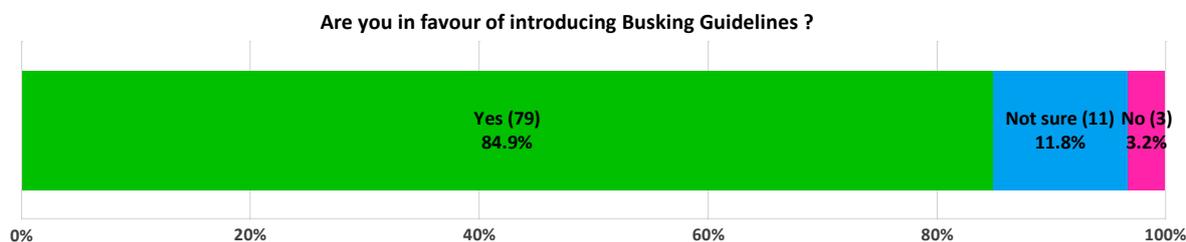
Participants in the consultation were invited to view the draft guidelines for busking in Maidstone and asked for feedback on them. An online survey is a self-selection methodology, with residents free to choose whether to participate or not. Due to the sample size results have not been weighted.

There was a total of 93 responses. Based on Maidstone’s population, aged 18 years and over, overall results are accurate to approximately  $\pm 8.5\%$  at the 90% confidence level. This means that if the same survey was repeated 100 times, 90 times out of 100 the results would be between  $\pm 8.5\%$  of the calculated response. Therefore the ‘true’ response could be 8.5% above or below the figures reported (i.e. a 50% agreement rate could in reality lie within the range of 41.5% to 58.5%).

---

### Introduction of Busking Guidelines

Survey respondents were asked if they were in favour of introducing guidelines for Busking in Maidstone. A total of 93 respondents answered this question.



The most common response was ‘Yes’ with 79 respondents answering this way.

Just over one in ten respondents said they were not sure about introducing guidelines for busking.

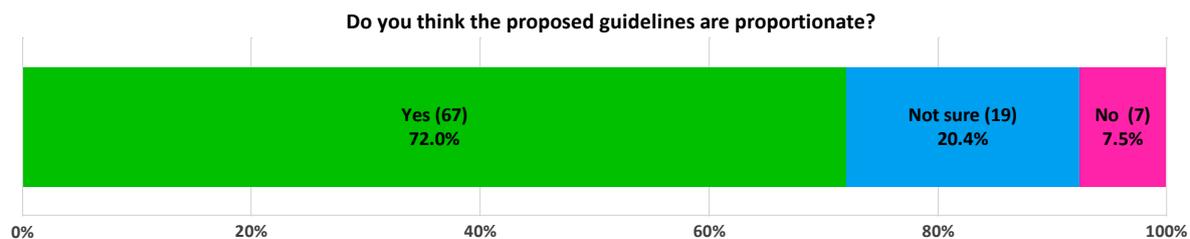
Economically active respondents were significantly more likely to agree with the introduction of Busking guidelines. 97.5% ( $\pm 4.8\%$ ) responding ‘Yes’ to this question compared to 76.6% ( $\pm 12.1\%$ ) of economically inactive respondents answering the same.

---

### Proposed Guidelines

Survey respondents were next asked if they thought the guidelines being proposed were proportionate. A total of 93 respondents answered this question.

## Busking Guidelines Consultation



The most common response was 'Yes' with 67 answering this way.

One in five respondents said there were not sure the proposed guidelines were proportionate.

Female respondents were significantly more likely to respond 'Not sure' with 32.6% ( $\pm 14.0\%$ ) answering this way compared to 8.9% ( $\pm 8.3\%$ ) of male respondents.

---

### Comments

Survey respondents were asked if they felt anything was missing from the guidelines and were provided with a free text box to write in their response.

A total of 32 comments were submitted. In addition, direct comments were emailed to the consultation by a local street entertainer.

Ten of these simply said 'No', confirming that they didn't believe that there was anything missing from the guidelines.

Eight comments contained a suggestion. There were two suggestions for set performance spaces, three about buskers competing with each other, with the suggestion that having set distances between performers would help avoid overlapping sound. Two specified limiting the length of performances to 30 minutes. The last comment in this section was a specific addition/amendment to the wording of the introduction (addition in italics) to:

"The Live Music Act 2012 took effect from 1 October 2012 with further amendment on 6 April 2015 and allows for certain types of entertainment. *The changes introduced through the Act were designed to increase the provision of live music without negatively impacting on the 2003 Act's licensing objectives*"

Six respondents commented on amplified music. Two said that it was a problem. One stated that there should be an outright ban on amplified music, Three respondents requested further clarity, expressing that the elements relating to amplification in the guidance was ambiguous, with one stating that it needed to be more specific about volume levels and suggesting that a limit be given in decibels.

Four responders made comments that suggested that they felt the guidelines were too lenient. Two said there was little point in introducing guidelines if they weren't going to be enforced, and another said it was not realistic to expect buskers to follow the guidelines.

Three respondents were positive about busking in generally with one saying they love to hear the music when they go shopping and another stating, they wouldn't want the guidelines to be so restrictive that they prevent busking. One respondent was generally negative, stating that all forms of busking should be prohibited.

## Busking Guidelines Consultation

Two respondents made comments that have been classified as 'other' as they do not fit with any of the groupings outlined above. One of these stated that performances should not include 'adult themes' or swearing, the other said buskers should not have animals with them when performing.

---

### Other comments

Survey respondents were given the opportunity to make comments in relation to the guidelines and busking in Maidstone in general. A total of 27 comments were received.

There were five comments that expressed support for having guidelines or were positive about the proposed guidelines, with two respondents stating that the guidelines seemed fair and the remaining three stating that the introduction of guidelines for busking was a good idea.

Five respondents made positive comments about busking generally, stating that they enjoyed music in the town centre and that they add to the atmosphere of the town.

Five comments contained a suggestion:

- Using Benchley Gardens as a performance space (Bandstand)
- Creating set performance spaces in the town centre that are bookable
- Introducing a licensing scheme
- Restricting the numbers of buskers
- Formal programme of street entertainment with different types of entertainment

Three respondents made negative comments about busking in general with these respondents stating that buskers should not be allowed and that they were a nuisance.

Three comments mentioned amplified music, with two respondents stating that it should not be allowed and one stating the guidelines were confusing in this respect, in particular the reference to 'unobtrusive level' regarding pre-recorded backing tracks.

Three respondents made comments about enforcement, stating that adherence to the guidelines should be monitored, and that action should be taken against breaches to the guidelines.

There were two comments that expressed doubt about the guidelines with one stating that they seemed vague and the other that they were 'too reasonable', the implication being that the guidelines should be stricter.

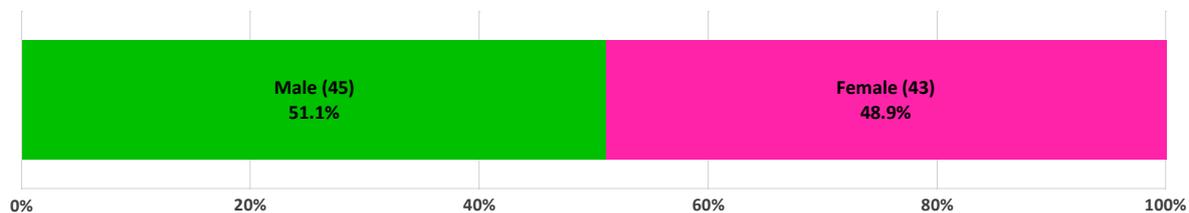
Two comments were categorised as 'other', one referring the busking while Covid-19 restrictions are in place stating that performers can hinder social distancing and the other expressed concern about access, stating that the pavements should be accessible, particularly for people with mobility issues or disabilities.

## Busking Guidelines Consultation

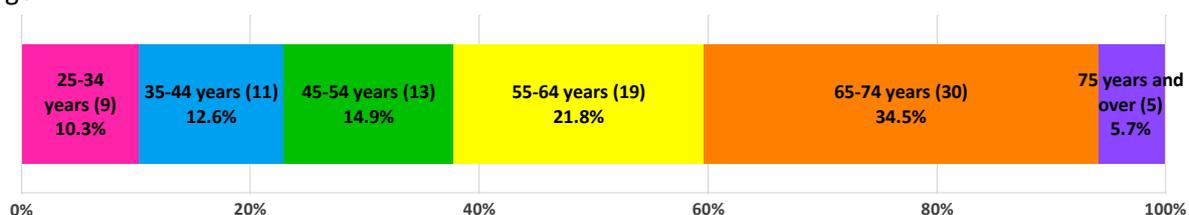
### Demographics

The charts below show the proportions of responders across demographic groups.

#### Gender

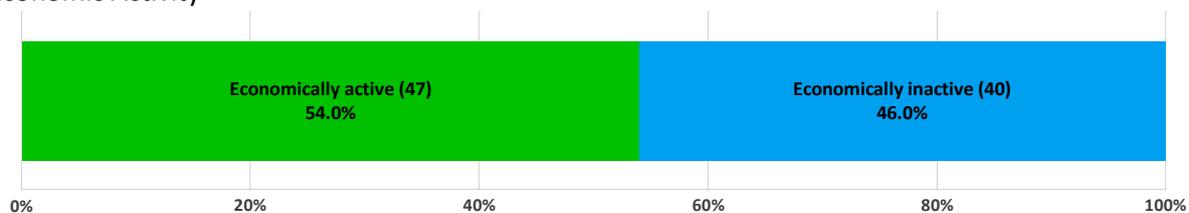


#### Age



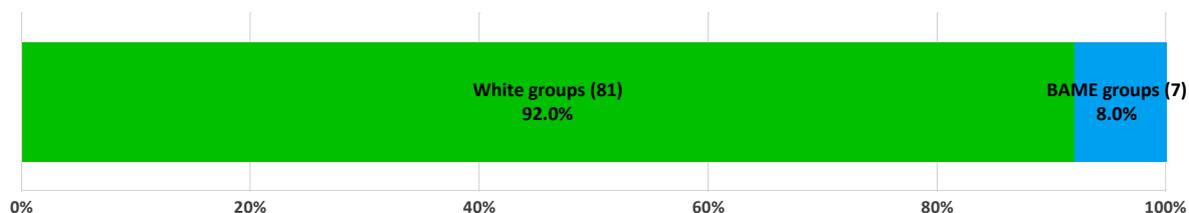
- There were no respondents to the survey that were under 25 years.

#### Economic Activity



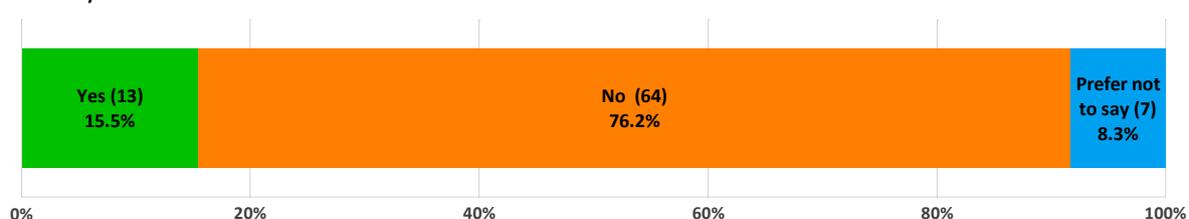
- Economically inactive respondents are over-represented compared to the population of Maidstone overall.

#### Ethnicity



- 5.9%<sup>1</sup> of Maidstone's population are from a BME background.

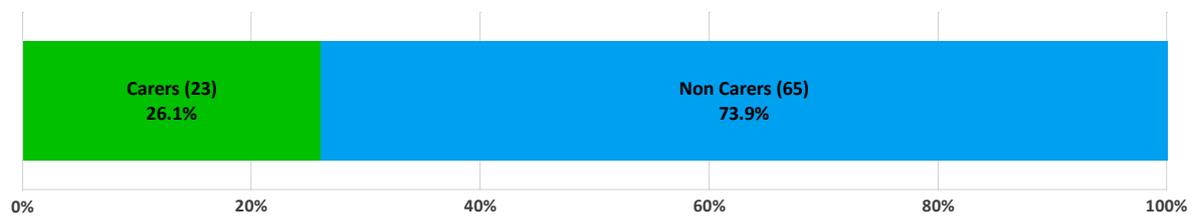
#### Disability



<sup>1</sup> 2011 Census

## Busking Guidelines Consultation

### Carers



- Carers are over-represented compared to the population of Maidstone where 10.2%<sup>2</sup> of the population are providing unpaid care.

---

<sup>2</sup> 2011 Census



# **BUSKING GUIDELINES**

**[www.maidstone.gov.uk](http://www.maidstone.gov.uk)**

## **Busking**

We categorise 'busking' as any performance of music, dance, street theatre or art in a public space for the purpose of receiving voluntary contributions from members of the public. Busking is an important part of creating a vibrant, exciting, and cosmopolitan atmosphere for residents, visitors, and businesses in Maidstone. As a town we encourage busking and we want to welcome buskers from across the country and beyond. However the council are receiving an increasing number of complaints, often regarding amplified busking, repetitive busking and/or obstructions to highways/access points. This guidance is intended for use by buskers, residents, businesses, the police and the local authority alike. It sets out some key recommendations to promote positive and neighbourly relations between users of shared public spaces in the Town, and will enable the busking community to flourish and exist harmoniously alongside local businesses

These busking guidelines are to be used as a reminder of what the council considers reasonable and neighbourly behaviour. Any behaviour which is deemed to be unreasonable will be investigated and may result in enforcement action.

This best practice guide has been produced collaboratively through engagement and support from a wide range of organisations such as the Musicians' Union, Keep Streets Live Campaign, the Business Improvement District (BID), Kent County Council, Kent County Constabulary, local businesses, residents and Councillors.

### **For Buskers**

No busking pitches are fixed in Maidstone Town Centre and we expect all buskers to take care in their judgement when selecting a pitch from which to perform taking factors such as time of day, the season and the impact of others in the area. Buskers must also work closely with the busking community regarding the swapping/sharing of any pitches as key. The aim is to support a culture of community, consideration and negotiation and encourage constructive dialogue to resolve issues.

There are a range of existing statutory powers relating to noise nuisance, public order and obstruction which is hoped will only be used as a last resort where there are persistent issues. Most issues we hope can be resolved amicably without the need for a formal complaint

There are no fixed times or durations for busking performances. However, please note if amplification is used which requires generators or PA systems then a Temporary Event Notice (TEN) must be applied for and in place at the time of the performance. In the majority of cases it is expected that a small battery powered portable amp will be used as amplification. Material should not be

repeated in the same pitch, and any more than 2 hours in one pitch would be considered unreasonable.

There are no fixed levels for volume, and we would ask all buskers to assess the pitch location and adjust volume accordingly so that it is just above the level of ambient street noise. If your volume can be heard inside buildings from either the surrounding area or from the opposite side of a street, it is likely this is too loud and would be considered unreasonable. Wind and percussion instruments will likely need dampers and brushes. Using amplified, (with a TEN in place) piercing or repetitive noise will require buskers to move pitches more regularly to prevent disturbance.

Making a reasonable judgement is key to busking in Maidstone town centre. If your act disturbs the regular day to day lives of any neighbouring resident/visitor or business, it is likely a complaint will be received. If you receive a warning due to complaints being received about your act and fail to respond appropriately (e.g. reduce volume), it is likely enforcement action will be taken.

Most complaints about busking apply to a small number of performers and usually relates to noise levels. Buskers are encouraged to make themselves known to those in the vicinity of their performance as a matter of courtesy before they start their performance.

All buskers must be courteous to those around them and must be prepared to adjust out of consideration to others when necessary. Making the appropriate adjustments following a complaint means enforcement would not be necessary.

Acts that include prerecorded backing tracks as a secondary aspect to a performance should be set at an unobtrusive level to avoid causing issues and should not be left running when the performer is not performing.

Regular breaks between performances are encouraged as continuous noise however pleasant can be regarded as intrusive.

As a guide a maximum 45 minutes of performance is appropriate before having a significant break and should not include repeat performances. If you have a limited repertoire of material, then consider moving location instead of repeating your material in the same places.

Buskers should never set up on top of each other and we foster cooperation with each other through negotiation and collaboration encouraging the sharing and swapping of pitches as this build's community, avoids repetition and adds variety to street performances

Enquiries for busking are predominantly for the Town Centre and specifically the following areas: -

## **Week Street**

The area is a key thoroughfare and the most popular area with buskers. It has retail outlets and food establishments along its entire length. Performances must be positioned to one side to allow free access to the public along its length.

## **Jubilee Square**

Jubilee Square is a popular location for street entertainers and circle shows. This area is managed by Maidstone Borough Council and permission is required by any performer that wishes to locate themselves here. It is key to work in conjunction with other buskers to ensure there are regular breaks between performances to allow for access to nearby buildings/businesses.

## **Fremlin Walk & The Mall (previously Chequers)**

These areas are private, and permission would be required from the landowner to busk here. Any performance terms would be imposed by the relevant management companies.

## **Brenchley Gardens**

This area is surrounded by businesses, residences and places of worship and therefore has greater potential for busking disturbances.

## **Gabriels Hill**

This is an area of mainly retail outlets. Performances must be positioned to one side to allow free access to the public along its length.

## **OTHER MATTERS**

Busking does not involve a formal sales transaction, but donations are given to buskers by members of the public on a voluntary basis.

The formal sale of goods and services on the street is covered by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and if you intend to sell items such as CD's at a fixed price then you will need to apply for Street trading consent

Where the provision of goods or services are clearly a secondary aspect of any busking act i.e. art/portraiture, photographs taken with performers, balloon sculptures CD's containing a performers music then it must be made clear to the public that they are offered on a voluntary basis. This means the public can engage with any act/performance without any obligation to donate and under this guidance can take an item or request a service without contribution. It is

suggested that this be made clear with an appropriate sign and the following wording used

“In order to comply with street trading legislation these CD's (balloons, Pictures etc.) are not being offered for sale, any contribution you make is voluntary and at your discretion. Suggested contribution £???”

Charitable Collections -Requests for donations will require a permit from Maidstone Borough Council

It is recommended that all entertainers carry suitable Public Liability insurance

## **FOR BUSINESSES AND RESIDENTS**

When issues arise the first step should always be to speak directly with the busker regarding your concerns – explain the impact their busking is having on you,

You may draw their attention to this guidance at any point. If this does not resolve the matter please contact ???? on 01622 ???? and an Officer will assist.

It is worth noting that Busking is a lawful activity and if they are following this guidance, they are unlikely to be in breach of any national or local legislation.

Try to find a suitable interval/natural break in their act to make yourself known and have a discussion, they may not be aware they have caused you an issue and may want to resolve it quickly and amicably. Always try to reach a compromise if possible. Suggest a location change, volume adjustment or agree a time period for the duration of their performance that suits you both. Try to remain calm and polite as this will help promote communication and cooperation.

Making a formal complaint should not normally be your first step but a last resort Where attempts at communication have been unsuccessful and a compromise not reached then please contact the Council Offices on the number above.

An Officer will assess the situation at the earliest opportunity and will enquire. as to what attempts have been made to resolve the issue. If it is considered appropriate the Council will ask the busker to amend their performance. Equally if they do not consider there to be an issue, they will let you know this.

## Enforcement

Enforcement action will always be a last resort after all other avenues have failed and will be considered on the individual circumstances of each case

If it is assessed that a Buskers is operating outside of the guide the relevant Maidstone Borough Council Officer will ask them to take appropriate action (i.e. reduce volume, move location, or cease performance) If the busker refuses to comply a verbal warning will be given

If a further incident is reported where it is possible the Maidstone Borough Council Officer will ask the buskers representatives e.g. other buskers to get involved and try to resolve the issue before issuing a written warning notice/letter

Once a warning notice/letter has been issued to a busker, any further reports will be investigated by a Maidstone Council Enforcement Officer? and a decision will be made as to whether enforcement action will be necessary under the following legislation:

- Environmental Protection Act 1990 states that noise in the street from musical instruments may be a statutory nuisance and the local authority can take action to abate the problem – including issuing a notice and the seizing any equipment being used to create the noise
- Highways Act 1980 forbids buskers to obstruct roads and pavements. ... Children under 14 are not permitted to busk. A street collection licence will be required if busking for charity and street trading laws regulate buskers who sell CDs and other merchandise.
- Public Order Act 1986 allows the Police to act if anyone is seen to be breaching the peace or intimidating others
- The Noise and Statutory Nuisance Act 1993 empowers local authorities to take statutory nuisance action in relation to equipment, including amplified musical instruments used in the streets. We are able to take legal action to abate the nuisance and prohibit its recurrence; this may include the seizure of musical instruments.
- The Anti-Social Behaviour Crime and Policing Act 2014 states that unreasonable and persistent/continuing behaviour which has a detrimental impact can be dealt with by way of a warning, notice, fixed penalty, and a prosecution in the magistrate's court.

- The Control of Pollution Act 1974 states that under no circumstances should amplifiers be operated in the street for any purpose between the hours of 9pm and 8am. Failure to comply can result in prosecution in the magistrate's court.

Formal action will only be taken as a last resort where buskers have repeatedly failed to follow this guidance.

If you require assistance in relation to a complaint, please contact 01622 602028 on 01622 602028 and an Officer will assist.

The Licensing Authority can carry out random spot checks to ensure buskers are complying with all guidelines, and enforcement action will follow when necessary.

Further information and contacts for buskers are all available to view online at

[www.Maidstone.gov.uk/busking](http://www.Maidstone.gov.uk/busking).

Any enquiries following this guidance can be made to the licensing department at [licensing@maidstone.gov.uk](mailto:licensing@maidstone.gov.uk) or 01622 602028.

Enquiries regarding enforcement can be made to the Enforcement team at 01622 602028

Do you have a brilliant act or are you a musician keen to busk in Maidstone?

If you feel you can add something special to Maidstone's street scene and would like advice on where to perform, please do not hesitate to get in touch with Maidstone Borough Council and we will be delighted to help advise you.

## COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE

**2 February 2021**

### 3<sup>rd</sup> Quarter Financial Update & Performance Monitoring Report 2020/21

<b>Final Decision-Maker</b>	Communities, Housing & Environment Committee
<b>Lead Head of Service</b>	Mark Green, Director of Business Improvement
<b>Lead Officer and Report Authors</b>	Ellie Dunnet, Head of Finance Paul Holland, Senior Finance Manager (Client) Carly Benville, Senior Business Analyst
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### **Executive Summary**

This report sets out the 2020/21 financial and performance position for the services reporting into the Communities, Housing & Environment Committee (CHE) as at 31<sup>st</sup> December 2020 (Quarter 3). The primary focus is on:

- The 2020/21 Revenue and Capital budgets; and
- The 2020/21 Key Performance Indicators (KPIs) that relate to the delivery of the Strategic Plan 2019-2045.

The combined reporting of the financial and performance position enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues in their proper context, reflecting the fact that the financial and performance-related fortunes of the Council are inextricably linked. The report for this quarter has a particular focus on the impact the Covid-19 pandemic has had on the Council's financial position and performance.

#### Budget Monitoring

Overall net expenditure at the end Quarter 3 for the services reporting to CHE is £4.4404m, compared to the approved budget of £5.266m, representing an underspend of £0.862m.

Capital expenditure for the services reporting to CHE of £4.362m has been incurred against the approved budget of £14.029m. Forecast spend for the year is £7.262m.

#### Performance Monitoring

46.7% (7 of 15) targetable quarterly key performance indicators reportable to the Communities, Housing & Environment Committee achieved their Quarter 3 target.

### Fees and Charges

Paragraphs 1.5-1.7 detail some minor updates to the previously agreed fees and charges for the 2021-22 financial year.

### **Purpose of Report**

The report enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues as at 31<sup>st</sup> December 2020.

### **This report makes the following Recommendations to the Committee:**

1. That the Revenue position as at the end of Quarter 3 for 2020/21, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. That the Capital position at the end of Quarter 3 be noted; and
3. That the Performance position as at Quarter 3 for 2020/21, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.
4. That the revision to the agreed fees for interment, detailed in paragraphs 1.5 – 1.7, be agreed.

### **Timetable**

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Communities, Housing & Environment Committee	2 February 2021

## 3<sup>rd</sup> Quarter Financial Update & Performance Monitoring Report 2020/21

### CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>This report monitors actual activity against the revenue budget and other financial matters set by Council for the financial year. The budget is set in accordance with the Council's Medium-Term Financial Strategy which is linked to the Strategic Plan and corporate priorities.</p> <p>The Key Performance Indicators and strategic actions are part of the Council's overarching Strategic Plan 2019-45 and play an important role in the achievement of corporate objectives. They also cover a wide range of services and priority areas.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Cross Cutting Objectives</b>	This report enables any links between performance and financial matters to be identified and addressed at an early stage, thereby reducing the risk of compromising the delivery of the Strategic Plan 2019-2045, including its cross-cutting objectives.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Risk Management</b>	This is addressed in Section 5 of this report.	Director of Finance and Business Improvement (Section 151 Officer)

Issue	Implications	Sign-off
<b>Financial</b>	<p>Financial implications are the focus of this report through high level budget monitoring. Budget monitoring ensures that services can react quickly enough to potential resource problems. The process ensures that the Council is not faced by corporate financial problems that may prejudice the delivery of strategic priorities.</p> <p>Performance indicators and targets are closely linked to the allocation of resources and determining good value for money. The financial implications of any proposed changes are also identified and taken into account in the Council's Medium-Term Financial Strategy and associated annual budget setting process. Performance issues are highlighted as part of the budget monitoring reporting process.</p>	Senior Finance Manager (Client)
<b>Staffing</b>	<p>The budget for staffing represents a significant proportion of the direct spend of the Council and is carefully monitored. Any issues in relation to employee costs will be raised in this and future monitoring reports.</p> <p>Having a clear set of performance targets enables staff outcomes/objectives to be set and effective action plans to be put in place.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Legal</b>	<p>The Council has a statutory obligation to maintain a balanced budget and the monitoring process enables the Committee to remain aware of issues and the process to be taken to maintain a balanced budget.</p> <p>There is no statutory duty to report regularly on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority 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. One of the purposes of the Key Performance Indicators is to facilitate the improvement of the economy, efficiency and effectiveness of Council services. Regular reports on Council performance help to demonstrate best value and compliance with the statutory duty.</p>	Principal lawyer (Corporate Governance), MKLS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Privacy and Data Protection</b>	The performance data is held and processed in accordance with the data protection principles contained in the Data Protection Act 2018 and in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. There is a program for undertaking data quality audits of performance indicators.	Policy and Information Team
<b>Equalities</b>	There is no impact on Equalities as a result of the recommendations in this report. An EqIA would be carried out as part of a policy or service change, should one be identified.	Equalities and Corporate Policy Officer
<b>Public Health</b>	The performance recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	There are no specific issues arising.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Procurement</b>	Performance Indicators and Strategic Milestones monitor any procurement needed to achieve the outcomes of the Strategic Plan.	Director of Finance and Business Improvement (Section 151 Officer)

## **1. BACKGROUND AND INTRODUCTION**

- 1.1 The Medium Term Financial Strategy for 2020/21 to 2024/25 - including the budget for 2020/21 - was approved by full Council on 26th February 2020. This report updates the Committee on how its services have performed over the last quarter with regard to revenue and capital expenditure against approved budgets.
- 1.2 The report particularly focuses on the impact of the Covid-19 pandemic on the financial position and performance of the service areas that fall under this committee, and provide some further detail around particular areas of concern.
- 1.3 This report also includes an update to the Committee on progress against its Key Performance Indicators (KPIs).
- 1.4 Attached at Appendix 1, is a report setting out the revenue and capital spending position at the Quarter 3 stage. Attached at Appendix 2, is a report setting out the position for the KPIs for the corresponding period.  
Fees & Charges Update

- 1.5 At its meeting on 5 January 2021, this committee agreed the fees and charges for the next financial year, including an update to the charges for bereavement services. This review was undertaken with the intention of ensuring that the cost of a basic funeral (cremation or burial) and entry in the book of remembrance would be frozen for residents of Maidstone borough for the next financial year, and was agreed by the committee.
- 1.6 However, the charges agreed within appendix 1 to the Fees and Charges report reflected an increase to the below interment fees for residents, which was unintended and at odds with the principles set out above.

<b>Interment Fees</b>	<b>Current 2020/21</b>	<b>Agreed 2021/22</b>	<b>% Increase</b>
18 years and over (18 years and 1 day)	£595.00	£605.00	1.68%
Double	£710.00	£730.00	2.82%
Treble	£950.00	£990.00	4.21%
Cremated remains	£245.00	£250.00	2.04%

- 1.7 It is therefore recommended that these charges be held at the 2020/21 level in accordance with the principles endorsed by the committee at its meeting on 5 January.

## **2. AVAILABLE OPTIONS**

- 2.1 There are no matters for decision in this report. The Committee is asked to note the contents but may choose to take further action depending on the matters reported here.

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

- 3.1 In considering the current position on the Revenue budget, the Capital Programme and KPIs at the end of December 2020, the Committee can choose to note this information or could choose to take further action.
- 3.2 The Committee is requested to note the content of the report and agree on any necessary action to be taken in relation to the budget position and/or the KPIs position.

## **4. RISK**

- 4.1 This report is presented for information only and has no direct risk management implications.
- 4.2 The Council produced a balanced budget for both revenue and capital income and expenditure for 2020/21. The budget was set against a backdrop of

limited resources and a difficult economic climate, even before the impact of the Covid-19 pandemic became clear. Regular and comprehensive monitoring of the type included in this report ensures early warning of significant issues that may place the Council at financial risk. This gives the Committee the best opportunity to take actions to mitigate such risks.

---

## **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

5.1 The KPIs update ("Performance Monitoring") is reported to service committees quarterly: Communities, Housing & Environment Committee; Economic Regeneration & Leisure Committee; and the Strategic Planning & Infrastructure Committee. Each committee will receive a report on the relevant priority action areas. The report is also presented to the Policy & Resources Committee, reporting on the priority areas of "A Thriving Place", "Safe, Clean and Green", "Homes and Communities" and "Embracing Growth and Enabling Infrastructure".

---

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

- 6.1 The Quarter 3 Budget & Performance Monitoring reports are being considered by the relevant Service Committees during February 2021, including a full report to the Policy & Resources Committee on 10 February 2021.
- 6.2 Details of the discussions which take place at Service Committees regarding financial and performance management will be reported to Policy and Resources Committee where appropriate.
- 6.3 The Council could choose not to monitor its budget and/or the Strategic Plan and/or make alternative performance management arrangements, such as the frequency of reporting. This is not recommended as it could lead to action not being taken against financial and/or other performance during the year, and the Council failing to deliver its priorities.
- 6.4 There is significant uncertainty regarding the Council's financial position beyond 2020/21, arising from the impacts of the Covid-19 crisis and the Council's role in responding to this. Future finance reports to this committee will ensure that members are kept up to date with this situation as it develops.
- 

## **7. REPORT APPENDICES**

- Appendix 1: Third Quarter Budget Monitoring 2020/21
  - Appendix 2: Third Quarter Performance Monitoring 2020/21
- 

## **8. BACKGROUND PAPERS**

None.

# Third Quarter Financial Update 2020/21

Communities, Housing & Environment  
Committee

2<sup>nd</sup> February 2021

Lead Officer: Mark Green

# Contents

**Part A: Executive Summary & Overview** Page 2

**Part B: Revenue Budget Q3 2020/21**

B1) Revenue Budget Page 5

**Part C: Capital Budget Q3 2020/21**

C1) Capital Budget Page 9

# Part A

# Executive Summary & Overview



This report provides members with a financial update for the third quarter of 2020/21, covering activity for this committee's revenue and capital accounts for this period, and a projected outturn for the year.

Members will be aware that since the budget was agreed in February 2020, the position for 2020/21 and future years has changed significantly as a result of the Covid-19 pandemic. Specific impacts include:

- Redirection of existing resources to support vulnerable people
- Administering government support schemes, notably business rate reliefs and grants
- Increased activity in some council services
- Temporary closure of some Council facilities
- Reduction in levels of activity in some other Council services
- Income generating activities severely impacted by overall contraction in economic activity
- Change in working patterns, with almost all office-based staff now working from home
- Reduced levels of Council Tax and Business Rates collection.

This has resulted in many service areas reporting or projecting adverse variances against the budget for 2020/21, particularly in relation to income. The overall projection for the council as reported to government on our monthly financial monitoring returns is summarised in table 1 below and shows that the potential impact of Covid-19 on the council's financial position is £7.568m. Councils have been asked to complete these returns to enable a comprehensive picture of the financial impact of Covid-19 on local authorities to be compiled by the Ministry of Housing, Communities and Local Government. The projections are based on the information available to finance officers at the time of submitting the return and are being regularly updated as the situation unfolds and further information becomes available.

	£000
Additional Spending	1,935
Income Reductions:	
Business Rates (MBC share)	774
Council Tax (MBC share)	665
Other Income	4,194
<b>Total</b>	<b>7,568</b>

*Table 1, Covid-19 financial impact*

It should be noted that the projections detailed within table 1 do not correspond to the in year budget outturn projections. This arises for several reasons.

- Due to the statutory accounting arrangements for council tax and business rates, these losses do not impact the general fund balance until next year.
- The variances above reflect an estimate of the financial impact of Covid-19, and do not take into account other factors which may impact on the budget outturn such as underspends that have the effect of mitigating Covid-19 related losses.
- The Covid-19 financial impact has been offset by both unringfenced government support and grants covering specific areas of expenditure.

To date, unringfenced financial support totalling £2.5m for MBC has been announced by the government. The council has also submitted two claims for lost income from sales, fees and charges under the government's compensation scheme, covering the period April - November. Two further claims will be submitted covering the remainder of this financial year and the first quarter of 2021-22. Funding of £2.1m has been applied for under this scheme to date, although this amount will be subject to a reconciliation and audit process by MHCLG.

Given the all-encompassing impact of Covid-19 across many of the council's services, mitigation for losses will be treated as a corporate exercise, and we will therefore not attempt to apportion all unringfenced support received across service committees.

In addition to the unringfenced support, the council has received funding which can be clearly matched to additional expenditure, or outgoing grants. It is anticipated that these funding streams will be used in full to offset increased costs incurred in responding to the Covid-19 pandemic. Examples of such funding include the Reopening High Streets Safely Fund, Emergency Assistance Grant and the Local Authority Compliance and Enforcement Grant.

Headline messages arising from other sections of this report are summarised below:

#### Part B: Revenue budget – Q3 2020/21

- Overall expenditure at the end Q3 for the services reporting to CHE is £4.404m, compared to the profiled approved budget of £5.266m, representing an underspend of £0.862m. The forecast year end outturn for CHE is an underspend of £0.471m.
- We are due to receive funding to mitigate the impact of losses from fees and charges income. Initial calculations indicate that this funding could be in the region of £2.5m for the council as a whole for this financial year.

#### Part C: Capital budget – Q3 2020/21

- Capital expenditure for the services reporting to CHE of £4.362m has been incurred against the approved budget of £14.029m. Forecast spend for the year is £7.262m.

# Part B

# Third Quarter Revenue Budget 2020/21



## B2) Revenue Budget

B1.1 The table below provides a detailed summary on the budgeted net income position for CHE services at the end of Quarter 3. The figures are presented on an accruals basis (e.g. expenditure for goods and services received, but not yet paid for, is included).

The budget shown is now the revised estimate for 2020/21.

### CHE Revenue Budget & Outturn – Quarter 3

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Cost Centre	Approved Budget for Year £000	Budget to 30 September 2020 £000	Actual £000	Variance £000	Forecast 31 March 2021 £000	Forecast Variance 31 March 2021 £000
Parks & Open Spaces	1,001	768	692	76	941	60
Playground Maintenance & Improvements	136	100	93	6	136	0
Parks Pavilions	32	24	19	5	32	0
Mote Park	256	193	201	-8	256	0
Parks & Open Spaces Leisure Activities	-5	-4	1	-5	-5	0
Mote Park Leisure Activities	-38	-28	1	-29	-1	-37
Allotments	13	10	8	2	13	0
Cemetery	62	69	13	56	17	45
National Assistance Act	-0	-0	0	-1	-0	0
Crematorium	-843	-576	-714	138	-963	120
Community Safety	28	23	16	6	28	0
PCC Grant - Building Safer Communities	0	0	-3	3	0	0
C C T V	77	15	11	4	77	0
Drainage	32	24	7	17	32	0
Licences	-6	-3	2	-5	-6	0
Licensing Statutory	-64	-48	-67	19	-64	0
Licensing Non Chargeable	8	6	6	-0	8	0
Dog Control	30	20	23	-4	30	0
Health Improvement Programme	9	9	0	9	9	0
Pollution Control - General	1	-1	-2	1	1	0
Contaminated Land	1	0	-0	1	1	0
Waste Crime	36	29	4	24	36	0
Food Hygiene	9	6	-2	8	9	0
Sampling	4	2	1	2	4	0
Occupational Health & Safety	-6	-5	-4	-1	-6	0
Infectious Disease Control	1	1	1	-0	1	0
Noise Control	1	1	0	1	1	0
Pest Control	-12	-9	-12	3	-12	0
Public Conveniences	200	145	175	-30	253	-53
Licensing - Hackney & Private Hire	-63	-49	-25	-24	-63	0
Street Cleansing	1,132	836	787	48	1,077	55
Household Waste Collection	1,200	902	854	49	1,140	60
Commercial Waste Services	-59	-46	-56	10	-59	0
Recycling Collection	788	508	424	84	688	100

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Cost Centre	Approved Budget for Year £000	Budget to 30 September 2020 £000	Actual £000	Variance £000	Forecast 31 March 2021 £000	Forecast Variance 31 March 2021 £000
Community Environmental Engagement	1	0	0	-0	1	0
Community Hub	0	-43	35	-79	82	-82
Public Health - Obesity	0	-12	-26	14	0	0
Public Health - Misc Services	0	-4	-3	-1	0	0
Grants	177	176	174	2	177	0
Delegated Grants	2	2	0	2	2	0
Parish Services	130	130	129	1	130	0
Member's Community Grant	0	0	1	-1	0	0
General Fund Residential Properties	-92	-69	-36	-33	-53	-40
Strategic Housing Role	14	11	2	10	14	0
Housing Register & Allocations	11	10	12	-2	11	0
Housing Advice	0	0	1	-1	0	0
Private Sector Renewal	-47	-48	-50	2	-47	0
HMO Licensing	-20	-15	-8	-8	-20	0
Homeless Temporary Accommodation	409	307	272	35	367	42
Homelessness Prevention	311	-578	-701	123	156	155
Predictive Analysis and Preventing Homelessness	56	56	56	0	56	0
Aylesbury House	13	10	-10	19	13	0
Magnolia House	8	6	-10	15	8	0
St Martins House	0	1	-3	4	0	0
Marsham Street	59	44	34	10	59	0
Sundry Temporary Accommodation (TA) Properties	2	2	-16	18	2	0
Pelican Court (Leased TA Property)	0	-6	1	-7	0	0
2 Bed Property - Temporary Accommodation	-59	-45	-65	21	-59	0
3 Bed Property - Temporary Accommodation	-38	-28	-48	20	-38	0
4 bed Property - Temporary Accommodation	-1	-1	-7	7	-1	0
1 Bed Property- Temporary Accommodation	3	2	-1	3	3	0
Melville Road Supported Accommodation	-28	-22	-37	15	-28	0
Marden Caravan Site (Stilebridge Lane)	19	16	3	13	19	0
Ulcombe Caravan Site (Water Lane)	7	-1	2	-3	7	0
Head of Environment and Public Realm	106	79	66	13	106	0
Bereavement Services Section	250	188	190	-3	250	0
Community Partnerships & Resilience Section	443	332	290	42	399	44
Licensing Section	113	85	79	6	113	0
Environmental Protection Section	267	200	200	0	267	0
Food and Safety Section	262	196	150	46	262	0
Depot Services Section	804	603	580	24	774	30
Biodiversity & Climate Change	30	23	7	16	30	0
Head of Housing & Community Services	111	83	83	0	111	0
Homechoice Section	213	148	131	17	213	0
Housing & Inclusion Section	591	369	348	21	591	0
Housing & Health Section	269	159	128	31	225	44
Housing Management	271	183	177	6	271	0
Homelessness Outreach	5	-139	-140	1	5	0
Salary Slippage 3CHE	-133	-100	0	-100	0	-133
Fleet Workshop & Management	241	181	146	35	201	41
MBS Support Crew	-63	-47	-34	-14	-63	0
Grounds Maintenance - Commercial	-135	-101	-157	56	-155	21
<b>Totals</b>	<b>8,543</b>	<b>5,266</b>	<b>4,404</b>	<b>862</b>	<b>8,072</b>	<b>471</b>

- B1.2 The table shows that at the end of the third quarter overall net expenditure for the services reporting to CHE is £4.404m, compared to the approved budget of £5.266m, representing an underspend of £0.862m. It should be noted that this forecast does not take into account support for income losses mentioned earlier in this report.
- B1.3 The table indicates that in certain areas, significant variances to the budgeted income levels have emerged during the third quarter of the year. The reasons for the more significant variances are explored in section B2 below.

## **B2) Variances**

- B2.1 The impact of Covid-19 and lockdown has caused relatively few significant issues for this committee, and the year-end forecast is for an underspend of £0.471m, although that does not include the recovery of fees and charges from the government outlined earlier in this Appendix or measures taken to mitigate the overspend across all committees such as deferring recruitment plans and cancelling non-essential expenditure. Income levels have remained particularly strong for this committee, and this has offset any areas where Covid-19 and the lockdown have had a negative impact.

	Positive Variance Q3	Adverse Variance Q3	Year End Forecast Variance
<b>Communities, Housing &amp; Environment Committee</b>	<b>£000</b>		
<b>Parks &amp; Open Spaces</b> – This variance is caused by a reduction in staffing costs from vacant posts and staff being posted to other Covid-related roles. Some planned tree works may reduce the variance by the end of the year.	76		60
<b>Mote Park Leisure Activities</b> – There has been no income generated this year due to the suspension of activities under Covid 19 guidance.		-29	-37
<b>Crematorium</b> – Due to the increased demand for cremations the original income target has now been exceeded, although there will be some additional maintenance costs incurred during the 4 <sup>th</sup> quarter.	138		120
<b>Public Conveniences</b> – This variance has arisen from an increase in running costs as well as additional water rates as a result of water leaks.		-30	-53
<b>Street Cleansing</b> – There are a number of staff vacancies in this area, as well as some additional income.	48		55
<b>Household Waste Services</b> – There has been more income than forecast from both wheeled bins and bulky waste collection.	49		60
<b>Recycling Collection</b> – There has been more income than forecast for wheeled bins and garden waste bin income.	84		100
<b>Community Hub</b> - The hub was set up to help vulnerable people in the community during the early stages of the Covid-19 outbreak. All the costs are expected to be funded by the end of the year via the grants received that are currently being held in the Contingency budget in Policy & Resources Committee.		-79	-82
<b>General Fund Residential Properties</b> – This variance has been caused by a number of factors, the most significant ones being increased running costs and a reduction in rental income from vacant properties.		-33	-40
<b>Homelessness Prevention</b> – There are several reasons for this variance. The Guaranteed Rent Scheme has been abandoned for legal reasons; demand for the Homefinder Scheme has fallen for Covid-related reasons; and finally, there are underspends against some of the running costs budgets.	123		155

# Part C

# Third Quarter Capital Budget 2020/21



## B1) Capital Budget: Communities, Housing & Environment Committee (CHE)

B1.1 The position of the 2020/21 CHE element of the Capital Programme at the Quarter 3 stage is presented in Table 3 below. The budget shown is the revised estimate for 2020/21.

Table 4: CHE Capital Programme 2020/21 (@ Quarter 3)

Capital Programme Heading	Revised	Actual to	Budget	Projected		Projected
	Estimate	December		Total	Slippage to	
	2020/21	2020	Remaining	Q4 Profile	Expenditure	2021/22
	£000	£000	£000	£000	£000	£000
Housing - Disabled Facilities Grants Funding	591	388	202	202	590	0
Temporary Accommodation	1,887	818	1,069	515	1,333	554
Brunswick Street - Costs of Scheme	4,233	1,701	2,532	532	2,233	2,000
Brunswick Street - Receipts	-1,502	-1,291	-211	-477	-1,767	265
Union Street - Costs of Scheme	5,201	1,926	3,276	576	2,502	2,700
Union Street - Receipts	-2,100	-460	-1,639	-1,554	-2,014	-85
Springfield Mill - Phase 1	1,807	882	925	812	1,694	113
Springfield Mill - Phase 2	1,322		1,322	1,322	1,322	0
Granada House Extension	125	26	99	99	125	0
Private Rented Sector Housing Programme	822	122	700	240	362	460
Affordable Housing Programme	800		800	138	138	662
Acquisitions Officer - Social Housing Delivery P/ship	80	50	30	30	80	-0
Street Scene Investment	96	89	6	6	95	0
Flood Action Plan	50		50	50	50	
Electric Operational Vehicles	100		100	100	100	
Rent & Housing Management IT System	50	7	43	43	50	-0
Installation of Public Water Fountains	15		15	15	15	
Crematorium & Cemetery Development Plan	230	18	212	212	230	0
Continued Improvements to Play Areas	123	85	38	38	123	0
Parks Improvements	99		99			99
<b>Total</b>	<b>14,029</b>	<b>4,362</b>	<b>9,667</b>	<b>2,900</b>	<b>7,262</b>	<b>6,768</b>

B1.2 Comments on the variances in the table above are as follows:

Housing Investments – Phase 4 of the purchase and repair scheme to acquire properties for temporary accommodation is substantially complete.

Brunswick Street and Union Street – Both phases are scheduled for completion by the end of the fourth quarter, with final costs being incurred in the first quarter of 2021/22. There have been some sales earlier than was forecast at Brunswick Street.

Springfield Mill Phases 1 & 2 – Both phases are scheduled for completion by the end of the fourth quarter.

Private Rented Sector Housing Programme – A number of schemes are being considered and are at various stages of development. Where a decision is taken to proceed a more detailed report will be brought forward for consideration. (This line was previously called 'Indicative Schemes' in prior reports).

*Affordable Housing Programme* – A property purchase is planned during the fourth quarter.

# Third Quarter Performance Monitoring 2020/21

## Key to performance ratings

RAG Rating	
	Target not achieved
	Target slightly missed (within 10%)
	Target met
	Data Only

Direction	
	Performance has improved
	Performance has been sustained
	Performance has declined
N/A	No previous data to compare

## Performance Summary

RAG Rating	Green	Amber	Red	N/A <sup>1</sup>	Total
KPIs	7	4	4	3	18
Direction	Up	No Change	Down	N/A	Total
Last Quarter	8	1	9	0	18
Last Year	6	0	6	6	18

- 46.7% (7) of 15 targetable quarterly key performance indicators (KPIs) reportable to the Communities, Housing and Environment Committee achieved the Quarter 3 (Q3) target<sup>1</sup>.
- Compared to last quarter (Q2 2020/21), performance for 44.4% (8) of 18 KPIs has improved, 5.6% (1) of 18 KPIs has been sustained, and for 50.0% (9) of 18 KPIs has declined<sup>1</sup>.
- Compared to last year (Q3 2019/20), performance for 50.0% (6) of 12 KPIs has improved, and for 50.0% (6) of 12 KPIs has declined<sup>1</sup>.

## Safe, Clean & Green

Performance Indicator	Q3 2020/21				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Percentage of unauthorised encampments on Council owned land removed within 5 working days	0%	100%			N/A
The percentage of relevant land and highways that is assessed as having acceptable levels of detritus	95.59%	95.00%			
Percentage of fly tips with evidential value resulting in enforcement action	76.2%	87.0%			
Percentage of fly tips assessed within 2 working days	84.44%	94.00%			N/A
The average weight of fly tipped material collected	61.36kg				

<sup>1</sup> PIs rated N/A are not included in the summary calculations

\* Indicates data that has not been authorised

Performance Indicator	Q3 2020/21				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Percentage of household waste sent for reuse, recycling and composting**	49.97%	52.00%			
The percentage of relevant land and highways that is assessed as having acceptable levels of litter	97.17%	98.00%			
Contamination: Tonnage per month rejected**	127.21	287.50			N/A
Actual Spend of Section 106 money	Annual KPI				
Maintenance per Hectare Spent on Parks and open Spaces	Annual KPI				
Percentage of People using Parks and Open spaces at least once a week	Annual KPI				
Number of Green Flag Parks	Annual KPI				

\*\*Please note that data for two KPIs do not include data for November and December as this data is yet to be provided from Kent County Council. Updated figures for Q3 2020/21 will be shared in the next quarterly report.

Considering the data that Maidstone Borough Council currently has access to, under 'Safe, Clean & Green', five KPIs missed their targets in Q3, where three were missed by more than 10%. One KPI is information-only. Two KPIs are new for 2020/21 and hence it is not possible to compare performance against previous years. The '**Percentage of unauthorised encampments on Council owned land removed within 5 working days**' does not have data for last year and hence it is not possible to compare performance against last year.

When we compare the KPIs to the last quarter (Q2 2020/21), four saw an improvement and four declined. Compared to the same quarter last year, two improved, and three declined.

As above, the data for the '**Percentage of household waste sent for reuse, recycling and composting**' KPI is only provided for October 2020. So, whilst it appears to have missed its Q3 target (within 10%), there are two months' worth of data missing. The Waste team state that the Q3 figure has been affected by seasonal variations in the waste process; for example, the team expected a slight reduction in this figure due to a reduction in garden waste tonnage over the winter months. In October 2020, 5315.31 tonnes of household waste were collected, and 2655.99 tonnes of household waste were sent for reuse, recycling or composting.

The second KPI which missed its quarterly target within 10% is the '**The percentage of relevant land and highways that is assessed as having acceptable levels of litter**' KPI. The target was missed by 0.83 percentage points. The Street Cleansing team highlight that the quarterly target is challenging, and it appears that the highway surveyed this quarter had been a victim of littering in between its scheduled cleanses.

The '**Percentage of unauthorised encampments on Council owned land removed within 5 working days**' was 0%. Whilst this result appears drastic, it is worth noting that there was just one unauthorised encampment on Council owned land in this quarter. This encampment was not removed within 5 working days and still remains in situ (as of 4

January 2021). Officers attended the encampment at Bircholt Road and welfare checks were made. As there were no reports of criminality or anti-social behaviour, there were not any powers to remove the unauthorised encampment expediently. Under the current COVID-19 guidelines, the people involved were permitted to stay and are currently regularly monitored. So far, there have been no issues.

The '**Percentage of fly tips with evidential value resulting in enforcement action**' KPI missed its Q3 target by 10.8 percentage points. There were 42 fly-tips with evidential value and 32 enforcement actions against these offenders during the quarter. Last quarter, this was 93.1%, whereas the same quarter last year was 82.1%. This target was missed due to staff shortages during the quarter. The staff shortages came about due to staff members needing to self-isolate or because they had tested positive for COVID-19. Of those 32 enforcement actions taken in the quarter 13 fixed penalty notices were issued, 10 warnings were handed out, 3 statutory notices were given, and 6 vehicles were seized. There were no prosecutions.

The '**Percentage of fly tips assessed within 2 working days**' KPI also missed its quarterly target by more than 10%; it achieved 84.44% compared to the target set of 94.00%. In this quarter, there were 752 fly-tips reported and 635 of these were assessed within 2 working days. The target was missed due to a peak workflow in December combined with low staff numbers to action the reports. A high number were self-isolating and had received a positive test for COVID-19. Of the 117 reports that did not get assessed within two working days, only 25 of these were not cleared within the two working day period.

## Homes & Communities

Performance Indicator	Q3 2020/21				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Percentage spend and allocation of Disabled Facilities Grant Budget (YTD)	92.6%	50.0%			
Number of households living in temporary accommodation last night of the month (NI 156 & SDL 009-00)	139				
Number of households living in nightly paid temporary accommodation last night of the month	37				
Number of households housed through the housing register	189	112.5			
Number of households prevented or relieved from becoming homeless	194	112.5			
Percentage of successful Prevention Duty outcomes	74.88%	60%			
Percentage of successful Relief Duty outcomes	35.29%	60%			
Percentage of gas safety certificates in place on all residential properties	95.95%	100.00%			N/A
Percentage of all electrical safety certificates on all residential properties	92.41%	100.00%			N/A

Performance Indicator	Q3 2020/21				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Percentage of high priority fire safety certificates on all residential properties	100.00%	100.00%			N/A
Number of houses of multiple occupation brought to compliance by private rented sector licensing	Bi-annual KPI				
Number of completed housing assistances	Annual KPI				

Under 'Homes & Communities', of the eight KPIs with targets, five met these, two missed these within 10%, and one missed this by more than 10%. Two KPIs are for information-only purposes. Three KPIs are new KPIs for 2020/21, and so previous performance data is unavailable.

The '**Percentage of successful Relief Duty outcomes**' KPI missed its target by more than 10% in Q3; the figure achieved was 35.29% and the target was 60%. Last quarter this figure was 57.48% and last year it was 69.29%. In Q3, there were 119 applicants whose relief duty had ended and there were 42 applications where relief duty had ended because the applicant had suitable accommodation for at least 6 months. The Housing Advice team state that the target is ambitious and much higher than the national figures on the percentage of successful relief duty outcomes. Nationally, from the latest published homelessness statistics for the quarter Jan - March 2020, the percentage of successful relief duty outcomes was 39.7%; and for the quarter April - June 2020 this percentage is 37.6%.

A change in approach to provide earlier intervention and focus on homelessness prevention, including moving away from direct letting of social housing to homeless households, and prioritising those at risk of homelessness, will have impacted on the number of households whose homelessness has been relieved in this quarter.

There has also been additional focus during the quarter on open cases, but where contact was lost with the applicant. This resulted in 24% of the relief duties in this quarter being ended due to the applicant withdrawing their application or due to lost contact. Additionally, if the Council is unable to relieve homelessness within the 56-day Relief duty period, applicants who are in priority need and unintentionally homeless, proceed to be owed the main housing duty by the Authority from day 57 and whilst these applicants are subsequently secured settled accommodation, these outcomes are not able to be recorded as a successful relief of homelessness. In this quarter 29% of applicants whose relief duty was ended after day 56 were owed the main housing duty.

The '**Percentage of gas safety certificates in place on all residential properties**' KPI missed its quarterly target by just over 4 percentage points. This was equivalent to three residential properties. Figures for last year are unavailable as this is a new KPI for 2020/21. Similarly, another new KPI for 2020/21 missed its quarterly target by 7.59 percentage points: '**Percentage of all electrical safety certificates on all residential properties**'. This was equivalent to 6 residential properties out of 79. Both KPIs have missed their Q3 targets due to COVID-19. Appointments had been booked for contractors to attend the properties, however the occupants would not allow access due to them shielding, as they were clinically extremely vulnerable individuals. The team are currently working on rebooking the tests, and some have already been completed in January.

# Agenda Item 16

## COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE

2 February 2021

### Maidstone Borough Council Tenancy Strategy 2021-2026

<b>Final Decision-Maker</b>	COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE
<b>Lead Head of Service</b>	William Cornall
<b>Lead Officer and Report Author</b>	John Littlemore
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

Section 150 of the Localism Act 2011 requires the Council to review and keep up to date a Tenancy Strategy that informs registered providers of social housing (RPSH) for its district the kinds of tenancies they grant, the circumstances in which they will grant a tenancy of a particular kind, and the length of terms that tenancies should exist for. When amending the existing Tenancy Strategy, the Council is required to invite comment from its RPSH partners.

#### Purpose of Report

To seek the Committee's approval on the draft updated Tenancy Strategy and to invite comment from RPSH partners before submitting the final Strategy to the CHE Committee for adoption.

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

1. The Committee approves the draft Tenancy Strategy 2021 -2026 attached at Appendix 1. for consultation with local Registered Providers of Social Housing (RPSH).
2. Having received comments from RPSH, the Head of Housing & Community Services is directed to bring back a further report to enable the Tenancy Strategy 2021 - 2026 to be adopted.

#### Timetable

<b>Meeting</b>	<b>Date</b>
Communities, Housing & Environment Committee	2 February 2021
Communities, Housing & Environment Committee	6 April 2021

# Maidstone Borough Council Tenancy Strategy 2021-2026

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Homes and Communities</li> <li>• We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council’s overall achievement of its aims as set out in section 4.</li> </ul>	Head of Housing & Community Services
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations supports the achievement of the Deprivation and Social Mobility is Improved cross cutting objectives by encouraging stable homes.</p>	Head of Housing & Community Services
<b>Risk Management</b>	Already covered in the risk section.	Head of Housing & Community Services
<b>Financial</b>	There are no financial implications arising from the recommendations.	Head of Housing & Community Services
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Head of Housing & Community Services
<b>Legal</b>	Accepting the recommendations will fulfil the Council’s duties under Section 150 of the	[Team Leader

	Localism Act 2011.	(Contentious) ]
<b>Privacy and Data Protection</b>	Accepting the recommendations will have a neutral impact on the volume of data held by the Council. We will hold that data in line with our retention schedules.	Policy and Information Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Head of Housing & Community Services
<b>Public Health</b>	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Head of Housing & Community Services
<b>Crime and Disorder</b>	The recommendation will have a neutral impact on Crime and Disorder. The Community Protection Team have been consulted and mitigation has been proposed	Head of Housing & Community Services
<b>Procurement</b>	There are no procurement issues arising from accepting the recommendations.	Head of Housing & Community Services

**2. INTRODUCTION AND BACKGROUND**

- 2.1 The existing Tenancy Strategy 2011-2015 is out of date and does not reflect the Council’s position with regard to its existing temporary accommodation stock or ambitions to deliver a number of new social rented accommodation.
- 2.2 The existing Tenancy Strategy was approved at a time when ‘Fixed Term Tenancies’ were introduced for affordable housing, as it was believed by the Government that lifetime tenancies no longer provided the best use of affordable housing stock. In order to provide some certainty, local housing authorities (LHA) were required by the Localism Act 2011 to adopt and publish a Tenancy Strategy setting out how this would be implemented.
- 2.3 The purpose of the Tenancy Strategy is contained within s.150 (1) Localism Act 2011 as reads as follows:

A local housing authority in England must prepare and publish a strategy (a “tenancy strategy”) setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to—

- (a) the kinds of tenancies they grant,
- (b) the circumstances in which they will grant a tenancy of a particular kind,
- (c) where they grant tenancies for a term certain, the lengths of the terms, and

(d)the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

- 2.4 The relevant section goes onto to say that LHAs “must have regard to its tenancy strategy in exercising its housing management functions”. At the time of adopting the original Tenancy Strategy, the Council did not have housing stock of its own but the relevance of the section has now gained more importance due to the evolving nature of Maidstone BC’s Housing Services.
- 2.5 Whilst it is a statutory requirement for the LHA to have an adopted Tenancy Strategy and its RPSH partners are required to have due regard to the content of the Strategy; there is no legal requirement for the RPSH to abide by the Council’s Strategy.
- 2.6 When s.150 was enacted, there was a mixed reception and appetite amongst the housing sector to adopt wholesale the new fixed term regime. This led to a diverse approach by local RPSH and the original Tenancy Strategy reflected a broad-brush approach. Since 2012, the use of flexible tenure has fallen out of favour both with successive governments and the housing provider sector. Very few RPSH now employ fixed term tenancies, as they are viewed as not promoting settled communities and are burdensome to administer.
- 2.7 All RPSH in our area instead use probationary tenancies of up to 12 months before granting the ‘lifetime’ periodic tenancies once the probationary period has been successfully completed. It is proposed that MBC adopts a similar approach with our social rent programme and to reflect this within the revised Tenancy Strategy.
- 2.8 The letting of temporary accommodation is not required by the Localism Act to be included within the Tenancy Strategy. However, with the Council managing a significant number of its own units of temporary accommodation, it is an opportunity to set out within the Tenancy Strategy our approach to their letting.

---

### **3. AVAILABLE OPTIONS**

- 3.1 The Committee could agree the draft Tenancy Strategy at Appendix 1 in order to have a relevant and up to date Strategy to guide its officers and partner RPSH.
- 3.2 The Committee could choose not to update the Tenancy Strategy but this approach is not recommended, as it is a statutory requirement to review the Strategy periodically and would leave the Council open to legal challenge if it has not done so. In addition, as the Council delivers new socially rented homes through its development programme, it is required to have in place a Tenancy Strategy to guide how they will be let.

---

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

4.1 The preferred recommendation is set out in Paragraph 3.1 above, as the updated Tenancy Strategy will:

- Better inform new tenants of the Council.
- Provide a more relevant framework for our RPSH colleagues.
- Ensure the Council fulfils its statutory duty to keep the Tenancy Strategy refreshed.

---

#### **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 The length of time in which RPSH are given the opportunity to comment on the amended Tenancy Strategy is not expressed in the legislation. The statutory requirement is set out at s.151 (1) which states:

Before adopting a tenancy strategy, or making a modification to it reflecting a major change of policy, the authority must—

- (a) send a copy of the draft strategy, or proposed modification, to every private registered provider of social housing for its district, and
- (b) give the private registered provider a reasonable opportunity to comment on those proposals.

6.2 It is intended to carry out a relatively short window of 28 days in which to ask the RPSH to comment. The reasons being are twofold:

- The amended Strategy will not directly affect the RPSH, as it will reflect the current situation and, in any case, cannot overrule the RPSH's own adopted policy
- Pragmatically, the next available Committee date for adoption would be 6<sup>th</sup> April 2021; after that date, the next meeting would not be until June 2021, by which time it is hoped that the Council will be providing its own social housing.

## **7. REPORT APPENDICES**

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

- Appendix 1: Maidstone Borough Council Tenancy Strategy 2021-2026
- 

## **8. BACKGROUND PAPERS**

Localism Act 2011

**[DRAFT]**

# **Maidstone Borough Council Tenancy Strategy 2021-2026**

Version 2.1  
February 2021

# Contents

1	Purpose of this Strategy.....	1
2	Legislative Framework.....	1
3	Tenancy Type and Length.....	2
4	Circumstances in which Specific Tenancies will be Granted .....	4
5	Renewal or Termination of a Tenancy .....	5
6	Affordable and Social Rent.....	6
7	Existing & Transferring Tenants.....	6

## **1 Purpose of this Strategy**

Maidstone Borough Council's Tenancy Strategy provides guidance on the tenancy type when providing accommodation and for Registered Providers of social housing that have housing stock within the borough. The Strategy describes the circumstances to which Registered Providers must have regard when formulating policies on these matters.

The Tenancy Strategy is to be considered in conjunction with the Homelessness Strategy and Allocation Scheme, all of which support Maidstone Borough Council's Housing Strategy. This Strategy does not provide guidance as to how social housing should be allocated as this is provided by the Council's Allocation Scheme.

Housing and Communities is a priority within Maidstone Borough Council's Strategic Plan. We want to see housing that is safe, desirable and promotes good health and well-being. This can be expressed as stable communities whose social mobility is not constricted by their tenure. This Tenancy Strategy seeks to achieve this balance through our own housing provision and that of our Registered Providers of social housing.

Registered Providers of social housing work across multiple local authority areas and this Tenancy Strategy is meant to provide guidance in the Maidstone Borough Council area only.

## **2 Legislative Framework**

The Localism Act 2011 states that each local authority must publish a Tenancy Strategy setting out the matters to which itself and Registered Providers of social housing for its borough are to have regard for in formulating policies relating to:

- the types of tenancies they will grant
- the circumstances under which different types of tenancies will be granted
- where they elect to grant fixed-term tenancies, the length of the fixed term
- the circumstances in which they will grant a further tenancy when the fixed-term expires

For the purposes of this Strategy, Registered Providers of social housing include Maidstone Borough Council as a stock holding authority.

### 3 Tenancy Type and Length

#### Probationary/Starter Tenancy

A probationary or starter (or introductory) tenancy is normally granted for 12 months to enable the tenant to demonstrate that they can abide by its conditions. Once the probationary period is satisfactorily completed the tenancy will become more secure.

Probationary tenancies enable social landlords to obtain possession of a property more easily where there have been problems with the way in which the tenancy has been conducted. Examples include a persistent failure by the tenant to pay their rent on time and/or the tenant or a member of their household causing anti-social behaviour.

The landlord will be expected to follow the correct legal process if it decides to seek possession and Maidstone Borough Council would also encourage landlords to make use of powers granted to extend the length of probationary tenancies where there are ongoing issues surrounding the conduct of a tenant, so as to provide sufficient time to try and resolve problems. The Council also expects landlords to meet the appeal requirements of the legislation.

#### Excluded Licence and Non-Secure Tenancies

The Council owns and retains property specifically to be used as temporary accommodation (TA) for persons it is assisting under Part 7 Housing Act 1996. Properties being used in this way are exempted from being Secure Tenancies by virtue of the relevant legislation.

Persons accommodated whilst enquiries are made into the duty that is owed to the applicant will be provided with an excluded licence agreement.

Persons owed the main housing duty and accommodated in TA will revert to a weekly periodic non-secure tenancy.

#### Secure Tenancy

Secure tenancies are granted by Local Housing Authorities under Housing Act 1985. A secure tenancy can be:

- a fixed-term tenancy – where the landlord and tenant have agreed the tenancy will run for a set period of time, for example 12 months; or
- a periodic tenancy – for an indefinite period with the rent being paid on a periodic basis, for example weekly or monthly

Secure tenancies will be given to a tenant once an initial probationary tenancy has satisfactorily completed.

Maidstone Borough Council prefers to provide periodic tenancies.

Where a fixed term tenancy is granted this will be for a specific purpose e.g. supported accommodation. In these circumstances, the period of the fixed term will range between 2 and 5 years depending on the occupants and the requirements of the scheme.

Where appropriate, tenancies should be re-issued at the end of the term unless there is a change of circumstance within the household. For example, a change in financial circumstances, household composition, etc. in which case the Council may decide to offer an alternative equivalent tenancy at another address, which might be with a Registered Provider of social housing.

### Assured Tenancy

Assured tenancies are granted by Registered Providers of social housing under the Housing Act 1988. An assured tenancy can be:

- a fixed-term tenancy – where the landlord and tenant have agreed the tenancy will run for a set period of time, for example 12 months; or
- a periodic tenancy – for an indefinite period with the rent being paid on a periodic basis, for example weekly or monthly

Assured tenancies are often given to a tenant once an initial probationary/starter tenancy has successfully been completed.

Maidstone Borough Council encourages its Registered Providers of social housing to provide periodic tenancies.

If the Registered Provider of social housing provides fixed term tenancies, the Council prefers a five year fixed term tenancy as the minimum for the majority of households. It would also encourage the use of a longer fixed term tenancy where a household's circumstances are unlikely to change over time. For example, people with long term health conditions.

Tenancies should be re-issued at the end of the term unless there is a change of circumstance within the household. For example, a change in financial circumstances, household composition, etc.

## 4 Circumstances in which Specific Tenancies will be Granted

### Households with a disabled household member (adult or child)

Maidstone Borough Council encourages:

- Lifetime tenancies for households moving into extra care or designated older persons accommodation
- Minimum five year fixed term tenancies for adapted homes and general needs accommodation
- Shorter fixed term tenancies for “move on” or respite care
- Affordable rent levels at or below the Local Housing Allowance level

Registered Providers should engage other agencies involved in meeting the household’s needs (e.g. social care) at the initial assessment and during the course of the tenancy.

Any decision not to reissue a tenancy should be based on clear criteria which may include changes in housing need related to disability.

### Lower income households not in receipt of Universal Credit / Housing Benefit

Maidstone Borough Council encourages periodic tenancies or a minimum fixed-term tenancy of five years.

Support to households offered should their circumstances change (e.g. a household member is made unemployed)

Clear information about any additional costs associated with a tenancy (e.g. administration fees, deposits, etc)

### Single and childless couples under 55

Maidstone Borough Council would prefer:

- Periodic tenancies; particularly for households who may have a continuing vulnerability (e.g. long term physical and/or mental health issues)
- Fixed-term tenancies to be for a minimum period of 5 years
- Affordable rent levels at or below the Local Housing Allowance level

Registered Providers of social housing should engage other agencies involved in meeting the household's needs (e.g. social care) at the initial assessment and during the course of the tenancy.

Any decision not to reissue a tenancy should be based on clear criteria which may include changes in housing need related to vulnerability.

### Older people

Maidstone Borough Council would prefer:

- Periodic tenancies for households who whom it is likely to be their last home
- Fixed term tenancies might be appropriate to make the best use of designated or adapted accommodation, bearing in mind the individual circumstances of the tenant and their household

Registered Providers of social housing should engage other agencies involved in meeting the household's needs (e.g. social care) at the initial assessment and during the course of the tenancy.

## **5 Renewal or Termination of a Tenancy**

The decision on whether a tenant is able to remain in social housing at the end of their fixed-term tenancy will depend on the Registered Provider's policy. Registered Providers are expected to review a fixed term tenancy six months before it is due to end to decide whether it should be renewed and must publish clear guidance on the process and assessment criteria to be used in deciding if the tenancy should be renewed.

If there has been no significant changes to the households circumstances since the beginning of a tenancy, Maidstone Borough Council would expect that a further tenancy is granted.

Reasons not to consider a further tenancy include, but are not limited to:

- Anti-Social Behaviour issues - These issues must be persistent over the lifetime of the tenancy or have been most prevalent in the last two years of the tenancy and it is considered that a change in location or living circumstances is likely to resolve the issue
- Under-Occupation - In cases where there are one or more spare bedrooms in a property the non-renewal of a tenancy will be expected to make best use of housing stock within the Borough

- Statutory Over-crowding - In cases of statutory overcrowding as currently defined by part 10 of the Housing Act 1985 s.326

## **6 Affordable and Social Rent**

Maidstone Borough Council's published Affordable and Local Needs Housing Supplementary Planning Document states that the largest need for social housing within the borough is for Social Rent properties, as it is the tenure that deals most effectively with affordability issues.

To encourage the provision of Social Rent on new developments, Maidstone Borough Council will be flexible when considering the total number of units of affordable housing on a site to ensure the overall development remains viable

Affordable rents are typically higher than social rents, so that properties let on this basis generate additional income for investment in new affordable housing.

Maidstone Borough Council require that Registered Providers cap the Affordable Rent to Local Housing Allowance (LHA) levels if 80% of the gross market rent exceeds the LHA level.

## **7 Existing & Transferring Tenants**

Registered Providers of social housing should ensure that any existing tenants that are moving to another property and are being offered a change to their tenancy understand the changes to their terms and any implications this may have.

Registered Providers are able to determine whether a tenant will keep their current terms but in cases of under-occupation or a tenant moving into a property which has been adapted for their specific needs, Maidstone Borough Council would recommend that if a tenant had a periodic or 'lifetime' tenancy and/or were paying social rent that this should be maintained.

In situations where a tenant is forced to leave their property under circumstances beyond their control, Registered Providers will need to strongly consider if it is appropriate to move these tenants to different terms.

# Agenda Item 17

## COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE

2 February 2021

### Assisting Ineligible Rough Sleepers

<b>Final Decision-Maker</b>	Communities, Housing & Environment Committee
<b>Lead Head of Service</b>	William Cornall
<b>Lead Officer and Report Author</b>	John Littlemore
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

To consider the approach to be taken when assisting street homeless persons from the EEA post January 2021.

#### Purpose of Report

To decide the approach to be adopted by the Council's Housing Service.

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

1. That the Committee adopts Option 2 set out in Paragraph 3.2 of this report.

#### Timetable

<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment Committee	2 February 2021

# Assisting Ineligible Rough Sleepers

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> </ul>	Head of Housing & Community Services
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul>	Head of Housing & Community Services
<b>Risk Management</b>	Already covered in the risk section	Head of Housing & Community Services
<b>Financial</b>	<p>Accepting Option 2 and 3 may result in a loss of income normally associated with the charges for providing temporary or supported accommodation. The weekly charge levied for Pelican Court is £132.86.</p> <p>MHCLG has previously written to LHAs to confirm that the Rough Sleeper Initiative grant cannot be used to cover the cost of providing accommodation to persons who are ineligible under the Housing Act 1996.</p>	Head of Housing & Community Services
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Head of Housing & Community Services
<b>Legal</b>	Accepting recommendation1 will fulfil the Council's duties under the Housing Act 1996 as amended by the Homelessness Reduction Act 2017.	Team Leader (Contentious)

	Acting on recommendations 2 and 3 may be within the Council’s powers under the Localism Act 2011, due to the changes to Schedule 3 of the Nationality, Immigration and Asylum Act 2002, however, this approach has never been confirmed by caselaw.	
<b>Privacy and Data Protection</b>	Accepting the recommendations will have a neutral impact on the collection of data.	Policy and Information Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Head of Housing & Community Services
<b>Public Health</b>	<p>We recognise that Option 2 and 3 will have a positive impact on population health or that of individuals.</p> <p>Homelessness is a social determinant of health, it is associated with adverse health, education and social outcomes, particularly for children. Homeless individuals represent some of the most vulnerable and needy members of our communities and have greater public health needs than the population as a whole. A decision to remove assistance for this cohort is likely to increase health inequalities.</p>	Senior Public Health Officer
<b>Crime and Disorder</b>	Option 1 may have a negative impact on Crime and Disorder. The Community Protection Team have been consulted and mitigation has been proposed	Head of Housing & Community Services
<b>Procurement</b>	None identified	Head of Housing & Community Services

**2. INTRODUCTION AND BACKGROUND**

- 2.1 Persons who are homeless or threatened with homelessness are assisted by local housing authorities (LHA) under the Housing Act 1996 (later amended by the Homelessness Reduction Act 2017). A common theme of the statutes is that certain persons are not eligible for assistance, either through the provision of temporary or settled accommodation provided by Local Housing Authorities (LHA).
- 2.2 In the main, eligibility relates to the person’s immigration status. For example, persons granted entry on the basis that they are sponsored and

have no recourse to public funds will find themselves not eligible for housing assistance and unable to claim housing benefit.

- 2.3 The rules governing persons from the EEA differed whilst the UK was part of the European Union, so that so long as the person was exercising their treaty rights they could be eligible for assistance. One way of demonstrating that the person was exercising their treaty rights is being employed, or having previously been employed are currently unemployed and actively seeking work.
- 2.4 If the EEA national ceased exercising their treaty rights, their eligibility for housing assistance and benefits fell away. This has led to a number of EEA nationals who became street homeless, lost their employment and as they became entrenched in being homeless were no longer seeking work.
- 2.5 These individuals often succumbed to illness, became involved in alcohol or substance misuse and in some cases criminality in order to obtain funds. The solution for someone in this position was either to assist them to get back into the job market or help them return to their country of origin. This could be further complicated as often they had lost their identification papers whilst living in the street, which made either solution challenging to achieve in the short term.
- 2.6 Through national lobbying, the Government acknowledged the dilemma that LHA's were prevented from providing any form of temporary housing to EEA nationals who were no longer eligible for assistance during the pandemic, when the government asked all LHAs to ensure everyone was accommodated from the being street homeless.
- 2.7 In June 2020, to enable the eligibility criteria to be set aside, the Government suspended an EU derogation (normally applied through Article 24(2) of the EU Free Movement Directive) to enable an LHA to accommodate and support the specific group of rough sleeping EEA nationals for up to 12 weeks. This derogation remained in force until 31 December 2020.
- 2.8 The UK left the European Union under a new treaty with effect from 1<sup>st</sup> January 2021 and all EEA nationals residing in the UK before this date applying for housing assistance will first be subject to transition regulations until the end of June 2021. All EEA nationals residing in the UK during the transitional period should apply for this status under the EU Settlement Scheme. For all those EEA nationals resident in the UK who do not apply to join the scheme, they will cease to be eligible for housing or benefits from 1st July 2021. All EEA nationals entering the UK for the first time from 1st January 2021 will be treated in the same way as persons from outside of the EEA.
- 2.9 However, this leaves a vacuum for those EEA nationals not exercising their rights prior to or during the transition period. The ability to assist those persons under the derogation will no longer be available. The Committee is therefore asked to consider the approach to be taken by the Council's Housing Service towards persons from the EEA who are street homeless and not eligible for assistance.

- 2.10 Whilst the quantum of EEA nationals falling into this category is relatively small compared to some metropolitan areas, the impact can be felt by the business and rest of the community. The number of non-EEA nationals who fall within the ineligible category and approach MBC for assistance is even fewer.
- 2.11 It is natural that street homeless persons band together into small groups for mutual support and company. A feature in Maidstone is of small groups of between 4 and 6 EEA nationals living in tents often along the riverside or in parks. This has led to complaints about anti-social behaviour and waste. Engagement with these groups has mainly been positive and they have been helped through the derogation power with accommodation. This provides a period of time in which to work with the individuals to assist them with obtaining new documents, work attire and getting back into the job market; or returning back to their home country.
- 2.12 The Housing Service will develop an exit strategy to enable those persons accommodated in this way to move onto a more stable housing solution. This will be based on the learning gained during the March lockdown and 'Everyone In' initiative that saw a large number of single households accommodated and then assisted into a range of housing or other solutions.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 Option 1. Strictly apply the legislation as it is written, meaning persons not eligible for assistance will not be provided with accommodation by the LHA.
- 3.2 Option 2. Provide assistance to EEA nationals not eligible for assistance who have a connection to Maidstone for a period of 12 weeks until 30 June 2021, in line with other transition arrangements.
- 3.3 Option 3. Until the Committee instructs otherwise, provide assistance to EEA nationals not eligible for assistance, who have a connection to Maidstone for a period of 12 weeks.
- 

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

- 4.1 **Option 1.** Is the simplest route, as it sets the Council back to the statutory position prior to derogation announcement. The Council will apply the legislation as set out by Parliament and administering the regulations correctly means there is a very low risk of legal challenge and no direct financial burden. Persons who are destitute and vulnerable might be provided with help through the Care Act 2014 but that would be a matter for Kent County Council to assess and provide.
- 4.2 The risk is that EEA nationals will remain street homeless with the incumbent problems that this tends to bring, affecting both residents and businesses. The solutions would be limited and tend towards a punitive approach if behaviours were having a negative impact on the local community. For humanitarian reasons and to limit the potential negative

impacts from rough sleeping on the rest of the community, this option is not recommended.

- 4.3 **Option 2.** Informal advice from the Specialist Advisers at the Ministry of Housing & Local Government suggests the Council might explore a limited means of assistance in line with the previous derogation. This would enable a 12 week period to provide accommodation and to work with the person to help them to either obtain work or reconnect with their country of origin.
  - 4.4 This approach may be more defensible than an open commitment as the period could be extended in line with the transition arrangements that come to an end on midnight 30 June 2021. This offer would only be available to EEA nationals who can demonstrate a connection with the Maidstone area.
  - 4.5 Whilst this is the preferred option, there is a risk is that the Council might be open to legal challenge. It was suggested that assistance could be provided by the Council under its powers within the Localism Act 2011. However, this approach is untested through case law, particularly on the point as to whether these powers are sufficient to overrule primary legislation e.g. the eligibility criteria contained within the Housing Act 1996. Section 2 of the Localism Act 2011 does not enable a local authority to do something it is expressly unable to do by a predating or subsequent statute.
  - 4.6 Secondly, there would be a financial burden on the Council that would be unrecoverable. The Government has made its position clear that grants provided under the Rough Sleeper Initiative and Flexible Homelessness Grant cannot be used for persons whose status is 'no recourse to public funds', which include this cohort. Similarly, no charge for occupation of temporary accommodation would be recoverable through housing benefit for the same reason. Therefore, any provision of accommodation would be at the Council's own cost.
  - 4.7 **Option 3.** As with Option 2 but carrying an increased risk of challenge and financial cost due to there being no end date in the approach. This option is not preferred for that reason.
- 

## 5. RISK

- 5.1 The risks associated with this proposal are set out in the Options paragraphs above. It is difficult to quantify the likelihood of a legal challenge, as it would be unlikely to come from the persons the Council is attempting to assist. It may arise from a council tax-payer who disagrees with the approach of helping persons who are not eligible for assistance; or from a similar person not eligible for assistance who is also not an EEA national. However, no such challenge has been received during the derogation period and the likelihood of challenge is therefore considered to be small.
- 5.2 The cost of providing accommodation will result in an increase in costs to the Council, as the occupation charge cannot be recovered in the normal way and cannot be funded from existing grant. However, given the number of persons that fall within this category the quantum is likely to be limited.

We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

---

## **6. REPORT APPENDICES**

- None
- 

## **7. BACKGROUND PAPERS**

Part 6 & 7 Housing Act 1996  
Homelessness Reduction Act 2017  
Localism Act 2011

**Strategic Plan – Proposed Areas for Focus 2021-2026 and Key Performance Indicators for Covid-19 Recovery**

<b>Final Decision-Maker</b>	Council
<b>Lead Director</b>	Alison Broom Chief Executive
<b>Lead Officer and Report Author</b>	Alison Broom Chief Executive Angela Woodhouse - Head of Policy, Communications and Governance Anna Collier - Policy and Information Manager
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report proposes refreshed areas of focus for the Council’s Strategic Plan for the period 2021-2026 consistent with the Council’s Vision and blended with the continued need for response to and recovery from the Covid-19 pandemic.

Feedback is sought from the Communities, Housing and Environment Committee especially for areas of focus which are within the scope of the Committee’s terms of reference. All feedback will be considered by the Policy and Resources Committee on 10 February and recommendations made to Council on 20 February 2021.

**Purpose of Report**

Discussion and to identify recommendations to Policy and Resources Committee

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

1. That the Committee consider the proposed refreshed areas of focus for the Council’s Strategic Plan for the period 2021-2026, set out in Appendix C and feedback and recommendations are provided to Policy and Resources Committee
2. That the proposed Key Performance Indicators for Covid-19 Recovery set out in Appendix D are considered and feedback and recommendations are provided to the Policy and Resources Committee

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Communities, Housing and Environment Committee	2 February 2021
Policy and Resources Committee	10 February 2021
Council	24 February 2021

## Strategic Plan – Proposed Areas for Focus 2021-2026 and Key Performance Indicators for Covid-19 Recovery

### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Embracing Growth and Enabling Infrastructure</i></li> <li>• <i>Safe, Clean and Green</i></li> <li>• <i>Homes and Communities</i></li> <li>• <i>A Thriving Place</i></li> </ul> <p>This report considers the proposed areas of focus for the Strategic Priorities for the next five years and identifies action for progressing the shaping of the areas of focus for 2021-2026.</p>	Chief Executive
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p>Consideration has been given to the cross-cutting objectives in formulating the proposed areas of focus for the Strategic Plan</p>	Chief Executive
<b>Risk Management</b>	A review of corporate risk will be undertaken with respect to any changes made to the Strategic Plan areas of focus.	Chief Executive
<b>Financial</b>	The Strategic Plan sets the Council's Priorities and the direction for the Medium-Term Financial Strategy.	Section 151 Officer & Finance Team
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Chief Executive

<p><b>Legal</b></p>	<p>The Council has a statutory duty to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The Council's Strategic Plan demonstrates compliance with this duty.</p> <p>This review of the Council's priorities within the Strategic Plan will enable the Council to deliver services in an efficient and effective manner which meets the needs of the borough and aspirations of local inhabitants and stakeholders.</p> <p>In reviewing the priorities, the Council is obliged to ensure that its financial obligations are adhered to. The Council has a legal duty to set a balanced budget and continue to monitor the budget during the course of each municipal year and take remedial action if at any time.</p>	<p>Legal Team</p>
<p><b>Privacy and Data Protection</b></p>	<p>The recommendations do not have an impact on privacy and data protection. If as a result of the update to the milestones and the emerging MTFs for 2021-2026 changes are required to services involving personal data, then Data Protection Impact Assessments will be undertaken.</p>	<p>Policy and Information Team</p>
<p><b>Equalities</b></p>	<p>The recommendations do not propose a change in service therefore will not require an equalities impact assessment. If as a result of the update to the milestones and the emerging MTFs for 2021-2026 changes are required to services, then an Equalities Impact assessment will be undertaken.</p>	<p>Policy &amp; Information Manager</p>
<p><b>Public Health</b></p>	<p>One of the Council's cross cutting objectives is that Health Inequalities are addressed and reduced. The recommendations do not propose a change in service therefore will not require an impact assessment. If as a result of the update to the milestones and the emerging MTFs for 2021-2026 changes are required to services, then a Health Impact assessment will be undertaken.</p>	<p>Public Health Officer</p>

<b>Crime and Disorder</b>	The recommendations include reviewing the areas of focus for 2021-26 for the Safe, Clean and Green Priority and the actions proposed are included in Appendix C	Chief Executive
<b>Procurement</b>	No direct implications	Chief Executive

## 2. INTRODUCTION AND BACKGROUND

- 2.1. This report proposes refreshed areas of focus for 2021-2026 consistent with the Council's Vision and four priorities; it reflects both the long-term ambitions of the Council blended with the continued need for response to and recovery from the Covid-19 health pandemic. These were considered for consultation with Service Committees by the Policy and Resources Committee on 20 January 2021 and the following comments were made in relation to the areas of focus within the terms of reference to this committee.
- Improving Air Quality
    - Consider changing wording to remove references to public transport to focus on electric vehicles and private cars
  - Consider being more explicit about planning enforcement and environmental enforcement.
  - The action on Go Green Go Wild is proposed to be replaced but give further consideration to be reinserted
- 2.2. In July 2020 the Head of Policy, Communications and Governance presented a report to the Policy and Resources Committee which set out progress made against the 2019-2024 Strategic Plan Outcomes (see Appendix A). The report also included a timetable to refresh the outcomes to ensure they reflected the progress that had been made and to respond to the impact of the Covid19 pandemic.
- 2.3. The current Strategic Plan was developed involving a wide cross section of Councillors, staff and other stakeholders in 2018 before being adopted in December of that year. The vision and priorities are clear and remain relevant.
- 2.4. In June 2020 the Policy and Resources Committee also considered the Council's approach to recovery from the Covid-19 pandemic and recognised that it was likely that this would be intertwined with episodes of response, and this has proved to be the case.
- 2.5. The Council's approach to recovery is based on four themes: economic recovery, supporting resilience for communities and vulnerable people, adapting the way we work and financial recovery. This has been managed via a core group of officers led by the Chief Executive and both response

and the limited work on recovery has been informed by a Member Covid-19 Recovery Consultative Forum chaired by the Leader of the Council.

- 2.6. Work was carried out in the summer of 2020 to enable all Councillors to review our Strategic Plan outcomes for 2019-24 and contribute to production of revised priorities and a refreshed set of outcomes for 2021-26. Over the period August to October 2020 a survey was conducted inviting the public to give feedback on the impact of the Covid-19 pandemic. A summary of the responses is included at Appendix B. The full results can be found here: <https://maidstone.gov.uk/home/primary-services/council-and-democracy/primary-areas/consultations/closed-consultations>
- 2.7. Covid-19 has had a major impact for our communities, our economy and on the Council's financial position. The Covid-19 Recovery Consultative Forum have been regularly briefed on the impacts and the Council's support for residents and businesses in the borough. The Policy and Resources Committee has been regularly briefed on the review of Council priorities. It has also been briefed on the scale of the financial impact, for the current financial year and over the term of the Medium-Term Financial Strategy (MTFS). This Committee has also been regularly briefed concerning the Council's current financial position and on-going work to revise the MTFS.
- 2.8. In September the Policy and Resources Committee agreed the following in relation to shaping the areas of focus:
  - There should be further development of the Council's capital strategy and programme including consideration of partnership funding of large-scale projects and infrastructure including consideration of joint ventures and a development corporation.
  - A review of planning and economic development services reflecting on the effectiveness of our current services and reconsidering our service delivery model taking into account the changes in the planning system and looking at: expertise, organisational arrangements, including the synergies between planning policy and economic development, our arrangements for delivering/enabling construction projects, and agility.
  - A report concerning a protocol for working strategically with the community and voluntary sectors and parishes is progressed initially via the Communities Housing and Environment Committee.
  - That the Council initiates dialogue with the Business Improvement District concerning current challenges and future investment in the town centre.
  - Officers review the scope of work undertaken and resources allocated to the Community Safety Unit.
  - The direction of travel on modernising the arrangements at the museum is now more modest and focuses on making the best use of existing spaces.
  - Review of the contribution of the Hazlitt to the town centre economy and consideration of options for its sustainability.
  - Reduction of the priority of raising resident satisfaction with cleanliness to maintaining it.

- References to individual projects e.g. Go Green Go Wild are removed from areas of focus in the Strategic Plan; and
  - Climate change becomes a cross cutting issue for all services to consider proactively and that an officer is required to lead this work and be proactive in finding funding streams to complement the Council's commitment.
- 2.9. Since September the CHE Committee has received a report concerning a protocol for working strategically with the community and voluntary sectors and parishes. An update on first steps on this project is also on the agenda.
- 2.10. The Chairman of the Committee will receive a briefing report on recent review of data and resource management in the Community Safety Team by March.
- 2.11. The draft areas for focus for 2021-26 (Appendix C) and KPIs for Covid19 recovery (Appendix D) endeavour to reflect the current position on these topics and what needs to be achieved over the period to 2026 to bring the Council's vision to fruition.
- 2.12. Feedback is invited from this Committee on the draft areas of focus and the KPIs. The same process has already been undertaken with the Economic Regeneration and Leisure Committee and will be undertaken with Strategic Planning and Infrastructure Committee. Feedback will be reported to the Policy and Resources Committee on 12 February before recommendations are made to Full Council on 20 February 2021.

---

### **3. AVAILABLE OPTIONS**

- 3.1 Option 1 - The Committee can consider and provide feedback with respect to proposed areas of focus arising from the Strategic Plan, for the period 2021-2026 and the proposed KPIs for monitoring Covid19 recovery. This is the preferred option to ensure that the work of the council reflects both the Council's overall ambitions, what has been achieved to date and the changed operational and financial environment arising from the Covid-19 pandemic.
- 3.2 Option 2 - The alternative is that no feedback is given or change contemplated. This option is not recommended as it would produce a situation which is the antithesis of refreshing actions in the Strategic Plan and which would fail to recognise the significantly changed operational and financial environment which in turn would not respond to changed needs and result in sub-optimal use of resources.

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

4.1 Option 1 is recommended for the reasons set out above.

---

#### **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.
- 5.2 A review of corporate risk will be undertaken with respect to any changes made to the Strategic Plan areas of focus.

#### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

6.1 Councillors have been consulted concerning priorities for the Strategic Plan areas of focus from July 2020 onwards and have taken a range of subsequent decisions which are also reflected in the proposed areas of focus set out in Appendix C. The member Covid-19 Recovery Forum has been consulted on the draft KPIs set out in Appendix D.

---

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

7.1 Further consultation concerning proposed areas of focus for 2021– 2026 and KPIs for Covid-19 recovery is currently in progress with service committees with a subsequent report will be presented to the Policy and Resources Committee which will make recommendations for adoption to Full Council in February 2021.

---

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

- Appendix A: Progress against outcomes in the Strategic Plan 2019-45
  - Appendix B: Results from the Residents Survey – Impact of Covid-19
  - Appendix C: Strategic Plan Proposed Areas of Focus 2021–2026
  - Appendix D: Proposed Covid-19 KPIs for Recovery
- 

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

None

**Progress against outcomes in the Strategic Plan 2019-45:**

Between 2019-24 we will place particular importance on:

Embracing Growth and Enabling Infrastructure	Actions completed to date
Engaging with our communities on the Local Plan Review	<ul style="list-style-type: none"> <li>• A full public consultation on the Local Plan Review took place over a 10-week period between 19<sup>th</sup> July 2019 and 30<sup>th</sup> September 2019.</li> </ul>
The Council will take a proactive role in creating and consider investing in new places	<ul style="list-style-type: none"> <li>• The Planning service has created Planning Guidelines documents for five town centre opportunity sites. These were approved by the Strategic Planning &amp; Infrastructure Committee and were published in early 2020. The documents have stimulated lots of interest and dialogue with the existing landowners as well as potential investors and developers. The work has also helped stimulate market activity, where by the Len House site was sold to Classicus Estates who have since submitted a Planning application for the site that is consistent with our vision for it. The application is due to be determined in July 2020.</li> <li>• The Planning service has published a Garden Communities prospectus as part of the “call for sites” exercise, early in the Local Plan Review process. This stimulated in the submission of a number of well considered private sector led proposals spanning all four quadrants of the borough, some of which may feature in the Council’s preferred spatial strategy that will become subject to public consultation in the Autumn of 2020.</li> <li>• The Council, acting as master-developer is also promoting its own council-led garden community proposal, Heathlands, which is also gaining traction in the Local Plan Review process, and has attracted Homes England as a partner.</li> </ul>
Expanding the Council’s role in the delivery of affordable and market rent housing	<ul style="list-style-type: none"> <li>• A draft Affordable and Local Needs Housing Supplementary Planning Document has been produced and has been subject to full public consultation. The document notes that the Council is considering playing a role in delivering affordable housing in the</li> </ul>

	form of social rent on S106 sites. The document also seeks to facilitate delivery of affordable homes in Maidstone Borough.
Working with partners to get infrastructure planned, funded and delivered	<ul style="list-style-type: none"> <li>In addition to taking forward the delivery of projects associated with the adopted Local Plan, the Strategic Planning Team has updated the Infrastructure Delivery Plan and Community Infrastructure Levy Regulation 123 list. In respect of the Local Plan Review, there has been consistent and on-going engagement with infrastructure providers as key milestones have been reached in the production process.</li> </ul>
Intervening where necessary in the market, to deliver key employment sites	<ul style="list-style-type: none"> <li>The Council has acquired land at Kent Medical Campus, one of the largest employment allocations in the current Local Plan, and is developing a new Innovation Centre on it that will provide start up accommodation for businesses in the life sciences sector, coupled with wrap around business support. The project is part funded by ERDF monies, and the contractor, Rydon, is on site, with the project due to complete in the summer of 2021. This investment decision has been strengthened by the Council working in partnership with Kent County Council and the Department for Transport to fund the early provision of road nearby infrastructure improvements.</li> </ul>

Safe, Clean and Green	Actions completed to date
Taking action against those who do not respect our public spaces, streets, green spaces and parks	<ul style="list-style-type: none"> <li>Since the launch of the new waste crime team in 2018 there have been 727 FPNs for littering, 20 FPNs for fly tipping, 30 for Duty of Care offences and 4 for dog fouling,</li> <li>32 vehicle seizures linked to duty of care or fly tipping offences</li> <li>The team have succeeded in 3 prosecutions for fly tipping</li> <li>The number of unauthorised encampments reduced during the year compared to the previous year as a result of a change of approach in the use of community protection notices (<b>6 encampments were dealt with</b>)</li> <li>2 FPNs issued in relation to the Town Centre PSPO</li> <li><b>25 Community Protection Formal Warnings and 6 Community Protection Notices</b></li> </ul>
Improving community safety by working with our partners to make people less vulnerable to crime	<ul style="list-style-type: none"> <li>Between August <a href="#">2019</a> and March 20 there were 41 Rural Surgeries held at 4 locations - Staplehurst, Marden, Coxheath and Headcorn.</li> <li>No. of cases assisted through MARAC/Sanctuary/DA One Stop Shop - 195 cases heard at DA MARACs/ 37 Sanctuary referrals / 262 One Stop Shop attendances (Oct 2018 - Sep 2019)</li> </ul>

Raising resident satisfaction with the cleanliness of the Borough	<ul style="list-style-type: none"> <li>• Review undertaken into the future provision of the service, including a resident survey to understand customer needs and priorities</li> <li>• Investment in four new sweepers and street washer</li> <li>• Delivery of 3 Blitz Days in the Town Centre funded by the Business Improvement District</li> <li>• New mobile technology and online reporting processes in place to enable full management of responsive street cleansing services</li> </ul>
Implementing the “Go Green Go Wild” project to embrace and encourage biodiversity and protect and enhance our green spaces	<ul style="list-style-type: none"> <li>• 7 wildflower meadows planted across the Borough</li> <li>• Tree planting schemes taking place in Allington</li> <li>• 20,000 bulbs planted along A20</li> <li>• £20k community fund implemented to deliver 10 grants to local groups to support their work on Go Green Go Wild initiatives</li> </ul>
Improving air quality	<ul style="list-style-type: none"> <li>• Replacing strimmers and other grounds equipment with battery operated versions</li> <li>• Purchased 2 electric vehicles for Street Cleansing</li> <li>• A20 improvement project has planted 20k bulbs, grasses and trees</li> <li>• Tree planting schemes across several open spaces within the Borough</li> </ul>

A Thriving Place	Milestones completed to date
Development and commencement of delivering the new gallery at the museum	<ul style="list-style-type: none"> <li>• National Lottery Heritage Fund bid submitted in November 2019.</li> <li>• Bid unsuccessful February 2020</li> <li>• Meeting arranged with NLHF to discuss further progress on March 17 2020</li> <li>• Project Partnership Board met monthly between Sept 2019 and March 2020</li> <li>• Project Partnership Board leading review of options to offer proposal of future actions to Economic Regeneration and Leisure Committee.</li> </ul>
Enabling events which assist people in increasing their pride in communities and our environment	<ul style="list-style-type: none"> <li>• Proms in the Park</li> <li>• Community Mela</li> <li>• Brenchley Garden Bandstand concerts</li> <li>• Mote Park events including Ramblin Man</li> <li>• Series of small PR events in support of Elmer</li> </ul>

<p>Reviewing and delivering leisure and cultural services that meet future needs e.g. sports facilities</p>	<ul style="list-style-type: none"> <li>• Launched the Making Maidstone More Active project</li> <li>• Appointed the leisure project officer</li> <li>• Assembled the Making Maidstone More Active project board</li> <li>• Launched the Making Maidstone More Active residents' survey which reached more than 2,000 people and achieved more than 1,250 full responses</li> <li>• Used the survey results to design the Making Maidstone More Active residents' forums</li> <li>• Booked residents on to forums, the first of which is held in late March 2020</li> <li>• Actively working with The FA on future artificial football provision in Maidstone</li> <li>• Actively working with the LTA on increasing access to tennis courts in Maidstone</li> <li>• Undertaking a feasibility study on providing a larger theatre in Maidstone</li> </ul>
<p>Building the innovation centre at Kent Medical Campus, promoting inward investment in the Borough</p>	<ul style="list-style-type: none"> <li>• ERDF funding agreement signed 23.12.2019</li> <li>• Rydon site possession 06.01.2020</li> <li>• Completed MHCLG Project Implementation Meeting 30.01.2020</li> <li>• Business Support Contract signed 31.01.2020</li> <li>• Turf turning ceremony 04.03.2020</li> <li>• Contractors, Rydons started on site 23.03.2020</li> </ul>
<p>Working with partners to redevelop the Maidstone East site and modernise the bus station in the County Town</p>	<ul style="list-style-type: none"> <li>• Bid for Small Sites Fund submitted and successfully through stage 1.</li> <li>• Savills masterplan unviable and new more viable residential scheme on Maidstone East produced.</li> <li>• Commercial terms with Solum and KCC under review as KCC have announced their requirement to build circa 100,000 sq.ft. on the Maidstone East Site.</li> <li>• Bus Station scope of works redefined September 2019. Designs for public consultation to be approved by ERL 31<sup>st</sup> March 2019.</li> </ul>
<p>Developing and delivering plans for the five opportunity sites in the town centre and the Staplehurst regeneration project</p>	<ul style="list-style-type: none"> <li>• Sites promoted at internal lead and external events; MIPIM Kent Construction Expo, Business Forum, MEBP</li> <li>• Planning Guidance adopted by Committee Oct 2019</li> <li>• Business Forum held on the 27<sup>th</sup> January 2020</li> <li>• All Landowners contacted to understand intentions and scope/appetite for MBC intervention</li> <li>• Staplehurst:</li> </ul>

	<ul style="list-style-type: none"> <li>• Identified and engaging with current owners to understand current and future plans – including proposition to change from commercial to residential.</li> <li>• Lobbied Sainsbury's to build their planning permission and successful.</li> <li>• Undertaking research with property services to justify remaining need for commercial space and challenge existing developer research suggesting no commercial demand</li> </ul>
Working with parishes and community groups on neighbourhood plans	<ul style="list-style-type: none"> <li>• Between April 2019 and March 2020 only the Loose Neighbourhood Plan was made (adopted) in September 2019</li> <li>• At the end of 2019/20 a total of 3 neighbourhood plans were made</li> <li>• At the end of 2019/20 a further 13 are in progress (at various stages)</li> <li>• The following have reached significant milestones in the last year <ul style="list-style-type: none"> <li>○ Marden Neighbourhood Plan = subject to referendum in February 2020 which was successful. A report will be taken to SPI in June 2020 and then Council in July to make the plan. This plan is very near to the end</li> <li>○ Lenham Neighbourhood Plan = the final stage of public consultation on the plan took place between February and March 2020. The current position of the plan is it that it is at examination.</li> </ul> </li> </ul>

Homes and Communities	Milestones completed to date
Reducing Rough Sleeping in a sustainable way	<ul style="list-style-type: none"> <li>• Reconfigured outreach service to provide support to clients helped from the street.</li> <li>• Number of rough sleepers fell over the year and last official count in January 2020 was zero.</li> <li>• Discussions with MHCLG to obtain funding for a West Kent support service focused on mental health resulted in successful bid (due to start June 2020).</li> </ul>
Reducing the use of temporary accommodation for homeless families	<ul style="list-style-type: none"> <li>• The number of families in temporary accommodation reduced from 107 in March 2019 to 95 in March 2020.</li> <li>• The number of MBC owned temporary accommodation rose during the year to 97 units, reducing the need for nightly paid accommodation.</li> <li>• The number of successful prevention (472) and relief (615) outcomes increased over the financial year compared to the previous year.</li> </ul>

Improving housing through use of our statutory powers to promote good health and wellbeing	<ul style="list-style-type: none"> <li>• 618 households were assisted through the helping you home scheme (from hospital).</li> <li>• The number of disabled facilities grants approved was 103 equating to £907,390.00 of grant being committed.</li> </ul>
Increasing our interventions with Houses of Multiple Occupation	<ul style="list-style-type: none"> <li>• The number of licences approved was 58 making the total licensed premises to 122, demonstrating compliance with housing standards.</li> </ul>
Supporting the health service to improve access to primary care including local care hubs	<ul style="list-style-type: none"> <li>• Contributing through engagement with health colleagues at various levels, both operational and strategic.</li> </ul>

# APPENDIX B: Results from Residents Survey – Impact of Covid19

## Residents Covid Recovery Summary (Weighted Results – October 2020)

- 1261 weighted responses to the survey.
- Note: not every respondent answered every question. N/A responses have been removed from analysis. Confidence levels, error rate and number of respondents are shown in brackets depending on the question type.
- Data was weighted based on gender and age.

### Feelings & Impact

- The average score of respondents, when asked how worried they were about Coronavirus, was 6.05 (error 0.07) The scale was 0 to 10, 0 is not worried at all and 10 is extremely worried. Overall, 30.7% ( $\pm 2.6\%$ ) scoring at 8 or above.
- The majority of residents were identifying as following the rules and guidance put in place to prevent the spread of coronavirus with 97.6% ( $\pm 0.8\%$ ) of respondents saying they completely or mostly follow the rules.
- 26.2% ( $\pm 2.4\%$ ) of people said they felt unsafe when outside of their household due to Coronavirus. 52.6% ( $\pm 2.4\%$ ) of people said they felt safe.
- 98.4% ( $\pm 0.7\%$ ) of people said that Coronavirus has had an impact on their life
- Below were the top three concerns about the coronavirus
  - You or your friends and family Catching Coronavirus
  - Other people not following the guidance
  - The economy
- People were asked about the positive and negative impacts of Coronavirus:
  - 53.0% ( $\pm 2.8\%$ ) said it has had a positive impact on buying more locally
  - 62.6% ( $\pm 2.8\%$ ) said it has negatively impacted, or not impacted at all, their ability to travel more sustainably.
  - 52.9% ( $\pm 2.8\%$ ) said it has negatively impacted their mental health
  - 41.2% ( $\pm 2.8\%$ ) said it has negatively impacted the level of loneliness they feel
  - 70.0% ( $\pm 2.5\%$ ) said it has positively impacted their use of technology to keep in touch with family and friends.
- When asked for comments, the respondents overwhelmingly felt that they had been negatively impacted by Coronavirus and/or lockdown. Impacts they stated they have experienced included: impacts on relationships with friends and family; impacts on health; impacts on jobs/work; and impacts of the Coronavirus restrictions.

### Economic & Lifestyle

- 17.3% ( $\pm 2.1\%$ ) of the people expect to experience significant financial difficulties in the next few months as a result of disruption from Coronavirus, respondents that said they were retired had the lowest proportion responding 'Yes' to this question at 2.7% ( $\pm 2.2\%$ ) and respondents that told us they had been furloughed had the greatest proportion responding 'Yes' at 45.4% ( $\pm 18.1\%$ ).
- Overall, 2.3% (29 respondents) of all respondents said were currently furloughed and 1.2% (15 respondents) said they were small business owners.
- 60.4% (713) of the respondents said that during lockdown there had been no change to their work circumstances. 11.7% (138) said that they were furloughed at some point during lockdown and 4.4% (52) said they had lost their job (neither furloughed nor made redundant).

## APPENDIX B: Results from Residents Survey – Impact of Covid19

### Residents Covid Recovery Summary (Weighted Results – October 2020)

- 65.2% ( $\pm 2.7\%$ ) of people said they were going to continue to use technology more to keep in touch with family or friends. 58.1% ( $\pm 2.8\%$ ) said they'd like to keep in touch with their neighbours and community.
- 75.6% ( $\pm 2.4\%$ ) of people said they will keep using local parks and open spaces.

#### The Council & Support

- The average score of respondents, when asked how well they felt the Council had responded to the pandemic, was 6.28 (error 0.06). The scale was 0 to 10, 0 is not worried at all and 10 is extremely worried.
- When asked what activities people were aware of, most of the answers came out around 50/50. However, 61.8% ( $\pm 2.7\%$ ) of people did not know that we provided phone support for isolated people. 77.6% ( $\pm 2.3\%$ ) of people did not know that we provided a retail, leisure and hospitality fund.
- When asked how well the respondents thought MBC did at keeping residents informed about:
  - Maidstone local issues, 50.4% ( $\pm 3.2\%$ ) said well or very well
  - Covid19, 46.4% ( $\pm 3.2\%$ ) said well or very well
  - Changes to council services during the pandemic, 47.0% ( $\pm 3.2\%$ ) said well or very well
- Of the 20.1% ( $\pm 2.2\%$ ) of respondents who identified that they needed help during the pandemic (253 people), 51.3% ( $\pm 6.2\%$ ) said they didn't know where to go (130 people).
- Support was identified as coming from a mix of places including, government, the council, local volunteers, parish councils, friends and families and support via supermarkets.
- When asked for comments on how we could improve the way we provide information, respondents mentioned email, direct mail, leaflets and social media.
- Respondents also commented that the most important things the Council could do to help life in our borough recover following the lockdown period would be to ensure the Coronavirus rules are followed/enforced and to support the economy and local businesses.

#### Respondent Profiles

- BME and other ethnic groups are underrepresented in the survey (4.2%)
- 27.4% (343) of respondents are, or live with someone who is, shielded/high risk.
- 45.1% (562) of respondents are in couples without dependent children
- 78.2% (982) of respondents own their home
- 80.9% (834) do not receive any form of benefits

Appendix C

Strategic Plan – proposed areas of focus for 2021 – 2026

**Priority: Embracing Growth and Enabling Infrastructure**

25

Areas of Focus 2019-24	Proposed areas of focus 2021 – 2026
Engaging with our communities on the Local Plan Review	Retain focus on <ul style="list-style-type: none"> <li>• progressing the Local Plan Review according to the new timetable agreed by the Strategic Planning and Infrastructure Committee in November 2020</li> <li>• adapting to the requirements arising from the White Paper “Planning for the Future” and add</li> <li>• working with parishes and community groups on neighbourhood plans</li> </ul>
The Council will take a proactive role in creating and consider investing in new places	Retain with the focus on <ul style="list-style-type: none"> <li>• the five town centre opportunity sites</li> <li>• the Council’s proposition for a Garden Community at Heathlands</li> <li>• place shaping role and enabling private sector led developments in accordance with Local Plan allocated sites</li> </ul>
Expanding the Council’s role in the delivery of affordable and market rent housing	Retain with the focus on <ul style="list-style-type: none"> <li>• significant investment in housing to meet objectives for managing pressures for housing that people can afford with a greater emphasis on social and affordable rent leveraging investment from Homes England and any other grant providers. This may include further</li> </ul>

	<p>investment in Temporary Accommodation too, for those affected by homelessness</p> <ul style="list-style-type: none"> <li>expanding the council's private rented sector (PRS) portfolio managed by Maidstone Property Holdings in order, amongst other things, to reduce pressure on the housing register.</li> </ul>
<p>Working with partners to get infrastructure planned, funded and delivered</p>	<p>Retain and further develop this priority through</p> <ul style="list-style-type: none"> <li>the Council's Infrastructure Funding Statement and associated actions</li> <li>alternative forward funding models for more timely investment in transport and other community infrastructure needed to support growth</li> <li>working with the Clinical Commissioning Group to improve local health care infrastructure</li> <li>identifying more opportunities for joint funding and "joint venture" arrangements to enable larger scale investment in key priority areas; this would need a greater external focus and redirection of resources to build better partnerships faster. Ie building on the successes being achieved at Brunswick Street and Union Street and more latterly with Homes England at Heathlands</li> <li>Continuing work agreed in principle by the P&amp;R Committee in December 2020 to pursue a collaboration agreement with Homes England in respect of Heathlands to achieve amongst other things securing infrastructure by means of capturing land value uplift governance/democracy and financial consequences.</li> </ul>
<p>Intervening where necessary in the market, to deliver key employment sites</p>	<p>Retain with focus on</p> <ul style="list-style-type: none"> <li>Key employment sites allocated in the Local Plan</li> </ul>

	<ul style="list-style-type: none"> <li>• The Kent Medical Campus Enterprise Zone including the Innovation Centre</li> <li>• Investment to protect employment where appropriate and to develop the council's portfolio of employment generating assets</li> </ul>
--	--

**Priority: Safe, Clean and Green**

<b>Areas of Focus 2019-24</b>	<b>Proposed Areas of focus 2021 – 2026</b>
Taking action against those who do not respect our public spaces, streets, green spaces and parks	Retain
Improving community safety by working with our partners to make people less vulnerable to crime	Retain and add to our existing priorities <ul style="list-style-type: none"> <li>• Take a lead role in the Maidstone Taskforce; the aim is to utilise a multi-agency 'One Team' evidence-based approach to tackle crime, social deprivation and health inequality; ensuring that we implement long term permanent changes that improve the quality of life for the community and keep them safe from harm; the current geographical area of focus is Shepway and Parkwood</li> </ul>
Raising resident satisfaction with the cleanliness of the Borough	Amend the area of focus to say  To maintain resident satisfaction with cleanliness and waste collection in the borough and include reference to the re-commissioning of our waste collection and recycling services
Implementing the "Go Green Go Wild" project to embrace and	Delete

encourage biodiversity and protect and enhance our green spaces	See also amended area of focus below which includes implementation of the Biodiversity and Climate Change Strategy agreed by Policy and Resources Committee in October 2020
Improving air quality	<p>Amend to reflect the Council's declaration of climate change and biodiversity emergencies and focus on the action plan agreed by the Policy and Resources Committee in October 2020 and the outcomes from the Environment Bill including</p> <ul style="list-style-type: none"> <li>• A carbon neutral Council estate by 2030</li> <li>• An ambition of a carbon neutral Borough by 2030, if technology and national policy changes allow</li> <li>• Implementation of the Biodiversity and Climate Change Strategy</li> <li>• Ensuring that the Local Plan supports walking, cycling, public transport and the use of electric vehicles where the opportunity arises</li> <li>• Aim to deliver an eco and biodiversity net gain exemplar new community at Heathlands</li> </ul>

### Priority: A Thriving Place

<b>Areas of Focus 2019-24</b>	<b>Proposed areas of focus 2021 – 2026</b>
Deliver key actions for the refreshed Economic Development Strategy focussing on actions to enable economic recovery from the Covid19 pandemic	<p>Addition</p> <p>With the focus on</p> <ul style="list-style-type: none"> <li>• Delivery of business support in response to the Covid19 pandemic</li> <li>• Supporting the recovery of the Maidstone borough economy in accordance with the principles of the refreshed Economic</li> </ul>

	Development Strategy ie – Open for Business, a diverse and productive economic base, a thriving rural economy, opportunities for all, destination Maidstone town centre
Development and commencement of delivering the new gallery at the museum	Replace (see below)
Deliver a sustainable leisure and cultural offer for the Borough	<p>New</p> <ul style="list-style-type: none"> <li>• Reshape the offer from the Hazlitt Arts Centre to match resources available and adapt future service delivery opportunities to improve engagement with the public (subject to further consideration in January 2021 and decisions of the ERL Committee)</li> <li>• Reshape the offer from Maidstone museums to match resources and adapt to future service delivery opportunities to improve access</li> <li>• Reviewing and delivering leisure and cultural services that meet future needs e.g. sports facilities</li> <li>• Invest in Lockmeadow to enhance both the leisure offer to the public and the asset for the council</li> </ul> <p>With respect to the Maidstone Museums amend to reflect the decision of the ERL Committee from November 2020 including</p> <ul style="list-style-type: none"> <li>• secure the future service provision for Maidstone Museums within the reduced revenue funding available in the period 2021-2023</li> <li>• engagement with key and prospective stakeholders including the Maidstone Museum Foundation with respect to the service delivery outcomes to be achieved while working within budget parameters</li> <li>• further consideration of how the existing capital allocation to the Museum can be used to make the best use of our existing spaces,</li> </ul>

	<p>address accessibility to the collections and reduce the net revenue costs of the museum</p> <ul style="list-style-type: none"> <li>• maintaining the museum's accreditation status</li> <li>• putting volunteers at the heart of Maidstone Museum in conjunction with professional officers, along the lines of the National Trust Model.</li> </ul>
Enabling events which assist people in increasing their pride in communities and our environment	Replace – see Community Engagement objective below
Reviewing and delivering leisure and cultural services that meet future needs e.g. sports facilities	Replace (see sustainable leisure and culture offer above)
Building the innovation centre at Kent Medical Campus, promoting inward investment in the Borough	Retain – broaden the focus to promoting inward investment in the Borough to ensure a diverse employment and business offer
Working with partners to redevelop the Maidstone East site and modernise the bus station in the County Town	<p>Retain including</p> <ul style="list-style-type: none"> <li>• updating actions to reflect the work on implementing agreed changes to modernise the bus station</li> </ul>
Developing and delivering plans for the five opportunity sites in the town centre and the Staplehurst regeneration project	Retain
Working with parishes and community groups on neighbourhood plans	Re -locate – see Embracing Growth and Enabling Infrastructure above

<p>Working with community groups and parish councils, to develop more sustainable community resilience</p>	<p>New</p> <p>Proposed actions reflect the experience of the council's response to community needs and the engagement which has occurred as a result of the Covid19 pandemic including decisions of the CHE Committee in November 2020 to</p> <ul style="list-style-type: none"> <li>• build on the experience of creating the Community Hub in response to community needs arising from Covid19 develop the strategic relationship by development of a local compact for Maidstone borough and deliver the commitments arising from adoption of the Compassionate Maidstone decision of P&amp;R in January 2020</li> <li>• Expand the Access to Services Review to include building a repository of community organisations across the Borough</li> <li>• Amend the Parish Charter subject to the agreement of Parish Councils to reflect their important role in emergencies</li> <li>• build on the positive working relationship with parish councils enhanced during the covid19 pandemic to provide newsletters and joint webinars with KALC to ensure regular communication and feedback</li> </ul> <p>and a specific theme that has been accentuated by this experience to</p> <ul style="list-style-type: none"> <li>• support residents in financial difficulty; this is consistent with the decision on the Policy and Resources Committee in February 2020 to adopt the Citizens Advice Bureau/Local Authority protocol for Council Tax debt recovery procedures and support for low income households. To pilot work to identify low income households in financial difficulty and proactively intervene to provide support e.g. maximising income, and through this to both reduce risks around indebtedness and</li> </ul>
--	---

	potentially reduce demand for council services or incurring debt with the Council.
--	--

**Priority: Homes and Communities**

<b>Areas of Focus 2019-24</b>	<b>Proposed areas of focus 2021 – 2026</b>
Reducing Rough Sleeping in a sustainable way	Retain and reflect proactively reducing rough sleeping including using our property company to provide accommodation and multi-agency working around the most complex rough sleepers including local health care
Reducing the use of temporary accommodation for homeless families	Retain
Improving housing through use of our statutory powers to promote good health and wellbeing	Retain and add actions to <ul style="list-style-type: none"> <li>• Increase our interventions with Houses of Multiple Occupation</li> </ul>
Increasing our interventions with Houses of Multiple Occupation	Delete but include as an action for the objective above
Supporting the health service to improve access to primary care including local care hubs	Amend <ul style="list-style-type: none"> <li>• working with the Integrated Care Partnership identify opportunities to reduce health inequalities in the borough</li> <li>• See also enabling infrastructure above</li> </ul>



## **Appendix D**

### **Proposed – Covid19 recovery KPIs**

<b>Indicator</b>	<b>Frequency</b>	<b>Reason for Monitoring</b>	<b>Level/comparison</b>	<b>What would recovery look like?</b>
<b>ECONOMY</b>				
Unemployment	Monthly	Economic impact for MBC residents	Kent/SE and GB comparisons	When rates hit March 20 percentage:2.2%
Youth unemployment	Monthly	Economic impact for particularly vulnerable MBC residents	Kent/SE and GB comparisons	When rates hit March 20 percentage: 3.7%
Town Centre Footfall	Monthly	Key measure of town centre and overall MBC economy	Compare with previous month and previous years month.	When footfall figures close on pre covid19 levels
Town Centre vacancy rates	Quarterly	Key measure of town centre and overall MBC economy	Maidstone and National average (collected by One Maidstone)	When figures close on pre-covid19 levels
House prices and sales volumes	Quarterly	Key measure of MBC economy and the construction sector	Maidstone and SE	When figures close on pre-covid19 levels
Number of Business Grants awarded to closed businesses	Weekly	Indication of businesses that will be at risk		When businesses that qualify have been awarded the grant and no more applications are coming in.
<b>COMMUNITY</b>				
Homelessness prevention –	Monthly	Key measure of the availability of	Same month in 2019	When figures close on pre-covid19 levels

prevention duty ended as applicant has suitable accommodation		accommodation/success at prevention		
Number of households in temporary accommodation (excluding rough sleepers)	Monthly	Key measure of cumulative need	Same month in 2019	When figures close on pre-covid19 levels
Number of households newly in temporary accommodation broken down by main reason (excluding rough sleepers)	Monthly	Key measure of pressure within the housing system including loss of tenancy and home ownership	Same month in 2019	When figures close on pre-covid19 levels
Number of rough sleepers in temporary accommodation	Monthly	Key measure of pressure within the housing system	Same month in 2019	When figures close on pre-covid19 levels
Number of rough sleepers newly engaged	Monthly	Key measure of the cumulative impacts of economic and other change for our most vulnerable residents	Same month in 2019	When figures close on pre-covid19 levels
Reports of Anti-social behaviour	Monthly	Indicator of community experience of the impacts of lockdown and other restrictions	Same month in 2019	When figures close on pre-covid19 levels

Reports of noise nuisance	Monthly	Indicator of community experience of the impacts of lockdown and other restrictions	Same month in 2019	When figures close on pre-covid19 levels
Number of Community Protection warnings and notices	Monthly	Measure of the council's response to ASB	Same month in 2019	When figures close on pre-covid19 levels
Reports of Domestic Abuse	Monthly	Relevant measure of risk to vulnerable residents	Same month in 2019	When figures close on pre-covid19 levels
Number of new Council Tax Support (CTS) applications received	Monthly	Indicative of trends in households in financial difficulty	Same month in 2019	When figures close on pre-covid19 levels
Number of live CTS cases	Monthly	Indicative of cumulative level of households in financial difficulty	Same month in 2019	When figures close on pre-covid19 levels
* CHE decisions on 3 <sup>rd</sup> November for Community Resilience implemented	Quarterly	Indicative of further improvement in partnership working with the voluntary and community sector and parish councils		Implementation of Committee decisions completed
<b>COUNCIL'S FINANCIAL POSITION</b>				
Council Tax collection – percentage in year collection Reduction in cash received compared to this time last year	Monthly	Measure of financial resources available to MBC	2020/21 budget	When collection returns to projection for 2020/21

Business Rates collection – percentage in year collection	Monthly	Measure of financial resources available to MBC	2020/21 budget	When collection returns to projection for 2020/21
Council’s collection of other income – percentage in year collection	Monthly	Measure of financial resources available to MBC	2020/21 budget	When collection returns to projection for 2020/21
THE WAY WE WORK – Building on the opportunities and risks created/accentuated by covid19				
Office footprint	Bi annual	Aim to reduce permanently by end of 2023/4	Current floorspace at Maidstone House	New smaller accommodation footprint achieved
Cost of office accommodation	Quarterly	Aim to reduce permanently by end of 2023/4	Current floorspace at Maidstone House	New smaller accommodation footprint achieved
Office running costs (post, print, utilities)	Bi annual	Aim to reduce systematically through different ways of working and carbon reduction initiatives	2019/20 running costs	Running costs reduced
Travel costs	Quarterly	Aim to reduce systematically through different ways of working and carbon reduction initiatives	2019/20 travel costs	Mileage costs reduced
Review of contract provisions and Business Continuity for very significant	Annually	Protection for MBC and our customers where outsourced services fail,	Existing Business Continuity Plans	Business Continuity Plans updated and exercised

change in circumstances including change in law, force majeure		are no longer fit for purpose or affordable		
--	--	---	--	--

\* CHE decisions on 3<sup>rd</sup> November for Community Resilience working with the Voluntary and Community Sector and Parish Councils

1. Local partners are consulted with the intention to develop a local compact for Maidstone which will include representative roles and mutual support in emergencies.
2. The Access to Services Review expand its remit to include building a repository of community organisations across the Borough.
3. The Parish Charter be amended subject to the agreement of Parish Councils to reflect their important role in emergencies.
4. The provision of Parish Council newsletters and joint webinars with KALC to ensure regular communication and feedback, be noted.
5. A short update report be presented to the Committee in February 2021; and
6. A progress update be presented to the Committee in April 2021.

**Communities, Housing & Environment Committee**

**2 February 2021**

**'Maidstone In-Bloom' Boroughwide Competition**

<b>Final Decision-Maker</b>	Communities, Housing & Environment
<b>Lead Head of Service</b>	William Cornall, Director Regeneration & Place
<b>Lead Officer and Report Author</b>	Andrew Williams. Parks & Open Spaces Manager
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report outlines the opportunity to provide a boroughwide Maidstone In-Bloom competition to encourage gardening and environmental projects. The competition would be run in collaboration with a local retail horticultural nursery who are experienced in providing such schemes in neighbouring boroughs.

**Purpose of Report**

Report is for discussion and committee decision for the Council to endorse a Maidstone In-Bloom Boroughwide Competition for 2021 that is provided in collaboration with a sponsor

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

1. Agree to provide an In-Bloom competition for businesses and residents to show case their talents in floral displays and environmental projects;
2. Utilise the opportunity to promote and communicate a positive image for the borough;
3. Enter into a collaboration with a local business as competition co-ordinator and administrator.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment Committee	2 February 2021

# 'Maidstone In-Bloom' Boroughwide Competition

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	Accepting the recommendations will materially improve the Council's ability to achieve a Safe Clean & Green borough and has potential to increase community engagement stimulate a degree of 'uplift' in some businesses.	William Cornall Director of Regeneration & Place
<b>Cross Cutting Objectives</b>	The report recommendations supports the achievement of the 'Biodiversity and Environmental Sustainability is respected' <i>cross cutting objective by encouraging and celebrating the environmental categories within the competition</i>	Andrew Williams, Parks & Open Spaces Manager
<b>Risk Management</b>	No additional risk following recommendations	William Cornall Director of Regeneration & Place
<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. Furthermore resources to enable the competition are to be provided by commercial sponsoring organisation.	Andrew Williams, Parks & Open Spaces Manager
<b>Staffing</b>	We will deliver the recommendations with our current staffing – through Parks & Open Spaces and the Communications Team	Andrew Williams Parks & Open Spaces Manager
<b>Legal</b>	No significant legal issues are anticipated	Andrew Williams, Parks & Open Spaces Manager
<b>Privacy and Data Protection</b>	No additional data will be held by the Council – partner organisation will process enquiries and entries	Andrew Williams, Parks & Open Spaces Manager
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Andrew Williams, Parks & Open Spaces Manager

<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals and may make a positive contribution for wellbeing & mental health.	Senior Public Health Officer
<b>Crime and Disorder</b>	The recommendation will have no negative impact on crime & disorder	Andrew Williams, Parks & Open Spaces Manager
<b>Procurement</b>	No procurement activity following recommendation/outcome	Andrew Williams, Parks & Open Spaces Manager

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Kent based garden centre 'Coolings' have been running 'In-Bloom' competitions for residents and businesses in a number of Kent Boroughs since 2008. Coolings have now approached Maidstone Borough Council to lead in the establishment and development of an 'In Bloom' competition within our borough . Coolings is a retail nursery with several sites in the region including one site in Bearsted.
- 2.2 The 'Britain In-Bloom ' competition has a long history of local , regional and national schemes supported by the Royal Horticultural Society and often implemented through partnerships and voluntary efforts. See <https://www.rhs.org.uk/get-involved/britain-in-bloom>. The establishment of a local 'In Bloom' competition is widely regarded as a very positive for community engagement and furthermore provides a platform to showcase the borough , raise the profile of local businesses that participate , celebrate residents efforts and improve the environment.
- 2.3 Maidstone Borough Council would not lead on the project delivery but would offer endorsement and media support as a positive community based initiative for residents. Commonly other boroughs offer Mayoral support for presentation of awards etc
- 2.4 Category for entries could be as follows but is open to change to suit our local priorities or needs :
- **Residential Categories:** Best front garden, Best back garden, Best planted pot/trough or basket, Best allotment
  - **Commercial Categories:** Best commercial garden, Best commercial planted pot/trough or basket, Most attractive shop, pub or business frontage.
  - **Environmental & Community Categories:** Best community environmental/biodiversity focused project, Best community horticultural/ornamental project

---

### **3. AVAILABLE OPTIONS**

- 3.1 Fully adopt the proposal to work with Coolings Nursery and launch a boroughwide in-Bloom competition. Maidstone Borough Council's involvement would be to endorse and promote the scheme. Coolings Nursery would use their experience and expertise to manage the scheme and provide prizes.
- 3.2 Create an alternative MBC only competition .
- 3.3 Do nothing.

---

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

- 4.1 Preferred option is (3.1) to work with Coolings to provide a boroughwide Maidstone In-Bloom competition for 2021 and review in October for decision to proceed or not with following years. The scheme is proven in other boroughs and research shows the competitions are well liked, competently run and feedback from one neighbouring local authority officers group recommends the scheme, the working relationship and outcomes. Coolings are a local business and their agent for the competition is a borough resident.
- 4.2 An alternative Council run initiative would be resource heavy in terms of officer time and incentives and prizes would be need new funding as a growth item.
- 4.3 To do nothing would be a lost opportunity to add interest to the borough for residents and businesses.

---

### **5. RISK**

- 5.1 No financial risk.

### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 None

---

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

- 7.1 If the recommendation is supported the scheme could be launched in late March /early Spring. The MBC Communications team would liaise with Coolings and develop a joint communications and promotions plan. Early discussions with MBC Communications Manager confirm this would be quickly assimilated into their annual work plan and create a wide range of

opportunities for press engagement, social media updates and further link the scheme to MBC environmental projects, town centre improvements to highlight the borough's commitment to 'Safe, Clean & Green' & 'a Thriving Place'. Furthermore Mayoral support will be requested once significant dates are known this will of course be subject to compliance with any Covid restrictions and diary commitments.

## **8. REPORT APPENDICES**

None

---

## **9. BACKGROUND PAPERS**

None