

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 10 DECEMBER 2014

Present: Councillor Thick (The Mayor) and Councillors Ash, Black, Mrs Blackmore, Burton, Butler, Chittenden, Cox, Cuming, Daley, Ells, English, Fissenden, Garland, Mrs Gooch, Greer, Mrs Grigg, Harper, Harwood, Mrs Hinder, Hogg, Mrs Joy, Long, McKay, McLoughlin, Moriarty, B Mortimer, D Mortimer, Munford, Naghi, Paine, Parvin, Mrs Parvin, Paterson, Pickett, Powell, Mrs Ring, Mrs Robertson, Ross, Round, Sams, Sargeant, Springett, Mrs Stockell, Vizzard, B Watson, P Watson, de Wiggondene, Willis, J.A. Wilson and Mrs Wilson

86. **PRAYERS**

Prayers were said by the Reverend Ian Parrish, the Vicar of All Saints, Maidstone.

87. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Collins, Edwards-Daem, Newton and Perry and that Councillor Willis had indicated that he would be late in arriving at the meeting.

88. **DISPENSATIONS**

There were no applications for dispensations.

89. **DISCLOSURES BY MEMBERS AND OFFICERS**

Councillor Sams stated that she was a Member of Harrietsham Parish Council, but, having taken advice from the Monitoring Officer, she intended to vote on the recommendation of the General Purposes Group that the number of Councillors on Harrietsham Parish Council be increased from nine to eleven.

90. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

91. **EXEMPT ITEMS**

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

92. MINUTES OF THE EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL HELD ON 10 NOVEMBER 2014

RESOLVED: That the Minutes of the extraordinary meeting of the Borough Council held on 10 November 2014 be approved as a correct record and signed.

93. MAYOR'S ANNOUNCEMENTS

The Mayor updated Members on recent/forthcoming engagements.

94. PETITIONS

1. ALLOCATION OF HOUSING SITES – HARRIETSHAM

Mr Mike Williams presented a petition in the following terms:

Harrietsham Against Reckless Development has been formed by villagers concerned about the proposed scale of expansion of our lovely village.

This petition calls for our Parish Council and Maidstone Borough Council to:

- *Reduce the proposed expansion of Harrietsham to a more proportionate level, similar to other rural villages;*
- *Refuse any development on greenfield sites of special landscape value and to prioritise brownfield sites; and*
- *Refuse any major development off minor village roads.*

In presenting the petition, Mr Williams said that Harrietsham was a small rural village with very few facilities. It was not a rural service centre and it was not a suitable or sustainable location for the housing growth proposed. Local residents were concerned about the level and location of the growth proposed and the impact on the character of the village and local infrastructure. The Council should lobby central government to direct growth away from sensitive greenfield sites and small rural villages to more appropriate locations.

During the discussion on the petition, Members made a number of points, including:

- The Council should be doing more to influence national debate and central government policy on planning and other issues.
- It was naive to suggest that there was no connection between the rural service centre/larger village designation and larger housing numbers. There was a connection and it was necessary to consider whether this was the right approach. Consideration

should be given to the adequacy of infrastructure in these areas to support the development proposed.

- The absence of a national strategy for the distribution of population and the implications for planning at district level had been debated at the Town and Country Planning Conference, and concerns were being fed back at the highest level. However, whichever approach was adopted the same number of houses would be required.
- The policy regarding rural service centres/larger village designations was underwritten by hierarchical settlement work based upon an assessment of the infrastructure capacity.
- Harrietsham should not be designated as a rural service centre; it was a small village with few facilities. The housing sites proposed in the draft Local Plan, one of which was a designated receptor site, were not suitable and should not be considered.
- This was not just a rural issue. Significant housing development was proposed in deprived urban areas with limited social infrastructure and green spaces.
- In the NPPF there was a presumption in favour of sustainable development. The trajectory of growth for Maidstone was not sustainable and if the current trajectory of growth continued beyond 2031, there was a risk that the character of the Borough would be destroyed and that it would become a southern outlier of the Medway towns.
- The projected level of housing development was unprecedented in this Borough and had implications for quality of life etc.
- The type of development now coming forward (larger houses on greenfield sites) was being promoted by a strong developer lobby of central government, but with the NPPF the Council had fewer tools to manage this growth. The Council should work with MPs and others to form a lobby group to promote development in areas that can accommodate it.
- There was a national need for housing with demand exceeding supply. Some Parish Councils like Harrietsham had taken the opportunity to promote Neighbourhood Plans to shape new development in their areas. Local residents would be able to vote on the adoption of the Neighbourhood Plan and to submit views to the Borough Council during the next round of consultation on the draft Local Plan.
- The Council should have taken the opportunity in the past to ensure that housing development was supported by appropriate infrastructure. A strategic approach was now required to

prevent inappropriate developer-led housing provision in village locations.

- There was a need to build more homes and these should be affordable and accessible. It would be popular to say that there would be no housing growth in Harrietsham, but this was not possible. The Council was seeking to prioritise the development of brownfield sites, but there were very few available.
- Harrietsham, with its railway station and proximity to the M20 motorway, was a sustainable location for development.

RESOLVED: That the petition and the points raised during the debate be referred to the Cabinet for consideration.

Note: Councillor Willis entered the meeting during the discussion on this petition (6.50 p.m.).

2. SUTTON VALENCE – DESIGNATION AS A LARGER VILLAGE

Councillor Mrs Eileen Riden, the Chairman of Sutton Valence Parish Council, presented a petition in the following terms:

We, the undersigned, object to Maidstone Council's plans for Sutton Valence to be designated a "larger village" leading to increased housing development. This threatens to change the cherished rural nature of our Parish, overwhelm local infrastructure and amenities, threaten greenfield sites, and add to traffic and parking congestion. We further call upon Maidstone Council to recognise the constraints to growth in Sutton Valence and ensure delivery of levels and types of housing which will respond to local population trends and needs.

In presenting the petition, Councillor Mrs Riden said that the Parish Council only became aware of the designation of Sutton Valence as a "larger village" when the Borough Council sent a letter to landowners and developers asking them to submit sites for possible housing development. As a result five applications had been submitted, all for development on greenfield sites. This would increase the size of the Parish by 20% with a consequential detrimental impact on the already limited local infrastructure. Local residents were not against development appropriate to the needs of the Parish (modest, affordable homes for young people and smaller developments for older people), and work had commenced on a Neighbourhood Plan. Sutton Valence was set in a beautiful rural area on the Greensand Ridge which the Borough Council was seeking to protect in the Local Plan. The designation of the village as a "larger village" should be taken out of the draft Local Plan.

During the discussion on the petition, Members made a number of points, including:

- Sutton Valence was a historic village with limited infrastructure. The housing numbers proposed were too large and should be reduced. The “larger village” designation was a magnet for developers and should be removed.
- Different circumstances applied to the development of Sutton Valence due to its position on the Greensand Ridge which was more unspoiled than the Kent Downs with traditional farm patterns and important views. With the loss of policies relating to Special Landscape Areas, the Council had fewer tools to manage development on the Greensand Ridge. Priority should have been given to the development of brownfield sites in the draft Local Plan.
- The Council needed to be absolutely certain before the examination in public that it had taken into account the most up to date decisions and guidance from the Planning Inspectorate and that it had re-examined all assumptions to ensure that it was not over providing for housing need.
- The evidence base for the settlement hierarchy should be re-examined to ensure that development is spread at appropriate locations across the Borough. Some Parishes needed managed development to maintain the services they had got.
- The updated “objectively assessed need” for new housing was for 18,600 dwellings during the period 2011-31 (a reduction in the total requirement by some 1,000 dwellings compared with the main Strategic Housing Market Assessment report). The Council could attempt to reduce this figure, but there was a risk that an unrealistically low figure would fail at the Examination in Public and that housing would be imposed on the Borough in the wrong places.
- The housing growth proposed in Sutton Valence over the Plan period was relatively modest.
- Parish Councils were the first tier of local government and were asking the Borough Council to listen to their views. They accepted the need for appropriate development and were preparing Neighbourhood Plans, but they also understood the constraints and their views should be considered.

RESOLVED: That the petition and the points raised during the debate be referred to the Cabinet for consideration.

95. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Questions to the Leader of the Council

Mr Fergus Wilson asked the following question of the Leader of the Council:

Given the current delays in the delivery of Planning Services is the Mid Kent Partnership fit for purpose and should Maidstone Borough Council withdraw from it?

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, then responded to the question.

Mr Wilson asked the following supplementary question of the Leader of the Council:

What timescale are we aiming at to process an application to determination?

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, then responded to the question.

Mrs Geraldine Brown asked the following question of the Leader of the Council:

Have Parishes made known to the Leader, other Cabinet Members and Officers their concerns about the 18,600 figure for Objectively Assessed Housing Need?

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, then responded to the question.

Mrs Geraldine Brown asked the following supplementary question of the Leader of the Council:

I understand that you have had a lot of meetings with a lot of different organisations, but at the outset you promised regular meetings with the Kent Association of Local Councils representing the Parishes. Can we return to that because it is not happening?

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, then responded to the question.

Question to the Cabinet Member for Planning, Transport and Development

Mr John Hughes asked the following question of the Cabinet Member for Planning, Transport and Development:

The GL Hearn report (para 4.117) states that the Borough had a "significant oversupply (of housing) over the past decade", and this recent oversupply has been trended forward to form the basis of the housing needs assessment for the draft Local Plan. Why hasn't a lower, more balanced, longer term trend been used, as allowed by Para 36 of the Government's Planning Practice Guidance?

The Cabinet Member for Planning, Transport and Development responded to the question.

Councillor Harwood, on behalf of the Leader of the Opposition, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, then responded to the question.

Mr Hughes asked the following supplementary question of the Cabinet Member for Planning, Transport and Development:

Paragraph 36 of the National Planning Practice Guidance clearly allows previous oversupply of housing to be taken into account in calculating the Housing Needs Assessment. Would it not be a good idea to explore and pursue the flexibility given by paragraph 36 to reduce the high level of growth proposed to a more balanced reasonable level with a less adverse effect on infrastructure, the environment and attractiveness of the Borough?

The Cabinet Member for Planning, Transport and Development responded to the question.

Councillor Harwood, on behalf of the Leader of the Opposition, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, then responded to the question.

The time allowed within the Council's Procedure Rules for questions by members of the public having expired, the Mayor announced that the remaining four questions would be held over to the next meeting of the Council unless the questioners requested a written answer in the meantime.

Note: To listen to the responses to these questions, please follow this link:

<http://live.webcasts.unique-media.tv/mbc185/interface>

96. QUESTIONS FROM MEMBERS OF THE COUNCIL

Question to the Leader of the Council

Councillor Harper asked the following question of the Leader of the Council:

Could the Leader of the Council please inform me of the current state of progress with the Local Plan and would she agree with the Labour Party that completion of the Local Plan is the Council's top priority and that everything possible is being done to bring it to a conclusion during the first half of 2015?

The Leader of the Council responded to the question.

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

Could the Leader of the Council please inform me of the support she is receiving from all Political Groups represented on the Council in terms of moving the Local Plan forward?

The Leader of the Council responded to the question.

Note: To listen to the responses to these questions, please follow this link:

<http://live.webcasts.unique-media.tv/mbc185/interface>

97. ADJOURNMENT OF MEETING

The meeting was adjourned from 8.10 p.m. to 8.20 p.m.

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

The Leader of the Council submitted her report on current issues.

After the Leader of the Council had submitted her report, Councillor Mrs Wilson, the Leader of the Opposition, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor Harper, on behalf of the Leader of the Labour Group, responded to the issues raised.

A number of Members then asked questions of the Leader of the Council and the Leader of the Opposition on the issues raised in their speeches.

99. REPORT OF THE CABINET HELD ON 8 OCTOBER 2014 - LOCAL COUNCIL TAX DISCOUNT SCHEME

It was moved by Councillor Mrs Blackmore, seconded by Councillor McLoughlin, that the recommendation of the Cabinet relating to the Local Council Tax Discount Scheme be approved.

RESOLVED: That the Local Council Tax Discount Scheme be maintained from 1 April 2015 at its current level, providing a 13% reduction in the former national Council Tax Benefit Scheme, as set out in Appendix A to the report of the Cabinet.

100. REPORT OF THE CABINET HELD ON 8 OCTOBER 2014 - UPDATE ON MOTIONS REFERRED TO CABINET BY COUNCIL

It was moved by Councillor Mrs Blackmore, seconded by Councillor Hogg, that the recommendation of the Cabinet relating to motions referred to it by the Council be approved.

RESOLVED: That the action taken by the Cabinet in respect of the three motions referred to it by the Council relating to the Bedroom Tax (Spare Room Subsidy), Cycling Safety and the Gyrotory System and Over-Development of Inner Maidstone be noted.

101. REPORT OF THE GENERAL PURPOSES GROUP HELD ON 21 NOVEMBER 2014 - HARRIETSHAM PARISH COUNCIL - INCREASE IN NUMBER OF COUNCILLORS

It was moved by Councillor Parvin, seconded by Councillor Black, that the recommendation of the General Purposes Group relating to a request by Harrietsham Parish Council for an increase in the number of Parish Councillors be approved.

RESOLVED: That, in accordance with the adopted scale, the request by Harrietsham Parish Council for an increase from nine Councillors to eleven Councillors be accepted and that the necessary community governance review and consultation under S82 of the Local Government and Public Involvement in Health Act 2007 be commenced.

102. REPORT OF THE GROUP LEADERS OR NOMINATED REPRESENTATIVES WORKING GROUP - REVIEW OF GOVERNANCE ARRANGEMENTS

It was moved by the Mayor, seconded by Councillor Mrs Joy, and

RESOLVED: That all of the Council Rules of Procedure (except Rules 19.5 and 20.2) be suspended for this item to enable Members to receive a presentation from the Head of Policy and Communications on the proposals of the Group Leaders or Nominated Representatives Working Group relating to a new scheme of committee governance; to allow a factual question and answer session to take place; and to facilitate a thorough discussion on this important issue. A debate will take place on the recommendation in the report following which Members may speak on

any of the alternative options listed in the report. At the end of the debate, the recommendation or any alternative recommendation arising from discussion of the alternative options will be moved, seconded and voted upon by the Council. Members may speak more than once during the debate.

During the debate, following the presentation and factual question and answer session, it was moved by Councillor English, seconded by Councillor Daley, that the recommendation contained in the report of the Group Leaders or Nominated Representatives Working Group be approved.

Five Members of the Council requested that a named vote be taken. The voting was as follows:

For (26)

Councillors Chittenden, Cox, Daley, Ells, English, Fissenden, Mrs Grigg, Harper, Harwood, Mrs Joy, Long, McKay, Moriarty, B Mortimer, D Mortimer, Naghi, Paterson, Pickett, Powell, Mrs Robertson, Sams, Sargeant, B Watson, P Watson, Willis and Mrs Wilson

Against (24)

Councillors Ash, Black, Mrs Blackmore, Burton, Butler, Cuming, Garland, Mrs Gooch, Greer, Mrs Hinder, Hogg, McLoughlin, Munford, Paine, Parvin, Mrs Parvin, Mrs Ring, Ross, Round, Springett, Mrs Stockell, Thick, de Wiggondene and J.A.Wilson

Abstained (1)

Councillor Vizzard

RESOLVED:

1. That the Council's governance arrangements be changed from an executive to a committee system of governance pursuant to Section 9KC Local Government Act 2000, effective from the Annual Meeting of the Council in May 2015.
2. That the scheme of governance outlined as option 1 in Appendix A to the report of the Group Leaders or Nominated Representatives Working Group and in section 3.3.4 of the report and the terms of reference as detailed in Appendix B to the report be approved.
3. That the Head of Policy and Communications and the Monitoring Officer be authorised to publish the required notice describing the features of the new system and timescales for implementation; to work with Group Leaders to prepare a new Constitution for the Council to adopt; and to deal with any other matters arising from or in connection with the change of governance arrangements.

Note: Councillors English and Fissenden left the meeting during consideration of this issue, but returned shortly after, and continued to participate in the discussion and voting.

103. LONG MEETING

Prior to 10.30 p.m., during consideration of the report of the Group Leaders or Nominated Representatives Working Group, the Council considered whether to adjourn at 10.30 p.m. or to continue until 11.00 p.m. if necessary.

RESOLVED: That the meeting should continue until 11.00 p.m. if necessary.

104. ORAL REPORT OF THE STRATEGIC LEADERSHIP AND CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE HELD ON 2 DECEMBER 2014

It was noted that there was no report arising from the meeting of the Strategic Leadership and Corporate Services Overview and Scrutiny Committee held on 2 December 2014.

105. ORAL REPORT OF THE GENERAL PURPOSES GROUP HELD ON 8 DECEMBER 2014

It was noted that there was no report arising from the meeting of the General Purposes Group held on 8 December 2014.

106. ORAL REPORT OF THE COMMUNITY, ENVIRONMENT AND HOUSING OVERVIEW AND SCRUTINY COMMITTEE HELD ON 9 DECEMBER 2014

It was noted that there was no report arising from the meeting of the Community, Environment and Housing Overview and Scrutiny Committee held on 9 December 2014.

107. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - COMMITTEE MEMBERSHIP

It was moved by the Mayor, seconded by Councillor English, that the recommendation contained in the report of the Head of Policy and Communications relating to the membership of Committees be approved.

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

Community, Environment and Housing Overview and Scrutiny Committee

Members

Delete Councillor B Watson. Insert Councillor Vizzard.

Substitute Members

Delete Councillor Vizzard. Insert Councillor B Watson.

Economic and Commercial Development Overview and Scrutiny Committee

Members

Delete Councillor Vizzard. Insert Councillor Mrs Wilson.

Substitute Members

Delete Councillor Mrs Wilson. Insert Councillor Vizzard.

108. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - URGENT DECISION TAKEN BY THE EXECUTIVE

The Mayor announced that this report was for information only.

109. DURATION OF MEETING

6.30 p.m. to 10.40 p.m.