

**Maidstone Borough Council**

**Planning, Transport and Development  
Overview and Scrutiny Committee**

**Monday 2 March 2015**

**Call-In: MAIDSTONE BOROUGH LOCAL PLAN – NEW AND AMENDED SITE  
ALLOCATION**

**Report of: Head of Finance and Resources**

**1. Background**

- 1.1. Councillor Gordon Newton, Councillor Eddie Powell and Councillor Fran Wilson have called-in the Cabinet decision: **MAIDSTONE BOROUGH LOCAL PLAN – NEW AND AMENDED SITE ALLOCATION**
- 1.2. In order to assist Members in their consideration of this issue the following documents have been attached to this agenda:

<b>Document</b>
<i>Call-in Form and attached addendum</i>
<i>Report for Decision: MAIDSTONE BOROUGH LOCAL PLAN – NEW AND AMENDED SITE ALLOCATION</i>
<i>Record of Decision: MAIDSTONE BOROUGH LOCAL PLAN – NEW AND AMENDED SITE ALLOCATION</i>

- 1.3. The following have been invited as witnesses to the meeting:
- The Leader of the Council, Councillor Annabelle Blackmore;
  - The Cabinet Member for Planning, Transport and Development, Councillor David Burton;
  - Rob Jarman, Head of Planning and Development; and
  - Steve Clarke, Principal Planning Officer.

**2. Recommendation**

- 2.1. The reason for calling-in the Cabinet decision is stated as:

*1. Inconsistency in planning policy and highway terms in the treatment of similar sites.*

2. *It appears that a differing priority has been applied to public responses from one site to another.*
  3. *The considered views of the O&S Committee on the strategic importance of receptor sites which were accepted by the Planning Manager have not been taken into account.*
- 2.2. The Committee is recommended to consider the decision of the Cabinet against the reasons set out in paragraph 2.1 (above).
  - 2.3. Having considered the call-in the Committee has three options for action with regard to the decision:
    - i. **Take no action** – the decision will be implemented as taken by the Cabinet on 4 February 2015.
    - ii. **Refer to the Leader of the Council** – the comments and any recommendations from the Committee will be referred to the Leader of the Council for reconsideration of the decision within five working days, after which a final decision will be made.
    - iii. **Refer to Council** – the comments of the Committee and decision of the Cabinet will be referred to Council. If Council does not object to the Cabinet decision it will be implemented. If Council does object, it does not have power to make a decision unless the Cabinet decision is against the policy framework or contrary to or inconsistent with the budget. Unless that is the case, Council will refer its comments back to the Cabinet for reconsideration of the decision within five working days, after which a final decision will be made.
  - 2.4. Councillors may also choose to take no action on the decision itself (i.e. allowing it to be implemented as taken) but request further information or clarification on issues raised during the call-in. This information must be provided within one month, as is the case with ordinary requests and recommendations from Overview and Scrutiny.

### **3. Impact on Corporate Objectives**

- 3.1 The Committee will need to take into account the Council's Corporate Priorities when considering the decision and call-in.