

**MAIDSTONE BOROUGH COUNCIL**

**POLICY AND RESOURCES COMMITTEE**

**MINUTES OF THE MEETING HELD ON  
WEDNESDAY 23 SEPTEMBER 2015**

**Present:** Councillor Mrs Wilson (Chairman), and  
Councillors Mrs Blackmore, Brice, Chittenden, Cox,  
Garland, Harper, Mrs Joy, McLoughlin, Munford, Ross,  
Round, Sargeant, Mrs Stockell and Vizzard

**Also Present:** Councillors Mrs Gooch, Paterson and  
Thick

46. APOLOGIES FOR ABSENCE

Apologies were received from Councillors McKay and Naghi.

It was also noted that Councillor Garland would be late.

47. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Harper was substituting for Councillor McKay.  
Councillor Vizzard was substituting for Councillor Naghi.

48. URGENT ITEMS

The Chairman indicated that she intended to take the following agenda  
items as urgent items -

Agenda Item 19 – Report of the Head of Policy and Communications –  
Resident Survey 2015 and Agenda Item 20 – Report of the Head of  
Planning and Development – Urgent Decision Referral from Strategic  
Planning, Sustainability and Transportation Committee 8/9/15:  
Landscapes of Local Value.

49. NOTIFICATION OF VISITING MEMBERS

Councillor Paterson indicated her wish to speak on Agenda Item 16 –  
Review of Careers Guidance in Maidstone

Councillor Thick indicated his wish to speak on Agenda Item 20 of the  
Amended Agenda – Urgent Decision Referral from Strategic Planning,  
Sustainability and Transportation Committee 8/9/15 – Landscapes of Local  
Value

Councillor Gooch reserved her right to speak on any item on the agenda.

50. DISCLOSURES BY MEMBERS AND OFFICERS

Councillors Chittenden and Mrs Stockell disclosed an interest in Agenda Item 22 of the Amended Agenda relating to a Property Acquisition. They indicated that they were Members of the Kent County Council's Property Sub-Committee.

51. DISCLOSURES OF LOBBYING

All Members stated that they had been lobbied on Agenda Item 20 of the Amended Agenda relating to the Urgent Decision Referral from Strategic Planning, Sustainability and Transport Committee 8/9/15: Landscapes of Local Value.

52. EXEMPT ITEMS

**RESOLVED:** That the items on Part II of the agenda be taken in private as proposed.

53. MINUTES (PART I) OF THE MEETING HELD ON 29 JULY 2015

**RESOLVED:** That the Minutes (Part I) of the meeting held on 29 July 2015 be approved as a correct record and signed.

54. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

55. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC (IF ANY)

It was noted that no questions had been received from members of the public.

56. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - URGENT DECISION REFERRAL FROM STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE 8/9/15: LANDSCAPES OF LOCAL VALUE

The Committee considered the referral relating to the decision of the Strategic Planning Sustainability and Transportation Committee at its meeting on 8 September 2015 made in relation to Agenda Item 13: Landscapes of Local Value.

The referral set out the desired outcome as follows:-

Paragraph 5.78 to read 'The Low Weald covers a significant proportion of the countryside, in the rural southern half of the Borough. The Low Weald is recognised as having distinctive landscape features: the field patterns, many of which are medieval in character, hedgerows, stands of trees, ponds and streams and buildings of character should be protected, maintained and enhanced where appropriate. ~~The necessary protection for the area of the Low Weald outside the boundaries of the rural service~~

~~centres as defined on the policies map is provided under the criteria of policy SP5.~~

and

“Criterion 6 sentence to read: ‘The Greensand Ridge, Medway Valley, Len Valley and Loose Valley **and Low Weald**, as defined on the policies map, will be protected, maintained and enhanced where appropriate as landscapes of local value;”

There was concern that the Low Weald had been identified as a Special Landscape Area in the currently adopted Maidstone Borough Wide Local Plan 2000 and endorsed at the public inquiry into that plan and that it had been subsequently removed from the current draft Local Plan.

Officers clarified that the Low Weald had not been removed from the draft Maidstone Borough Local Plan and it did not form part of the initial Regulation 18 Consultation draft in March 2014. The reason for this was that there had been a change in Government Policy on the issue of landscape designations since the currently adopted Maidstone Borough-wide Local Plan 2000 had been adopted.

Members were reminded that in the Maidstone Borough Wide Local Plan 2000 only a proportion of the Low Weald was actually designated, largely centred on the east of the Borough, including Headcorn but not stretching as far as Staplehurst or Maidstone (with the exception of a small area immediately east of Staplehurst unconnected to any other part of the Low Weald SLA).

**RESOLVED:** That the desired outcome as set out in the Decision Referral be agreed, as follows:-

Paragraph 5.78 will read: The Low Weald covers a significant proportion of the countryside, in the rural southern half of the Borough. The Low Weald is recognised as having distinctive landscape features: the field patterns, many of which are medieval in character, hedgerows, stands of trees, ponds and streams and buildings of character should be protected, maintained and enhanced where appropriate.

Criterion 6 sentence will read: The Greensand Ridge, Medway Valley, Len Valley, Loose Valley and Low Weald, as defined on the policies map, will be protected, maintained and enhanced where appropriate as landscape of local value.

It was noted that the area to be included should reflect as defined currently in the Maidstone Borough Wide 2000 Local Plan proposals map.

Voting:            For: 14            Against:            0            Abstentions:            0

Councillor Garland arrived part way through the debate on this item and was therefore not able to take part in the discussions or vote.

57. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - QUARTER 1 2015/16 CUSTOMER FEEDBACK REPORT

The Committee considered the report of the Head of Policy and Communications which provided a summary of the number of complaints and compliments received by the Council for Quarter 1 2015-16. It was noted that although there had been an increase in the number of complaints received compared to Quarter 4 of 2014/15, there was a significant decrease of 63% compared to the same quarter of 2014/15.

In response to questions from Members, the Policy and Information Manager confirmed that:

- \* The Ombudsman does not provide figures relating to the number of complaints referred to them until the end of the municipal year and this is then reported in the Quarter 4 Customer Feedback to this Committee.
- \* Officers will look at Streetlife and any other social media feeds where issues relating to Maidstone are mentioned.
- \* A recruitment exercise is taking place to recruit more Planning Officers. Two senior members of staff have recently been appointed to handle planning applications and support the planning team.

**RESOLVED:** That the Quarter 1 Customer Feedback be noted.

Voting: For: 15 Against: 0 Abstentions: 0

58. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - CORPORATE IMPROVEMENT PLAN - 2014/15 PROGRESS UPDATE

The Committee considered the report of the Head of Policy and Communications which set out the new Corporate Improvement Plan framework for 2015-20 and provided a status update on the work streams and projects in the Corporate Improvement Plan October 2014 – March 2015.

In response to questions from Members, the Chief Executive confirmed that:-

- \* management take all reasonable steps to ensure staff do not feel overwhelmed by a heavy workload by ensuring that there was effective staff engagement, planning of workloads and support from Line Managers.
- \* the 360° appraisal system for senior managers has proved to be very useful in helping to identify the strengths of those individuals and for others to let them know what they feel their strengths are and to identify any areas for development.
- \* there are various mechanisms in place to monitor and deal with stress in the workplace, this can be picked up through appraisals and mid-term

appraisals, dependant on the type of work carried out, through regular one to one meetings with the Line Manager and if they feel they want to take it further, through Senior Managers or Human Resources. They may prefer to go down other routes such as the occupational health or in rare occasions through the whistle blowing charter.

In response to a question from a Member, the Head of Finance and Resources confirmed that he would speak to the Member outside the meeting to explain why there were amber scorings against a few of the Property Services related performance indicators.

**RESOLVED:**

- 1) That the new corporate improvement framework be approved; and
- 2) That the status of items on the former Corporate Improvement Plan 2014-17 be noted.

Voting: For: 15 Against: 0 Abstentions: 0

59. **REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - CORPORATE PLANNING TIMETABLE**

The Committee considered the report of the Head of Policy and Communications which set out a proposed approach to refreshing the current Strategic Plan and undertaking budget consultation as part of a corporate planning timetable.

**RESOLVED:** That the timetable for refreshing the Strategic Plan and the creation of the Medium Term Financial Strategy be agreed.

Voting: For: 15 Against: 0 Abstentions: 0

60. **REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - STRATEGIC PLAN PERFORMANCE UPDATE - QUARTER 1 2015/16**

The Committee considered the report of the Head of Policy and Communications in which Members were asked to review the progress of key strategies, plans and performance indicators that support the delivery of the Council's Strategic Plan 2015-20.

**RESOLVED:**

- 1) That the position of the quarterly key performance indicators (KPIs) and updates on key strategies that support the Strategic Plan 2015-20 as set out in Appendix A to the report of the Head of Policy and Communications be noted; and
- 2) That there were no areas identified where actions to improve performance would be appropriate.

Voting: For: 15 Against: 0 Abstentions: 0

61. REPORT OF THE HEAD OF FINANCE AND RESOURCES - FIRST QUARTER BUDGET MONITORING 2015/16

The Committee considered the report of the Head of Finance and Resources which set out the current position with regards to both revenue and capital expenditure against the approved budgets, and also included sections on Collection Fund performance and Treasury Management performance.

Members felt that the revenue and expenditure from Mote Park should be categorised under Mote Park Operation; Parking Charges; and Cafeteria. Officers undertook to produce a memorandum account to make this clearer.

**RESOLVED:**

- 1) That a working group of the full Committee (or Substitutes) be established which would be supported by officers to identify robust and deliverable savings proposals;
- 2) That the revenue budget position at the end of the first quarter and the action proposed or being taken by each service committee as set out in table 2, paragraph 2.14 of the report of the Head of Finance and Resources be noted;
- 3) That the proposed slippage in the capital programme of £2,875,985 into 2016/17 as detailed in paragraph 2.19 of the report of the Head of Finance and Resources be approved;
- 4) That the performance of the collection fund and the estimated level of balances at the year end be noted;
- 5) That the performance in relation to the treasury management strategy for the first quarter of 2015/16 be noted; and
- 6) That Officers produce a memorandum account for Mote Park.

Voting: For: 11 Against: 3 Abstention: 1

Councillor McLoughlin left the meeting after this item was discussed.

62. REPORT OF THE HEAD OF FINANCE AND RESOURCES - REVIEW OF CAREERS GUIDANCE IN MAIDSTONE

The Committee considered the report of the Head of Finance and Resources which contained recommendations made by the Economic and Commercial Development Overview and Scrutiny Committee which reflected the findings of its review of Careers Guidance in Maidstone as undertaken in May 2015.

**RESOLVED:**

- 1) That Officers be requested to report back, as appropriate, to the relevant service committee for each recommendation as set out in the report of the Head of Finance and Resources on the possible actions that officers can take within current resource levels; and
- 2) That a copy of the review is circulated to all those organisations who participated, including Kent County Council as the Education Authority.

Voting: For: 14 Against: 0 Abstentions: 0

63. **REPORT OF THE HEAD OF MID KENT REVENUES AND BENEFITS - FRAUD INVESTIGATION TEAM**

The Committee considered the report of the Head of Revenues and Benefits Shared Services which set out a proposal for joint funding for a dedicated team of fraud investigators.

Councillor Ross declared an interest in this item as he both prosecuted and defended clients in relation to benefit fraud in parts of Kent other than Maidstone. It was noted that as this report related to a principle of the way this Council wanted to move forward, it would not preclude him from participating in the debate and vote.

**RESOLVED:**

- 1) That subject to the agreement of Kent County Council, Tunbridge Wells and Swale Borough Councils, the continuation of a Counter Fraud Team to reduce the level of customer fraud and error in relation to council tax and business rates be approved;
- 2) That the Head of Revenues and Benefits Shared Service be authorised to make the necessary operational arrangements as set out in the report of the Head of Revenues and Benefits Shared Service;
- 3) That authority be delegated to the Director of Environment and Shared Services to negotiate and subject to reaching satisfactory terms, enter into a collaboration agreement with Kent County Council, Tunbridge Wells and Swale Borough Councils for the continued delivery of Counter Fraud Service for council tax and business rates; and
- 4) That a review of the service be undertaken in 18 months with a further report to be provided to the Committee detailing the impact of the service on Fraud and Error.

Voting: For: 14 Against: 0 Abstentions: 0

64. REPORT OF THE CHIEF EXECUTIVE - CREATION OF POLICY AND RESOURCES SUB-COMMITTEE

The Committee considered the report of the Chief Executive which set out options to manage decision making on all issues relating to the Mid Kent Improvement Partnership (MKIP) and Mid Kent Services (MKS).

**RESOLVED:** That the whole of the Policy and Resources Committee (or Substitutes) will decide the Maidstone Borough Council position on MKIP and MKS issues and will participate in any simultaneous decision making meetings with partner authorities.

Voting: For: 14 Against: 0 Abstentions: 0

65. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - RESIDENT SURVEY 2015

The Committee considered the report of the Head of Policy and Communications which related to the draft resident survey 2015 and made a proposal to combine the budget consultation with the resident survey to minimise cost.

Following a Member's question on how groups with special needs are reached, the Head of Finance and Resources stated that this was an issue that would be determined by the company commissioned to do the survey but he undertook to ensure Members were appraised of this in due course.

**RESOLVED:**

- 1) That the merging of the budget consultation and resident survey to minimise cost be agreed; and
- 2) That the draft Resident Survey 2015 be approved.

Voting: For: 14 Against: 0 Abstentions: 0

**PART II**

67. EXCLUSION OF THE PUBLIC FROM THE MEETING

**RESOLVED:** That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reason specified having applied the Public Interest Test:

**Head of Schedule 12A and Brief Description**

Minutes (Part II) of the meeting held on 29 July 2015

Para 1 – Info re an individual

Para 3 – Info re financial/business affairs

Report of the Director of Planning and Development – Property Acquisition

Para 3 – Info re financial/business affairs

68. MINUTES (PART II) OF THE MEETING HELD ON 29 JULY 2015

**RESOLVED:** That the Minutes (Part II) of the meeting held on 29 July 2015 be approved as a correct record and signed.

69. LONG MEETING

Prior to 10.30 p.m., following consideration of the Minutes (Part II) of the meeting held on 29 July 2015, the Committee 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.

70. REPORT OF THE DIRECTOR OF PLANNING AND DEVELOPMENT - PROPERTY ACQUISITION

The Committee considered the exempt report of the Director of Planning and Development which sought approval to complete the joint acquisition of a site and to progress the master planning and comprehensive development of this site, together with adjoining land in line with the policies contained in the emerging draft Maidstone Local Plan and the Borough Council's ambitions to create a viable high quality and vibrant mixed use development which enhances the town centre.

Councillors Chittenden and Mrs Stockell declared an interest in this item as they were both Members of the KCC's Property Sub-Committee.

Members were appraised of both the short, medium and long term proposals for the site.

Progress to date has included:-

- Draft Heads of Terms of a property contract for the joint acquisition of the site have been agreed with conditions to protect both parties position.
- A Collaboration Agreement between the two parties which will govern how we will work together on a mutual basis to secure acquisition, undertake appropriate feasibility and planning studies, manage the development process including working with third parties.
- Site analysis and investigation – commercial due diligence on the site taking place, including a General Condition Survey (a Photographic Schedule of Condition), Structural Condition Survey, Ground Condition and Environmental Survey to ensure that a

detailed report covering any liabilities are understood and can be factored into the final negotiations.

- Business Case and Development Appraisal – work has also progressed on the business case for the acquisition of the site. This is important to both authorities as public bodies and as such the acquisition includes a green book appraisal.

**RESOLVED:**

- 1) That the proposed Heads of Terms as set out in Appendix 2 of the exempt report of the Director of Planning and Development for a joint acquisition be agreed;
- 2) That the key principles of the draft collaboration agreement as set out in paragraphs 4.5 to 4.9 of the exempt report of the Director of Planning and Development which governs how the joint owners will share responsibilities, risks and rewards in acquiring, managing, planning and developing the site be agreed and that delegated authority be granted for the Chief Executive to negotiate the final arrangement in consultation with the Chairman of Policy and Resources Committee.
- 3) That within this collaboration agreement the establishment of a member led joint strategic board to oversee the project be agreed and that delegated authority be given to the Chief Executive and the Director of Planning and Development in consultation with the Chairman of Policy and Resources Committee and the Chairman of Strategic Planning, Sustainability and Transport Committee to make decisions as set out in the Collaboration Agreement;
- 4) That the capital funding of the Council's contribution to the total costs of the joint acquisition set out in Table 1 of the exempt report of the Director of Planning and Development, and the revenue funding associated with the Council's anticipated expenditure on the acquisition of the site, on an equal basis with our partner, be approved; and
- 5) That the costs associated with the site's redevelopment, including a dedicated Development Manager, professional fees, surveys, planning application etc be funded in part from the Kent Business Rates Pool and from the value generated from the development.

Voting: For: 14 Against: 0 Abstentions: 0

71. DURATION OF MEETING

6.30 p.m. to 10.50 p.m.