

MAIDSTONE BOROUGH COUNCIL

Strategic Planning, Sustainability and Transportation Committee

MINUTES OF THE MEETING HELD ON TUESDAY 8 JANUARY 2019

Present: Councillors D Burton (Chairman), Clark, Cox, Field, Garten, Mrs Grigg, Munford, Parfitt-Reid and de Wiggondene-Sheppard

Also Present: Councillors English and Perry

135. APOLOGIES FOR ABSENCE

There were no apologies for absence.

136. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

137. URGENT ITEMS

There were no urgent items.

138. NOTIFICATION OF VISITING MEMBERS

It was noted that the following Councillors were present as Visiting Members:

- Councillor English, who indicated that he wished to speak on Item 15. CIL Governance Report and Item 16. Reference from Planning Committee - Dayrooms on Gypsy and Traveller Sites.
- Councillor Perry, who indicated that he wished to speak on Item 16. Reference from Planning Committee - Dayrooms on Gypsy and Traveller Sites.

139. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

140. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

141. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

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

142. MINUTES OF THE MEETING HELD ON 4 DECEMBER 2018

The Committee commented that the minutes did not reflect a discussion that had taken place, which concerned the production of a report to show the resources available to deliver the Local Plan.

RESOLVED: That the Minutes of the meeting held on 4 December 2018 be approved as a correct record and signed, subject to the following amendment to Item 126. Committee Work Programme:

“The Committee requested that an update on Local Plan Resourcing and the MITP was added to the Committee Work Programme and stated that it would be beneficial for the business cases to be shared with MBC.”

143. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

144. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

145. COMMITTEE WORK PROGRAMME

Mr Mark Egerton, Strategic Planning Manager, informed the committee that the Head of Planning and Development intended to respond to the Sevenoaks District Council Regulation 19 Local Plan using delegated authority.

The Committee commented that although it had been custom of practice to consider significant consultation responses at the Committee, it respected the delegated authority of the Head of Planning and Development. The committee requested that consideration of consultations be made in collaboration with the Chairman and Vice-Chairman of the Committee.

RESOLVED: That the Committee Work Programme be noted.

146. REPORTS OF OUTSIDE BODIES

RESOLVED: That the Reports of Outside Bodies be noted.

147. FEES & CHARGES 2019/20

Mr Mark Green, Director of Finance & Business Improvement, addressed the Committee. Mr Green explained that fees and charges were reviewed by budget managers annually, to account for aspects such as inflation. It was explained that the Local Land Charges had been increased above

inflation rates to create a standardised price across the three Local Authorities in the shared service partnership.

The Committee commented that it was positive that parking charges had not been increased. The Committee also remarked that it was important to maintain value for the services that the Council provided, and that Maidstone Borough Council did not necessarily need to increase charges purely because other Local Authorities charged a higher amount.

RESOLVED: That the proposed discretionary fees and charges set out in Appendix 1 to this report are agreed.

Voting: For – 8 Against – 1 Abstentions – 0

148. MEDIUM TERM FINANCIAL STRATEGY & BUDGET PROPOSALS

Mr Green informed the Committee that the Medium Term Financial Strategy reflected the new Strategic Plan. This had been agreed on 12 December 2018 by Full Council. Mr Green stated that the budget needed to be balanced against the resource available, and the projections showed that there would be a budget gap in 2020/21, even if Council Tax was increased by the maximum amount. The budget proposals for the Committee included growth of £48,000 to facilitate infrastructure delivery. It also incorporated savings regarding enhanced efficiency and improved income generation. The proposed Park and Ride budget reflected the resolution of the Committee on 6 November 2018 to terminate the current service and work with potential providers to deliver a service whereby Maidstone Borough Council was responsible solely for the maintenance and upkeep of the car parks.

The Committee commented that it was difficult to make a judgement on the suitability of the budget without information pertinent to the resourcing that was required to fulfil the Local Plan deadlines in 2021. It was suggested that a growth item of £50,000 be recommended to the Policy and Resources Committee to provide in-house expertise for traffic modelling. This was due to a skills gap in the current team and previous instances of outsourcing this function. The Committee also noted that while there was a surplus in the last year regarding Planning Performance Agreements, this was not something that could be relied upon in coming years.

In response to questions from the Committee, Mr William Cornall, Director of Regeneration & Place, stated that while the role of an Infrastructure Delivery Officer was being scoped, there was currently no decision regarding potential line management arrangements for this post. Regarding traffic modelling, Mr Rob Jarman, Head of Planning and Development, explained that a single post would not be sufficient to cover all aspects of strategic modelling. It was more appropriate to buy in the relevant expertise when it was required. The cost of modelling could be met from Planning Performance Agreements, if the work arose from specific developments, or otherwise from the Local Plan budget.

RESOLVED: That the budget proposals for services within the remit of this Committee, as set out in Appendix A, be agreed for submission to Policy and Resources Committee, with the addition of a request for a growth item to fund an Officer/resource for additional expertise in transportation matters.

Voting: Unanimous

149. CIL GOVERNANCE REPORT

Mrs Tay Arnold, Planning Projects and Delivery Manager, outlined that previous reports to the Committee had considered the administrative process for non-strategic CIL. This report concerned the strategic element of CIL. The report proposed that an annual bidding process takes place, with an Officer Steering Group established to evaluate bids and make recommendations to the Strategic Planning, Sustainability and Transportation (SPST) Committee. The SPST Committee would then be responsible for decisions regarding the allocation of the strategic portion of CIL monies. In order to achieve this, the delegations to the SPST Committee would need to be referred to Full Council for amendment.

Councillor English spoke on this item as a Visiting Member.

The Committee commented that:

- The formation of an Officer only Steering Group represented a risk, as it meant that the Committee could be presented with recommendations that were not flexible.
- Officers were, however, best placed to form recommendations that adhered to relevant legislative requirements. Furthermore, the skillset of the proposed group was appropriate for the function. The Committee would therefore be responsible for ensuring that the recommendations adhered to policies.
- As this was a new process, a review of the governance arrangements, at an appropriate time, would be beneficial.
- Specific consideration needed to be given to the consultation process with the local community and local Members for areas where there was no Parish Councils.

In response to questions from the Committee, Mrs Arnold stated that;

- An assessment of other Councils operating a committee system showed that the fundamental arrangements for strategic CIL governance, as proposed in the report, were used universally.
- The proposed arrangements would not change the current delegated authority to Officers, as the SPST Committee would be the final decision maker for allocating strategic CIL funding.

- A review of the governance arrangements could be scheduled to complement the dates of the annual bidding process.
- Engagement with Parish Councils was to take place in February 2019. A separate session was due to take place with the North Loose Residents Association (NLRA) due to it being the only Forum with a made neighbourhood plan.

RESOLVED: That:

1. The SPST Committee agrees the governance proposals for managing the strategic portion of CIL as follows:
 - A. That a CIL steering group be established comprising the Director of Regeneration and Place (as Chair) and other appropriate Council officers;
 - B. That the SPST Committee should be the final decision making body for the strategic portion of CIL.
2. The SPST Committee agrees that the processes, as set out in the report, for the allocation of the strategic portion of CIL be agreed.
3. The governance arrangements be reviewed at an appropriate time.
4. These recommendations are referred to Full Council for approval, so that the appropriate delegations can be made to the SPST Committee.

Voting: For – 8 Against – 1 Abstentions – 0

150. REFERENCE FROM PLANNING COMMITTEE - DAYROOMS ON GYPSY AND TRAVELLER SITES

Councillor English spoke on this item as a Visiting Member, in his capacity as Chairman of the Planning Committee, to present the reference.

Mr Jarman explained to the Committee that there were pre-existing powers to refuse dayroom applications. It was apparent, however, that issues had arisen at the Planning Committee when these applications were considered. In order to assist with this, best practice and government guidelines could be investigated, with a view to forming guidance for accepting or refusing these applications.

The Committee commented that:

- There was value in this work, however, requesting ancillary work would result in reduced Officer capacity for other matters.
- There was a danger that Officers would be requested to produce guidance that reiterated information already available in Local Plan policies such as "Policy SP17 The Countryside" (SP17), "Policy

DM15 Gypsy, Traveller and Travelling Showpeople accommodation” (DM15) and “Policy DM30 Design principles in the countryside” (DM30).

- Although SP17 was an option for refusing these applications, there were no examples of this being used.
- It would be helpful to produce a policy in the long-term, however, a short-term solution would be to issue advice to Officers and the Planning Committee.

Mr Jarman explained to the Committee that the guidance would not focus on assessing need, as this was not tested for ancillary development for applications that were not located on gypsy and traveller sites. This was because the assessment for SP17 related to whether the structure was intrusive on the countryside.

RESOLVED: That:

1. The Head of Planning and Development is to arrange for the issuing of interim advice on the matter, including the use of Policy SP17 The Countryside.
2. The general matter of Dayrooms on Gypsy and Traveller sites be included in the review of the Local Plan, with a view to delivering policy to support the same.

Voting: For – 6 Against – 2 Abstentions – 1

Note: Councillor Clark requested that his abstention be noted.

151. DURATION OF MEETING

6.31 p.m. to 8.20 p.m.