

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY AND GENERAL PURPOSES COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 23 NOVEMBER 2021

Present: Councillors Mrs Blackmore, Cooke, Cooper, English, Kimmance, Perry, Purle (Chairman) and M Rose

Also Present: Councillors Brindle, Harper, Newton, Spooner and Springett

70. CHURCH ROAD, OTHAM REVIEW

The Head of Policy, Communications and Governance introduced the report which had been requested by the Policy and Resources Committee to identify lessons learnt in relation to the refusal of the planning application at Church Road, Otham. The lines of enquiry set by this Committee had been followed, and assistance provided by an independent expert.

The Monitoring Officer explained that planning and legal officers work to their professional code of conduct and should not be expected to change their professional view in order to agree with Members' opinions. Members were entitled to take a different view to officers after full consideration of the matters before them and officers could assist Members with drafting where they could see arguable sustainable grounds for a position, but otherwise it was for Members to come to a decision. It was stated that care must be taken to comply with the Member Code of Conduct to not compromise the integrity of officers.

The Committee expressed that the Highways Authority, Kent County Council (KCC), as a statutory consultee provided evidence to them which the committee had weighed against conflicting advice from Planning Officers. The highways evidence was considered to have added weight because KCC seldom raise such objections. There was significant local concern and pressure to refuse the application, and Members felt that the highways objections should be tested on the evidence. Members considered that they had taken their decision in knowledge of the facts and it was felt that experienced Planning Committee Members did not need further training as recommended.

It was acknowledged that it would be beneficial for members of the public to be provided with more information on the planning process and how objections were considered.

In passing their resolution it was noted that the review would be reported to Policy and Resources Committee alongside the views of the Committee.

RESOLVED: That the report not be accepted, with the exception of recommendation d) that more information be provided to the public on the planning process and how objections are considered, with additional information to be added to the Council's website.