

MAIDSTONE BOROUGH COUNCIL

POLICY AND RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 9 FEBRUARY 2022

Present: Councillors Mrs Blackmore, Brice, Burton (Chairman), Cooke, Cox, English, Garten, Harper, Khadka, Kimmance, Munford, Parfitt-Reid, Round and S Webb

Also Present: Councillor J Sams

174. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Perry, Ring and de Wiggondene-Sheppard.

175. **NOTIFICATION OF SUBSTITUTE MEMBERS**

Councillor S Webb was present as Substitute Member for Councillor Perry.

Councillor Garten was present as Substitute Member for Councillor Ring.

176. **URGENT ITEMS**

There were three urgent updates to Item 21 – Medium Term Financial Strategy which contained updated financial figures relating to the issue's determination, following the publication of the Local Government Finance Statement.

177. **NOTIFICATION OF VISITING MEMBERS**

Councillor J Sams was in attendance for Item 11 – Questions from Members to the Chairman.

178. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

179. **DISCLOSURES OF LOBBYING**

All Committee Members had been lobbied on Item 16 – Public Sector-Led Garden Community Update.

Councillor Munford had also been lobbied on Item 17 – Biodiversity and Climate Change Action Plan Update.

Councillors Cooke, English, Khadka, Kimmance and Munford had been lobbied on Item 19 – Church Road, Otham Review.

180. EXEMPT ITEMS

RESOLVED: That all Item 25 – Property Acquisition, be taken in private due to the possible disclosure of exempt information.

181. MINUTES OF THE EXTRAORDINARY MEETING HELD ON 19 JANUARY 2022

RESOLVED: That the Minutes of the Extraordinary Meeting held on 19 January 2022 be agreed as a correct record and signed.

182. MINUTES (PART I) OF THE MEETING HELD ON 19 JANUARY 2022

RESOLVED: That the Minutes (Part I and II) of the meeting held on 19 January 2022 be approved as a correct record and signed.

183. MINUTES (PART I) OF THE URGENT MEETING HELD ON 24 JANUARY 2022

RESOLVED: That the Minutes (Parts I and II) of the Urgent Meeting held on 24 January 2022 be approved as a correct record and signed.

184. MINUTES (PART I) OF THE URGENT MEETING HELD ON 20 JULY 2020

RESOLVED: That the Minutes (Parts I and II) of the Urgent Meeting held on 20 July 2020 be approved as a correct record and signed.

185. PRESENTATION OF PETITIONS

There were no petitions.

186. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were four questions from members of the public.

Question from Mr Stuart Jeffrey to the Chairman of the Policy and Resources Committee

'The Council's climate budget suggests around £600k on electrifying its fleet and retrofitting its buildings. With the huge rise in cost of energy, the poor state of many homes, the significant reduction in energy (and high ROI) with insulation, and the rise in the number of people choosing between heating or eating, has the council got the right priority for this money or should it be spent making life more bearable for our most vulnerable citizens while reducing the Borough's carbon footprint significantly?'

The Chairman responded to the question.

Mr Jeffrey asked the following supplementary question:

'If, as you suggest, this is a routine replacement of vehicles, are you really investing £1 million into Climate Change or are you stealing from one budget to make the Council look better?'

The Chairman responded to the supplementary question.

Question from Ms Kate Hammond to the Chairman of the Policy and Resources Committee

'Please can you confirm on what occasions members or officers of this Council have met with Network Rail to discuss moving Lenham railway station to Lenham Heath since their letter to Mr Cornall on 30 June 2021?'

The Chairman responded to the question.

Ms Hammond asked the following supplementary question:

'We don't want you to make the same planning mistakes you did with church road. If Heathlands doesn't manage to secure a new railway station in the centre of the development at the outset, will you commit to ditching this develop proposal once and for all?'

The Chairman responded to the supplementary question.

Question from Mr Steve Heeley to the Chairman of the Policy and Resources Committee

'Earlier this week, new research published by Transport for New Homes and backed by the RAC Foundation concluded that new greenfield housing estates were adding to traffic jams, carbon emissions and trapping communities into car-dependency. Their research found that the 18 significant new developments they studied were largely planned in the wrong place, too far from town centres and the promises of new public transport and active travel infrastructure failed to materialise. Their findings have all the hallmarks of what this Council is proposing with the Heathlands 5,000-home 'new town'. How do you envisage the Heathlands proposition meeting the aim of your Climate & Biodiversity Plan, specifically on the aim to support the shift from cars to active travel and public transport?'

The Chairman responded to the question.

Mr Heeley asked the following supplementary question:

'You only have to look at Kings Hill as a perfect example of where internalisation doesn't work; everybody comes off of King's Hill to go to work and everyone comes on to go to work and if this council is actually committed to ensuring Climate Change at the heart of every decision that you take, which is what you stated last year, can you not accept that building a new town in the middle of the countryside furthest away from existing town centre's Maidstone and Ashford is a retrograde step to achieving sustainable development'.

The Chairman responded to the supplementary question.

Question from Ms Gail Duff to the Chairman of the Policy and Resources Committee

'Tonight's Heathlands update report confirms that £635,000 has been spent by MBC on the Heathlands proposition to date. Tonight's Medium Term Finance Strategy report states that the projected budget for 2021/22 for Heathlands is £1.6m. Please can you confirm what the remaining £1m will be spent on before the end of March?'

The Chairman responded to the question.

Ms Duff asked the following supplementary question:

'We believe there's a further £1 million allocated in the Medium-Term Financial Strategy for the next five-year capital plan. Do you think that spending £2.5 million on being a property developer is a good use of the Council's public funds when it can't afford to support the Maidstone Park and Ride?'

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question-and-answer session took place between 9:06 to 20:55 of the recording.

To access the webcast, please use the link below:

[Policy and Resources Committee Meeting - 9 February 2022 - YouTube](#)

187. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were two questions from Members to the Chairman

Question from Councillor J Sams to the Chairman of the Policy and Resources Committee

'What effect will the process of creating the new senior management structure, with officers required to apply for their jobs, have on the local plan review work?'

The Chairman responded to the question.

Question from Councillor J Sams to the Chairman of the Policy and Resources Committee

'After the discussion at the last meeting around Heathlands community engagement being facilitating 10 miles away from Lenham, which alternative venue has now been found?'

The Chairman responded to the question.

Councillor Sams asked the following supplementary question:

'Can I ask that this committee ask the PR company to liaise with the ward Councillors to facilitate the community engagement event in a timely fashion for the benefit of the Lenham residents?'

The Chairman stated that question should be addressed to the Chairman, however a response was provided.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question-and-answer session took place between 21:24 to 25:07 of the recording.

To access the webcast, please use the link below:

[Policy and Resources Committee Meeting - 9 February 2022 - YouTube](#)

188. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

189. PUBLIC SECTOR-LED GARDEN COMMUNITY UPDATE

The Director of Regeneration and Place introduced the report and stated that further technical information was being prepared by the Council and Homes England to be submitted to the Local Planning Authority, ahead of the public examination of the Council's Local Plan Review.

The positive progress made concerning the Land Options agreements was reiterated, with further progress expected in the near future.

In response to questions, the Director of Regeneration and Place confirmed that the venue selected for the public engagement exercises had been chosen jointly between the Council and Homes England. Homes England had significant experience in conducting similar events within larger venues with a wide range of facilities.

The Committee strongly felt that at least some of the public engagement exercises proposed should take place in Lenham, to allow the local residents to attend with greater ease. The facilities within the local area, such as Lenham Village Hall, were felt to be suitable for the engagement exercises proposed.

Several Members highlighted the importance of ensuring the safety of all attendees, particularly that of employees, during the public engagement exercises. It was suggested that security be provided if necessary, to allow some of the engagement to take place locally.

RESOLVED: That

1. The report be noted; and
2. Officers be requested to revisit the choice of venue with Homes England, being mindful that it will be situated inside of Lenham.

190. BIODIVERSITY AND CLIMATE CHANGE ACTION PLAN UPDATE

The Biodiversity and Climate Change Manager introduced the report and stated that the Council's Biodiversity and Climate Change Action Plan (BDCCAP) had scored joint 25th place nationally out of 325 councils and was the highest scoring local authority within Kent. It was recommended that the future annual review of the BDCCAP be undertaken by the Biodiversity and Climate Change Manager in consultation with the Committee Chairman.

The contents of the four appendices attached to the report were outlined. Specific attention was drawn to the importance of providing adequate funding to demonstrate the Council's continued commitment to tackling climate change and biodiversity loss, alongside the use of external funding opportunities when possible. A total of five actions had been completed, 57 were ongoing or due to commence shortly, five had been delayed, mainly due to the Covid-19 pandemic, and one had stalled.

The proposed actions moving forward included improving the data collection for the Key Performance Indicators as outlined in Appendix 4 to the report.

The Committee expressed support for the national recognition received by the BDCCAP. The importance of the plan's continued implementation, alongside its review at regular intervals was reiterated due to its wide scope and cross-cutting nature. However, it was felt that the plan's future oversight should be considered from May 2022, given the Council's agreed change in governance arrangements.

RESOLVED: That

1. The progress made towards the delivery of the Biodiversity and Climate Change Action Plan, including the identification of Key Performance Indicators and allocation of budget against projects to deliver the agreed actions, be noted;
2. The changes to the Biodiversity and Climate Change Action Plan, as outlined in Appendix A to the report, be agreed;
3. The Biodiversity and Climate Change Manager be given delegated responsibility to review the Action Plan on an annual basis in consultation with the Chairman of the Committee; and
4. The further financial resources required beyond 2022 to deliver the Council's Biodiversity and Climate Change ambitions, be noted; and
5. A revised process for review be set out post May 2022.

191. DIGITAL STRATEGY 2022-25

The Director of Finance and Business Improvement introduced the report, highlighting the improved use of digital communication channels since the

strategy's introduction. In updating the strategy, five workstream channels had been proposed to increase its deliverability with a designated Lead Officer for each stream. The proposed strategy was shown within Appendix 1 to the report.

The Committee expressed support for the proposed strategy and the previous actions undertaken relating to digital inclusion. However, the importance of supporting all residents was highlighted.

In response to questions, the Head of Policy, Communications and Governance stated that the borough's libraries were likely to be used to promote digital access for local communities.

RESOLVED: That the draft Digital Strategy, as shown in Appendix 1 to the report, be agreed.

192. CHURCH ROAD, OTHAM REVIEW

The Head of Policy, Communications and Governance introduced the report and stated that the Democracy & General Purposes (D&GP) Committee had previously agreed the review's key lines of enquiry and had since considered the findings. The D&GP Committee had recommended that the only resulting action should be an increase in the information provided to the public concerning the planning process.

The Committee felt that a substantial amount of training had been provided to Councillors ahead of the application's determination, including prior to the Policy and Resources Committee meeting as the Planning Referrals Body. Therefore, the Committee expressed support for the decision taken by the D&GP Committee.

RESOLVED: That the decision of the Democracy & General Purposes Committee, as shown in Appendix 3 to the report, be endorsed.

193. ADJOURNMENT OF MEETING

The Committee adjourned for a short break between 8.20 p.m. to 8.30 p.m.

194. FINANCE, PERFORMANCE AND RISK MONITORING REPORT

The Director Finance and Business Improvement introduced the financial update and stated that a £200,00 favourable variance was expected by the end of the financial year due to underspending against the budget.

The Senior Business Analyst introduced the performance update; the Key Performance Indicators (KPI) for the 'Percentage of Non-domestic Rates Collected' and the 'Percentage of Council Tax Collected' had missed their targets by 1.97% and 0.66% respectively. The contributing factors were outlined. Three of the KPIs across the Council's other Services Committees had missed their targets by more than 10%.

The Deputy Head of Audit introduced the risk management update and stated that two additional corporate risks had been added to the corporate risk register since the previous quarter; Loss of workforce cohesion and talent, and Covid-19: Community & business recovery. The updates to the other risks within the register were outlined, with the corporate leadership team continuing to review the financial uncertainty risk.

RESOLVED: That

1. The Revenue position as at the end of Quarter 3 including the actions being taken or proposed to improve the situation, where significant variances have been identified, be noted;
2. The Capital position as at the end of Quarter 3 be noted;
3. The Performance position as at Quarter 3, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted;
4. The Risk updates, attached as Appendix 3 to the report, be noted; and
5. The Recovery and Renewal Update, attached as Appendix 4 to the report, be noted.

195. MTFS AND BUDGET PROPOSALS

The Director of Finance and Business Improvement introduced the report and referenced the urgent updates provided following the Local Government Finance Settlement's release. The Council had been provided with additional funding relating to the collection of Business Rates and the Lower Tier Services Grant which had increased the projected surplus for 2022/23 from £8,000 to £76,000. It was recommended that the surplus be reserved to address increased expenditure relating to inflationary pressures.

It was proposed that £1 million of the New Homes Bonus be used for strategic policy and plan-making, with the remainder to be transferred to a housing investment fund in light of the Committee's previous decision to support the Affordable Housing Programme. The significant amount of subsidy required across that programme's period was noted.

The consideration of the Medium-Term Financial Strategy (MTFS) by the Council's other Service Committees was briefly outlined, alongside the proposed increase in Council Tax up to the referendum limit.

In response to questions, the Director of Finance and Business Improvement explained the inflationary estimates used in producing the MTFS. The additional £800,000 allocated to the contingency fund would allow the Council to suitably offset any future inflationary pressures.

The Committee expressed support for the MTFS as proposed.

RESOLVED: That as per the amended papers

1. The outcomes of consideration of the budget proposals by the Service Committees, be noted;
2. The Budget Growth and Savings proposals as set out in Appendix A to the report, be agreed;
3. The first £1 million of 2022/23 New Homes Bonus be allocated for Strategic Policy and Plan Making, with the balance transferred to a Housing Investment Fund to be used to subsidise the Council's Affordable Housing Programme;
4. The Strategic Revenue Projection as set out in Appendix B to the report, be agreed;
5. Council be recommended to agree a £5.40 increase in Band D Council Tax for 2022/23;
6. Council be recommended to agree the Revised Estimates for 2021/22 and the Budget Estimates for 2022/23 as set out in Appendix C to the report;
7. Council be recommended to agree the Capital Programme as set out in Appendix D to the report;
8. Council be recommended to agree the Treasury Management Strategy, Investment Strategy and Capital Strategy as set out Appendix E to the report;
9. The projected level of General Fund balances being in excess of the agreed minimum level of £4 million, as set out in Appendix F to the report, be noted;
10. The updated Medium-Term Financial Strategy as set out in Appendix G to the report, be agreed; and
11. The appropriate matters for decision to set a balanced budget for 2022/23 and the necessary level of Council Tax in accordance with the Local Government Finance Act 1992 and the Localism Act 2011 including the decisions made above, be recommended to Council.

196. **EMPLOYMENT SUB-COMMITTEE**

The Democratic and Electoral Services Manager introduced the report and stated that the proposed Sub-Committee membership reflected the wishes of political Group Leaders.

RESOLVED: That

1. The Employment Sub-Committee be appointed to conduct interviews for a new Director; and

2. The Sub-Committee's membership be politically balanced with the membership in accordance with the wishes of Group Leaders.

197. APPRAISAL SUB-COMMITTEE

The Democratic and Electoral Services Manager introduced the report and stated that the proposed Sub-Committee membership reflected the wishes of political Group Leaders.

RESOLVED: That

1. The Appraisal Sub-Committee be appointed to carry out the Annual Appraisal process for the Chief Executive and Directors; and
2. The Sub-Committee's membership be politically balanced with the membership in accordance with the wishes of Group Leaders.

198. MAIDSTONE BOROUGH COUNCIL - PROPOSED SENIOR MANAGEMENT STRUCTURE

The Chief Executive introduced the report and stated that the proposed change in senior management structure responded to the recent ambitions expressed, and decisions made by the Council's Service Committees. The proposed changes would total £175,000 per annum, with the previously mentioned salary and grading bench-marking exercise as ongoing.

The proposals contained within Appendix 2 to the report were outlined, with particular attention drawn to specific areas; a 'Head of Capital Projects' and additional Project Manager roles were proposed in response to the agreed Affordable Housing Programme. The properties would be managed by the Head of Housing and Community Services.

The impetus placed on the pace and scope of planning, to include the Local Plan Review, and place-based enforcement had contributed to the proposal for a Head of Spatial Planning and Economic Development, a supporting Programme Manager and a Head of Planning. The former would also support the delivery of the Economic Development Strategy and the formulation of the Town Centre Strategy. A Leisure and Culture Team would be created to cohesively manage the Council's assets, such as the Hazlitt Theatre and Museum.

The Head of Policy, Communications and Governance's role would be expanded and included within the Corporate Leadership Team to enhance the Council's strategy, policy development and public engagement amongst other factors. The increased responsibilities of the role were outlined.

In response to feedback from the Committee, the Chief Executive confirmed that the job specifications and descriptions relating to the structure, if agreed, would be further refined in considering the skills required to fulfil the roles' responsibilities. Informal engagement had

occurred with the existing senior management structure, with formal consultation to occur, if was agreed. Group Leaders had been informally consulted.

The Committee expressed support for the proposal which was felt to be ambitious and reflective of the Council's future aspirations. The Chief Executive, alongside the existing staff at all management levels within the Council, were thanked for their work.

RESOLVED: That the proposed senior management structure for the Council as presented in Sections 2.4 and 2.5 of the report, alongside Appendix 2 to the report, be agreed.

Note: Councillor Blackmore left the meeting after the item's consideration at 9.37 p.m.

199. EXCLUSION OF THE PUBLIC

RESOLVED: That the public be excluded from the meeting for the following item 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

Item 25 – Property Acquisition

Paragraph 1 – Information relating to an Individual

Paragraph 3 – Information relating to the financial or business affairs of an individual (including the authority holding that information)

200. PROPERTY ACQUISITION

The Director of Regeneration and Place introduced the report and outlined the contributing factors to the proposed property acquisition.

The Director of Regeneration and Place responded to questions on the financial aspects of the proposal and its future use. The Committee expressed support for the proposal.

RESOLVED: That

1. The Council enter into an agreement for the purchase of the property on the terms as set out in the report, up to an agreed amount.
2. Delegated authority be given to the Director of Regeneration and Place for the following:

- a. To negotiate and finalise the terms of the agreement entered into and to purchase the Property on the terms set out in the agreement;
- b. To purchase the property in accordance with the agreement; and
- c. Instruct solicitors to negotiate and complete all necessary deeds, agreements and all documents arising from or ancillary to (a) and (b).

201. MINUTES (PART II) OF THE MEETING HELD ON 19 JANUARY 2022

RESOLVED: That the item be considered alongside Item 9 – Minutes (Part I) of the Meeting held on 19 January 2022.

202. MINUTES (PART II) OF THE URGENT MEETING HELD ON 24 JANUARY 2022

RESOLVED: That the item be considered alongside Item 10 – Minutes (Part I) of the Urgent Meeting held on 24 January 2022.

203. MINUTES (PART II) OF THE URGENT MEETING HELD ON 20 JULY 2020

RESOLVED: That the item be considered alongside Item 11 – Minutes (Part I) of the Urgent Meeting held on 20 July 2020.

204. DURATION OF MEETING

6.30 p.m. to 9.58 p.m.