

## **MAIDSTONE BOROUGH COUNCIL**

### **MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 22 FEBRUARY 2023**

**Present:** Councillor Mortimer (Mayor) and  
Councillors Bartlett, Mrs Blackmore, Brice, Brindle,  
Bryant, Burton, Cannon, Clark, Cleator, Coates,  
Conyard, Cooke, Cooper, Cox, English, Forecast, Fort,  
Garten, Mrs Gooch, Harper, Hastie, Hinder, Holmes,  
Jeffery, Joy, Kimmance, Knatchbull, McKenna,  
Munford, Naghi, Newton, Parfitt-Reid, Perry,  
Mrs Robertson, Rose, Russell, J Sams, T Sams,  
Spooner, Springett, R Webb, S Webb,  
de Wiggondene-Sheppard, Wilby, D Wilkinson,  
T Wilkinson and Young

86. PRAYERS

Prayers were said by the Imam Dr Usmani.

87. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Mrs Grigg, Harwood, Khadka, Mrs Ring, Round and Trzebinski.

88. DISPENSATIONS

There were no applications for dispensations.

89. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members.

The Chief Executive, on behalf of staff present, disclosed an interest in the report of the Employment Committee relating to the Pay Policy Statement 2023.

90. DISCLOSURES OF LOBBYING

Most Members stated that they had been lobbied on the petition to be presented by Mr Chris Hawkins relating to planning application 22/504172/FULL.

91. EXEMPT ITEMS

**RESOLVED:** That the items on the agenda be taken in public as proposed.

92. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 7 DECEMBER 2022

**RESOLVED:** That the Minutes of the meeting of the Borough Council held on 7 December 2022 be approved as a correct record and signed.

93. MAYOR'S ANNOUNCEMENTS

The Mayor updated Members on recent engagements and events and thanked them for their support.

94. PETITIONS

Mr Chris Hawkins presented a petition relating to planning application 22/504172/FULL which had been refused under delegated powers on 23 December 2022.

It was moved by Councillor Cooper, seconded by Councillor English, and

**RESOLVED:** That the contents of the petition be noted.

Note:

Councillors Brice and Bryant entered the meeting during consideration of this item (6.50 p.m. and 6.43 p.m. respectively). They stated that they had no disclosures of interest or of lobbying).

95. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS

**Question from Mrs Susan Hogg to the Leader of the Council**

*MBC Councillors were elected by the people of Maidstone so please may I ask why do Councillors not return my phone calls and emails when I leave them a message?*

The Leader of the Council responded to the question.

Mrs Hogg asked the following supplementary question of the Leader of the Council:

*Moving forward, even if they couldn't answer my question, wouldn't it be courteous if they answered to say "No I can't help you" in that situation? It would be much appreciated, rather than being ignored altogether.*

The Leader of the Council responded to the question.

**Question from Mr Stephen Thompson to the Lead Member for Planning and Infrastructure**

*Does Maidstone Borough Council convene a formal forum with local bus operators to ensure an ongoing constructive dialogue on these vital services?*

The Lead Member for Planning and Infrastructure responded to the question.

Mr Thompson asked the following supplementary question of the Lead Member for Planning and Infrastructure:

*What criteria would you be seeking to follow in order to exercise your responsibility on behalf of the Council and residents to, for example, reduce pollution, build connectivity for public transport services for workers, leisure, school children etc. What would you be working for on our behalf?*

The Lead Member for Planning and Infrastructure responded to the question.

**Question from Ms Rachel Rodwell to the Chairman of the Democracy and General Purposes Committee**

*Given that according to recent figures, 2 million people do not possess the required voter ID for participation in May's local elections and last month, it was recorded that only 10,000 people had used the central government portal to apply for the Voter Authority Certificate, concern is growing that large numbers of people (many from disadvantaged and vulnerable groups) may still be unaware of the changes to the voting requirements or feel unable to make the changes needed to enable them to vote, due to their personal circumstances.*

*Despite the Electoral Commission's pledge to widely publicise the changes, time is rapidly running out for this government to implement them, and we now have the worrying prospect of Maidstone's more disadvantaged and marginalised residents being denied the opportunity to vote on Polling Day.*

*Will Maidstone Borough Council, therefore, ask officers at the polling stations on May 4<sup>th</sup> to record the number of people they will have to turn away, and also to make these findings public, in the interests of transparency and local democracy?*

The Chairman of the Democracy and General Purposes Committee responded to the question.

Ms Rodwell asked the following supplementary question of the Chairman of the Democracy and General Purposes Committee:

*Will every person that is potentially turned away be recorded and why is it not transparent? Why would we not know how many people have been turned away?*

The Chairman of the Democracy and General Purposes Committee responded to the question.

To listen to the answers to these questions, please follow this link:

[https://www.youtube.com/watch?v=nwUO\\_yK1HyE&t=8098s](https://www.youtube.com/watch?v=nwUO_yK1HyE&t=8098s)

Note: Councillor Hastie entered the meeting during the Question and Answer Session (6.55 p.m.). She stated that she had no disclosures of interest or of lobbying.

96. QUESTIONS FROM MEMBERS OF THE COUNCIL

**Question from Councillor English to the Lead Member for Planning and Infrastructure**

Councillor English did not ask his question relating to the Government's consultation on proposed changes to national planning policy, explaining that it had been overtaken by events.

**Question from Councillor T Sams to the Lead Member for Planning and Infrastructure**

*Following the letter sent to this Council from the Planning Inspector citing delivery of the two biggest allocations Heathlands and Lidsing, totalling 7,000 new homes being specifically unsound. How do you explain the complete omission of that element of the letter from the Council's press release to residents?*

The Lead Member for Planning and Infrastructure responded to the question.

Councillor T Sams asked the following supplementary question of the Lead Member for Planning and Infrastructure:

*How do you think that residents from those communities when reading that press release and looking at the Inspector's comments feel that the impacts to their communities was not even acknowledged by Maidstone Borough Council given the impacts on those communities?*

The Lead Member for Planning and Infrastructure responded to the question.

**Question from Councillor J Sams to the Lead Member for Planning and Infrastructure**

*Given the fact that the LPR had to be stopped and restarted because the Inspector felt the Council's attempt to submit new information was unacceptable, can the Lead Member for Planning and Infrastructure please give us the overall cost, including for specialist advice, legal representation, additional staff costs and additional interim consultant fees, of bringing Heathlands to the local plan hearing and defending it together with Lidsing in front of the Inspector?*

The Lead Member for Planning and Infrastructure responded to the question.

Councillor J Sams asked the following supplementary question of the Lead Member for Planning and Infrastructure:

*Those communities around Bredhurst and Lenham have spent over £100,000 defending their areas. Given the fact that both garden communities were labelled by the Inspector unsound at this point, how do you explain to those looking at those significant sums of money that the growing risk is justified?*

The Lead Member for Planning and Infrastructure responded to the question.

**Question from Councillor Jeffery to the Leader of the Council**

*Is spending £150k on town centre consultants value for money?*

The Leader of the Council responded to the question.

Councillor Jeffery asked the following supplementary question of the Leader of the Council:

*Given that the last similar piece of work, according to the Kent Messenger, cost just £6,000 and given the financial pressures and that local residents have a host of ideas, why isn't the majority of this sum put to a better use such as making those improvements rather than telling us what we already know?*

The Leader of the Council responded to the question.

To listen to the answers to these questions, please follow this link:

[https://www.youtube.com/watch?v=nwUO\\_yK1HyE&t=8098s](https://www.youtube.com/watch?v=nwUO_yK1HyE&t=8098s)

97. **CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL, RESPONSE OF THE GROUP LEADERS AND QUESTIONS FROM COUNCIL MEMBERS**

Councillor Burton, the Leader of the Council, submitted his report.

After Councillor Burton had submitted his report, Councillor English, the Leader of the Liberal Democrat Group, Councillor Munford, the Leader of the Independent Group and Councillor Cleator, the Leader of the Labour Group, responded to the issues raised.

Councillor Burton then responded to a question on a matter relevant to his role as the Leader.

98. REPORT OF THE EXECUTIVE HELD ON 25 JANUARY 2023 - MAIDSTONE LOCAL DEVELOPMENT SCHEME (LDS) UPDATE

It was moved by Councillor Cooper, seconded by Councillor Burton, that the recommendation of the Executive relating to the Maidstone Local Development Scheme Update be approved.

**RESOLVED:** That the Local Development Scheme 2023-2025, incorporating an updated timetable following review by the Local Plan Inspector, attached as Appendix 1 to the report of the Executive, be approved.

99. REPORT OF THE EMPLOYMENT COMMITTEE HELD ON 30 JANUARY 2023 - PAY POLICY STATEMENT 2023

It was moved by Councillor Burton, seconded by Councillor English, that the recommendation of the Employment Committee relating to the Pay Policy Statement 2023 be approved.

**RESOLVED:** That the Pay Policy Statement 2023, attached as Appendix 1 to the report of the Executive, be approved prior to publication on the Council's website.

100. REPORT OF THE EXECUTIVE HELD ON 8 FEBRUARY 2023 - STRATEGIC PLAN REFRESH 2023-28

It was moved by Councillor Burton, seconded by Councillor Mrs Gooch, that the recommendation of the Executive relating to the Strategic Plan Refresh 2023-28 be approved.

**RESOLVED:** That the areas of focus for the Council's Strategic Plan for the period 2023-2028, as set out in Appendix A to the report of the Executive, be approved.

101. REPORT OF THE EXECUTIVE HELD ON 8 FEBRUARY 2023 - MEDIUM-TERM FINANCIAL STRATEGY AND BUDGET PROPOSALS 2023/24

It was moved by Councillor Burton, seconded by Councillor Perry, that the recommendations of the Executive relating to the Medium-Term Financial Strategy and Budget Proposals 2023/24 be approved with the amendment of Table 2 on page 122 of the agenda (Maidstone Borough Council Balance Sheet) as circulated separately.

Amendment moved by Councillor Jeffery, seconded by Councillor Harper, that the recommendations of the Executive relating to the Medium-Term Financial Strategy and Budget Proposals 2023/24 be approved subject to the following changes affecting recommendations 5 and 6:

*This Council notes that transport around and through the Borough remains far from sustainable and that the current strategy and plans neither meet current needs nor the needs of the future. The Council therefore requests the formation of a working group to rapidly review*

*options and to identify both short- and long-term options for travel in the Borough. The Council will allocate £10,000 of reserves for feasibility work on options that are generated.*

As a consequence of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a named vote was taken on the amendment as follows:

FOR (10)

Councillors Bryant, Cleator, Coates, Harper, Jeffery, Mrs Robertson, Rose, J Sams, T Sams and D Wilkinson

Against (33)

Councillors Bartlett, Mrs Blackmore, Brice, Brindle, Burton, Cannon, Conyard, Cooke, Cooper, Cox, Forecast, Fort, Garten, Mrs Gooch, Hastie, Hinder, Holmes, Mrs Joy, Kimmance, Knatchbull, McKenna, Munford, Newton, Parfitt-Reid, Perry, Russell, Spooner, Springett, R Webb, S Webb, de Wiggondene-Sheppard, T Wilkinson and Young

Abstentions (5)

Councillors Clark, English, Mortimer, Naghi and Wilby

#### AMENDMENT LOST

Amendment moved by Councillor Jeffery, seconded by Councillor T Sams, that the recommendations of the Executive relating to the Medium-Term Financial Strategy and Budget Proposals 2023/24 be approved subject to the following changes affecting recommendation 5:

*That the full economic cost of fly tipping be recouped from perpetrators to further increase resources to tackle waste crime.*

*While the fine for fly tipping is set nationally, the Council can add to this the full cost of enforcement for that incident, e.g. officer time. This additional charge, namely £15,000 per annum, can be reinvested in prevention.*

As a consequence of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a named vote was taken on the amendment as follows:

FOR (8)

Councillors Cleator, Coates, Harper, Jeffery, Rose, J Sams, T Sams and D Wilkinson

AGAINST (34)

Councillors Bartlett, Mrs Blackmore, Brice, Brindle, Burton, Cannon, Conyard, Cooke, Cooper, Cox, English, Forecast, Fort, Garten, Mrs Gooch, Hastie, Hinder, Holmes, Mrs Joy, Kimmance, Knatchbull, McKenna, Munford, Naghi, Newton, Parfitt-Reid, Perry, Russell, Spooner, Springett, R Webb, S Webb, de Wiggondene-Sheppard and Young

ABSTENTIONS (6)

Councillors Bryant, Clark, Mortimer, Mrs Robertson, Wilby and T Wilkinson

AMENDMENT LOST

Note: Councillors J and T Sams left the meeting after the voting on this amendment (8.00 p.m.).

Amendment moved by Councillor Jeffery, seconded by Councillor Cleator, that the recommendations of the Executive relating to the Medium-Term Financial Strategy and Budget Proposals 2023/24 be approved subject to the following changes affecting recommendation 5:

*That minimum energy efficiency standards for rented properties (see Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015) be enforced. These funds, namely £60,000 per annum, will be used to train insulation fitters.*

As a consequence of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a named vote was taken on the amendment as follows:

FOR (6)

Councillors Cleator, Coates, Harper, Jeffery, Rose and D Wilkinson

AGAINST (33)

Councillors Bartlett, Mrs Blackmore, Brice, Brindle, Bryant, Burton, Cannon, Conyard, Cooke, Cooper, Cox, English, Forecast, Fort, Garten, Mrs Gooch, Hastie, Hinder, Holmes, Mrs Joy, Knatchbull, McKenna, Munford, Parfitt-Reid, Perry, Russell, Spooner, Springett, R Webb, S Webb, de Wiggondene-Sheppard, T Wilkinson and Young

ABSTENTIONS (7)

Councillors Clark, Kimmance, Mortimer, Naghi, Newton, Mrs Robertson and Wilby

AMENDMENT LOST

The original motion was then put to the vote.

As a consequence of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a named vote was taken on the original motion as follows:

FOR (43)

Councillors Bartlett, Mrs Blackmore, Brice, Brindle, Bryant, Burton, Cleator, Coates, Conyard, Cooke, Cooper, Cox, English, Forecast, Fort, Garten, Mrs Gooch, Harper, Hastie, Hinder, Holmes, Jeffery, Mrs Joy, Knatchbull, Mckenna, Mortimer, Munford, Naghi, Newton, Parfitt-Reid, Perry, Mrs Robertson, Rose, Russell, Spooner, Springett, R Webb, S Webb, de Wiggondene-Sheppard, Wilby, D Wilkinson, T Wilkinson and Young

AGAINST (1)

Councillor Clark

ABSTENTIONS (1)

Councillor Cannon

Note: Councillor Kimmance left the meeting before the voting on the original motion (8.29 p.m.).

**RESOLVED:**

1. That the revised Revenue Estimates for 2022/23, as set out in Appendix A to the report of the Executive, be agreed.
2. That the first £300,000 of 2023/24 unringfenced government grant be allocated for spatial policy and plan-making and a further £400,000 be allocated to increase the salary budget envelope, with the balance transferred to the Housing Investment Fund, to be used to subsidise the Council's Affordable Housing programme.
3. That the Strategic Revenue Projection, as set out in Appendix A to the report of the Executive, be endorsed as the basis for future financial planning.
4. That the proposed Council Tax of £284.49 Band D for 2023/24 be agreed.
5. That the Revenue Estimates for 2023/24, as set out in Appendix A to the report of the Executive, be agreed.
6. That the Statement of Earmarked Reserves and General Fund Balances, as set out in Appendix A to the report of the Executive, be agreed.
7. That the funding of the Capital Programme, as set out in Appendix A to the report of the Executive, be agreed.

8. That the Capital Programme, as set out in Appendix A to the report of the Executive, be agreed
9. That the Treasury Management Strategy, Investment Strategy and Capital Strategy, as set out in Appendix A to the report of the Executive, be agreed.
10. That the Medium-Term Financial Strategy, as set out in Appendix A to the report of the Executive, be agreed subject to the amendment of Table 2 on page 122 of the agenda (Maidstone Borough Council Balance Sheet) as circulated separately.
11. That it be noted that the Council's Council Tax base for the year 2023/24 has been calculated as 67,161.69 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992.
12. That it be noted that in accordance with Government guidance the yield from business rates has been calculated as £60,758,711.
13. That it be noted that the individual parish area tax bases set out in Appendix B are calculated in accordance with Regulation 6 of the Regulations and are the amounts of the Council Tax Base for the year for dwellings in those parts of the Council's area to which a special item relates.
14. That the Council Tax requirement for the Council's own purposes for 2023/24 (excluding Parish precepts) is £19,107,027.
15. That the following amounts now be calculated by the Council for the year 2023/24 in accordance with Section 32-36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011:
  - a) £81,470,441 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) of the Act taking into account all precepts issued to it by Parish Councils.
  - b) £59,646,750 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) of the Act.
  - c) £21,823,691 being the amount by which the aggregate at 15(a) above exceeds the aggregate at 15(b) above, calculated by the Council in accordance with Section 32(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 32(4) of the Act).
  - d) £324.94 being the amount at 15(c) above (Item R), all divided by the figure stated at 11 above (Item T in the formula in Section 33(1) of the Act), calculated by the Council, in accordance with

Section 33 of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- e) £2,716,664 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix B).
- f) £284.49 being the amount at 15(d) above less the result given by dividing the amount at 15(e) above by the tax base given in 11 above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

16. That it be noted that for the year 2023/24 Kent County Council, the Kent Police & Crime Commissioner and the Kent & Medway Fire & Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

<b>Valuation Bands</b>	<b>KCC PRECEPT £</b>	<b>KCC ADULT SOCIAL CARE £</b>	<b>KPCC £</b>	<b>KMFRA £</b>
A	887.88	134.94	162.10	58.20
B	1035.86	157.43	189.12	67.90
C	1183.84	179.92	216.13	77.60
<b>D</b>	<b>1331.82</b>	<b>202.41</b>	<b>243.15</b>	<b>87.30</b>
E	1627.78	247.39	297.18	106.70
F	1923.74	292.37	351.22	126.10
G	2219.70	337.35	405.25	145.50
H	2663.64	404.82	486.30	174.60

17. That, having calculated the aggregate in each case of the amounts at 15 (d), and 16 above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets out in Appendix C, the amounts of Council Tax for the year 2023/24 for each of the categories of dwellings shown.
18. That the Council agrees in principle to implement with effect from 1 April 2024 the measures in the Regeneration and Levelling-up Bill, subject to Royal Assent being obtained, to reduce the period before charging a Council Tax premium on empty property from two years to one and to charge a Council Tax premium on second homes.

Note: Councillor de Wiggondene-Sheppard left the meeting at the conclusion of this item (8.45 p.m.).

102. REPORT OF THE DIRECTOR OF STRATEGY, INSIGHT AND GOVERNANCE - NON-ATTENDANCE AT COUNCIL MEETINGS

It was moved by Councillor Burton, seconded by Councillor English, and

**RESOLVED:** That the approval of the reason of ill-health for non-attendance at Council meetings by Councillor Mrs Ring be confirmed for the period up to and including 9 May 2023, the day when Members come into/leave office following the Borough Council elections on 4 May 2023.

Note: Councillor Bryant left the meeting during consideration of this item (8.46 p.m.).

103. REPORT OF THE LEADER OF THE COUNCIL - URGENT DECISIONS TAKEN BY THE EXECUTIVE BETWEEN 8 DECEMBER 2022 - 22 FEBRUARY 2023

It was moved by Councillor Burton, seconded by Councillor Mrs Blackmore, and

**RESOLVED:** That the report setting out details of urgent decisions taken by the Executive between 8 December 2022 – 22 February 2023 be noted.

104. APPOINTMENT OF MAYOR SELECT 2023/24

It was moved by Councillor Munford, seconded by Councillor Cleator, supported by Councillors R Webb, Brice and Cooke and,

**RESOLVED:** That Councillor Gordon Newton be appointed as Mayor Select for the Municipal Year 2023/24.

105. APPOINTMENT OF DEPUTY MAYOR SELECT 2023/24

It was moved by Councillor Mrs Joy, seconded by Councillor Mrs Blackmore, supported by Councillors Mrs Robertson and Harper, and

**RESOLVED:** That Councillor Martin Ashley Richard Cox be appointed as Deputy Mayor Select for the Municipal Year 2023/24.

106. DURATION OF MEETING

6.30 p.m. to 8.55 p.m.