

MAIDSTONE BOROUGH COUNCIL

HOUSING AND COMMUNITY COHESION POLICY ADVISORY COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 23 JULY 2024

Attendees:

Committee Members:	Councillors Cleator (Chairman), Conyard, Dawes, Fort, Kehily, Oliver, Riordan, Rodwell and Wilby
Cabinet Members:	Councillors D Naghi (Cabinet Member for Community Cohesion and Safety) and Wales (Cabinet Member for Housing and Homelessness)
Visiting Members:	Councillors D Wilkinson and J Wilkinson

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Khadka, Milham and Parfitt.

7. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

- Councillor Conyard for Councillor Khadka
- Councillor Kehily for Councillor Milham
- Councillor Riordan for Councillor Parfitt

8. URGENT ITEMS

There were no urgent items.

9. NOTIFICATION OF VISITING MEMBERS

Councillors D Wilkinson and J Wilkinson were present as Visiting Member for Item 10 – Member Agenda Item Request – Dirt Bikes, Quadbikes and Mini Motorbikes.

10. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

11. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

12. EXEMPT ITEMS

RESOLVED: That all items be taken in public, unless any Member of the Committee wishes to discuss Exempt Appendix to Item 14: Exempt Appendices to Item 13: Council House Building Programme, in which case the Committee would

enter into closed session due to the possible disclosure of exempt information, for the reason specified having applied the public interest test.

13. MINUTES OF THE MEETING HELD ON 21 MAY 2024

RESOLVED: That the Minutes of the meeting held on 21 March 2024 be approved as a correct record and signed.

14. FORWARD PLAN RELATING TO THE COMMITTEE'S TERMS OF REFERENCE

RESOLVED: That the Forward Plan relating to the Committee's Terms of Reference, be noted.

15. MEMBER AGENDA ITEM REQUEST - DIRT BIKES, QUADBIKES, AND MINI-MOTORBIKES

Councillor J Wilkinson introduced the item and stated that she had received regular complaints from residents about Anti-Social Behaviour (ASB), vandalism and safety risks associated with dirt bikes, quad bikes and mini motorbikes, which had gotten worse recently. She proposed that a Public Space Protection Order (PSPO) be implemented, alongside a public awareness campaign, to allow issuing of on-the-spot £100 fines to those engaged in this kind of ASB, or to parents in the case of minors. She advised that this had been successful in reducing instances of ASB in other areas.

The Community and Strategic Partnerships Manager stated that:

- Over the last year, the Community Safety Partnership had developed an improved approach prioritising use of Community Protection Notices (CPNs) alongside seizures and other sanctions with work still ongoing and successes shared through 'My Community Voice';
- CPNs were a preferred method to PSPOs. PSPOs would shift the administrative burden from Kent Police, who can already enforce The Road Traffic Act 1988 prohibiting driving motor vehicles off-road without lawful authority, to the local authority. The Council are not allowed to replicate powers it already has and Kent Police were not likely to support the PSPO. PSPOs can only be used against an offender, which caused challenges dealing with young people;
- This is a complex and difficult issue to enforce with the biggest challenge in proving an individual's identity. MBC do not have the powers to stop vehicles and this could be dangerous for Kent Police. An intelligence led approach was preferred, engaging local residents where young people were not criminalised; and
- It was recommended that Ward Members should raise the issue through their Community Safety Cluster Meeting in September, as gathering evidence for a report would take until October anyway. They would go through the proposals with the relevant Ward Members at that time and bring the report back to Committee if needed.

In response to queries, the Community and Strategic Partnerships Manager highlighted that issuing on-the-spot fines was not practical, particularly to minors,

and that these were done retrospectively. Kent Police had undertaken a restructure of their staff with beat officers and worked in teams alongside Neighbourhood Task Forces, which was expected to be more effective in the future as staff numbers increased.

Several Members cited the same issues with ASB in their wards and raised concerns that the powers the Council already had were not doing enough to deter the ASB. The Committee were supportive of the recommendation and it was agreed that they would like to see a report go to Cabinet.

RESOLVED: To request that an officer report on the Member Agenda Item Request from Councillor Joanna Wilkinson - Dirt Bikes, Quadbikes, and Mini-Motorbikes be presented directly to the Cabinet at the next meeting.

16. 4TH QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT

The Cabinet Member for Housing and Homelessness introduced the report and advised that the report information had been amended to include the three, new Policy Advisory Committees (PACs). It was stated that:

- There had been an overspend of £1.78 million mainly attributed to provision of temporary accommodation and with the budget for next year being amended to take this into account;
- There was slippage on Capital Expenditure due to the housing programme of around £13.18 million which would be carried forward into future years;
- 60% of Key Performance Indicators (KPIs) achieved targets. Highlights included high performance on the quarterly number of affordable homes delivered and a plateau in the number of households in temporary accommodation. Annually, the target was exceeded for those prevented or relieved from homelessness and the number of private sector homes improved by housing standards intervention; and
- There was an update on projects funded through the UK Shared Prosperity Fund.

In response to queries, the Head of Finance stated that the slippage in the Capital Programme was due to the development and planning stages for the delivery of homes and that, since the local plan had been agreed, this would have more support in the future. The Head of Housing and Regulatory Services provided clarification on a few more points in the report and the Committee approved to note the contents.

RESOLVED: That

1. The Revenue position as at the end of Quarter 4 for 2023/24, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. The Capital position at the end of Quarter 4 for 2023/24 be noted;
3. The Performance position as at Quarter 4 for 2023/24, including the actions being taken or proposed to improve the position, where significant issues

have been identified, be noted; and

4. The UK Shared Prosperity Fund update, attached at Appendix 3 to the report, be noted.

17. CONSIDERATION TO ADMINISTER A CPO ON BEHALF OF GOLDING HOMES

The Cabinet Member for Housing and Homelessness introduced the report and outlined the recommendations for the Council to use its Compulsory Purchase Powers (CPO) to secure the remaining six leasehold properties to allow for regeneration of the Cambridge Crescent area of the Shepway estate by Golding Homes. It was stated that the new homes would make good use of the brown field site and be more sustainable, better for the environment and more cost effective for residents. This would only be used in the case that all other negotiation fail and to achieve an upcoming deadline for funding from Homes England.

In response to queries, the visiting Assistant Director of Development from Golding Homes advised that:

- To qualify for funding from Homes England for phases 2 and 3 of the regeneration, they needed to vacate the site and make a meaningful start on site in around 12 months. Golding Homes requested the Council make use of CPO powers as a backstop position due to difficulties with buy-back and resulting near-loss of funding for phase 1;
- Golding Homes were negotiating with lease holders to agree a package. This included 3 market valuations on the properties– 2 by Golding Homes and 1 covered by Golding Homes but commissioned by the seller- of which the highest value was selected with a 10% value added. Golding Homes also covered surveying costs on the replacement property, stamp duty, moving and legal fees as statutory;
- Golding Homes would prefer not to resort to the CPO and were negotiating the 6 leases with the 5 remaining leaseholders. They had offered information evenings, provided newsletters and a presence at Shepway Hub with a dedicated coordinator. There was also work toward reintegrating with the community once the properties are built and an opportunity to buy back into the area;

The Committee were happy with the feedback from the visiting officer and that their questions had been answered fully. It was requested that updates could be provided on the progress of the negotiations and regeneration, which the Assistant Director of Development from Golding Homes agreed.

RESOLVED to RECOMMEND to the CABINET: That

1. Subject to Golding Homes indemnifying the Council for all associated costs, the Council utilise its CPO powers as outlined in the report, thus enabling the redevelopment of Cambridge Crescent to proceed; and
2. The Director of Finance, Resources and Business Improvement be given delegated authority to commission professional services and carry out all other necessary steps to enable the CPO powers to be exercised.

18. COUNCIL HOUSE BUILDING PROGRAMME

The Cabinet Member for Housing and Homelessness introduced the report and stated that the brownfield site recommended for acquisition would deliver 23 units with easy access to transport links and local amenities consisting of 19 houses at affordable rent and 4, 1 bed maisonettes at market rent. It was outlined that the maisonettes were currently under the required size to qualify for grant funding, but that this would be looked at by officers post-acquisition, possibly by altering the parking. Each property will have a parking space with electric vehicle (EV) charging points provided.

In response to queries, the Head of New Business and Development advised that 13 of the parking spaces would have EV charging points, with the structure in place for the remaining homes to connect later. The properties would be delivered in accordance with MBC Planning and Building Control legislation.

The Committee entered into closed session at 7.45 p.m. to discuss the information contained within the exempt appendix to the report.

RESOLVED: That the public be excluded from the meeting for the following item of business due to the likely disclosure of exempt information for the reasons specified having applied the public interest test.

	Head of Schedule 12A and Brief Description
Item 14 – Exempt Appendix to Item 13 – Council House Building Programme	3 – Financial/Business Affairs

During the discussion, the Committee requested clarification on some of the terms and figures in the exempt papers, which were answered by the Head of New Business and Development.

The Committee returned to open session at 7.51 p.m. and were happy to agree the recommendations.

RESOLVED to RECOMMEND to the CABINET: That

1. The financial returns for the proposed acquisition, as shown in Exempt Appendix 3 to the report, which supports the Housing Development and Regeneration Investment Plan and overall Development Strategy be approved;
2. The Director of Finance, Resources and Business Improvement be given delegated authority to:
 - a. Negotiate terms for the purchase of the proposed acquisition for the sum as shown in the Exempt Appendix 3 to the report;
 - b. Procure and enter into all such deeds, agreements, contracts and documents which may be required to facilitate the purchase of the site, and the subsequent redevelopment works required to deliver the scheme referred to in this report. Including (but not limited to) any related appointments such as suitably qualified consultants and a Contractor;
 - c. Subject to satisfactory conclusion of all due diligence to negotiate and finalise and complete all legal formalities, deeds and agreements

which may be required to facilitate the purchase.

3. The Head of Mid Kent Legal Services be authorised to appoint the Solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Resources & Business Improvement; and
4. It be agreed, post completion of the procurement process, to appoint a contractor for the works cost detailed in the financial summary at Exempt Appendix 3 to the report. If in the event tenders for the works cost are in excess of the agreed sum then officers will return to the Committee/Cabinet to seek further approval prior to the development itself commencing.

19. DURATION OF MEETING

6.30 p.m. to 7.52 p.m.