

STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE MEETING

Date: Tuesday 13 March 2018
Time: 6.45 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors D Burton (Chairman), Cox (Vice-Chairman), English, Munford, Prendergast, Springett, de Wiggondene-Sheppard, Wilby and Willis

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

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Issued on Monday 5 March 2018

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

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MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 6 FEBRUARY 2018

Present: Councillor D Burton (Chairman) and Councillors M Burton, Cox, English, Munford, Prendergast, Springett, Wilby and Willis

Also Present: Councillors Boughton, Hastie and Spooner

146. APOLOGIES FOR ABSENCE

It was noted that apologies for absence were received from Councillor de Wiggondene-Sheppard.

147. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor M Burton was substituting for Councillor de Wiggondene-Sheppard.

148. URGENT ITEMS

The Chairman informed the Committee that he had agreed to accept a further recommendation as an urgent update for Agenda Item 17 – Planning Services Improvement Project (PSIP) as recommendations in the report would require changes to the Constitution.

149. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillors Boughton and Hastie were present as Visiting Members and indicated their wish to speak on Agenda Item 17 – Planning Services Improvement Project (PSIP).

Councillor Spooner was present as a Visiting Member and wished to observe.

150. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

151. DISCLOSURES OF LOBBYING

It was noted that Councillors M Burton, Cox, English, Prendergast, Springett and Willis were lobbied on Agenda Item 17 – Planning Services Improvement Project (PSIP).

152. EXEMPT ITEMS

RESOLVED: That all items be taken in public due to the possible disclosure of exempt information.

153. MINUTES OF THE MEETING HELD ON 22 JANUARY 2018

RESOLVED: That the minutes of the meeting held on 22 January 2018 be approved as a correct record and signed.

154. PRESENTATION OF PETITIONS

There were no petitions.

155. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

156. COMMITTEE WORK PROGRAMME

The Committee considered the Work Programme for 2017/18.

RESOLVED: That the Committee Work Programme 2017/18 be noted.

157. OUTSIDE BODIES - VERBAL UPDATES FROM MEMBERS

Councillor English informed the Committee that he had attended a meeting of the Community Rail Partnership.

158. REFERENCE FROM PLANNING COMMITTEE - GYPSY AND TRAVELLER SITES - NEED AND SUPPLY

The Committee considered the reference from Planning Committee relating to Gypsy and Traveller Sites – Need and Supply. It was noted that the reference referred specifically to the need for affordable Gypsy and Traveller sites and that this was not apparent in the recommendation.

The Committee considered that the reference should be shared with the Communities, Housing and Environment Committee due to that Committee's responsibilities. It was suggested that the Communities, Housing and Environment Committee consider the operational housing aspects of the reference.

The Committee raised concerns about a recent European ruling which stated that Councils should be ensuring that there was a spread of Gypsy and Traveller sites across the Borough.

The Committee agreed to incorporate the issues raised by the reference into the work for the review of the Local Plan.

The Chairman advised that a note of this item be included on the Planning Committee agenda.

RESOLVED:

1. That the reference from Planning Committee be shared with the Communities, Housing and Environment Committee.
2. That the issues raised by the reference be incorporated into the review of the Local Plan.

Voting: Unanimous

159. THIRD QUARTER BUDGET MONITORING REPORT

Miss Ellie Dunnet, the Head of Finance, updated the Committee on capital and revenue budgets and outturn within the Committee's remit for the first three quarters of 2017/18.

It was noted that Planning Services and Parking and Transportation had been separated into two separate sections at the request of this Committee to enable the performance of each area to be differentiated.

It was highlighted to the Committee that:

- The total forecast variance relating to Parking and Transportation was an underspend of £265,070;
- There was a projected underspend of £122,000 for Planning Services; and
- Planning inquiries that were scheduled to take place this financial year had been delayed and so the anticipated expenditure would now be incurred during 2018/19.

In response to a question from the Committee, Mr Mark Egerton, the Strategic Planning Manager, responded that a permanent member of staff had been recruited within the Strategic Planning team but there was a long lead time and therefore a temporary member of staff had been employed until then.

In response to a question from the Committee, Miss Dunnet explained that at a corporate level the risk of future costs relating to development control appeals would be recognised but that this risk was not presented in the report.

RESOLVED:

1. That the revenue position at the end of the third quarter and the actions being taken or proposed to improve the position where significant variances have been identified be noted.

2. That the position with the capital programme be noted.

160. REVIEW OF AIR QUALITY MONITORING IN MAIDSTONE

Dr Stuart Maxwell, the Senior Scientific Officer, presented the Review of Air Quality Monitoring in Maidstone to the Committee.

It was highlighted to the Committee that:

- There had been no continuous monitoring in the Town Centre since the Fairmeadow monitoring station was closed in June 2016.
- A suitable location at Jubilee Church in Upper Stone Street had now been identified. The site belonged to Kent County Council who had confirmed that they were happy for their site to be used.
- The establishment of the Jubilee Church site would not be immediate and therefore it was proposed that a contractor be employed in the short term to monitor air quality in Maidstone.
- In addition to PM₁₀ and NO₂, the contractor would be able to monitor PM_{2.5} for which the Council did not have a suitable instrument to do so.
- The contractor would install the monitoring station and undertake all the necessary maintenance, repairs, calibrations, and servicing.
- Officers had asked several contractors to quote for monitoring air quality in Maidstone for the year. The lowest quote was estimated at £16,000 and was received from the current contractor who supplied service and maintenance for the air quality stations and so would not have to make special visits to the area.

The Committee requested that a further report come back to this Committee before establishing the permanent site for air quality monitoring as the data from the temporary contractor would inform decisions going forward.

In response to questions from the Committee, Dr Maxwell replied that:

- PM_{2.5} are very small air particles that can penetrate the walls of lungs very easily;
- There was no statutory obligation for the Council to measure PM_{2.5} but it was a good thing to do; and
- Officers had already agreed with the contractor that there could be an option to buy the hardware at the end of the contract;

In response to a question from the Committee, Mr Duncan Haynes, the Mid-Kent Environmental Protection Team Leader, replied that the data handling contract for the County was re-let this year and the budget was

based on the previous contract price. Therefore, it was likely that the budget would be reduced next year and so there would be no further money available to employ a contractor to monitor air quality.

Therefore, the Committee requested that Officers note the importance that Members attached to the monitoring of air quality in the Borough and also that every endeavour be made in future budget planning to accommodate further work.

RESOLVED:

1. That a contractor be appointed to install a monitoring station and undertake monitoring at Upper Stone Street for a period of one year.
2. That a site for longer term monitoring be investigated, with the preferred site being at Jubilee Church.
3. That a further report be brought back to this Committee before establishing the site.
4. That this Committee asks that Officers note the importance that is attached to this and requests that every endeavour be made in future budget planning to accommodate further work.

Voting: Unanimous

161. DRAFT LONDON PLAN (2017)

Mrs Sarah Lee, the Principal Planning Officer (Strategic Planning), presented the Draft London Plan (2017) to the Committee.

It was noted that:

- The Greater London Authority (GLA) had published its Draft London Plan for consultation.
- The Plan covered the period 2019-2041, although certain detailed aspects of the Plan such as the housing targets only related to the first 10 years of the period (2019-2029).
- The Plan identified a requirement for around 66,000 dwellings to be provided in London each year over the 10 year period. This figure originated from the population projections prepared by the GLA. This was different from what occurred in the rest of the country whereby the Office for National Statistics prepared the figures used by Local Planning Authorities. This indicated a significant disconnect between London and the rest of the country.
- The Plan stated that the aim would be for London to meet its own needs within its own boundaries and this was welcomed by the Council. However, actual housing delivery in 2015/16 was only

34,800 and to achieve the new requirement within London's confines would require very substantive planning measures. If they were unable to meet their need then the Council could experience approaches under the duty to cooperate to meet some of their London boroughs' unmet needs.

- The Plan was more restrictive about the release of industrial/employment land for alternative uses than previous versions of the London Plan.
- The Plan highlighted strategic transport links into London that could be improved. None of those strategic links were specific to Maidstone and this was referred to in the consultation response.

The Committee requested that the following amendments be included in the response:

- Stronger emphasis should be placed on how restrictive the Council believes the 10 year time frame to be, in terms of planning and delivery.
- The Plan is too restrictive on the reuse of employment land and this should be emphasised further within the Council's response.

RESOLVED: That the response to the Draft London Plan (December 2017) set out in Appendix 1 be approved with the inclusion of the amendments suggested.

Voting: Unanimous

162. PLANNING SERVICES IMPROVEMENT PROJECT (PSIP)

Mr William Cornall, the Director of Regeneration and Place, presented the Planning Services Improvement Project (PSIP) to the Committee.

The Chairman reminded the Committee that there was an urgent update which included a further recommendation.

Councillors Boughton and Hastie addressed the Committee on this item.

It was noted that:

- The Planning Review was concluded by this Committee at its meeting held on 13 November 2017. The next stage in the process was the implementation of the selected recommendations.
- The recommendations relating to Members and Committee were considered at a working group consisting of the Chairmen and Vice-Chairmen of Planning and this Committee, Councillor Munford and Officers.

The Committee raised the following concerns:

- Afternoon meetings of Planning Committee would mean that both Members who worked full time and members of the public would be precluded from attending. On the other hand, it was suggested that members of the public with young families would be precluded from attending during the evening.
- Decision making was not always of the best quality late into the evening.
- Reducing the size of Planning Committee would mean that there would be less representation from the smaller political parties on the Committee.
- Allowing only one Visiting Member to speak at Planning Committee on each application would not enable the views of opposing political parties to be heard.
- On some planning applications it would be necessary for Officers to spend more time introducing the report and therefore a time restriction on this would not be practical.
- On some planning applications Members of Planning Committee would require more than three minutes to speak on an application, especially when trying to formulate grounds for refusal, and therefore a time restriction on this would not be practical.
- Some planning applications affected several Parish Councils (and sometimes in different ways) and so allowing only one Parish Council to speak would not be reasonable.
- Limiting reports to 10 pages was too restrictive.

In response to questions from the Committee, the Head of Planning and Development responded that:

- There were a relatively small number of applications being held up because of the decision making abilities of the Planning Committee. But, there was a backlog of applications waiting to go to Planning Committee.
- In the next financial year (2018/19) it was likely that there would be less outline applications coming to Planning Committee, but more reserved matters.

The Committee suggested that consideration be given to recognising neighbourhood forums (where they are recognised as such under the Localism Act) in the same way as Parish Councils in relation to the rules for public speaking.

The Committee noted the assurance that paperless working for parishes would not be introduced as part of the PSIP.

The Committee queried whether it should state 'This already exists in the form of the Parish Charter' in Appendix 2, on page 58 of the agenda, rather than the 'Parish Service Scheme'.

The Committee considered the report and recommendations and requested that the following amendments be made to the recommendations in Appendix 1 before submission to Council:

- Recommendation 2: That greater use of e-learning modules be included in the Member induction programme and training for Planning Committee to ensure that key elements and responsibilities are covered and embedded. This would save time and be accessible for all Members.
- Recommendation 3: That the line of enquiry relating to the parish call-in process is not implemented.
- Recommendation 5A: That the speaking arrangements proposed are not implemented, but that the slot for the parish or residents association go to any other concerned resident if no parish or residents association registers to speak, with the Chairman's discretion.
- Recommendation 5B: The recommendation was supported by the Committee. However, the Committee did not support an absolute restriction of 5 minutes. In order to keep Officer Introductions concise, the Committee raised the possibility of including a caveat at the top of each agenda which stated that it was assumed that all Members had read the papers.
- Recommendation 5C: That the Committee Member Debate should not be restricted by time.
- Recommendation 5E: That the Planning Committee should not be reduced to 11 Members.
- Recommendation 5F: That the Planning Committee should not be held in the afternoon rather than the evening.
- Recommendation 7: That the idea of concise reports be supported but the Committee did not want arbitrary restriction on the number of pages.

RESOLVED:

1. That the 27 recommendations from IESE that do not relate to Members and Committee, specifically those that Officers are taking forward, be noted.

Voting: Unanimous

2. That the proposed amendments be made to Appendix 1.

3. To **RECOMMEND** to **Council**:

That the Monitoring Officer be instructed to amend the Constitution to reflect the changes agreed by this Committee, effective from the new municipal year (2018/19).

Voting: Unanimous

Note: Councillor English left the meeting at 8.52 p.m. during consideration of this item and the meeting was adjourned between 8.52 p.m. and 8.59 p.m.

163. PARKING INNOVATION

Mr Jeff Kitson, the Parking Services Manager, presented this item to the Committee. The report detailed an overview of current and developing technologies in the parking industry and outlined the planned innovation within Parking Services over the next two years.

It was highlighted to the Committee that:

- Over the next 5-10 years vehicle transport would change more than it has in the last 100 years.
- The surge in technology had extended to the parking industry which had resulted in convergence, development and innovation.
- Parking Services had reviewed the current market and was committed to transforming services by embracing new and emerging technologies within the parking industry, to meet the changing needs of customers, to maintain service efficiency and to maximise car park income levels. This would be achieved through an innovation phase over the next two years.
- The decision on whether to alter car parking charges in the Town Centre was deferred from the meeting of this Committee on 22 January 2018.

In response to questions from the Committee, Mr Kitson replied that:

- The average cost per day for a long stay car park season ticket was £4.24, which was comparable to the Park and Ride tariff.
- Only 252 season tickets had been issued. Therefore, these formed a very small proportion when compared to the thousands of transactions which took place for other parking services.

The Committee raised the following concerns:

- That car parking charges were being raised to fund the Park and Ride Service which required a large subsidy to run. However, the Committee suggested that the Council's car parking was undervalued and therefore agreed to implement the car parking charges at Appendix 1.
- Using price to encourage customers to visit a car park in a different zone could mean that more air pollution is produced as the customer travelled between car parks.

The Committee supported the proposals to develop parking services and embrace innovation. Further to this, the Committee requested that all measures to accelerate the implementation of the emerging technologies be considered by Officers. The Committee also requested that consideration be given to landscaping and greening and that the improvement of safety lighting be considered by Officers as infrastructure was installed.

RESOLVED:

1. That the proposals to develop parking services and embrace innovation be supported.
2. That all measures to accelerate implementation be considered.
3. That as infrastructure is installed opportunities for landscaping, greening, and improving of safety lighting be considered.

Voting: Unanimous

4. That the pay and display tariff proposals as set out in Appendix 1 be agreed.

Voting: For – 6 Against – 1 Abstentions – 0

Note: Councillor Springett left the meeting at 21:45 during consideration of this item.

164. DURATION OF MEETING

6.30 p.m. to 9.57 p.m.

Strategic Planning, Sustainability and Transportation Committee Work Programme

Report Title	Work Stream	Committee	Month	Lead	Report Author
Cycling and Walking Update	Local Plan & Planning Policy	SPS&T	10/04/18	Rob Jarman	Tay Arnold
Self Build and Custom Build Register - Issues and Implications	Local Plan & Planning Policy	SPS&T	10/04/18	Rob Jarman	Stuart Watson
Alternative Sustainable Transport Measures (Scope)	Local Plan & Planning Policy	SPS&T	10/04/18	Rob Jarman	Mark Egerton/Tay Arnold
Objections to Off Street Parking Places Order - Sutton Valence	Updates, Monitoring Reports and Reviews	SPS&T	10/04/18	Jeff Kitson	Charlie Reynolds
Off Street Parking Places Order Variation	Updates, Monitoring Reports and Reviews	SPS&T	10/04/18	Jeff Kitson	Charlie Reynolds
Local Development Scheme	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Mark Egerton/Anna Houghton
Integrated Transport Strategy Delivery	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Mark Egerton/Tay Arnold
Neighbourhood Planning Protocol	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Mark Egerton/Sue Whiteside
Statement of Community Involvement Draft for Consultation	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Mark Egerton/Sue Whiteside
Playing Pitch and Outdoor Sports Facilities	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Sue Whiteside/Mark Egerton
Local Plan Lessons Learnt	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Sarah Lee
Local Plan Delivery	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Sarah Lee
Enforcement Protocol	New/Updates to Strategies & Policies	SPS&T	TBC	Rob Jarman	James Bailey
Affordable Housing Delivery	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	TBC
Local Plan Review Evidence Base	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Sarah Lee
Gypsy and Traveller: Need and Supply	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Sarah Lee
Local Plan Review and Meeting Housing Need	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Sarah Lee / Mark Egerton
Maidstone Integrated Transport Package	Updates, Monitoring Reports and Reviews	SPS&T	TBC	John Foster/Rob Jarman	Abi Lewis/Mark Egerton
Duty to Cooperate / Other LPA Key Issues	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	TBC
Statement of Community Involvement Adoption	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	Sue Whiteside
Employment Need and Delivery	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	TBC
Member Engagement in Pre-Application Discussions	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	
Planning Performance Agreements Review	Local Plan & Planning Policy	SPS&T	TBC	Rob Jarman	TBC

Agenda Item 13

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING, SUSTAINABILITY

AND TRANSPORTATION COMMITTEE

13 MARCH 2018

REFERENCE FROM PLANNING COMMITTEE

RESIDENTS' PARKING

The Planning Committee, at its meeting held on 19 December 2017 adjourned to 4 January 2018, agreed that subject to the prior completion of a legal agreement to secure contributions to mitigate the impact of the development, the Head of Planning and Development be given delegated powers to approve the following application subject to conditions:

17/504632 - Proposed demolition of all existing buildings and introduction of a new 33 space public car park, together with 24 flats in a four storey block fronting Upper Stone St. A row of 6 houses constructed over 3 storeys fronting Orchard St. 2 rows of 4 houses each constructed over 3 storeys fronting Brunswick St and George St and 9 flats in a stepped block overlooking the new pay and display car park. The development will include allocated parking and soft landscaping – Land at Brunswick Street, Maidstone, Kent.

The Committee also agreed:

1. That to allay residents' concerns, the Parking Services Section be asked to exclude this development from the S2 residents' parking zone area and to allow residents with S2 zone residents' parking permits to park in the Brunswick Street public car park after 5.00 p.m. rather than 6.30 p.m. AND
2. That the general issue of residents being able to use Maidstone Borough Council car parks by showing their residents' parking permits be referred to the Strategic Planning, Sustainability and Transportation Committee for consideration.

RECOMMENDED: That the Strategic Planning, Sustainability and Transportation Committee consider the general issue of residents being able to use Maidstone Borough Council car parks by showing their residents' parking permits.

**Strategic Planning,
Sustainability & Transportation
Committee**

13 March 2018

Key Performance Indicator Update Quarter 3 17/18

Final Decision-Maker	Strategic Planning, Sustainability & Transportation Committee
Lead Head of Service	Angela Woodhouse, Head of Policy, Communications, and Governance
Lead Officer and Report Author	Anna Collier, Policy and Information Manager and Ashley Sabo, Performance and Business Information Officer
Classification	Public
Wards affected	All

Executive Summary

The Strategic Planning, Sustainability & Transportation Committee is asked to review the progress of Key Performance Indicators that relate to the delivery of the Strategic Plan 2015-2020. The Committee is also asked to consider the comments and actions against performance to ensure they are robust.

This report makes the following recommendations to Strategic Planning, Sustainability & Transportation Committee:

1. That the summary of performance for Quarter 3 of 2017/18 for Key Performance Indicators (KPIs) be noted.

Timetable

Meeting	Date
Strategic Planning, Sustainability & Transportation Committee	13 March 2018

Key Performance Indicator Update Quarter 3 17/18

1. INTRODUCTION AND BACKGROUND

- 1.1 Having a comprehensive set of actions and performance indicators ensures that the Council delivers against the priorities and actions set in the Strategic Plan.
- 1.2 Following the refresh of the Strategic Plan for 2017/18 the Committees agreed 28 Key Performance Indicators in April 2017.
- 1.3 Performance indicators are judged in two ways. Firstly on whether performance has improved, sustained or declined, compared to the same period in the previous year. This is known as direction. Where there is no previous data, no assessment of direction can be made.
- 1.4 The second way is to look at whether an indicator has achieved the target set and is known as PI status. If an indicator has achieved or exceeded the annual target they are rated green. If the target has been missed but is within 10% of the target it will be rated amber, and if the target has been missed by more than 10% it will be rated red.
- 1.5 Some indicators will show an asterisk (*) after the figure. These are provisional values that are awaiting confirmation. Data for some of the indicators were not available at the time of reporting. In these cases a date has been provided for when the information is expected.
- 1.6 Contextual indicators are not targeted but are given a direction. Indicators that are not due for reporting or where there is delay in data collection are not rated against targets or given a direction.

2. Quarter 3 Performance Summary

- 2.1 There are 28 key performance indicators (KPIs) which were developed with Heads of Service and unit managers, and agreed by the four Service Committees for 2017/18. 4 are reported to the Committee for this quarter.
- 2.2 Overall, 25% (1) of targeted KPIs reported this quarter achieved their target for quarter 3. Performance did not improve for any indicators compared to the same quarter last year (where previous data is available for comparison).

RAG Rating	Green	Amber	Red	N/A	Total
KPIs	1	1	2	0	4
Direction	Up	No Change	Down	N/A	Total
Last Year	0	0	4	0	4
Last Quarter	0	0	4	0	4

3. Performance by Priority

Priority 2: Securing a successful economy for Maidstone Borough

- 3.1 The target of Major planning applications in time for quarter 3 has been slightly missed by 3.5%; however the performance from April to December remains above the 85% target, at 88.2%. The main reason for the reduction in performance in quarter 3 was the loss of five key staff who were involved in processing major applications. There was also a focus on the clearance of backlog applications at the expense of current applications. These matters have been closely monitored with new officers appointed to the Major Project Manager and Principal Officer posts (although not commencing until Feb/March 18) and contract consultancy staff employed to provide cover until the new officers start work. Performance is being closely monitored to ensure quarter 4 meets expected targets and progress has been made with clearing the backlog of applications.
- 3.2 The team processed 69.7% of Minor applications in time during quarter 3. This has missed the target of 85%. This was also owing to a focus on clearing backlog applications. This work commenced on 18 October and has seen 81 of the 128 out of time applications (backlog applications) now determined with a further 21 of the 34 gypsy and traveller applications determined. The impact on minor applications has been carefully monitored and the impact year to date is a performance level of 76.8%. The determination of backlog applications will continue into quarter 4 and this will need to be carefully managed to ensure the performance does not fall below national targets.
- 3.3 90.4% of 'Other' applications were processed in time during quarter 3. This remains above the expected target of 85% but has seen a drop in performance since the start of the PSIP project. This is mainly due to the processing of backlog applications which has seen performance dip. This was flagged as a risk at the start of the PSIP project but has been carefully managed to ensure performance is maintained. From April to December last year the performance for others is 92.3% which is well above the national target and some 7.3% above the local indicator. Whilst the PSIP project does expect the clearance of backlog applications to continue until the end of January 2018, performance measures have been put in place to ensure applications are processed within their target timeframes (8 weeks) so performance is expected in quarter 4 to increase to bring the financial year target back into the high 90's.
- 3.4 There were 43 affordable homes delivered during quarter 3. There has been good progress with schemes, and completions are picking up. As usual, the majority come forward in the final two quarters of the year. There have been 156 affordable completions as at 31 December 2017. The overall quarter target of 50 completions is slightly short by just 7 completions. However it is still expected that the year-end target of 200 affordable completions will be exceeded.

4. RISK

4.1 This report is presented for information only, managers and heads of service can use performance data to identify service performance and this data can contribute to risk management.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 The Key Performance Indicator Update will be reported quarterly to the Service Committees: Communities Housing and Environment Committee, Strategic Planning, Sustainability and Transportation Committee, and Heritage Culture and Leisure Committee. Each Committee will receive a report on the relevant priority action areas. The report will also go to Policy & Resources Committee, reporting only on the priority areas of: A clean and safe environment, regenerating the Town Centre, and a home for everyone.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 The Council could choose not to monitor the Strategic Plan and/or make alternative performance management arrangements, such as frequency of reporting. This is not recommended as it could lead to action not being taken against performance during the year, and the Council failing to deliver its priorities.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The key performance indicators and strategic actions are part of the Council’s overarching Strategic Plan 2015-20 and play an important role in the achievement of corporate objectives. They also cover a wide range of services and priority areas, for example waste and recycling.	Head of Policy, Communications & Governance
Risk Management	The production of robust performance reports ensures that the view of the Council’s approach to the management of risk and use of resources is not undermined and allows early action to be taken in order to mitigate the risk of not achieving targets and outcomes.	Head of Policy, Communications & Governance
Financial	Performance indicators and targets are closely linked to	Senior Finance

	<p>the allocation of resources and determining good value for money. The financial implications of any proposed changes are also identified and taken into account in the Council's Medium Term Financial Plan and associated annual budget setting process. Performance issues are highlighted as part of the budget monitoring reporting process.</p>	Officer (Client)
Staffing	<p>Having a clear set of targets enables staff outcomes/objectives to be set and effective action plans to be put in place</p>	Head of Policy, Communications & Governance
Legal	<p>There is no statutory duty to report regularly on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. One of the purposes of the Key Performance Indicators is to facilitate the improvement of the economy, efficiency and effectiveness of Council Services. Regular reports on the Council's performance assist in demonstrating best value and compliance with the statutory duty.</p>	Keith Trowell, Interim Team Leader (Corporate Governance)
Privacy and Data Protection	<p>We will hold data in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. There is a program for undertaking data quality audits of performance indicators.</p>	Keith Trowell, Interim Team Leader (Corporate Governance)
Equalities	<p>The Performance Indicators reported on in this quarterly</p>	Equalities & Corporate Policy

	update measure the ongoing performance of the strategies in place. If there has been a change to the way in which a service delivers a strategy, i.e. a policy change, an Equalities Impact Assessment is undertaken to ensure that there is no detrimental impact on individuals with a protected characteristic.	Officer
Crime and Disorder	None Identified	Policy & Information Manager
Procurement	Performance Indicators and Strategic Milestones monitor any procurement needed to achieve the outcomes of the Strategic Plan.	Head of Policy, Communications & Governance, & Section 151 Officer

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Key Performance Indicator Update Quarter 3 17/18

9. BACKGROUND PAPERS

None

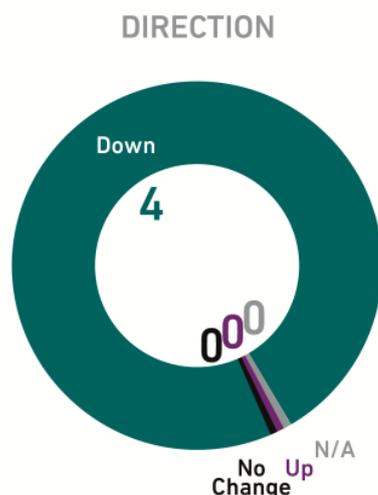
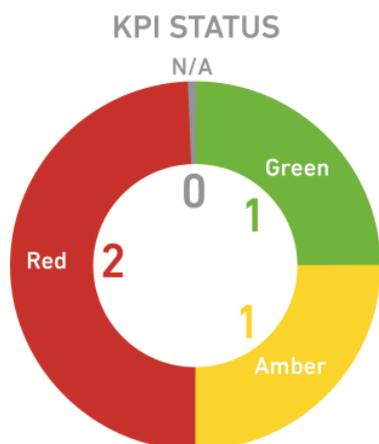
Performance Summary

This is the quarter 3 performance update on Maidstone Borough Council’s Strategic Plan 2015-20. It sets out how we are performing against Key Performance Indicators that directly contribute to the achievement of our priorities. Performance indicators are judged in two ways; firstly, whether an indicator has achieved the target set, known as PI status. Secondly, we assess whether performance has improved, been sustained or declined, compared to the same period in the previous year, known as direction.

Key to performance ratings

RAG Rating	
	Target not achieved
	Target slightly missed (within 10%)
	Target met
	Data Only

Direction	
	Performance has improved
	Performance has been sustained
	Performance has declined
N/A	No previous data to compare



RAG Rating	Green	Amber	Red	N/A	Total
KPIs	1	1	2	0	4
Direction	Up	No Change	Down	N/A	Total
Last Year	0	0	4	0	4
Last Quarter	0	0	4	0	4

Priority 2: Securing a successful economy for Maidstone Borough

A home for everyone

Performance Indicator	Value	Target	Status	Last Year	Last Quarter
Processing of planning applications: Major applications (NI 157a)	81.48%	85.00%			
Processing of planning applications: Minor applications (NI 157b)	69.67%	85.00%			
Processing of planning applications: Other applications (NI 157c)	90.39%	85.00%			
Number of affordable homes delivered (gross)	43	50			

**STRATEGIC PLANNING
SUSTAINABILITY &
TRANSPORTATION COMMITTEE**

13 March 2018

20mph Speed Limits and Zones

Final Decision-Maker	Strategic Planning, Sustainability and Transportation Committee
Lead Head of Service/Lead Director	Rob Jarman – Head of Planning and Development
Lead Officer and Report Author	Anna Houghton – Planning Officer (Strategic Planning); Tay Arnold (Planning Projects and Delivery Manager)
Classification	Public
Wards affected	All

Executive Summary

This report outlines the investigative work that has been carried out in relation to the introduction of 20mph speed limits or zones.

This report makes the following recommendations to this Committee:

1. That the contents of this report be noted.

Timetable

Meeting	Date
Strategic Planning, Sustainability and Transportation	13 March 2018

20mph Speed Limits and Zones

1. INTRODUCTION AND BACKGROUND

- 1.1 The matter of 20mph speed limits and zones was discussed at Full Council in December 2015 where it resolved to

“Request that the Strategic Planning, Sustainability and Transportation Committee review all the available evidence; consider the implementation of 20mph speed limits within the Borough of Maidstone; and refer the findings to the Cabinet Member at Kent County Council.”

- 1.2 This committee in March 2016 discussed the issue and resolved

“That is the Local Plan period pilot studies be undertaken of certain sections of highway in Maidstone where there is acknowledged pedestrian and vehicular conflict and where there is resident support in order to deliver 20 mph speed limit areas.”

- 1.3 An update was presented to this committee in April 2017. The Committee were informed that officers were examining the prospects of identifying a budget to commission a study and were engaging with Kent Police and Kent County Council Highways to establish the most up-to-date policy in 20mph speed limits, and the prospects for support, funding and enforcement.

Implementing 20mph limits and zones

- 1.4 Officers have since sought further advice from Kent County Council Highways and explored the possible costings of implementing 20mph schemes in the borough.
- 1.5 There are two different types of speed restrictions for 20mph schemes. The introduction of 20mph limits is the cheaper of the two options as it relies solely on new signage in the area. The creation of 20mph zones requires the introduction of traffic calming measures. The Kent County Council 20mph Policy indicates that to introduce limits the existing mean speed must be below 24mph. Therefore, a traffic speed survey will be required. This survey is to be funded by whoever is supporting the scheme at a minimum cost of £550 for each location. To introduce a 20mph zone sufficient traffic calming measures need to be put in place to reduce the traffic speed to approximately 20mph so that they essentially become self-enforcing.
- 1.6 The cost of any 20mph scheme will vary due to the location. The capital cost is made up of the cost of the installation of the signs, posts and any required traffic calming measures. There are revenue costs associated with schemes as well, such as designing the scheme. The development of 20mph schemes are primarily funded through the County’s Casualty Reduction Strategy or the Combined Member Grant. The Casualty Reduction Strategy is based on Highways & Transportation analysis of all crashes that have occurred in the last three years. The strategy outlines a programme of

engineering to reduce the risk of future crashes. Funding will be prioritised for schemes at locations where the most serious casualties have occurred.

- 1.7 The possibility of introducing a temporary 20mph limit was discussed with KCC Highways. The same process applies for both a temporary one as a permanent one.
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2. AVAILABLE OPTIONS

- 2.1 This report is for information only.
-

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 This report is for information only.
-

4. RISK

- 4.1 This report is presented for information only and has no risk management implications.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 As noted at the April 2017 committee, officers were examining the prospects of identifying a budget to commission a study and were engaging with Kent Police and Kent County Council Highways to establish the most up-to-date policy in 20mph speed limits, and the prospects for support, funding and enforcement.
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Officers will continue to discuss with Kent County Council and Kent Police the opportunities to implement 20mph schemes in the borough if opportunities arise.
-

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Introducing 20mph schemes will materially improve the Council's ability to achieve its priority of keeping Maidstone Borough an attractive place for all.	Rob Jarman, Head of Planning and Development
Risk Management	No significant implications are identified	Rob Jarman, Head of Planning and

		Development
Financial	Currently there is no specific budget for one-off or ongoing work on 20 mph limits or zones. Alternative sources of funding would therefore be required for the survey work for 20 mph limits.	Mark Green Section 151 Officer & Finance Team
Staffing	We will need access to external expertise to undertake study work and responsibility for this work sits with KCC Highways.	Rob Jarman, Head of Planning and Development
Legal	All speed limits, other than those on restricted roads, should be made by order under Section 84 of the Road Traffic Regulation Act 1984. If it is proposed to make a Road Traffic Order introducing 20mph zones the statutory process prescribed by regulations must be followed.	Keith Trowell, Interim Team Leader (Corporate Governance)
Privacy and Data Protection	If a study is carried out it will increase the volume of data held by the Council. The data will be held and processed in accordance with the data protection principles contained in Schedule 1 to the Data Protection Act 1998.	Keith Trowell, Interim Team Leader (Corporate Governance)
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	[Policy & Information Manager]
Crime and Disorder	No implications are identified	Rob Jarman, Head of Planning and Development
Procurement	A specialist consultant may be required and so the Council will then follow procurement exercises in line with financial procedure rules.	Rob Jarman, Head of Planning and Development & Mark Green Section 151

		Officer
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8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

SPST Committee report from 11 April 2017 -

<https://meetings.maidstone.gov.uk/documents/s54420/20%20mph%20speed%20limits%20in%20Maidstone%20Borough%20-%20Update.pdf>

Kent County Council 20mph Policy -

<https://democracy.kent.gov.uk/documents/s43305/B1%20Updated%20Policy%20for%2020mph%20limits%20and%20zones%20on%20KCC%20roads%2003102013%20Environment%20Highways%20and%20Wast.pdf>

Agenda Item 16

STRATEGIC PLANNING SUSTAINABILITY AND TRANSPORTATION COMMITTEE

13 March 2018

Community Infrastructure Levy (CIL) Administration and Engagement

Final Decision-Maker	Strategic Planning, Sustainability and Transportation Committee
Lead Head of Service/Lead Director	Rob Jarman, Head of Planning and Development
Lead Officer and Report Author	Isabel Elder, Principal Planning Officer, Strategic Planning; Tay Arnold, Planning Projects and Delivery Manager, Strategic Planning
Classification	Public
Wards affected	All

Executive Summary

This report updates the Committee on the administrative arrangements required in order for Maidstone CIL to be successfully implemented, and seeks approval for undertaking engagement with all interested parties on relevant aspects of the administrative arrangements.

This report makes the following recommendations to this Committee:

That Officers be instructed to:

- a) Continue to develop administrative arrangements for the CIL;
- b) Engage with all interested parties, both internal Council departments, parishes and the public, where relevant prior to the agreed implementation date; and
- c) Ensure that infrastructure providers are aware of the CIL and the impact it will have on infrastructure requests under s106.

Timetable

Meeting	Date
Strategic Planning, Sustainability and Transportation Committee	13 March 2018

Community Infrastructure Levy (CIL) Administration and Engagement

1. INTRODUCTION AND BACKGROUND

Context

- 1.1 Following consideration of the examiners report and the modified charging schedule at this Committee's 12 September 2017 meeting, the Council approved the introduction of a Maidstone Borough CIL charging schedule at its meeting on 25 October 2017 and resolved it should take effect from 1 October 2018.
- 1.2 At the 12 September 2017 meeting it was resolved that officers would look at the key issues in regards to the administration and governance of the CIL and these were presented to this Committee on 7 November 2017. It was resolved that:
 - a) Officers be instructed to commence preparatory work for the development and delivery of the administrative arrangements, and
 - b) a subsequent report setting out the scope and timing of stakeholder engagement be submitted.
- 1.3 This report develops the key issues identified in the November 2017 report, having specific regard to the administration arrangements within the Council.
- 1.4 For the purposes of this report, administration relates to the process of collecting CIL receipts and the passing of CIL monies to Parish Councils and Neighbourhood Forums. CIL is liable on development from the day planning permission first permits that chargeable development. In instances where there are pre commencement conditions, CIL will be liable when these have been discharged. Applications that are in the appeal process prior to 1 October and which are allowed post 1 October, will become CIL liable. CIL will therefore apply to all relevant applications determined from 1 October.
- 1.5 The administration of CIL requires various procedures to be followed, as laid out in the Community Infrastructure Levy Regulations 2010 (as amended)

Key administration issues identified in 7 November 2017 SPST Committee report:

- 1.6 **Key Issue A1:** How responsibility for the day-to-day operational tasks of CIL implementation is distributed across the Planning Department/Council: whether to a single bespoke section, or whether some elements are allocated more widely for instance across validation, development management, enforcement or building control.
- 1.7 **Response to A1:** The prescriptive nature of CIL requires co-ordination of responsibilities and services in order to oversee the day to day operation of

the CIL. To facilitate this, officers will be recruited to bespoke CIL posts within the Strategic Planning team. In the short term, these posts will be funded from existing revenue budgets. As CIL income is generated, the costs will be offset from the 5% administrative fee, which can be taken from the CIL collected.

- 1.8 Discussions with relevant internal departments have commenced which is identifying symmetry with the CIL processes and identifying opportunities for collaborative approaches.
- 1.9 A process map to identify the individual stages of the CIL collection process has been produced and will assist with the above discussions. It will also focus on internal mechanisms for meeting CIL administrative requirements.
- 1.10 **Key Issue A2:** Whether or not the CIL Additional Information Form should be added to Part 1 of the Local Validation List and whether the Assumption of Liability Form should be added to Part 2 of the List.
- 1.11 **Response to A2:** Following the introduction of CIL, all applications for full planning permission including householder and reserved matters following an outline application and applications for lawful development certificates are required to complete and submit an Additional Information Form (Form 0). The form identifies whether the development is CIL liable and will be added to Part 1 of the local validation list, following a 6 week notice period. Failure to submit the Form 0 will result in the planning application not being validated.
- 1.12 Submission of the Assumption of Liability (Form 1) will be added to Part 2 of the local validation list which will encourage it to be submitted with the planning application, but which can not be enforced. An application cannot fail the validation process for the failure to submit the Assumption of Liability with the application papers Form 1 can be sent to the Council up until the day of commencement. Liable persons will be encouraged by the Council to submit it as soon as possible after the planning permission is granted.
- 1.13 **Key Issue A3:** How the Council should approach applications submitted during the transitional period, in the weeks and months leading up to 1 October 2018.
- 1.14 **Response to A3:** From 1 October all planning applications that permit development that meets the CIL eligibility criteria will be CIL liable. Prior to this date a review of the number of undetermined major applications will identify those that need to be approved before 1 October. A change from S106 to CIL may affect a scheme's viability resulting in an increased pressure to determine applications before 1 October.
- 1.15 A future stage will be to further raise awareness with the public, developers, third parties and house builders of the CIL implementation date. Officers will widely publicise the date and key details of the CIL eligibility criteria and the Council's processes. These will be published on the Council's website. This will make clear the statutory determination dates and provide clarity as to when applications will be processed prior to CIL being implemented. For example 8 weeks before 1st October for minor applications,

12 weeks for majors and 16 for EIA applications. Due to there being a potential spike in the number of applications received before CIL is implemented applicants will be encouraged to make their submission earlier so that it can be assessed within the statutory time frame.

1.16 Given the complexities involved in negotiating certain s106 agreements, particularly on major development schemes, and the timescales necessarily involved it will be imperative that this is considered in any promotion to the public, developers and third parties or any review of applications requiring determination as set out above.

1.17 When applications are submitted and validated by the Council, applicants will be informed that their application could become CIL liable if it is not determined prior to 1 October.

1.17 **Key Issue A4:** How the Council should engage with infrastructure providers ahead of and during the transition, to ensure that requests for developer contributions are compliant with the CIL Regulations and the Council's Regulation 123 List.

1.18 **Response to A4:** Prior to CIL implementation there will be correspondence with infrastructure providers to discuss the implications of CIL and how it will replace how S106 agreements have been traditionally used by the Council. S106's and S278's will still be required but will be limited to site specific mitigation measures only as identified in the Regulation 123 list and the provision of affordable housing.

1.19 **Key Issue A5:** How the Council administers the neighbourhood portion within Parish Council areas.

1.20 **Response to A5:** CIL is collected from development built in each Parish or Neighbourhood area. The CIL is divided into three financial pots; Administration (5%), non strategic spend and strategic spend.

1.21 The non strategic spend is the 'neighbourhood portion' which can be spent by the Parish councils or Neighbourhood forum within whose area, the development falls (subject to them having appropriate financial procedures in which to do so). The distribution of neighbourhood CIL money is 15% for areas without a made neighbourhood plan (capped at £100 per dwelling per annum) or 25% where there is a made neighbourhood plan in place and which was made before a relevant planning permission first permits development. CIL monies must be spent on infrastructure as defined in para 1.39 and 1.40. The remaining CIL – the strategic spend (70% or 80%) - is retained by MBC and will be allocated to strategic projects. The process for this will be the subject of a future report on governance.

1.22 If an area makes a neighbourhood plan after the implementation of CIL, then the date that the permission first permits the development, will be the date that will dictate the amount the Parish or Neighbourhood Forum will receive. All the permissions after the plan is made will result in a 25% CIL receipt and all permissions before a made plan will result in a 15% CIL receipt.

1.23 A process map has identified options for Parishes depending on their circumstances and their ability and or wish to hold CIL money. Discussions on this will commence shortly, with the Council hosting a workshop in the near future to brief and inform Borough Councillors, and Parish Councils about CIL. The workshop will discuss the administration processes of CIL which will include the collection of CIL and the passing and spending of money to Parish Councils and Neighbourhood Forums. Issues and governance surrounding the spending of the larger strategic CIL money will take place in the future and not at this workshop. The details of what will be discussed in the workshop are detailed below.

1.24 In order to be able to accept the neighbourhood CIL and for them be able to be spend it, Parish Councils and Neighbourhood Forums must have appropriate governance and spending powers in place before CIL monies are released to them.

1.25 Parishes and Neighbourhood Forums that do not have appropriate financial arrangements have a number of choices:

1.26 a) To not accept the CIL and ask the Council to spend the money in consultation with the community on their behalf.

1.27 b) Develop procedures especially in Parishes or Neighbourhood Forum areas that are going to have significant development.

1.28 c) Collaborate with other Parishes and Neighbourhood Forums and pay for a shared governance and accounting service or

1.29 d) Draw down funds from the Council on an ad hoc basis when they have identified and costed a specific project.

1.30 Where a Parish or Neighbourhood Forum do not have the required governance or financial procedures in place to spend the neighbourhood portion, the Council will spend the CIL in their local area, on their behalf, in a clear and transparent way.

1.31 CIL payments to Parishes and Neighbourhood Forums can be paid up to twice a year for the preceding 6 months' income.

- CIL income received between 1st April and 30th September in any financial year will be paid by 28th October of that financial year and
- CIL income received between 1st October and 31st March will be paid by 28th April in the next financial year.

These are set out in Regulation 59 (d) of The Community Infrastructure Levy (Amendment) Regulations 2013.

1.32 An agreement will be prepared identifying the expectations of each Parish and Neighbourhood Forum, identifying their responsibilities and liabilities. This will be based on those prescribed in the Community Infrastructure Levy Regulations 2010 (as amended). This will give confidence to both parties and transparency of what is expected.

1.33 The agreement will identify in line with legislation how the money will be transferred, the timescale and process of acceptance; how it can be spent;

the timescale in which it should be spent; the requirement for annual reporting, dispute resolution and also request evidence that they have appropriate financial and other procedures in place.

1.34 Each year, the Parishes and Neighbourhood Forums will be required to produce an annual report explaining what the CIL has been spent on. Legislation requires that each Parish/ Neighbourhood Forum will have to prepare and submit a report on income and expenditure to the Council, in line with prescribed procedures and publicise it on their website and that of the Council.

1.35 All CIL monies need to be spent within 5 years of receipt and spent on offsetting the impacts of development in the area. Failure to meet either of these criteria will result in the Council issuing a repayment notice. The Council will then be responsible for spending the CIL money on behalf of the local community with their involvement.

1.36 The Community Infrastructure Levy Regulations 2010 (as amended) state that Parish Councils and Neighbourhood Forums must spend the CIL for their area on:

- the provision, improvement, replacement, operation or maintenance of infrastructure; or
- anything else that is concerned with addressing the demands that development places on an area

1.40 Infrastructure is broadly defined in the Planning Act 2008. There are typically three broad categories of infrastructure:

- Physical infrastructure - highways, transport links, cycle ways, energy supply, water, flood alleviation, waste management
- Social infrastructure - education, health, social care, emergency services, art and culture, sports halls, community halls
- Green infrastructure - parks, woodlands, play areas, public open space

1.41 CIL may be used for the purchase of Capital Infrastructure for example, community buildings. A procedure for the retention/ future use of any CIL bought capital assets will be devised along Council guidelines so that the asset remains a benefit to the community for its useful economic life. Maintenance and all associated costs will be the responsibility of the organisation who has commissioned it unless otherwise agreed.

1.42 Each Parish Council and Neighbourhood Forum is required in the CIL regulations to submit an annual report to the Council identifying what CIL has been spent on. Prior to the first payment of CIL, MBC will provide a specific proforma for the information to be submitted. This will cover such items as precisely what the money has been spent on, by whom, the process followed in making that decision, future arrangements, maintenance, liability in case of accidents or vandalism, insurance etc.

1.43 To assist all Parish Councils and Neighbourhood forums in making the best use of their receipts, they will be encouraged to identify the priorities for their area and produce and publish on their website a Parish/ Neighbourhood Forum CIL Infrastructure spend plan. This should have short, medium and long term objectives and where appropriate provide an outline or details of projects. It should prioritise the projects identified in the adopted Neighbourhood Plan and form the basis of local consultation. It would be prudent for the plan to also acknowledge that something specific may arise as a direct result of the development that may require the allocation of CIL funds.

1.44 These plans are discretionary but will enable the community to see what is being proposed and will be a useful tool for consultation and consensus building in the local area.

1.45 With regard to spending CIL money, Parishes and Neighbourhood Forums may choose to:

- 1.46
- a) Spend money on a specific project in their Parish or Neighbourhood Forum area
 - b) Spend money on a specific project in a neighbouring area (with their neighbours consent)
 - c) Choose to collaborate together where there will be mutual benefits across Parish boundaries
 - d) Choose to fund an infrastructure project run by MBC or KCC,
 - e) Choose to partner with a third party, land owner or organisation. Ultimately the parish will be responsible for ensuring that the CIL is spent appropriately and will be responsible for accounting for it.

2 AVAILABLE OPTIONS

2.01 This report provides further information on the proposed CIL administration processes which will need to be in place prior to CIL implementation on 1 October. The report provides an opportunity for this Committee to see the progress made to date and the stages that are being progressed.

2.02 Discussions with relevant internal departments are ongoing which is identifying symmetry with the CIL processes and identifying opportunities for collaborative approaches.

2.03 Officers are developing guidelines and procedures to be followed as well as proforma's to be completed and standard letters to be issued to ensure the smooth transition.

2.04 Further publicity and clarification to the public and developers will be a key next stage in order that applications are submitted in good time to be approved before 1 October and that awareness is raised of the implications of CIL. Existing applications already in the system will need to be reviewed

as to the impact CIL will have on them and the potential impact on their viability as S106 is scaled back to just be for site mitigation.

2.05 Borough councillors and Parish Councils will be invited to a workshop on the CIL administration processes and procedures to be followed for collection and the allocation of the CIL neighbourhood fund. It will inform those present of the CIL and its implications and will allow for questions to be asked. It will explain how the neighbourhood CIL can be spent and their responsibilities and accountabilities.

2.06 Procedures for Parishes and Neighbourhood Forum areas that are unable to be passed funds will be drawn up by the Council. These options will include them drawing down funds on an ad hoc basis once a project has been devised and costed. The alternative is for the Council to spend the neighbourhood CIL on their behalf and to involve and liaise with the Parish and Neighbourhood Forum respectively. Where there are no Parish Councils or Neighbourhood Forums the neighbourhood portion of CIL will be spent by the Council. Details for this will be included in the future governance report.

2.07 Option 1 : Do nothing

The Council have committed to implementing CIL by 1 October 2018. This committee could request further reports regarding the administrative processes before commencing engagement with stakeholders. However this is not recommended as it could delay the implementation process and the Council's ability to publicise the procedures for CIL.

2.08 Option 2:

That this Committee considers the key issues identified in this report and instructs officers to

- a) continue to develop administrative arrangements for the CIL,
- b) inform all interested parties, both internal Council departments, Parishes, Neighbourhood Forums, developers and the public, of the CIL implementation date and the procedures that will be required to be followed for CIL prior to implementation and post 1 October 2018
- c) ensure that infrastructure providers are aware of the CIL and the impact it will have on infrastructure requests under s106 and
- d) prepare in the medium term, the governance arrangements for the strategic CIL money which is to be spent by the Council and report these later in the year.

This option will provide for officers to have in place the appropriate CIL administrative procedures prior to 1 October.

3 PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

3.02 For the reasons set out in part 2 of this report, Option 2 is recommended as the Council has committed to implementing CIL and needs to have appropriate procedures and processes in place in order for it to be successful. Officers, Borough Councillors and Parish Councils need to be made aware of the implications of CIL and the changes that will occur post 1 October 2018.

4 RISK

The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the policy.

5 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.02 The CIL charging schedule and associated documents have been subject to statutory consultation and member decisions throughout their development.

5.03 This report responds to the Committee's decision in November 2017. The Committee previously resolved that parish councils should be involved in the process of developing arrangements for the implementation of CIL.

6 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.02 If Option 2 is selected, officers will continue to develop administrative processes and ensure that there is adequate publicity of the CIL. Parish Councils, Neighbourhood Forums and other organisations, developers and the public will be informed. Procedures and processes will be devised to achieve CIL implementation on 1 October.

7 CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Accepting the recommendations will materially improve the Council's ability to achieve corporate priorities	Rob Jarman Head of Planning and Development
Risk Management	Already covered in the risk section	Rob Jarman Head of Planning and Development

Financial	The report identifies a number of administrative tasks associated with CIL, for which there is currently no budgetary provision. Accordingly the Council will need to retain 5% of CIL receipts as permitted by the regulations to fund administrative costs. Any up front costs will be absorbed in the short term from existing budgets. All costs accumulated from devising the CIL charging schedule and costs from implementation can be retrospectively claimed back from the first 3 years of the CIL charge. From year 4 only administrative costs in that year going forward will be able to use CIL funds to pay for them.	Paul Holland, Senior Finance Manager (Client Team)
Staffing	Two new posts will be recruited to however we will deliver the recommendations within our current staffing budget initially. Costs will be off set against the 5% administrative fee in future.	[Head of Service]
Legal	Mid Kent Legal Services will need to be consulted as a stakeholder in regard to operational changes as the implementation date approaches. Changes to the use of s106 and the impact this may have on workloads for the department cannot be understated. The potential for a rise in demand for determination of applications and completion of legal agreements in an attempt to 'beat the deadline' is a very real prospect.	Cheryl Parks Lawyer (Planning) Mid Kent Legal Services
Privacy and Data	Data held by the Council relating to personal details,	Cheryl Parks Lawyer

Protection	financial information and other sensitive information will need to be managed very carefully and in line with the Council's agreed policies and procedures	(Planning) Mid Kent Legal Services
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	[Policy & Information Manager]
Crime and Disorder	NA	Rob Jarman Head of Planning and Development
Procurement	NA	[Head of Service & Section 151 Officer]

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None