

KENT COUNTY COUNCIL

GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE

MINUTES of a meeting of the Growth, Economic Development and Communities Cabinet Committee held in the on Tuesday, 16 May 2023.

PRESENT: Mr N Baker (Chairman), Mr H Rayner (Vice-Chairman), Mrs R Binks, Mr C Broadley, Mr T Cannon, Mr S Holden, Mr M A J Hood, Mr S C Manion, Ms J Meade, Mr J Meade, Mr A M Ridgers, Mr M J Sole, Mr R J Thomas and Mr D Watkins

ALSO PRESENT: Mr D Robey and Mr P M Hill, OBE

IN ATTENDANCE: Mr D Smith (Director of Economic Development), Mrs S Holt-Castle (Director of Growth and Communities), Hayley Savage (Democratic Services Officer) and Mr S Jones (Corporate Director of Growth, Environment and Transport)

UNRESTRICTED ITEMS

131. Declarations of Interest by Members in items on the Agenda

(Item 3)

Mr Meade, in relation to Item 6, declared he was the Council's representative on the Planning Committee of the Ebbsfleet Development Corporation. In relation to item 7, Mr Meade declared he had provided professional support to the House of Lords on the Mobile Homes Pitch Fees Act 2023.

132. Minutes of the meeting held on 14 March 2023

(Item 4)

RESOLVED that the minutes of the meeting held on 14 March 2023 were a correct record.

133. Verbal updates by the Cabinet Members and Corporate Director

(Item 5)

1. Mr Hill, Cabinet Member for Community and Regulatory Services, provided an update on the following:
 - a) In commemoration of King Charles III's Coronation, tributes were held in all 99 of Kent's Libraries, including 65 organised events and activities, and a coronation party at the Kent History and Library Centre which was attended by over 100 people.
 - b) Folkstone Library remained temporarily closed. Repairs were estimated to cost over £1 million, and the budget was not available for this. In response, nearby libraries would be open additional hours and other building options were being considered. A bid to the Government's Library Improvement Fund was also being explored.

- c) The Kent Community Safety Conference took place on 28th March 2023. The event was successful and for the first time offered both in-person and virtual participation. The topic of the conference was tackling violence against women and girls which was a pertinent issue in Kent.
 - d) Turner Contemporary's Director, Clarrie Wallis won an Ampersand Foundation Award for cultural activities which included a financial grant of £125,000. This was for a photographic exhibition, curated by Clarrie Wallis and artist Steve McQueen.
2. A Member raised concerns regarding the moving of Folkstone library to a central location and asked whether more communication and information could be provided. Mr Hill understood the position and said efforts to provide as much information as possible to residents would continue. He said consideration would be given to the location of the library to satisfy the needs of Folkestone residents and agreed to explore the possibility of a meeting with residents.
3. Mr Robey, Deputy Cabinet Member for Economic Development, gave a verbal update on the following:
- a) The EU Exit Entry System (EES), an automated system for registering travellers from the UK and other non-EU countries each time they crossed an EU external border, had been delayed to November 2024.
 - b) The Straits Committee, an organisation of local authorities on both sides of the English Channel, would discuss water conservation, quality, and supply at its next conference in July 2023. In addition, discussions were ongoing around boosting cross-channel tourism and marking the 120th anniversary of the signing of the Entente Cordial.
 - c) A decision was taken to use the Innovation 3 funding to maintain schemes under the Kent and Medway Business Fund whilst approval of a bid for funding was awaited from HM Treasury which, Mr Robey was pleased to update Members, had been received on 15 May 2023.
 - d) The government had agreed to fund the Dover Harbour Board project which intended to modify the harbour (including the cruise terminal) and a KCC project to improve traffic flow in and around the harbour.
 - e) Regarding Stodmarsh and the ability to treat Phosphorous and Nitrogen as a result of housing developments, progress was being made which included the building of wetlands, requesting that Southern Water invest more in tertiary water treatment, and onsite mitigation measures.
 - f) Plans were progressing for small modular reactors at Dungeness and KCC remained hopeful and continued to engage. Mr Bowie, Minister for Nuclear and Networks, at the Department of Energy Security and Net Zero had agreed to visit the site.
 - g) The Council continued to engage with Eurostar regarding the service stopping at Ashford International.
 - h) The Business Vision Live event was held at the Kent Event Centre in May 2023 and was well attended.
4. A Member asked what the intended outcomes of the Dover Harbour project would be, and Mr Jones said that the infrastructure changes would improve access to the port and improve traffic flow.

5. Mr Jones, Corporate Director Growth, Environment and Transport, provided an update on the following:
- a) The Active Kent & Medway 'Move Together' programme was launched on 9th May and would support people to get active, particularly those with long-term health conditions.
 - b) The Active Kent & Medway team were holding the annual Primary PE Conference 2023 at the Kent Event Centre, Detling in May 2023. Over 100 teachers would be attending alongside representatives from the Department for Education.
 - c) Oakwood House was now open for Citizenship Civil Ceremonies and positive feedback had been received from those who had recently used the venue. Mr Jones invited Members of the committee to visit the site on forthcoming open days.
 - d) The number of people visiting libraries continued to recover. The figure was over 70% of pre-pandemic levels, which was higher than the national average. E-use of libraries had grown above the national average and had surpassed pre-covid use levels. Use of the Archives search room had also increased 39% on the previous quarter. The registration services continued to remain busy to meet demand on birth and death registrations and the Ceremonies team were preparing for the peak summer period of ceremonies.
 - e) The Public Protection team met with the Serious Economic Crime Unit of Kent Police and Mr Jones said the organisations would work together to tackle doorstep crime. The memorandum of understanding with Kent Police had been revised, and the Council and Police sent joint cease and desist letters to tackle doorstep crime.
 - f) Mandy Cason, a Community Warden in the Gravesham Team, was awarded for assisting the community and going above and beyond in her role, and Susan Beeney, also a Community Warden, had won the Littlebourne Parish Council Millennium Award for her work in the community.
 - g) Public Protection continued to work with the border force to tackle the import of illegal vapes. Thousands of illegal vapes had been seized in Dover which were dangerously above the legal limit. Public Protection had also held tobacco 'days of action' in towns across Kent. During the operation, services recovered thousands of illegal cigarettes and illegal vapes.
 - h) Scientific services had developed and launched testing for veterinary residues in meat and fish, the only test of its kind in the country and Mr Jones said that these tests were key analysis for ports and would be increasingly important when new import checks were introduced.
 - i) Mr Jones praised the Council's services in attendance at the Business Vision Live event and reported that they had received positive feedback from attendees.
6. Mr Jones responded to the following questions and comments from Members:
- a) Members commended the crackdown on illegal vapes and sent their thanks regarding this project. They also asked where illegal vapes ended up and what had been done to track illegal vape distribution. Mr

Jones informed Members that they worked very closely with Kent Police and that an intelligence unit worked on tackling organised crime and conducted network analysis to understand and prevent distribution.

- b) A Member raised the delays experienced at the port of Dover over Easter and their concerns that delays may again occur during the summer and school holidays. Mr Jones told Members that the Kent Resilience Forum had been doing a lot of work in this area. Particularly in analysing and sharing data between operators, to understand the scale of the problem and decide what tools are needed to prevent disruption.

RESOLVED to note the verbal updates.

134. 23/00041 - Policy adoption of the KCC Developer Contributions Guide (Item 6)

Mr Colin Finch, Strategic programme manager, and Ms Victoria Thistlewood, Project Manager were in attendance for this item.

1. Mr Robey introduced the item and Mr Finch provided an overview of the report and updated Members on the public consultation.
2. The Chair commended the report but raised concerns around planning & developments on a national level.
3. Mr Finch, Ms Thistlewood, Mr Jones, and Ms Holt-Castle responded to the following comments from Members:
 - a) A Member asked how important community engagement was in this process and what could be done to increase public contribution. Ms Thistlewood responded that although the consultation was open to the public it was very technical and targeted towards district planning authorities, developers, and landowners. She said that consultation with the public would be done on a service level basis going forward.
 - b) A Member asked what mechanisms were in place to amend the policy in relation to climate change, technology and building regulations. Mr Finch responded that any action on climate change would be covered by other policies, including the environmental policy.
 - c) A Member asked how districts would be encouraged to sign up to the Community Infrastructure Levy (CIL) and benefit from smaller developments in their boundaries. Mr Finch said KCC wouldn't be encouraging local authorities to take this route as the contributions towards infrastructure, through this mechanism, offered lower amounts of money compared to Section 106 contributions towards KCC infrastructure.
 - d) A Member asked what safeguards were in place to stop developers intentionally building in smaller batches to avoid the 10-property threshold set out in the report. Ms Thistlewood said that KCC worked with the district councils on this, and that the behaviour was monitored.
 - e) Members raised concerns over the lack of power provided to KCC to ensure developers contribute towards infrastructure costs. Members also asked how much KCC were likely to receive from developers in the

next 8 years and whether this was sufficient to deliver infrastructure needed. Mr Jones said it was difficult to accurately judge how much investment was needed for infrastructure and noted that large infrastructure projects often required Government support and national investment. Mr Jones highlighted the importance of the council's mapping platform to identify where and when infrastructure was necessary and what funding was required for sustainable communities in Kent. Levelling up funding had also played a part in ensuring that the necessary infrastructure was in place to meet the needs of the county. Ms Holt-Castle raised risks to the authority from the levelling up and regeneration bill and told Members that her team had been looking to influence government on this to mitigate negative effects.

RESOLVED to endorse the proposed decision to:

- (i) proceed with formal adoption of the updated Developer Contributions Guide;
- (ii) approve the service standards and methodology for calculating development mitigation contained within;
- (iii) delegate to the Director of Growth and Communities to sign off any subsequent reviews/updates and changes to approaches to contribution calculation methodologies on behalf of the County Council other than for when either a contribution rate is required to be increased beyond inflation or the introduction of a new contribution request;
- (iv) delegate to the Director of Growth and Communities to take appropriate actions including, but not limited to, KCC entering into legal agreements, legal charges and negotiation of contributions for planning applications of proven viability concern, as necessary to implement this decision; and
- (v) to confirm the use of the BCIS All-In Tender price index (or ROADCON where required by Public Rights of Way or Highways), with the base date for indexation set at Quarter 1 2022 as shown at Appendix 1.

135. 23/00040 - Adoption of Gypsy and Traveller Site Pitch Allocation Policy

(Item 7)

Ms Natalie Liddiard, Head of Gypsy and Traveller Service, and Mr Tom Marchant, Interim Head of Countryside and Community Development, were in attendance for this item.

1. Mr Hill briefly introduced the agenda item. He said the committee had previously endorsed the pre-consultation draft and some minor modifications had since been made.
2. Ms Natalie Liddiard updated Members on the consultation process. It took place over a 10-week period, KCC had held 5 face to face drop in sessions, sent direct emails to 75 stakeholders, made direct contact with pitch holders across the 7 KCC sites and Maidstone Borough council sites, texted all pitch-holders and contacted those on the waiting list for a pitch. Ms Liddiard also informed Members that social media had been used to spread information of the consultation, including videos and press releases. Ms Liddiard reported that 11 consultees had provided feedback, including traveller representing organisations. Legal advice on the policy had been sought and no significant risks to the authority had been identified.

3. Ms Liddiard and Mr Jones responded to the following questions and comments from Members:
 - a) Members discussed whether unauthorised encampments on facilities used for sports and recreation grounds would constitute anti-social behaviour (ASB) and whether legal advice had been sought on this. Ms Liddiard responded that legal opinion had not been sought specifically on this as there were too many scenarios and the Council worked with district councils and the police regarding anti-social behaviour.
 - b) Asked why the action of setting up an unauthorised encampment was not an act of anti-social behaviour Ms Liddiard said that individual circumstances were considered and that the police must be worked with to determine whether an unauthorised encampment was committing anti-social behaviour. Mr Jones clarified that clear external legal advice had been sought and incorporated into the policy and emphasised the importance of working with Kent Police.
 - c) A Member raised concerns around the lack of responses from the traveller community, particularly following the scale of the consultation.
4. Mr Rayner proposed, and Mrs Binks seconded that the recommendations of the report be moved, and this was agreed unanimously.

RESOLVED to endorse the proposed decision to be taken by the Cabinet Member for Community and Regulatory Services, to adopt the Gypsy and Traveller Site Pitch Allocation Policy and Application Form; and delegate to the Director Growth & Communities any further decisions that may be appropriate to deliver the policy.

136. KCC Village and Community Hall Grant Scheme *(Item 8)*

Mr Mark Reeves, Project Manager, was in attendance for this item.

1. Mr Hill briefly introduced the item and highlighted the importance of the scheme.
2. Mr Reeves provided a history of the Grant Scheme and summarised the report. Mr Reeves reported that since April 2021, 18 new community hall projects had been supported and £243,000 had been provided. He summarised that the grant often encouraged funding from other sources and for each £1 awarded by KCC, typically £18 had been provided from other sources.
3. Mr Reeves responded to the following questions and comments from Members:
 - a) A Member raised concerns about some village halls being excluded from the scheme due to the building being leased rather than owned outright. Mr Reeves said an information and funding advice service was provided regarding potential funding opportunities to all village halls, including those outside of the scheme.
 - b) A Member commented whether the various funding streams to support village halls could be streamlined.

RESOLVED to note the report.

137. Performance Dashboard

(Item 9)

Mr David Whittle was in attendance for this item.

1. Mr Whittle introduced the performance report for Quarter 3 of 2022/23 and said of the 25 Key Performance Indicators, 22 were rated as green, 3 rated amber and none were red. The second part of the report set out the planned Key Performance Indicators for the forthcoming financial year.
2. Mr Whittle responded to the following questions and comments from Members:
 - a) Members commented that in future, when percentages were used in reports, could numerical data also be provided.
 - b) A Member asked why the target set for indicator ED10 – *Businesses assisted via Kent and Medway Growth Hub contract* - in the forthcoming financial year had been cut and Ms Holt-Castle responded that this was due to a reduction in the grant from national government and the service being adapted to reflect this.

RESOLVED to note the performance report for Quarter 3 of 2022/23 and targets proposed for 2023/24.

138. 23/00047 - Cyclopark Operator Agreement (OA) and Funding

(Item 10)

Mr Steve Grimshaw, Strategic Programme Manager, was in attendance for this item.

1. Mr Robey introduced the item and Mr Grimshaw summarised the report regarding a new deed of variation to extend the agreement with Cyclopark Trust for a further 10 years to continue to operate the venue on behalf of KCC.
2. The Chair suggested, once the District Visits Programme had recommenced, that a visit be made to Cyclopark.
3. Mr Grimshaw responded to the following questions and comments from Members:
 - a) Members expressed their support of the facility and what the site had achieved so far.
 - b) Members raised concerns over security at the park and anti-social behaviour. Mr Grimshaw said the Council had engaged with the company on concerns about security and work had begun on investigating the work needed to improve security.
 - c) Members noted the role of the park in reducing ASB in the local area and the health benefits it provided.

- d) A Member also commented that given the amount of investment in this project, that it may be beneficial for KCC to have representation on the Board of Trustees.
 - e) Members discussed whether the surrounding land could be used for renewable energy production to offset the rise in energy costs.
 - f) A Member asked what prospects there were for the site not to require subsidy in future. Mr Grimshaw said the construction of a modular building was part of the move away from being funded wholly by KCC and that the trust continued to look for alternative means of funding.
 - g) A Member asked whether the lease obligated the trust to maintain the facility to a certain level and how KCC inspected this. Mr Grimshaw responded that the 50-year lease within the original operator's agreement sets out that Cyclopark is responsible for building and track maintenance.
4. Mr Rayner proposed, and Mr Meade seconded an amendment to the recommendation that the Cabinet Member for Economic Development be asked to put forward sufficient improvements to security to ensure the safety of the facility, and this was agreed unanimously.

RESOLVED to:

- 1. Endorse the decision:
 - (a) to approve a retrospective Deed of Variation to the Operator Agreement between KCC and Cyclopark Trust for the operation of the park and continuation of KCC financial support for the period 27 May 2022 to 26 May 2032 (10 Years) and;
 - (b) that authority be delegated to the Director of Growth and Communities to take appropriate actions in accordance with the terms of the Operator Agreement as necessary to implement this decision.
- 2. Ask the Cabinet Member for Economic Development to put forward sufficient improvements to security to ensure the safety of the facility.

139. 23/00026 - Old Rectory Management Contract
(Item 11)

Mr Mark Reeves, Project Manager, was in attendance for this item.

Mr Robey introduced the report, the background of the contract and the decision to extend funding for another year.

RESOLVED to endorse the proposed decision to extend the existing Old Rectory Business Centre Management Services contract by a further one year and delegate to the Director Growth & Communities to take other relevant actions including but not limited to entering into required legal agreements as necessary to implement the decision.

140. Decisions taken between Cabinet Committee Meetings
(Item 12)

1. Mr Robey provided a background to decision 23/00028 - Kent and Medway Business Fund (KMBF) & Innovation Investment Loan Extension via i3 - and explained why it had been taken between meetings of the cabinet committee. He said since the decision had been taken, HM Treasury had decided to resume funding.
2. The Chairman asked for information relating to HM Treasury's decision to be sent to Members.

RESOLVED to note that decision 23/00028 Kent and Medway Business Fund (KMBF) & Innovation Investment Loan Extension via i3 was taken between meetings of the Cabinet Committee in accordance with the process set out in the Council's constitution.

141. Work Programme 2023/24

(Item 13)

RESOLVED to note the Work Programme 2023/24.