

Overview and Scrutiny Committee

Minutes of a Meeting of the Overview & Scrutiny Committee held in Committee Room 2, Civic Centre, Tannery Lane, Ashford on the **10th May 2022**.

Present:

Cllr. Ovenden (Chairman);

Cllrs. Blanford, Burgess, Howard-Smith, Krause, Ledger, Mulholland.

Apologies:

Cllr. Chilton, Farrell, Hayward, Meaden.

Also Present:

Cllrs. Harman (remotely), Hayward, Wright.

In attendance:

Compliance and Data Protection Manager, Member Services Officer (remotely).

Director of Place, Space and Leisure; Spatial Planning Manager; Team Leader, Plan Making and Infrastructure; Policy & Scrutiny Officer.

390 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 8th March 2022 be approved and confirmed as a correct record.

391 S106 Task Group - Recommendations Update Report

The Team Leader, Plan Making and Infrastructure introduced this item and explained that this was a six monthly update following the approval of the recommendations by Cabinet in November 2021.

He went onto explain that responding to the Task Group's recommendations and the actions arising from the Mid-Kent Audit of the S106 process were the main areas of focus starting with organising the process mapping exercise and leading to the production of a Supplementary Planning Document later this year. He referred to Table 1, which listed the progress made against each of the recommendations.

The presentation was then opened up to the Committee and the following questions and points were raised: -

- The Chairman mentioned the Consolidated Infrastructure Levy and the uncertainty around the changes proposed by central Government. He added that until such time that changes were confirmed there was no benefit from discussing it at the meeting. He went on to ask what constructive work was in

progress on the process mapping exercise, and it was explained that Officers had been reviewing other models of process mapping, discussing with internal and external colleagues involved and had been in contact with Parish Councils to gain understanding of their knowledge of S106 processes. The Chairman asked when the Committee could expect a meaningful update on the process mapping exercise. The Spatial Planning Manager explained that resources had to be balanced with other urgent priorities, for example, finding a strategic solution to the Stodmarsh issue. He said that ensuring the right internal and external processes were in place, including the types of infrastructure being sought would be key. Officers anticipated having a draft S106 Supplementary Planning Document (SPD) ready for consultation by the end of the year, so working back from that, a further update to the Committee in the Autumn would be justified. The Chairman acknowledged that there were other pressures, but asked that the Committee receive the next update in six months' time.

- A Member asked whether S106 projects were on hold whilst the Government review was underway. The Spatial Planning Manager confirmed that this was not the case, and so long as the project fulfilled all the requirements then the funds would be released. However, the caveat to that would be that the provider delivering the project might be unable to fulfil their ability to undertake the work.
- In response to a question, the Spatial Planning Manager advised that Parish Councils would be an active stakeholder in the consultation process and developing a narrative with them was expected to increase their understanding.
- There was some discussion regarding Stodmarsh and the impact the constraints would have on planning developments. It was possible that in some circumstances, the viability of the whole site would need to be reviewed, but that was undetermined at this point. In comparison to other Local Authorities, Ashford Borough Council collected a larger amount of S106 monies and it would be interesting to see what the Government decided in terms of a new Infrastructure Levy. The Chairman reiterated that the first recommendation of the Task Group was to carry out the process mapping exercise before the remaining recommendations could be addressed and therefore this task should be prioritised before considering improvements to the current arrangements. Any changes to the way in which developer contributions were managed in future would be considered later down the line.
- A Member spoke about the perception within Parish Councils that the S106 funding was slowing and being faded out. The Spatial Planning Manager confirmed that nothing had changed and the S106 process remained the same. A further question was asked about when there would be more Member training, as only one training session had been arranged so far and this was offered during office hours. It was confirmed that more training could be arranged and the slides and guidance notes would be made available to Members. It was felt that further down the process training would be beneficial, as it would incorporate more work on the Task Group recommendations. The training session that had already taken place had

been recorded and made available on YouTube for others to watch.

- The Spatial Planning Manager advised that it would not be justified to request applicants in areas outside of the Stodmarsh catchment to contribute towards mitigation costs. The Chairman expressed an opinion that the developer should be responsible for mitigating nutrient neutrality, although the Council had taken the responsibility to provide a solution in the form of a strategic wetland mitigation scheme.

Resolved:

That the report be received and noted.

392 Membership for the Consultation and Engagement Task Group

The Policy & Scrutiny Officer explained that this topic had been delayed owing to the pandemic, but was now at a stage to commence. She asked for volunteers to join the Task Group and confirmed that the meetings would be held virtually on Teams. The purpose was to review the Council's involvement and engagement with the public, to look at the consultation process on corporate issues, in response to criticism the Council had previously received.

Resolved:

That the report be received and noted, and Councillors wishing to volunteer contact the Policy and Scrutiny Officer or the Chairman.

393 Future Reviews Tracker

The Director of Place, Space and Leisure explained that the Service was due to have an audit in July, and therefore requested that the Freedom Leisure Contract be deferred from July's meeting to later in the year. The Chairman agreed.

Resolved:

That the report be received and noted.

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