

## Meeting with Parish Council Chairmen

Wednesday, 22 May 2019

5:30pm

### Present:

Cllr John Burden (Chair)

John Grey  
Noel Clark  
Sheila Buchanan  
Robin Theobald  
Pat Banks

Higham Parish Council  
Luddesdown Parish Council  
Meopham Parish Council  
Shorne Parish Council  
Vigo Parish Council

David Hughes  
Wendy Lane  
Daniel Killian  
Stuart Alford  
Jan Guylar  
Ben Clarke

Chief Executive  
Assistant Director (Planning)  
Assistant Director (Operations)  
Assistant Director (Environment)  
Head of Legal Shared Services  
Committee & Scrutiny Assistant (Minutes)

### 18. Apologies

An apology of absence was received from Cllr Bob Lane (Chairman of Shorne Parish Council).

### 19. Minutes

The Minutes of the meeting held on 20 March 2019 were signed by the Chair.

### 21. Officer Items

#### Data Controller Registration

The Chief Executive informed the meeting that due to a change in regulations there was no longer a requirement for Borough and Parish Councillors to register as a Data Controller anymore; the new exemption came into effect from 1<sup>st</sup> April 2019. If any Councillor had recently paid the fee to register themselves as a Data Controller then they should be able to reclaim that fee from the ICO. The Chief Executive asked that the Parish Chairs inform their colleagues of the good news so that all Parish Councillors were aware.

The Chief Executive added that even though the Information Commissioner could no longer fine Councillors for breaching data laws, Councillors could still breach the Code of Conduct which they agreed to follow when they became a Councillor. Any breach of the Code of Conduct could result in a Standards Committee meeting being convened and possible sanctions against the Member.

Cllr Burden advised that many of the issues that the Parishes raised fell into similar categories and with the Chairmen's permission it was agreed that the items that were in the same topic area would be answered in the same response.

## 22. Items received by Cobham Parish Council

### Fly-Tipping/Littering and the Restrictions/Charges at Pepper Hill & Strood

Below is a response from the Assistant Director (Environment):

*Whilst the impact of flytipping is felt locally it has to be remembered that this is a national issue which was highlighted in the Independent newspaper on Saturday 11 May 2019 when they reported that nationally flytipping has increased by 40% over the past 5 years.*

*To minimise the impact to local residents as well as responding as quickly as we can to remove the dumped rubbish we have taken action to try to reduce the occurrences of flytipping.*

*The Council is/was involved in the following initiatives aimed at reducing and preventing flytipping*

*The Council's "NO MORE" CAMPAIGN aimed at reducing litter and flytipping has been in place since summer 2018. All publicity aimed at litter and flytipping will be badged with the "No More" logo. So far the campaign has included posts on social media, facebook, articles in Your Borough & local newspapers plus posters and banners.*

*Other initiatives include:*

#### June

*Day of action across Kent with Kent Police "Op Assist"*

*100 vehicles checks across Kent*

*6 vehicles seized*

*6 arrests*

*Number of penalty notices issued*

*3 warrants dealt with in Dover for criminal activity which under covered other activities such as drugs and slavery.*

#### September

*Morrison's recycling site – works undertaken to reduce flytipping – move recycling banks to reduce space, signage and introduced overt CCTV camera*

#### October - Autumn Your Borough

*Article on how to legally dispose of your waste*

*SCRAP campaign*

#### November

*SCRAP campaign across Kent*

*Suspect all waste carriers. Don't let them take your rubbish until they provide proof of registration and note their vehicle's registration plate*

*Check that a waste is registered by EA*

*Refuse an unexpected offers to have rubbish taken away*

*Ask how your rubbish will be disposed off – see evidence*

*Paperwork must be obtained; a proper invoice, waste transfer note or receipt, including a description of the waste being removed and waste carrier's contact details.*

*In January 2019 the No More litter and SCRAP campaign artwork was sent to Parish Councils to use within their parish publications.*

*In March/April 2019 we had the largest response to the national Keep Britain Clean Campaign working with local communities to clean up their local areas.*

*In May 2019 the No More Litter campaign was used on petrol pumps at major petrol stations in the borough such as Sainsbury and Morrison's. We now have a programme of anti-littering banners which are being used at the main parks & open spaces across the borough with the aim to get users to clear up their mess before they leave*

*In respect to the KCC changes to the HWRC network, during the consultation held by KCC on the introduction of new charges, GBC objected strongly raising concerns about potential increases in flytipping not just in Gravesham but across Kent. However due to budgetary constraints, KCC have decided to move forward with the new charges from 3 June 2019.*

*Medway Council is introducing the requirement for its residents to show identification at all three of its sites after Kent County Council announced it would start charging for non-household waste at the county's HWRCs. This is to ensure that Medway residents do not have to fund the burden of KCC's new charges with Medway Council concerned that Kent residents would use their sites as there are currently no charges in place.*

*This will impact some Gravesham residents who use Cuxton HWRC due to its close proximity to residents in the east of borough. These residents will have to use Pepperhill HWRC putting extra pressure on an already busy site.*

*The running of the HWRCs is the responsibility of the two waste disposal authorities, KCC and Medway Council. GBC has no say in their policies or how these sites are run.*

*I understand that there is concern that where parishioners do their bit to try and clear some of the smaller items that have been fly tipped it is likely that the changes at the HWRC will make this a bit difficult. We appreciate the work that certain residents do to assist us in keeping the borough clean. If the charges do impede this work then I ask that Parish Councils contact me directly so we can look for a solution to the problem.*

The Assistant Director (Environment) added that the Council objected to the charges that KCC put in place for taking rubbish to the Refuse Centres and he suggested to KCC that after a period of 12 months there should be a County wide review on flytipping to see if there was any increase linked to the new charges being implemented. Gravesham will continue to log all instances of fly-tipping in the Borough to report to KCC to show the impact of the damage caused both financially and environmentally.

Cllr Burden stated that he had been elected as a KCC Councillor in the recent by-election and from conversations he had been a part of at KCC, it was known that a lot of backbenchers weren't happy with the proposed charges and there would definitely be a review in the future on the effectiveness of the charges. If the charges caused more problems, such as increasing the amount of fly-tipping, then the policy will be attempted to be overturned.

The Chief Executive highlighted how important it was for residents in the Borough to be aware of their obligations when hiring people to take away their rubbish. Residents must ensure the contractor they use are properly licensed and will be taking the rubbish to a

licenced disposal site as organised crime is prevalent in the waste dumping industry and many residents may unknowingly use a contractor that simply dump the rubbish in a different area.

The Parishes felt that in order to relay that message to residents, there should be a continuous article, advising residents what to do when hiring to get rid of their rubbish, in the 'Your Borough' magazine. The Assistant Director (Environment) also agreed to send an official waste carriers licence to the Parishes so that they could see what properly licensed companies should have.

The Chief Executive advised that the Director (Corporate Services) had received an email from his equivalent at KCC saying that Paul Carter (KCC Leader) was interested in running a pilot scheme that diverted additional resources into enforcement of fly-tipping. KCC would be putting forward a sizeable chunk of money towards that pilot scheme.

With regards to prosecution, the Assistant Director (Environment) explained that it can be difficult to catch and prosecute the culprits. When evidence is found including vehicle registration plates, all cases are investigated. Recently a number of investigations have been closed due to the increasing use of cloned number plates on vehicles involved in flytipping.

Not all successful investigations can be publicised as in some cases it is decided that issuing a fixed penalty notice is a sufficient punishment. In the past where there have been successful cases prosecuted the information has been printed in the local media.

The Assistant Director (Environment) assured Members that he would find out how many prosecutions had been made; the maximum fines were £50,000 and five years' imprisonment although no one had ever been prosecuted to that maximum level.

The Chief Executive stated that it had been suggested before that national sentencing guidelines would be reviewed as the costs they were incurring were not proportionate to the fines.

## **Air Pollution**

**Traffic stopping and starting in The Street Cobham, a resident had guests notice the fumes entering her property despite having triple glazing. – Concerns also around the impact on the school children in the playground.**

The Regulatory Services Manager provided the below response:

*The council takes its responsibility for assessing air quality seriously and is committed to improving air quality in the borough for the benefit of residents and visitors. In addition to two fixed air quality monitoring stations at Painters Ash School and Lawn Primary School, officers from the Environmental Health team monitor levels of nitrogen dioxide (NO<sub>2</sub>) via a network of 71 diffusion tubes strategically located at 61 locations across the most polluted areas of the borough. These tubes are swapped every month and sent to an accredited laboratory where scientists measure the NO<sub>2</sub> levels to identify any areas where the National Air Quality Objective (NAQO) annual average level of 40µg/m<sup>3</sup> is being exceeded. Once an exceedance has been identified the council has a statutory duty to declare the area of exceedance as an Air Quality Management Area (AQMA). It should be noted that NO<sub>2</sub> is also an odourless gas.*

There are currently four AQMAs in Gravesham:

- A2 Trunk Road AQMA for Nitrogen dioxide
- Northfleet Industrial Area AQMA for Particulate Matter (PM10)
- A226 One-way system in Gravesend for Nitrogen dioxide
- A227/B261 Wrotham Road/Old Road West Junction for Nitrogen dioxide

It can be seen that none of these are close to Cobham, and the normal traffic flow in Cobham is far below that in the AQMAs, so whilst fumes from traffic may be periodically noticeable alongside the road(s) at peak times, it is not an area considered to likely exceed annual average NO<sub>2</sub> levels. This is especially so as tubes located on much busier roads within the borough do not show an exceedance of the national annual average.

It is accepted that the main source of air pollution for most parts of the borough are road traffic emissions; albeit from major roads (notably the A2, A226 and A227). Kent County Council Highways (KCC Highways) as the local transport authority is responsible for the management of the local road network. As such they are responsible for any direct actions proposed to reduce road traffic emissions. Gravesham Borough Council works together with Kent County Highways to improve air quality within its declared AQMAs and throughout the Borough, but the decision to change road layouts ultimately sits with them.

20<sup>th</sup> June is Clean Air Day this year, which provides a perfect opportunity for the school, and local community, to raise awareness of the impact of pollution from such things as idling engines at school drop off and pick up times, and parents (and others) parking near school gates – and can be used to encourage cleaner means of transport such as walking/cycling and electric vehicles. Officers from Environmental Health and have partnered up with officers from The Gr@nd and Parking Services to help to promote this and will be carrying out assemblies at two local schools. Regrettably, they are unable to extend this on the day due to limited resources and time; however they may be able share some information or surplus promotional material with other schools upon request.

Alternatively, free resources can be obtained for free via the Clean Air Day website - <https://www.cleairday.org.uk/forms/clean-air-day-resources>

Further information relating to air quality in Gravesham can be found on our website by visiting <http://www.gravesham.gov.uk/home/environmental-health/air-quality/overview> or by emailing [air.quality@gravesham.gov.uk](mailto:air.quality@gravesham.gov.uk)

A short discussion was had in which it was agreed that it would be looked into how much it would cost the Parishes to buy their own air monitoring system.

The Chief Executive advised that further talks would be had with Cllr Tony Rice and KCC to better understand the air quality issue in Cobham.

## **Parking Charges for Parking at Jeskyns & Shorne Country Parks**

**These charges are putting pressure on parking spaces in other parts of the parish such as Cobham Playing Field, Park Pale, Church Road and Ifield.**

Below is a response provided by the Parking Services Manager:

*The car parks at Jeskyns and Shorne Country Parks are not owned by Gravesham Borough Council and therefore we have no influence over the charging structures.*

*Jeskyns Park is owned and managed by the Forestry Commission and Shorne Country Park is owned and managed by Kent County Council and neither authority consulted with Gravesham prior to implementing charges.*

*The Parking Team have had reports that since the charges have been introduced it has resulted in vehicles parking in the nearby roads (sometimes on restrictions) and as a result of the reports, our Civil Enforcement Officers have been enforcing the restrictions in these roads on a regular basis.*

The Vigo Parish Chairman stated that there was similar trouble with parking at Trosley Country Park in Vigo as people parked on roads outside the park to avoid paying the charges. KCC explained that they couldn't change the charges nor bring in a short term charge so Vigo Parish Council put cones up on the surrounding road to deter drivers parking in unsafe areas.

The Assistant Director (Operations) confirmed that there were two mobile civil enforcement officers that patrolled the rural areas where there were parking restrictions but they could only enforce on public highway and GBC owned car parks. Referencing Jeskyns Country Park, the Parishes were advised that any cars parking on the grass verges opposite the double yellow lines were also parking illegally and could be fined if caught.

## **Parking Permits Review**

### **What action is going to be taken following the review?**

Below is a response provided by the Parking Services Manager:

*The Town Centre Controlled Parking Zone (CPZ) review will be completed within the next two weeks. We can then start to prepare for the rural CPZ reviews and it is anticipated that we will be in a position to send out the initial informal survey letters at the beginning of July. The informal surveys will be used to determine the majority viewpoint of residents on whether the current parking scheme is still considered necessary, whether the zone or times of control should be changed, or whether the current scheme should be removed and replaced with a different scheme.*

*Formal proposals will then be consulted on. The formal proposals will be based on what the majority of residents have told us they want through the informal surveys and so it is important that residents are encouraged to respond and participate throughout the process.*

## **Housing Developments**

### **What is the latest up to date information:**

Below is a response from the Assistant Director (Planning):

- *Regulation 18 stage 1 took place April to July 2018 and include stage 1 Green Belt Assessment [https://localplan.gravesham.gov.uk/gf2.ti/f/912450/36343845.1/PDF/-](https://localplan.gravesham.gov.uk/gf2.ti/f/912450/36343845.1/PDF/)*

*[/Gravesham Green Belt Study April 2018.pdf](#) This consultation included a draft strategic land availability assessment (SLAA) that indicates sites that have been promoted for developers and landowners up to a cut-off date. Further sites have been submitted since the cut-off date*

- *Working towards Regulation 18 stage 2 in late 2019 including a stage 2 Green Belt Study*
- *The Government published the results of the 2018 Housing Delivery Test on 19 February 2019, which identified Gravesham Borough Council as having delivered 64% of its housing requirement. In view of this, Paragraph 73 of the NPPF states that the Council's 5-year housing land supply should incorporate a 20% buffer to take account of the significant under delivery of housing over the previous 3 years. In line with paragraph 75, an action plan is under preparation.*

*Gravesham Borough Council is unable to identify a five year land supply against a requirement of 2,941 dwellings (this figure includes the 20% buffer). Therefore for Development Management purposes and decision-taking, this engages the Presumption in Favour of Sustainable Development in the 2019 NPPF.*

### **Have the local Brown Field sites been identified and what is happening with them?**

*Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 requires local planning authorities in England to prepare, maintain and publish registers of previously developed (brownfield) land by 31 December 2017.*

*Gravesham Borough Council's register has been available on its website since late December 2017 via <https://www.gravesham.gov.uk/home/planning-and-building/local-plan/brownfield-land-register>*

*Sites to be included in Part 1 of Gravesham's brownfield land register must meet the following criteria:*

- *an area of at least 0.25 hectares or capable of supporting at least 5 dwellings*
- *suitable for residential development*
- *available for residential development and*
- *residential development of the land is achievable*

*If you sort the Brownfield Land Register spreadsheet by the "MinNetDwellings" largest to smallest you get:*

1. *Canal Basin*
2. *Northfleet Embankment East*
3. *Land At Former Northfleet Cement Works*
4. *The Heritage Quarter*
5. *Clifton Slipways*
6. *Site Of Former Multi-storey Car Park Lord Street*
7. *Gravesend Gas Holders, Canal Road*
8. *Former Police Station Windmill Street*
9. *M Block, Bath Street*

*The above was list was provided to the 21 March 2018 parish council chairman's meeting*

The Assistant Director (Planning) further explained the written responses she provided above and for the 'Core Plan Review' item under Luddesdown Parish Councils submitted items.

The Assistant Director (Planning) explained that approving planning permission did not count towards the test as the houses had to be physically built and delivered; it only counted towards the aforementioned five year land supply.

After a long discussion and a political statement about the direction of the Council, Cllr Burden summarised that the Council needed to meet the Government mandated housing requirement and he would do all in his power to meet that quota. That would involve making tough decisions and he advised that if a Green Belt review needed to be carried out then it would. Cllr Burden reiterated that it was better for the Council to release some Green Belt land that had been fully investigated and chosen by Council and Parishes. The alternative would be that the requirement wasn't met and a Government inspector would be brought into the Borough and they decide what land will be earmarked for development. Cllr Burden advised that the latter option would take no heed of residents and use land that was seen to be the most profitable.

Cllr Burden added that the Chief Executive had approached him about using CPO powers on sites where developers had received planning permission but hadn't started any work for a long period of time. The CPO would allow the Council to step in and start the developments as Gravesham had many sites where developers have sat on key housing sites for years. There were many other big planning permissions waiting to go through Planning which Cllr Burden assured the Parishes that he would put pressure on to get them approved as quickly as possible so that development could begin.

In response to how many homes Gravesham had to deliver, Cllr Burden advised that the number stood at 363 but with the carry forward from the previous year it was nearer a figure of 450. However, with the new Government methodology for an area's housing need, it was predicted that the total number would rise to 500. This quantity will be challenging and is only likely to be accomplished with an increased number and diversity of sites.

The Luddesdown Parish Chairman raised concerns about what the Council can actually do to ensure development takes place. He mentioned that he is aware that land developers sometimes get permission and then sit on land and even sometimes sell it on for other purposes; the Assistant Director (Planning) stated that it was a concern with larger businesses that don't have a lot of diversity in their product offer and the Government advised that to help diversify the housing market, Council's should work more closely with small to medium sized enterprises that would buy the land and develop it as soon as possible. The Council faced issues with some of the developers that own the land in Gravesham as they have unrealistic expectations such as one developer who wants £3 million for the Canal Basin which would be a gross overpayment.

After a further discussion on the matter, Cllr Burden informed the Councillor's about a scheme Medway Council carried out in which they invited a large number of SME's in the area to attend a meeting in the Council building and discuss with them the problems they faced with buying land and what they required from the Council. SME's would only build a smaller number of houses but if a large amount of SME's all built a small number as soon as they bought the land then the number of houses delivered would rapidly rise in a shorter period of time.



The Assistant Director (Planning) assured the Chairmen that the Green Belt review was only a review, the study itself would not make decisions; it considers the current Green Belt and the strength of the boundaries and the extent to which each area was contributing to the Green Belt.. Officers will take the results of the review and give their advice to Members and it will be for elected Members to decide how all the studies inform their future decisions on how the shortfall in land identified for development will be met.

The Assistant Director (Planning) advised that the Council cannot release land with the condition that it is built upon in a certain period of time but the Council can safeguard land for future development.

Cllr Burden assured the Parish Chairmen that he would put enough pressure on the Planning Department over the next few months to get more planning permission approved in the Borough.

### **23. Items received by Meopham Parish Council**

No items were received from Meopham Parish Council.

### **24. Items received by Luddesdown Parish Council**

#### **Parish Chairs Meeting**

**Is the Parish Chairs meeting a public meeting?**

**The fact that the parish chairs meet is public, as are the topics raised at the meeting, which are reported back to our parishes and minutes.**

- **Are there any restrictions on what we can report?**
- **Why are the minutes not published on the Borough's website?**

Cllr Burden advised that the Meeting with Parish Chairmen had always been classified as an informal non-public meeting between the Council and the Chairs of the Parishes which meant that the minutes aren't published on the website; a Member of the Committee Section will always send the agenda and minutes over to the Parishes. The agenda and minutes have no restrictions and all Parish Chairmen are welcome to share the minutes with their Parishes and upload them to their websites unless the Leader asks them not to for a specific reason such as confidential information.

#### **Core Plan Review**

**Under the previous administration GBC promoted a Core Plan Revision policy that prioritised the government's arbitrary land supply provisions over the requirement to protect the Green Belt.**

**What will the policy of the new council be in regards to the protection of the existing green belt, and how will this impact the current Core Plan Review?**

Below are all responses from the Assistant Director (Planning); the majority of the responses are taken directly from the below FAQs document which was published to accompany the 'Part 1 Site Allocations: Issues and Options - Regulation 18 Consultation':

[https://localplan.gravesham.gov.uk/gf2.ti/f/912450/37299653.1/PDF/-/FAQ\\_ON\\_LINE\\_FINAL\\_April\\_2018\\_AMENDED\\_180523.pdf](https://localplan.gravesham.gov.uk/gf2.ti/f/912450/37299653.1/PDF/-/FAQ_ON_LINE_FINAL_April_2018_AMENDED_180523.pdf)

### **3. Why do we have to have plan for more development?**

*It has been accepted by Government that there is a national housing crisis. Equally it is recognised that the housing supply crisis is complex and has no single cause, but one important prerequisite for solving it is to find enough land for building.*

*At a national level, England lacks a strategic plan to identify the best sites for housing, jobs and key infrastructure and rather national policy is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.*

*Since 1995, policy is for the majority of building to take place on brownfield land, and indeed this is an important and necessary option. But in practice brownfield cannot supply enough land to meet projected housing needs.*

*Our development needs have increased from when the Core Strategy was adopted. The Government requires a Local Plan to aim to meet the objectively assessed development and infrastructure needs of the area, including unmet needs of neighbouring areas where this is consistent with policies in the National Planning Policy Framework as a whole.*

### **30. Why are the Green Belt boundaries being reviewed?**

*The only way that the Green Belt's boundaries can be reviewed by a local authority is through a Local Plan Review such as currently being conducted. The Council committed to undertake a Strategic Green Belt Review as part of the independent examination of the Local Plan Core Strategy in 2014.*

### **31. Is greenfield and/or Green Belt land going to be built on to meet housing need?**

*When the existing development areas, brownfield sites and regeneration sites are taken into account, there is a shortfall of land to accommodate about 2,000 dwellings up to 2028. With only a limited supply of sites available within the urban area and settlements inset from the Green Belt, the Council has to investigate whether some development could be accommodated on greenfield and Green Belt land to make up the shortfall. It should be noted that major development sites within the urban area, such as land at Coldharbour Road, Ebbsfleet (Gravesham), Northfleet Embankment, Canal Basin, Heritage Quarter and North East Gravesend, are all factored into our existing supply.*

*In response to Luddesdown PC's comment that the figures are 'arbitrary', The Government revised its guidance on 'Housing and economic needs assessment' <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments> to accompany the Housing Delivery Test:*

**What is the standard method for assessing local housing need?**

*The National Planning Policy Framework expects strategic policy-making authorities to follow the standard method in this guidance for assessing local housing need.*

*The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.*

*The standard method set out below identifies a minimum annual housing need figure. It does not produce a housing requirement figure.*

**Why are 2014-based household projections used as the baseline for the standard method?**

*The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes.*

**What will the policy of the new council be in regards to the protection of the existing green belt, and how will this impact the current Core Plan Review?****33. Why are you considering building on Green Belt land when national planning policies protect the Green Belt?**

*The NPPF allows for development to take place in the Green Belt in two ways. As explained in the question above, certain forms of development are not inappropriate in Green Belt. National policy also allows development to be approved except in 'very special circumstances'. This is a challenge case to make as 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In both cases no changes are made to Green Belt boundaries and the sites remain in the Green Belt.*

*National policy is that once established, Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of local plans. Whilst there is not a formal definition or standard set of assessment criteria to demonstrate exceptional circumstances, there is an increasing amount of case law as local planning authorities justify why they have determined that exceptional circumstances exist from them to review the boundaries of the Green Belt*

*If the boundary was amended to exclude land from the Green Belt, that land would no longer be covered by Green Belt policies although its development will be subject to other local and national planning policies. This would not be classed as Green Belt development.*

*If we are unable to demonstrate the provision of enough deliverable sites for housing in accordance with national planning policy, it is unlikely that the Inspector will recommend the Site Allocations and Development Management document for adoption. This could lead to ad-hoc decisions being made by third parties and development in the Green Belt being approved on appeal with less suitable sites being brought forward for development.*

**Will GBC still propose to allocate land for 2000 houses in the Green Belt?****31. Is greenfield and/or Green Belt land going to be built on to meet housing need?**

*When the existing development areas, brownfield sites and regeneration sites are taken into account, there is a shortfall of land to accommodate about 2,000 dwellings up to 2028. With only a limited supply of sites available within the urban area and settlements inset from the Green Belt, the Council has to investigate whether some development could be accommodated on greenfield and Green Belt land to make up the shortfall. It should be noted that major development sites within the urban area, such as land at Coldharbour Road, Ebbsfleet (Gravesham), Northfleet Embankment, Canal Basin, Heritage Quarter and North East Gravesend, are all factored into our existing supply.*

**Could you also clarify points debated during the election:**

- 1. What is the actual figure for social housing (council houses) to be built in the current plan?**
  - 2. What is the loss (number of council houses demolished) to achieve this number?**
- 1. *There is not a separate figure for social housing included within the Local Plan Core Strategy 2014 (LPCS).***

*The LPCS housing need is based upon ensuring the needs of all households are met through the planning and delivery of sufficient number of dwellings during the plan period, as set out previously. The amount of affordable housing needed during the plan period forms a component of this overall requirement.*

*The majority of affordable housing provision is provided via market housing developments. Policy CS16: Affordable Housing advises:*

*The provision of affordable housing will be required on all new housing developments of: 15 dwellings or more or on sites of 0.5 hectares or more in the urban area; and 3 units or more or on sites of 0.1 hectares or more in the rural area.*

*The amount of affordable housing to be provided by private housing development sites above the threshold will be 30% in the urban area and 35% in the rural area.*

*The Council will seek an affordable housing mix of 70% affordable rented and social rented accommodation and 30% intermediate housing.*

- 2. As explained above there is no separate figure.*

*Housing need is measured as 'net additions' so any demolitions (private, housing association or social) are detracted from the amount of dwellings delivered. The losses are counted when the demolitions occur which can be in a different year to the completion of new units.*

## **Fly Tipping**

**Please give an update on the progress made by GBC in prosecuting fly tippers.**

- How many incidents of fly tipping have been reported in the Borough?**

*Please see below the number of reported incidents of flytipping for Gravesham in 2018/19.*

Month	Recorded Incidents
	<b>2018/19</b>
April	179
May	239
June	230
July	230
August	224
September	237
October	121
November	166

December	175
January	122
February	175
March	142
<b>TOTAL</b>	<b>2,240</b>
<b>Cost*</b>	<b>£146,080</b>
<b>Successful prosecutions inc FPN</b>	<b>18</b>

- **How many have been attended by GBC?**

*GBC will have attended all the flytipping incidents detailed in the table above.*

- **How many fly tippers have been prosecuted since the last meeting?**

*There have been no prosecutions since the last meeting in March 2019 however there have been a number of investigations which have concluded without success due to a lack of evidence or issues such as cloned number plates.*

*There are a number of ongoing investigations, however due investigations still being ongoing I am unable to provide more details these.*

- **What steps have GBC taken so that we can all work together on this problem?**

*The Council has provided information and artwork on the SCRAP and No More Litter campaigns so parishes can publicise these through their village websites and magazines/newsletters*

*We work hard with the parishes to follow up on any evidence that is found amongst flytipping and where possible facilitate the quick removal of flytipping.*

*Working with KCC looking into the incidents of flytipping on the public highway and trying to trace the culprits.*

- **What availability of surveillance cameras can GBC make available to the parishes for black spot monitoring?**

*The Council does not currently have any surveillance cameras available for parishes to monitor black spots*

- **What has happened to the SCRAP campaign?**

*The SCRAP campaign was publicised during autumn 2018 and is planned to be used again later in the year. This was publicised both locally and then as part of a County Wide Campaign*

- **Can we have fliers or artwork to promote it?**

*In January 2019 the No More Litter and SCRAP campaign artwork was sent to Parish Councils to use within their parish publications.*

## **25. Items received by Higham Parish Council**

No items were received by Higham Parish Council.

## **26. Items received by Shorne Parish Council**

### **Charges for Parish Council Elections**

**At the previous meeting on 20<sup>th</sup> March 2019, the Parish Chairs raised concerns about the amount Gravesham Borough Council proposes to charge for administering Parish Council elections. It was considered that the amount proposed was disproportionate to the additional costs incurred.**

The Chief Executive highlighted the following:

- The Council never used to charge Parishes for their elections and Gravesham was one of the few remaining Councils that didn't charge for Parish Elections in the Country
- The charges had to be implemented to the Parishes due to the amount of funding the Council had slashed and the huge surge in requests for postal votes which was far more costly than going to the polls
- The cost to each Parish Council was very modest and it was agreed that each Parish Council may defer the payment to the following year so that it could be paid from the following years precepts
- The bills for each Parish Council will be sent out shortly and all the costs were known except for the ward that was contested in Cobham:
  - Higham - £392.77
  - Luddesdown - £56.11
  - Vigo – £224.44
  - Cobham (in the uncontested ward) - £112.22
  - Meopham – Each ward cost £224.44, totalling £673.32
  - Shorne - £282.55

### **Changes to the Constitution and Membership of the Standards Committee**

**Gravesham Borough Council is in the process of revising its Constitution, including the constitution and membership of the Standards Committee.**

**The Standards Committee is responsible for maintaining high standards of conduct for Members and officers of the Council including, importantly, Parish Councillors. Any cases of misconduct are referred to the Standards Committee.**

**The Committee receives allegations that a Councillor or voting or non-voting co-opted member of the Council of the 6 Parish Councils has breached the relevant Members Code of Conduct and decides whether or not an investigation is to be carried out in relation to those complaints.**

**Annex 3.8 is the protocol which governs the appointment of the Standards Committee. At present, this states:**

**The Standards Committee shall comprise twelve Members from the following categories:**

- 1. Six Members shall be elected Members of Gravesham Borough Council appointed by the Full Council. Not more than one Member of the Cabinet shall be appointed to the Standards Committee.**
- 2. Three Members shall be appointed from the six parish councils within the Gravesham Borough Council area and shall be elected parish councillors.**
- 3. Three members shall be “independent persons” appointed in accordance with the procedures set out in this protocol.**

**This has been deleted in its entirety and has been replaced by:**

**The Standards Committee shall comprise of nine elected Members of Gravesham Borough Council appointed by the Full Council. Not more than one Member of the Cabinet shall be appointed to the Standards Committee.**

**The Protocol also currently states:**

**Appointment of parish representatives**

**The six parish councils will recommend to the Assistant Director (Communities) who they wish to appoint as their representatives on the Standards Committee. They must be serving parish councillors and must not be elected Members of Gravesham Borough Council.**

**The above provision has been deleted in its entirety.**

**It appears that although the Standards Committee may investigate allegations about the conduct of Parish Councillors, and determine what actions to recommend, the Parish Councils are no longer represented or consulted. The Parish Councils have not been notified or consulted on these changes.**

The Head of Legal Shared Services provided the below response:

*Gravesham Borough Council (GBC) and Medway Council (MC) have shared the same Monitoring Officer (MO) since 1<sup>st</sup> April 2017 whereby MC have placed their MO (Perry Holmes) at the disposal of GBC. This came into effect at the same time as the Shared Legal Service, hosted by Medway Council.*

*The MO has tasked the Deputy Monitoring Officer (Jan Guyler, Head of Shared Legal Services) with reviewing and updating GBC's Constitution.*

*One area identified within the Constitution as being out of date and not compliant with legislation was the Terms of Reference for the Standards Committee and the process for dealing with complaints regarding Councillors.*

*The proposed amendments to the Articles of the Constitution relating to these issues were presented to full council on 26 February without debate (as required by GBC's Constitution),*

*and presented again on 16 April where the proposed amendments were debated upon and agreed.*

*The proposed amendments to the Summary & Explanation and Annex 1.2 relating to these issues were approved by full council on 26 February.*

*The amendments were considered necessary by the Monitoring Officer on the basis that the process contained within the Constitution was significantly out of date as it still referred to the Standards Board which was abolished in 2011 by the Localism Act 2011. The membership of the Standards Board was also not compliant with legislation.*

*The MO proposed that GBC's Terms of Reference for the Standards Committee and the process for dealing with complaints be replaced by the process adopted by MC which had been tried and tested, including having been considered by the Local Government Ombudsman with no recommended changes being required to this process. It was also considered that one process would bring efficiencies for the MO working across the two local authorities.*

*In summary, the key changes made to reflect legislative changes were:*

- 1) All references to the Standards Board were deleted as this organisation is no longer in existence and clarifies that instead complaints should be made to the Standards Committee and addressed in the first instance to the MO;*
- 2) Investigations into Councillor's conduct are now undertaken by Independent Investigators rather than the MO or the Standards Committee;*
- 3) The role of the Independent Person (as provided by statute) has changed to an advisory role rather than being appointed to the Committee;*
- 4) The Standards Committee instead of the MO will assess complaints and decide whether or not an investigation is required;*
- 5) There is no need for a panel of members to be drawn from the committee and instead the full committee will assess the complaints;*
- 6) There is no statutory requirement to appoint Parish councillors to the committee;*
- 7) The proposed amendments mirror MC's process and policies for dealing with councillor conduct complaints to bring efficiencies;*
- 8) The process for recruiting Independent Persons has been amended to place the responsibility for this on the MO in consultation with the Services Manager (Communities) to mirror MC's process thereby enabling the MO to hold one recruitment round for both local authorities.*

The Head of Shared Legal Services further explained points from her written response regarding Gravesham's decision to reflect the Standards Committee in a similar manner to Medway's Constitution.



The Head of Legal Shared Services informed the Parish Chairmen that Medway had never had any problems with the proposed amendments but if the Parishes still wanted to sit on the Committee as non-voting Members then it could be re-inserted into the wording.

The Chief Executive confirmed to the Parishes that they would only be entitled to sit on the Committee and would have no voting rights.

In response to Luddesdown Parish Chairman comment regarding the laxness of the Code of Conduct and of a recent former Councillors court decision, the Chief Executive advised that the Code of Conduct was very strict and informed all Members how to properly conduct themselves while working for the Council and while in the public. With regard to the Court case, the decision by the magistrate was very minimal and such that only a court could regard it as a conviction; no other body had the power to view it as a conviction or use it as a fireable offence, including the Council.

The Meopham Parish Chairman questioned the due process after a matter was reported to the Monitoring Officer.

The Head of Shared Legal Shared Services explained that initially the Monitoring Officer would try to resolve the issue amicably between the two parties but if that couldn't be done, it would be referred to the Standards Committee. The Committee would then decide if the case required an investigation due to a breach of conduct and if one was warranted it would be carried out by an independent party. The Standards Committee would only reconvene once the investigation was completed, be given advice and then decide what sanctions were appropriate.

The Chief Executive stated that it was a statutory duty for a Council to have a Standards Committee but it was down to the Council how they carried out it out; Parish Councils are also subject to the ruling of the Standards Committee.

After a short discussion on Parish Membership, it was decided that the Parish Chairmen would go back to their respective Parish Councils and discuss with their Councillor colleagues if they still wanted to remain on the Standards Committee as non-voting Members.

## **27. Items received by Vigo Parish Council**

No items were received from Vigo Parish Council.

### **Close of meeting**

The meeting ended at 7:15pm.