

You are hereby summoned to attend an extraordinary meeting of the

MAIDSTONE BOROUGH COUNCIL



Date: Thursday 16 September 2010

Time: 6.00 p.m.

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Hotson (Mayor), Ash, Barned, Beerling, Mrs Blackmore, Bradshaw, Brindle, Burton, Butler, Chittenden, Daley, English, Field, FitzGerald, Garland, Mrs Gibson, Mrs Gooch, Greer, Harwood, Hinder, Mrs Hinder, Horne, Mrs Joy, Miss Langley, Lusty, Marchant, B Mortimer, D Mortimer, Naghi, Mrs Naghi, Nelson-Gracie, Paine, Parr, Mrs Parvin, Parvin, Paterson, Pickett, Mrs Ring, Mrs Robertson, Robertson, Ross, Sams, Sellar, Sharp, Sherreard, Mrs Smith, Mrs Stockell, Thick, Verrall, Vizzard, Warner, Mrs Wilson, J A Wilson, J E Wilson and Yates

Continued Over/:

Issued on 8 September 2010

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Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

AGENDA

Page No.

1. Apologies for Absence
2. Disclosures by Members and Officers
3. Disclosures of Lobbying
4. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
5. Minutes of the meeting of the Borough Council held on 23 June 2010 1 - 8
6. Mayor's Announcements
7. Petitions
8. Question and Answer Session for Members of the Public
9. Questions from Members of the Council to the
 - (a) Leader of the Council
 - (b) Cabinet Members
 - (c) Chairmen of Overview and Scrutiny Committees
 - (d) Chairmen of other Committees
10. Notice of Motion to be moved by Councillor Daley:-

That pursuant to Section 249 of the Local Government Act 1972, William James Corbin, DFC, in recognition of his eminent service to the Borough, be hereby admitted to be an Honorary Freeman of the Borough of Maidstone.

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 23 JUNE 2010

**Present: Councillor Hotson (The Mayor), and
Councillors Barned, Beerling, Mrs Blackmore,
Bradshaw, Burton, Butler, Chittenden, Daley, English,
Field, FitzGerald, Garland, Mrs Gibson, Greer,
Harwood, Hinder, Mrs Hinder, Horne, Mrs Joy, Lusty,
Marchant, B Mortimer, D Mortimer, Naghi, Mrs Naghi,
Nelson-Gracie, Paine, Parr, Mrs Parvin, Parvin,
Paterson, Mrs Ring, Mrs Robertson, Robertson, Sams,
Sellar, Sharp, Sherreard, Mrs Smith, Mrs Stockell,
Thick, Verrall, Vizzard, Mrs Wilson, J A Wilson,
J E Wilson and Yates**

20. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ash, Brindle, Mrs Gooch, Miss Langley, Pickett and Warner.

21. DISCLOSURES BY MEMBERS AND OFFICERS

On behalf of all Members present, the Mayor disclosed a personal interest in the oral report of the Standards Committee relating to the Members' Allowances Scheme.

Councillor English disclosed a personal interest in the oral report of the Standards Committee relating to Parish Council representation on the Committee. He stated that he was the Secretary to the Maidstone Area Committee of the Kent Association of Local Councils which nominated the Parish Councillors to serve on the Standards Committee.

22. DISCLOSURES OF LOBBYING

The Mayor stated that he had been lobbied by the organiser of the petition objecting to the proposed removal of the London Plane tree located outside the Town Hall as part of the High Street redevelopment scheme.

23. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed.

24. MINUTES

RESOLVED: That the Minutes of the Annual Meeting of the Borough Council held on 19 May 2010 be approved as a correct record and signed.

25. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:-

- He had been asked by Mr Michael Webb to thank those Councillors who had attended the funeral of his wife, Mrs Cynthia Webb, a former Member of the Borough Council.
- He had written to Mr Mike Stevens, the Clerk to Linton Parish Council, congratulating him on being awarded the MBE in the Queen's Birthday Honours List for his voluntary service to education as Chairman of the Governors at Oakwood Park Grammar School.

26. PETITIONS

Mr Ainsley Francis presented a petition calling upon the Council to exclude the removal of the tree located outside the Town Hall from the High Street redevelopment plans.

RESOLVED: That the petition be referred to the Cabinet Member for Regeneration for consideration.

27. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

28. QUESTIONS FROM MEMBERS OF THE COUNCIL

Questions to the Leader of the Council

Councillor Horne asked a question and a supplementary question of the Leader of the Council.

The Leader of the Council responded to these questions.

Questions to Cabinet Members

Councillor Marchant asked a question and a supplementary question of the Cabinet Member for Corporate Services.

The Cabinet Member for Corporate Services responded to the original question and indicated that she would reply direct to Councillor Marchant on the issues raised in his supplementary question.

Questions to the Chairmen of other Committees

Councillor Sams asked a question of the Chairman of the Planning Committee.

The Chairman of the Planning Committee responded to this question.

29. CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL AND RESPONSE OF THE GROUP LEADERS

The Leader of the Council submitted his report on current issues.

After the Leader of the Council had submitted his report, Councillor Mrs Wilson, the Leader of the Opposition, and Councillor FitzGerald, the Leader of the Independent Group, responded to the issues raised.

The Leader of the Council then responded to the points raised by Councillors Mrs Wilson and FitzGerald.

30. REPORT OF THE CABINET HELD ON 20 MAY 2010 - ASSET MANAGEMENT PLAN 2010-13

It was moved by Councillor Garland, seconded by Councillor Greer, that the recommendation of the Cabinet relating to the Asset Management Plan 2010-13 be approved.

RESOLVED: That the Asset Management Plan 2010-13, attached as Appendix A to the Record of Recommendation of the Cabinet, be adopted.

31. REPORT OF THE AUDIT COMMITTEE HELD ON 7 JUNE 2010 - INDEPENDENT MEMBER OF AUDIT COMMITTEE

It was moved by Councillor Horne, seconded by Councillor Nelson-Gracie, that the recommendation of the Audit Committee relating to the appointment of a non-voting Independent Member of the Committee be approved.

RESOLVED: That the following process be adopted for the appointment of a non-voting Independent Member of the Audit Committee:-

- Advertise in appropriate local media and forward details to all partner agencies for expressions of interest in the role.
- Supply the role description and person specification to all respondents, with a request to return a Curriculum Vitae (CV) if they remain interested.
- Review CVs and select candidates who meet the person specification.
- Select the appropriate candidate at a formal interview.

The advertisement and the interaction with interested candidates, supplying the role description and person specification and receiving CVs will be completed by Officers.

The review of CVs will be strictly in accordance with best match to the person specification and will be carried out by the Chairman and a

selected Member of the Audit Committee and the Director of Regeneration and Communities.

The interview and selection of the appropriate candidate will be by the Audit Committee or representative Members of the Committee.

32. ORAL REPORT OF THE STANDARDS COMMITTEE HELD ON 16 JUNE 2010 - MEMBERS' ALLOWANCES SCHEME

It was moved by Councillor Parvin, seconded by Councillor Marchant, that the recommendation of the Standards Committee relating to the proposed amendment of the Members' Allowances Scheme be approved.

RESOLVED: That subject to it being made clear that the Members' Allowances Scheme also applies to Co-opted Members when acting on the relevant Committee's business, agreement be given to the amendment of the Scheme by the deletion of paragraph 10 and the insertion of the following:-

Subsistence Allowance

Councillors are entitled to claim a subsistence allowance when, in attending meetings which relate to functions of the Council or in relation to a Cabinet portfolio, they are kept away from their normal place of residence for significant periods of time at certain times of day. These times and the amount Councillors are entitled to claim are detailed in the table below.

SUBSISTENCE ALLOWANCE		
<i>Allowance Type</i>	<i>Allowance</i>	<i>Period</i>
Breakfast	£5.37	More than 5 hours away from normal place of residence before 11.00am
Lunch	£7.70	More than 5 hours away from normal place of residence, including the lunchtime between 12.00 noon and 2.00pm
Tea	£3.04	More than 5 hours away from normal place of residence, including the period 3.00pm to 6.00pm
Dinner	£9.53	More than 5 hours away from normal place of residence ending after 7.00pm

If Councillors are attending a meeting or function where a meal is provided for them they are not entitled to claim a subsistence allowance (e.g. Council meeting).

If any of the above meals are purchased on a train when travelling to or from an approved duty, Councillors can claim the actual cost of the meal (up to a maximum of the subsistence outlined above) provided they submit a receipt with the Allowance Application Form.

If a Councillor attends an approved Conference which includes an overnight stay away from his/her usual place of residence the Councillor can claim the cost of an evening meal up to a maximum of £20 per head provided they submit a receipt with the Allowance Application Form.

(Changes highlighted in bold)

The Standards Committee has, in accordance with Article 15.02 (a) of the Constitution, evaluated the proposed change to the Members' Allowances Scheme and believes that it should be implemented to achieve the savings required and to remedy a situation where Members could find themselves significantly out of pocket when engaged on Council business.

33. ORAL REPORT OF THE STANDARDS COMMITTEE HELD ON 16 JUNE 2010 - PARISH COUNCIL REPRESENTATIVES ON THE STANDARDS COMMITTEE

It was moved by Councillor Parvin, seconded by Councillor Marchant, that the recommendations of the Standards Committee relating to Parish Council representation on the Committee be approved.

RESOLVED:

1. That the number of Parish Council representatives on the Standards Committee be increased to four.
2. That the Constitution be amended accordingly.

The Standards Committee has, in accordance with Article 15.02 (a) of the Constitution, evaluated this proposed amendment to the Constitution and believes that its implementation will help to ensure that the aims and principles of the Constitution are given full effect by providing further capacity to enable the Standards Sub-Committees to undertake their functions effectively.

34. ORAL REPORT OF THE AUDIT COMMITTEE HELD ON 21 JUNE 2010 - TREASURY MANAGEMENT PERFORMANCE 2009/10

It was moved by Councillor Horne, seconded by Councillor Mrs Wilson, that the recommendation of the Audit Committee relating to amended Prudential and Treasury Management Indicators 2010/11-2011/12 be approved.

RESOLVED: That in light of the agreed accounting treatment of the Leisure Centre redevelopment work, the amended Prudential and Treasury Management Indicators 2010/11-2011/12, attached as an Appendix to these Minutes, be approved.

35. NOTICE OF MOTION - HONORARY FREEDOM OF THE BOROUGH - FLIGHT LIEUTENANT WILLIAM JAMES CORBIN, DFC

It was moved by Councillor Daley, seconded by Councillor Garland, that the following motion be adopted by the Council:-

1. That this Council recognises the debt of gratitude that it owes to those men of Fighter Command of the Royal Air Force who flew in the Battle of Britain, represented by Flight Lieutenant William James Corbin, DFC who was born in this town;
2. That agreement be given in principle that pursuant to Section 249 of the Local Government Act 1972, William James Corbin, DFC, in recognition of the eminent services rendered to this Borough by him, be admitted to be an Honorary Freeman of the Borough of Maidstone; and
3. That an extraordinary meeting of the Council be convened to resolve the same accordingly.

With the agreement of his seconder, and the remainder of the Council, Councillor Daley amended the first paragraph of his motion to read:-

That this Council recognises the debt of gratitude that it owes to all those men of the Royal Air Force who flew in the Battle of Britain, represented by Flight Lieutenant William James Corbin, DFC who was born in this town;

The motion as amended was then put to the vote.

RESOLVED:

1. That this Council recognises the debt of gratitude that it owes to all those men of the Royal Air Force who flew in the Battle of Britain, represented by Flight Lieutenant William James Corbin, DFC who was born in this town;
2. That agreement be given in principle that pursuant to Section 249 of the Local Government Act 1972, William James Corbin, DFC, in recognition of the eminent services rendered to this Borough by him, be admitted to be an Honorary Freeman of the Borough of Maidstone; and
3. That an extraordinary meeting of the Council be convened to resolve the same accordingly.

36. DURATION OF MEETING

6.30 p.m. to 7.45 p.m.

TREASURY MANAGEMENT STRATEGY 2010/11 - 2011/12

PRUDENTIAL INDICATORS

Ratio of Financing Costs to Net Revenue Stream (1)

2009/10 %	2010/11 %	2011/12 %	2012/13 %
-3.4	-1.8	-0.9	-1.3

This indicator shows the proportion of the net revenue stream (revenue budget) that is attributable to financing costs of capital expenditure. Borrowing will be needed to fund the current Capital Programme in 2011/12 and additional borrowing in 2012/13.

Ratio of Financing Costs to Net Revenue Stream (2)

2009/10 %	2010/11 %	2011/12 %	2012/13 %
-3.4	-1.1	-0.7	-1.5

This indicator assumes borrowing in 2010/11.

Current Financial Plan

2009/10 £,000	2010/11 £,000	2011/12 £,000	2012/13 £,000
14,178	9,216	8,837	4,130

This is the estimate of capital expenditure taken from the Corporate Revenue and Capital Budget 2009/10 Onwards .

Capital Financing Requirement

2009/10 £,000	2010/11 £,000	2011/12 £,000	2012/13 £,000
0	0	1,826	1,771

This indicator measures the underlying need to borrow for capital purposes.

TREASURY MANAGEMENT INDICATORS

Authorised Limit for External Debt

	2009/10 £,000	2010/11 £,000	2011/12 £,000	2012/13 £,000
Borrowing	4,000	8,000	8,000	8,000
Other Long Term Liabilities	6,736	6,312	5,823	5,428
Total	10,736	14,312	13,823	13,428

This limit is the main limit set as a maximum for external borrowing. It fulfils the requirements under section 3 of the Local Government Act 2003. Assumes borrowing in 2011/12 and 2012/13

TREASURY MANAGEMENT STRATEGY 2010/11 - 2011/12

Operational Boundary

	2009/10 £,000	2010/11 £,000	2011/12 £,000	2012/13 £,000
Borrowing	0	4,000	4,000	4,000
Other Long Term Liabilities	6,736	6,312	5,823	5,428
Total	6,736	10,312	9,823	9,428

This limit should be the focus of day to day treasury management. It is similar to the Authorised Limit but excludes the allowance for temporary cash flow borrowing as perceived as not necessary on a day to day basis.

Upper Limit for Fixed Interest Rate Exposure

2009/10 %	2010/11 %	2011/12 %	2012/13 %
100	100	100	100

This is the maximum amount of net borrowing and investment that can be at a fixed rate. Due to the nature of the Council's cashflows it is likely that this limit will only be approached towards the end of the financial year when there are less surplus funds available for short term investment.

Upper Limit for Variable Interest Rate Exposure

2009/10 %	2010/11 %	2011/12 %	2012/13 %
100	100	100	100

This is the maximum amount of net borrowing and investment that can be at a variable rate. The limit set reflects the fact that during the year there can be excess surplus funds available for short term investment. These arise from timing differences between receipts received and payments made.

Maturity Structure of New Fixed Rate Borrowing during 2009/10

	Upper Limit %	Lower Limit %
Under 12 months	100	0
12 months to under 24 months	100	0
24 months to under 5 years	100	0
5 years to under 10 years	100	0
10 years and over	100	0

It is may be necessary to borrow that at fixed term rates during 2010/11. This will be monitored as the year progresses and a decision will then be made.

Principal Invested for more than 364 Days

2009/10 %	2010/11 %	2011/12 %	2012/13 %
0	20	20	20

This indicator is set to reflect current advice from our Treasury Management Advisors.

Actual External Debt for 2009/10

	2009/10 £,000
Actual Borrowing	0
Other Long Term Liabilities	100
Total	100