

You are hereby summoned to attend a meeting of the

## MAIDSTONE BOROUGH COUNCIL



Date: Wednesday 14 December 2011

Time: 6.30 p.m.

Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors B Mortimer (The Mayor), Ash, Barned, Beerling, Black, Mrs Blackmore, Brindle, Burton, Butler, Chittenden, Collins, Cox, Cuming, Daley, English, Field, FitzGerald, Garland, Mrs Gibson, Mrs Gooch, Greer, Ms Griffin, Mrs Grigg, Harwood, Hinder, Mrs Hinder, Hogg, Hotson, Mrs Joy, Lusty, D Mortimer, Naghi, Nelson-Gracie, Newton, Paine, Parvin, Mrs Parvin, Paterson, Pickett, Mrs Ring, Robertson, Mrs Robertson, Ross, Sams, Sharp, Springett, Mrs Stockell, Thick, Verrall, Vizzard, Warner, de Wiggondene, J.A. Wilson, Mrs Wilson and Yates

Continued Over/:

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**Issued on 6 December 2011**

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*Alison Broom*

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

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 21 September 2011	1 - 7
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.	Current Issues - Report of the Leader of the Council and Response of the Group Leaders	
11.	Report of the Audit Committee held on 19 September 2011 - Amendment of the Contract Procedure Rules	8 - 33
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## **MAIDSTONE BOROUGH COUNCIL**

### **MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 21 SEPTEMBER 2011**

**Present:** Councillor B Mortimer (The Mayor), and  
Councillors Ash, Barned, Beerling, Black, Brindle,  
Burton, Butler, Chittenden, Collins, Cox, Cuming,  
Daley, English, Field, FitzGerald, Garland, Mrs Gibson,  
Mrs Gooch, Greer, Ms Griffin, Mrs Grigg, Harwood,  
Hinder, Hogg, Hotson, Mrs Joy, Lusty, D Mortimer,  
Nelson-Gracie, Newton, Paine, Parvin, Mrs Parvin,  
Paterson, Mrs Ring, Robertson, Mrs Robertson, Sams,  
Sharp, Springett, Mrs Stockell, Thick, Vizzard,  
Warner, de Wiggondene, J A Wilson and Yates

34. MR GORDON BONNER

The Council stood in silence for one minute in memory of Mr Gordon Bonner, a former Mayor of the Borough, who died in July 2011.

35. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Mrs Blackmore, Mrs Hinder, Naghi, Pickett and Mrs Wilson.

36. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Barned disclosed a personal interest in the report of the Cabinet relating to the draft Housing Strategy 2011/12 - 2014/15 by virtue of being the Vice-Chairman of the Board of Golding Homes, the Chairman of Golding Homes Vision and an employee of the Hyde Housing Association.

The Mayor and Councillors Ash, Burton, Cuming, English, Mrs Gibson, Mrs Gooch, Harwood, Hinder, D Mortimer, Nelson-Gracie, Sams and J A Wilson disclosed personal interests in the question to be asked of the Cabinet Member for Community and Leisure Services relating to concurrent functions by virtue of being Parish Councillors.

During the discussion on the report of the Standards Committee relating to self regulation following the abolition of the Standards regime, Councillor Daley disclosed a personal interest by virtue of being a Member of Kent County Council's Standards Committee. Councillor English also disclosed a personal interest in the report as he was the Secretary to the Maidstone Area Committee of the Kent Association of Local Councils and had prepared that Committee's response to the consultation on what local Parish Councils wished to see happen in the future.

37. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

38. EXEMPT ITEMS

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

39. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 22 JUNE 2011

RESOLVED: That the Minutes of the meeting of the Borough Council held on 22 June 2011 be approved as a correct record and signed.

40. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:-

- Both he and the Deputy Mayor had been very busy during the summer.
- Sculptor Mary Cox had been commissioned to cast a life-size bronze statue of an engineer from the 36 Engineer Regiment to be paid for by public subscription and placed in Brenchley Gardens. An appeal had been launched to raise the sum of £35,000 needed to pay for the statue. He would like to take the opportunity to urge all Members to make a donation to the 36 Engineer Statue Appeal.

41. PETITIONS

Mr Jonathan Gershon presented a petition in the following terms:-

We the undersigned call upon Maidstone Borough Council to maintain and secure the beauty, tranquillity and rural character of the unique areas of Wierton, Chart Sutton, Boughton Monchelsea and the Greensand Ridge. In order to halt the destruction of the rural landscape, we demand that:-

1. The Greensand Ridge and the Greensand Way are protected from development. That the access to and rural nature of the walk, and views across and from the Weald are maintained.
2. Any planning development is in keeping with the open countryside.
3. Any development at Wierton Place is in keeping with the scale, appearance and character of the Grade 2 designation, involves the restoration of the Manor House and Greenhouse and is restricted to those buildings currently used as residential.
4. Maidstone Borough Council co-ordinate with Kent County Council and other agencies to act swiftly to enforce established planning policies in dealing with all unlawful developments.

RESOLVED: That the petition be referred to the Cabinet (to be considered as a representation on the Core Strategy), the Planning Committee (in so far as it relates to “live” planning applications and enforcement generally) and the Regeneration and Economic Development Overview and Scrutiny Committee (to consider the policy implications and make recommendations to the Cabinet as appropriate).

42. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Questions to the Leader of the Council

Mr Stuart Jeffery asked a question of the Leader of the Council.

The Leader of the Council responded to the question.

Councillor Harwood, on behalf of the Leader of the Opposition, and Councillor FitzGerald, the Leader of the Independent Group, then responded to the question.

Mr Robin Kinrade asked a question of the Leader of the Council.

The Leader of the Council responded to the question.

Councillor English, on behalf of the Leader of the Opposition, and Councillor FitzGerald, the Leader of the Independent Group, then responded to the question.

43. QUESTIONS FROM MEMBERS OF THE COUNCIL

Questions to the Leader of the Council

Councillor Hinder 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 FitzGerald asked a question and a supplementary question of the Cabinet Member for Community and Leisure Services.

The Cabinet Member for Community and Leisure Services responded to these questions.

Councillor Paine asked a question of the Cabinet Member for Economic Development and Transport.

The Cabinet Member for Economic Development and Transport responded to this question.

Councillor FitzGerald asked a question and a supplementary question of the Cabinet Member for Environment.

The Cabinet Member for Environment responded to these questions.

44. 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 Harwood, on behalf of 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 Harwood and FitzGerald.

45. REPORT OF THE CABINET HELD ON 13 JULY 2011 - DRAFT HOUSING STRATEGY 2011/12 - 2014/15

It was moved by Councillor Garland, seconded by Councillor J A Wilson, that the recommendations of the Cabinet relating to the draft Housing Strategy 2011/12 – 2014/15 be approved.

RESOLVED:

1. That the draft Housing Strategy 2011/12 – 2014/15, attached as an Appendix to the report of the Cabinet, be approved for public consultation.
2. That the Cabinet Member for Community and Leisure Services and the Head of Housing and Community Safety be given delegated authority to amend the Strategy as required following the consultation exercise.

46. REPORT OF THE STANDARDS COMMITTEE HELD ON 25 AUGUST 2011 - SELF REGULATION FOLLOWING ABOLITION OF THE STANDARDS REGIME

Mrs Dorothy Phillips, the Chairman of the Standards Committee, presented the Committee's report relating to self regulation following the abolition of the Standards regime.

It was moved by Councillor Parvin, seconded by Councillor English, that the recommendations of the Standards Committee relating to self regulation following the abolition of the Standards regime be approved.

RESOLVED:

1. That following the abolition of Standards for England, the Model Code of Conduct and statutory Standards Committees:-
  - a) There should continue to be a Code of Conduct adopted by the Council to guide Members as to the standard of behaviour expected of them.

- b) There should continue to be a Standards Committee comprising Borough, Parish and Independent Members to meet on an ad hoc basis as and when complaints are received or guidance sought from the Council on ethical issues.
  - c) The chairmanship of the new Standards Committee should be open to Borough, Parish and Independent Members, and not restricted to the Independent Members as at present.
  - d) Parish Councils should be offered a service in relation to any future standards regime, but the issue of payment be deferred for consideration at a later date.
2. That the Chairman of the Standards Committee and the Monitoring Officer be requested to report back to the Committee on 30 November 2011 (and subsequently to Council) with detailed proposals based on the above.

47. REPORT OF THE STANDARDS COMMITTEE HELD ON 25 AUGUST 2011 - REQUEST FOR CABINET QUORUM TO BE REDUCED FROM FOUR TO THREE

It was moved by Councillor Parvin, seconded by Councillor Mrs Stockell, that the recommendation of the Standards Committee relating to the proposed reduction in the quorum for meetings of the Cabinet be approved.

RESOLVED:

- 1. That the quorum for meetings of the Cabinet be reduced from four to three and that the Constitution be amended accordingly.
- 2. That it be noted that the Standards Committee has, in accordance with Article 15.02(a) of the Constitution, evaluated the change 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 putting in place arrangements to enable business to be transacted in the event of two Cabinet Members being unable to attend a Cabinet meeting, thus enabling decisions to be taken efficiently and effectively.

48. REPORT OF THE GENERAL PURPOSES GROUP HELD ON 8 SEPTEMBER 2011 - APPOINTMENT OF INDEPENDENT MEMBER TO THE JOINT INDEPENDENT REMUNERATION PANEL

It was moved by Councillor Chittenden, seconded by Councillor Thick, that the recommendation of the General Purposes Group relating to the term of office of Independent Members of the Joint Independent Remuneration Panel be approved.

RESOLVED: That Independent Members of the Joint Independent Remuneration Panel be restricted to two consecutive 3 year terms of office

in order to maintain their independence and to comply with the Council's corporate governance guidelines.

49. ORAL REPORT OF THE CABINET HELD ON 14 SEPTEMBER 2011

It was noted that there was no report from the Cabinet on this occasion.

50. ORAL REPORT OF THE AUDIT COMMITTEE HELD ON 19 SEPTEMBER 2011

It was noted that there was no report from the Audit Committee on this occasion.

51. NOTICE OF MOTION - ASTOR OF HEVER SCHOOL

It was moved by Councillor Paine, seconded by Councillor Vizzard, and:-

RESOLVED:

That Maidstone Borough Council thanks the staff, students, parents and governors of Astor of Hever School for their hard work in recent years, culminating in a superb Ofsted result, making Astor of Hever one of the most improved schools in the country. Special thanks are given to Executive Head Vanessa Everett and Headteachers Julia Campbell and Richard Meredith for their outstanding leadership throughout this period.

That Maidstone Borough Council congratulates Woodard Schools for their successful reopening of Astor of Hever as the new St Augustine Academy and wishes them well.

That Maidstone Borough Council invites a delegation from St Augustine Academy for a tour of the Town Hall for civic purposes, and to receive its vote of thanks at the next full Council meeting.

52. REPORT OF THE CORPORATE PROJECTS AND OVERVIEW AND SCRUTINY MANAGER - OVERVIEW AND SCRUTINY ANNUAL REPORT 2010 - 11

It was moved by Councillor Mrs Gooch, seconded by Councillor Mrs Stockell, that the Overview and Scrutiny Annual Report 2010/11 be noted.

RESOLVED: That the Overview and Scrutiny Annual Report 2010/11 be noted.

53. REPORT OF THE HEAD OF DEMOCRATIC SERVICES - COMMITTEE MEMBERSHIP

It was moved by the Mayor, seconded by Councillor Garland, that the recommendations contained in the report of the Head of Democratic Services relating to the membership of Committees be approved.

RESOLVED: That the wishes of the Leaders of the Conservative and Liberal Democrat Groups with regard to the membership of Committees, as set out in the report of the Head of Democratic Services, be approved.



54. REPORT OF THE HEAD OF DEMOCRATIC SERVICES - URGENT DECISIONS  
TAKEN BY THE EXECUTIVE

The Mayor announced that this report was for information only.

55. FOR THE GOOD OF THIS TOWN:THE JURATS OF MAIDSTONE 1549-1660  
BY JUDY BUCKLEY

The Mayor announced that Lady Buckley wished to present complimentary copies of her book about the Maidstone Jurats (Aldermen) 1549-1660 to all Councillors.

RESOLVED: That the Mayor should write to Lady Buckley thanking her for the books.

56. DURATION OF MEETING

6.30 p.m. to 8.05 p.m.

# Agenda Item 11

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**14 DECEMBER 2011**

#### **REPORT OF THE AUDIT COMMITTEE HELD ON 19 SEPTEMBER 2011**

##### **1. AMENDMENT OF THE CONTRACT PROCEDURE RULES**

**1.1** The Audit Committee, at its meeting held on 19 September 2011, considered a report by the Assistant Director of Environment and Regulatory Services setting out suggested amendments to the Contract Procedure Rules arising out of changes to UK legislation, a review of purchasing procedures for the acquisition of Council materials, services and works, and an update of related guidance documentation. A copy of the report is attached.

**1.2** It was noted that:-

- There was a clause within the Contract Procedure Rules stating that the Rules should be reviewed and updated on a regular basis. A Working Group comprising representatives of the Property and Procurement Team, the Head of Audit Partnership, the Head of Finance and Customer Services, the Head of Democratic Services and the Head of Legal Services had been established and a comprehensive review had now taken place. The findings of the review showed that the financial thresholds for the receipt of quotations and tenders established two years ago were consistent with those of the majority of other Borough and District Councils in Kent. It was recommended that the Council's financial spend should continue to be monitored for anomalies and adverse trends by the Procurement Team and that the existing financial thresholds be maintained at current levels subject to a further review in two years' time.
- Amendments were proposed to the purchasing procedures within the Council's Purchasing Guide arising from recent changes to the Council's senior management structure and delegated responsibilities.
- The opportunity had also been taken to correct ambiguities and other drafting irregularities within the Contract Procedure Rules and associated guidance documents.

**1.3** The Committee asked a number of questions of the Officers relating to, inter alia, the minimum requirements in relation to contract

documentation; the threshold for the recording of contracts in the Council's Contract Register and the process in the event of amendments being made to the value of a contract which might push it beyond that threshold; the scheme of delegation in respect of Council purchasing; the acceptability of only one written quote in advance being required for the provision of works, supplies and services up to the value of £10,000; and the involvement of Internal Audit in the review of the Contract Procedure Rules.

**1.4** Having considered the replies to its questions, the Committee:-

**RESOLVED:**

1. **To RECOMMEND to the COUNCIL:** That the Contract Procedure Rules within the Constitution be amended in accordance with the proposed wording set out in Appendix A to the report of the Assistant Director of Environment and Regulatory Services.
2. That subject to a further review in two years' time, the existing financial thresholds for the purpose of obtaining the appropriate number of quotations and tenders for the provision of Council required materials, services and works be maintained at the existing levels.
3. That appropriate amendments be made to the commentary and advice for Officers contained within the Council's Purchasing Guide.
4. That the Standards Committee be requested to evaluate the proposed amendments to the Contract Procedure Rules prior to them being considered by the Council.

**1.5 RECOMMENDED: That the Contract Procedure Rules within the Constitution be amended in accordance with the proposed wording set out in Appendix A to the report of the Assistant Director of Environment and Regulatory Services.**

**EVALUATION OF THE STANDARDS COMMITTEE**

The Standards Committee has, in accordance with Article 15.02(a) of the Constitution, evaluated the proposed amendments to the Contract Procedure Rules within the Constitution, and has no comments to make.

**MAIDSTONE BOROUGH COUNCIL**

**AUDIT COMMITTEE**

**19<sup>th</sup> SEPTEMBER 2011**

**REPORT OF ASSISTANT DIRECTOR OF ENVIRONMENT AND  
REGULATORY SERVICES**

**Report prepared by Stephen Trigg**

**1. AMENDMENT OF THE CONTRACT PROCEDURE RULES**

**1.1 Issue for Decision**

1.1.1 To consider amendments to the Contract Procedure Rules arising out of changes to UK legislation, a review of purchasing procedures for the acquisition of Council materials, services and works and an update of related guidance documentation.

**1.2 Recommendation of the Assistant Director of Environment and Regulatory Services.**

1.2.1 That the Audit Committee recommend to the Council that the Contract Procedure Rules within the Councils Constitution are amended in accordance with the proposed wording detailed within Appendix A attached to this report.

1.2.2 That subject to further review in 2 years time, existing financial thresholds for the purpose of obtaining the appropriate number of quotations and tenders for the provision of Council required materials, services and works are retained at the existing levels.

1.2.3 That appropriate amendments are made to the commentary and advice for Council officers contained within the Councils Purchasing Guide.

1.2.4 That the Audit Committee request that the Standards Committee evaluate the proposed changes to the Contract Procedure Rules prior to consideration by the Council.

**1.3 Reasons for Recommendation**

- 1.3.1 The contract procedure rules state that they should be reviewed and updated on a regular basis.
- 1.3.2 The Audit Committee has previously been advised that a review was underway. A working group consisting of representatives of Property and Procurement, the Head of the Audit Partnership, Head of Finance and Customer Services, Head of Democratic Services and Head of Legal Services was established and a comprehensive review has now taken place. The findings showed that the financial thresholds for receipt of quotations and tenders established two years ago are consistent with the majority of the borough and district councils in Kent. The Council's financial spend should continue to be reviewed for anomalies and adverse trends by the Procurement team and that the existing financial thresholds are maintained at the current levels subject to a further review in 2 years time.
- 1.3.3 Recent changes to the Council's senior management require the updating of purchasing procedures contained within the Council's Purchasing guide. The proposed amendments have also been agreed by the working group mentioned above.
- 1.3.4 The opportunity was also taken to correct ambiguities and other drafting irregularities that existed within the Contract Procedure Rules and associated guidance documents.

#### **1.4 Alternative Action and why not Recommended**

- 1.4.1 The Contract Procedure Rules and associated guidance documentation could remain unchanged. This would however serve no useful purpose. Leaving out of date content within the constitution is misleading, changes within the law of the United Kingdom in respect of acts of bribery, as well as reorganisation of the Councils management structure and delegated responsibilities require the Councils documents and procedures to be kept up to date and relevant.

#### **1.5 Impact on Corporate Objectives**

- 1.5.1 The recommendation supports a key value of the Council to maintain integrity and high standards of corporate governance.

#### **1.6 Risk Management**

- 1.6.1 There are potential risks with officers not complying with the revisions to the purchasing processes. This will be mitigated by a series of information updates, training where appropriate and the issue of the revised and updated Purchasing guide for officers.

**1.7 Other Implications**

1.7.1

- 1. Financial
- 2. Staffing
- 3. Legal
- 4. Equality Impact Needs Assessment
- 5. Environmental/Sustainable Development
- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management

X
X

1.7.2 Legal - If the recommendations are accepted the Constitution will require amendment.

1.7.3 Procurement – The Purchasing Guide for officers will be amended in accordance with the agreed revisions to the Contract procedure Rules.

**1.8 Relevant Documents**

1.8.1 Appendices

Appendix A attached.

1.8.2 Background Documents

The Constitution, and the Purchasing Guide for Officers.

**IS THIS A KEY DECISION REPORT?**

Yes

No X

If yes, when did it first appear in the Forward Plan?

.....

This is a Key Decision because: .....

.....

Wards/Parishes affected: .....

.....

1 Introduction – Purpose of the Contract Standing Orders	
Current Section 1	Proposed Section 1
<p><b>1 Introduction – Purpose of the Contract Standing Orders</b></p> <p>1.1 Purchasing decisions and processes are important because the money involved is public money. The purpose of these Contract Standing Orders is to provide a structure within which purchasing decisions are made and implemented and which ensure that the Council:</p> <p>1.1.1 Furthers its corporate objectives.</p> <p>1.1.2 Uses its resources efficiently.</p> <p>1.1.3 Purchases appropriate quality goods, services and works.</p> <p>1.1.4 Safeguards its reputation from any implication of dishonesty or corruption.</p> <p>1.2 Purchasing by the Council, from planning to delivery, shall incorporate (where appropriate) principles of sustainability, efficiency, whole life costings and cost savings.</p> <p>1.3 These Contract Standing Orders are made in accordance with the requirements of Section 135 of the Local Government Act 1972.</p> <p>1.4 These Contract Standing Orders do not provide guidelines on what is the best way to purchase works, supplies (goods) and services. They set out minimum requirements to be followed. Further information and guidelines are set out in the Council’s Purchasing Guide.</p>	<p>No Changes</p>



**2 General Principles – Application and Compliance with Contract Standing Orders**

Current Section 2

Proposed Section 2

**2 General Principles – Application and Compliance with Contract Standing Orders**

- 2.1 These Contract Standing Orders apply to the purchase by or on behalf of the Council of works, supplies (goods) and services.
- 2.2 These Contract Standing Orders apply to all contracts including all purchase orders, concessions and contractual arrangements entered into by or on behalf of the Council, except for the specific types of contracts and purchasing methods which are listed in 2.3.
- 2.3 These Contract Standing Orders do not apply to:
  - 2.3.1 Employment contracts
  - 2.3.2 Contracts relating solely to the purchase or sale of interests in land
  - 2.3.3 Contracts for retention of legal counsel and the appointment of expert witnesses in legal proceedings
  - 2.3.4 Service level agreements setting out the conditions which the Council applies to its funding of particular voluntary sector bodies.

No Changes

<b>3 General Principles Applying to All Contracts</b>		
Current Section 3	Proposed Section 3	Summary /explanation of changes
<p><b>3 General Principles Applying to All Contracts</b></p> <p>3.1 All purchases however small shall be in writing.</p> <p>3.2 Standard contract clauses shall be used in all contracts. The standard contract clauses are attached as an appendix to these orders.</p> <p>3.3 As a minimum, all contracts shall include clauses which set out:</p> <p>3.3.1 The works, supplies (goods), services, material, matters or things to be carried out or supplied.</p> <p>3.3.2 The time within which the contract is to be performed.</p> <p>3.3.3 Quality requirements and/or standards which must be met.</p> <p>3.3.4 Requirements on the contractor to hold and maintain appropriate insurance.</p> <p>3.3.5 What happens in the event that the contractor fails to comply with its contractual obligations (in whole or in part).</p> <p>3.3.6 Requirements on the contractor to comply with all relevant equalities and health and safety legislation</p> <p>3.3.7 That the Council shall be entitled to cancel the contract and recover losses in the event that the contractor does anything improper to influence the Council to give the contractor any contract or commits an offence under the Prevention of Corruption Acts 1889 to 1916 or s117(2) Local Government Act 1972.</p>	<p>3.2 Deleted.</p> <p>3.3 becomes 3.2</p> <p>3.2.2 The contract value or a pricing schedule by which the price to be charged for the works, supplies or services provided can be calculated.</p> <p>3.2.8 Requirements on the contractor to comply with relevant sustainability guidelines</p> <p>3.2.9 That the Council shall be entitled to cancel the contract and recover losses in the event that the contractor does anything improper to influence the Council to give the contractor any contract or commits an offence under the Bribery Act 2010.</p>	<p>Replaced by new clauses in 3.2 listing minimum contract clauses</p> <p>To add requirement for price clause currently missing.</p> <p>To add requirement for sustainability clause</p> <p>Replaced original acts with new bribery act</p>

<p>3.4 Written contracts shall not include non commercial terms unless these are necessary to achieve best value for the Council. In this context, "non commercial" means requirements unrelated to the actual performance of the contract.</p> <p>3.5 All contracts shall include relevant specifications and/or briefs/technical requirements which are prepared taking into account the need for effectiveness of delivery, quality, sustainability and efficiency (as appropriate) and the information set out in the Council's Purchasing Guide.</p> <p>3.6 All contracts of a value of £5,000 or more or which involve a substantial risk to the Council must be subject to a written risk assessment, which should be kept on the contract file.</p>	<p>3.2.10 Requirements regarding freedom of information, data protection, data quality and copyright legislation</p> <p>3.2.11 Requirements regarding business continuity</p> <p>3.2.12 Conditions of termination</p> <p>3.3 Written contracts shall not include non commercial terms or terms unrelated to the actual performance of the contract, unless these are necessary to achieve best value for the Council.</p> <p>3.6 All contracts over a value of £10,000 or for the provision of consultancy services shall be in a form of contract approved by the Head of Legal Services.</p>	<p>Adds requirements regarding freedom of information, data protection, data quality and copyright legislation</p> <p>Adds requirements regarding business continuity</p> <p>Adds requirements for Conditions of termination</p> <p>Wording changed for clarity</p> <p>Adding the requirement for a written contract for purchases over £10,000, rather than just a purchase order.</p>
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<b>4 Regulatory Context</b>		
Current Section 4	Proposed Section 4	Summary /explanation of changes
<p><b>4 Regulatory Context</b></p> <p>4.1 All purchasing shall be conducted in accordance With Regulatory Provisions which are:</p> <p>4.1.1 All relevant statutory provisions</p> <p>4.1.2 The relevant EU Rules and EC Treaty Principles, which are defined in the Council's Purchasing Guide.</p> <p>4.1.3The Council's Constitution including these Contract Standing Orders, the Council's Financial Procedure Rules and Scheme of Delegation.</p> <p>4.1.4The Council's Purchasing Guide and other policies and procedures of the Council as appropriate.</p> <p>4.2 In the event of conflict between the above, the EU Rules will take precedence, followed by UK legislation, then the Council's Constitution, the Council's Purchasing Guide and guidelines, policies and procedures.</p>	<p>4.1.2 The relevant European Community Treaty Principles and EU Rules , which are defined in the Council's Purchasing Guide.</p> <p>4.2 In the event of conflict between the above, the EC Treaty Principles and EU Rules will take precedence, followed by UK legislation, then the Council's Constitution, the Council's Purchasing Guide and guidelines, policies and procedures.</p>	<p>To clarify that the EC Treaty takes precedent over the other rules.</p> <p>To clarify the relevant hierarchy</p>

5 Responsibilities of Directors and Responsible Officers		
Current Section 5	Proposed Section 5	Summary /explanation of changes
<p><b>5 Responsibilities of Directors and Responsible Officers</b></p> <p>5.1 Each Director shall:</p> <p>5.1.1 be responsible for the purchasing undertaken by his/her Directorate.</p> <p>5.1.2 be accountable to the Executive for the performance of his/her duties in relation to purchasing.</p> <p>5.1.3 comply with the Council's decision making processes including, where appropriate, implementing and operating a Scheme of Delegation.</p> <p>19 5.1.4 appoint a Responsible Officer in writing who shall be an authorised signatory.</p> <p>5.1.5 take immediate action in the event of breach of these Contract Standing Orders.</p> <p>5.2 A Responsible Officer is an officer with responsibility for conducting purchasing processes for the purchase of works, supplies (goods) or services on behalf of the Council.</p> <p>5.3 A Responsible Officer's duties in respect of purchasing are to ensure:</p> <p>5.3.1 compliance with all Regulatory Provisions and integrity of the tender process.</p> <p>5.3.2 compliance with the relevant statutory provisions and the Council's requirements relating to declarations of interest affecting any tender process.</p> <p>5.3.3 that there is an appropriate analysis of the requirement, timescales, procedure and documentation to be used.</p>	<p>5.3.2 compliance with the relevant statutory provisions and the Council's requirements relating to declarations of interest affecting any purchasing process.</p>	<p>Broadens the clause to encompass all purchasing rather than just tendering</p>

<p>5.3.4 the purchasing process, from planning to delivery incorporates (where appropriate) principles of sustainability, efficiency, whole life costs and cost savings.</p> <p>5.3.5 compliance with the Council's decision making processes.</p> <p>5.3.6 ensuring that all contracts of a value of £15,000 or more are included on the Council's Contract Register.</p> <p>5.3.7 making sure that that proper records of all contract award procedure, waivers/exemptions and extensions are maintained, with separate files for each purchase of a value of £15,000 or more.</p>		
<p>5.3.8 that value for money is achieved.</p>	<p>5.3.8 that the works, supplies or services procured are appropriate and proportional to the council's needs.</p>	<p>To state that requirements should not be over specified but should reflect what the Council actually needs</p>
<p>20 5.3.9 that adequate and appropriate security (such as a bond or guarantee) is taken to protect the Council in the event of non-performance.</p>	<p>5.3.8 becomes 5.3.9</p> <p>5.3.9 becomes 5.3.10</p>	
<p>5.4 In considering how best to procure works, supplies and services Directors and/or Responsible Officers (as appropriate in the context) shall take into account wider contractual delivery opportunities and purchasing methods including the use of Purchasing Schemes and e-procurement/purchasing methods, and the availability of local authority charging and trading powers under the Local Government Act 2003.</p>		
<p>5.5 It is a disciplinary offence to fail to comply with these Contract Standing Orders and the Council's Purchasing Guide. All employees have a duty to report breaches of Contract Standing Orders to the Head of Internal Audit and Risk Strategy.</p>	<p>5.5 It is a disciplinary offence to fail to comply with these Contract Standing Orders and the Council's Purchasing Guide. All employees have a duty to report breaches of Contract Standing Orders to the Head of Audit Partnership.</p>	<p>Change of Title</p>
<p>5.6 Any officer or Member who suspects any misconduct or corruption in relation to the purchase by or on behalf of the Council of works, supplies (goods) and services must immediately</p>	<p>5.6 Any officer or Member who suspects any misconduct or corruption in relation to the purchase by or on behalf of the Council of works, supplies</p>	<p>Change of Title</p>

report that suspicion to the Council's Monitoring Officer and Head of Internal Audit and Risk Strategy.	(goods) and services must immediately report that suspicion to the Council's Monitoring Officer and Head of Audit Partnership.	
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<b>6 Scheme/s of Delegation</b>	
Current Section 6	Proposed Section 6
<p><b>6 Scheme/s of Delegation</b></p> <p>6.1 Council purchasing may only be undertaken by officers with the appropriate delegated authority to carry out such tasks as set out in the Council's Scheme of Delegation. Officers with delegated authority may only delegate to other officers who have the appropriate skills and knowledge for the task and such delegation shall be recorded in writing by the officer delegating the task and notified to the relevant Head of Service.</p> <p>6.2 Officers shall, where appropriate, be informed by their Head of Service of the extent of any delegated authority and applicable financial thresholds.</p>	<p style="text-align: center;">No Changes</p>

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**7 Financial Thresholds**

Current Section 7 Proposed Section 7 Summary /explanation of changes

**7 Financial Thresholds and Procedures**

7.1 The table below sets out the general rules applying to the choice of purchasing procedure for contracts at the stated threshold values.

7.2 There is a general presumption in favour of competition. Wherever possible contract opportunities should be advertised by way of a public notice. The Council must consider the potential effect of a contract on interstate trade (at a European level). If a contract may be of interest to contractors from other member states then this may result in a need to advertise in a manner which ensures that potential contractors from other member states are aware of the opportunity, even for small value contracts or contracts under the EU Threshold levels outlined below in Table 7.4.

7.3 The public notice referred to at 7.2 may take the form of a notice or advertisement in an electronic or paper format, on an easily accessible website or other electronic media and/or in the press, trade journals or Official Journal of the European Union ("OJ") (as appropriate). The Responsible Officer may choose to place one or more public notices in different media.

**7.4 Table setting out financial thresholds and procedures**

Total value £	Type of contract	Procedure to be used
0 to 10, 000	works, supplies and services	At least one quote in advance
10,001 to 74,999	works, supplies and services	At least three written quotes in advance
75,000 to 156,441**	works, supplies and services	At least three written tenders in advance, following advertisement by public notice
156,442** plus	Supplies and services	EU Rules apply – full competitive process following advertisement in the OJ for supplies and
**EU		

7.4

At least one written quote in advance

Adds the word 'written'

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Threshold for supplies and services		Part A* services. For Part B* services reduced requirements apply under the EU Rules but there is a presumption in favour of advertising and a competitive process
156,442 to 3,927,259**	Works	Full competitive process with tenders following advertisement by public notice
3,927,260** plus **EU Threshold for works	Works	EU Rules apply – full competitive process with tenders following OJ advertisement

\* For the purposes of the EU Rules services are divided into two types and the EU Rules apply to a different degree. Responsible Officers should act cautiously and seek advice when considering the procedure to be used and application of the EU Rules to services contracts

\*\* or relevant threshold in force at the time under the EU Rules

- 7.5 Where contracts are of a type and value which means that they are subject to the EU Rules then there are four main types of EU procedures available. These are the open, restricted, competitive dialogue and competitive negotiated procedures. Care must be taken to ensure that the correct and most appropriate procedure is used and assistance on the choice and use of EU procedure should be sought.

8 Financial Thresholds and Processes Applying to Approval and Execution of Contracts		
Current Section 8	Proposed Section 8	Summary /explanation of changes
<p><b>8 Financial Thresholds and Processes Applying to Approval and Execution of Contracts</b></p> <p>8.1 For contracts over the relevant EU Threshold (in force at the time), the choice of purchasing procedure to be used and the decision to proceed to advertisement must be authorised in writing by the Assistant Director of Environment and Regulatory Services (or an officer authorised in writing by him) in advance.</p> <p>8.2 When a decision is made to award a contract then the Responsible Officer must, in addition to complying with his/her general obligations under these Contract Standing Orders ensure, in particular, that:</p> <p>8.2.1 the appropriate approvals have been obtained to authorise that decision; and</p> <p>8.2.2 where appropriate, a standstill period complying with the EU Rules is incorporated into the final award process.</p>	<p>8.2.3 Where the contract value is £10,000 and below authorisation is delegated to the appropriate officer in accordance with the previously advised financial sign off level.</p> <p>8.2.4 Where the contract value is between £10,001 and £49,999 written authorisation must be obtained from the appropriate Director prior to awarding the contract.</p> <p>8.2.5 where the contract value is £50,000 or above, written authorisation must be obtained from Chief Financial Officer prior to awarding the contract.</p> <p>8.2.6 In the event that the contract is not awarded to the lowest bidder the Chief Financial Officer must consult with the relevant cabinet portfolio holder before confirming the award.</p>	<p>Where the contract value is £10,000 or below it can be authorised by an officer provided he has the sufficient signoff authorisation in Agresso.</p> <p>Where the contract value is above £10,001 but below £49,999 it can be authorised by an appropriate Director.</p> <p>Where the contract value is above £50,000 it must be authorised by the Chief Financial Officer.</p> <p>If a supplier has been evaluated as offering the best value (due to other factors) but is not the cheapest. The Chief Financial Officer must discuss the award with the relevant cabinet portfolio holder.</p>

<p>8.3 Any contracts valued at £75,000 or above shall be executed as a deed. All other contracts may be signed by officers with appropriate delegated authority. £10,000 shall be the threshold for the purposes of Regulation 8 of the Local Authority (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001.</p>		
<p>8.4 Electronic signatures may be used in accordance with the Electronic Signature Regulations 2002 provided the sufficiency of security arrangements has been approved by the Head of Internal Audit and Risk Strategy.</p>	<p>8.4 Electronic signatures may be used in accordance with the Electronic Signature Regulations 2002 provided the sufficiency of security arrangements has been approved by the Head of Audit Partnership.</p>	<p>Change of Title</p>

<b>9 Calculating the Contract Value</b>	
<b>Current Section 9</b>	<b>Proposed Section 9</b>
<p><b>9 Calculating the Contract Value</b></p> <p>9.1 The starting point for calculating the contract value for the purposes of these Contract Standing Orders is that the contract value shall be the genuine pre-estimate of the value of the entire contract excluding Value Added Tax. This includes all payments to be made, or potentially to be made, under the entirety of the contract and for the whole of the predicted contract period (including proposed extensions and options).</p> <p>9.2 There shall be no artificial splitting of a contract to avoid the application of the provisions of the EU Rules and/or these Contract Standing Orders.</p> <p>9.3 The EU Rules can cover contracts which are below the stated EU threshold where they constitute repeat purchases and/or purchases of a similar type in a specified period. Responsible Officers should therefore seek advice on the application of the EU Rules where they envisage that they may require repeat purchases and/or purchases of a similar type.</p>	<p>No Changes</p>

10 Principles Underlying Procurement Processes and Evaluation		
Current Section 10	Proposed Section 10	Summary /explanation of changes
<p>10 Principles Underlying Tendering Processes and Tender Evaluation</p> <p>10.1 All tendering procedures (including obtaining quotes), from planning to contract award and signature, shall be undertaken in a manner so as to ensure:</p> <p>10.1.1 Sufficient time is given to plan and run the process</p> <p>10.1.2 Equal opportunity and equal treatment</p> <p>10.1.3 Openness and transparency</p> <p>10.1.4 Probity</p> <p>10.1.5 Outcomes which deliver sustainability, efficiency and cost savings (where appropriate).</p>	<p>10 Principles Underlying Procurement Processes and Evaluation</p>	<p>The title is amended to cover the wider process of procurement rather than just tendering</p>

<b>11 Submission and Opening of tenders</b>	
Current Section 11	Proposed Section 11
<p><b>11 Submission and Opening of tenders</b></p> <p>11.1 An Invitation to Tender shall be issued by the Council for all contracts over £75,000 and tenders shall be submitted in accordance with the requirements of the Invitation to Tender.</p> <p>11.2 Any tenders received (other than those received electronically, to which 11.3 shall apply) shall be:</p> <p>11.2.1 addressed to the Director of Regeneration and Communities or other nominated Director not involved in the Tender process.</p> <p>11.2.2 in a sealed envelope marked "Tender" followed by the subject matter to which it relates.</p> <p>11.2.3 kept in a safe place by the Director of Regeneration and Communities or other nominated Director</p> <p>11.2.4 retained unopened until the date and time specified for its opening.</p> <p>11.3 Where the Council has indicated in the Invitation to Tender that a tender can or must be submitted electronically, then those tenders shall be:</p> <p>11.3.1 in the format specified in the Invitation to Tender.</p> <p>11.3.2 stored securely with a secure method of opening.</p> <p>11.3.3 retained unopened until the date and time specified for their opening.</p> <p>11.4 No tender received after the time and date specified for its opening shall be accepted or considered by the Council unless Director of Regeneration and Communities or other nominated Director is satisfied that there is sufficient evidence of the tender having been dispatched in time for it to have arrived before the closing date and time, or other exceptional circumstances apply and the other tenders have not been opened.</p> <p>11.5 Tenders shall be opened by the Director of Regeneration and Communities or other nominated Director or a member of their staff designated by them and an immediate record shall be made of tenders received including names and addresses and the date and time of opening.</p>	<p>No Changes</p>

<b>12 Evaluation of Quotes and Tenders</b>		
Current Section 12	Proposed Section 12	Summary /explanation of changes
<p><b>12 Evaluation of Quotes and Tenders</b></p> <p>12.1 All quotes and tenders shall be evaluated in accordance with evaluation criteria notified in advance to those submitting quotes/tenderers.</p> <p>12.2 Tenders subject to the EU Rules shall be evaluated in accordance with the EU Rules.</p> <p>12.3 Save in exceptional circumstances approved in advance by Head of Business Improvement all contracts shall be awarded on the basis of the quote or tender which represents best value for money to the Council and not on the basis of lowest price.</p>	<p>12.3 Save in exceptional circumstances approved in advance by the Assistant Director of Environment and Regulatory Services all contracts shall be awarded on the basis of the quote or tender which represents best value for money to the Council and not on the basis of lowest price.</p>	<p>Change of Title</p>

13 Waivers	
Current Section 13	Proposed Section 13
<p><b>13 Waivers</b></p> <p>13.1 The requirement for the Council to conduct a competitive purchasing process for contracts in excess of £10,000 may be waived in the following circumstances.</p> <p>13.1.1 For contracts which are not subject to the EU Rules, the work, supply or service is required as a matter of urgency and a delay would be likely to lead to financial loss, personal injury or damage to property; or</p> <p>13.1.2 the circumstances set out in Regulation 14 apply (whether or not the contract is of a type which is subject to the application of the EU Rules); or</p> <p>13.1.3 the contract is awarded under a Purchasing Scheme of a type where a competition has already been undertaken on behalf of the Council; or</p> <p>13.1.4 at the discretion of the Assistant Director Environment and Regulatory Services who may proceed in a manner most expedient to the efficient management of the service/Council with reasons recorded in writing.</p> <p>13.2 A Responsible Officer who seeks a waiver of Contract Standing Orders other than SO 13.1.3 shall do so only in advance and only in exceptional circumstances. Further guidance on what may constitute exceptional circumstances permitting waiver of these Contract Standing Orders is set out in the Council's Purchasing Guide.</p> <p>13.3 All waivers from these Contract Standing Orders must be:</p> <p>13.3.1 Fully documented.</p> <p>13.3.2 Subject to a written report in an approved format to be submitted in advance to the appropriate Director which shall include reasons for the waiver which demonstrate that the waiver is genuinely required.</p>	<p>No Changes</p>

<p>13.3.3 Subject to approval in advance by the appropriate Director who shall consult the relevant Cabinet Member and record that they have considered the reasons for the waiver and that they are satisfied that the circumstances justifying the waiver are genuinely exceptional.</p> <p>13.4 All decisions on waivers must take into account:</p> <p>13.4.1 Probity</p> <p>13.4.2 Best value/value for money principles.</p> <p>13.5 For contracts subject to the EU Rules, any waiver from the requirement for competition must meet the conditions set out in the EU Rules in addition to the general requirements above.</p> <p>13.6 A waiver shall not be applied for reasons of poor contract planning.</p>	
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14 Extensions to Existing Contracts		
Current Section 14	Proposed Section 14	Summary /explanation of changes
<p><b>14 Extensions to Existing Contracts</b></p> <p>14.1 Where extensions to existing contracts are made, the extensions must be determined in accordance with the contract terms, for a specified period and made in accordance with the principles set out in the Council's Purchasing Guide.</p> <p>14.2 Any extension must be:</p> <p>14.2.1 Fully documented</p> <p>14.2.2 Subject to a written report in an approved format to be submitted to a Director which shall include reasons for the extension which demonstrate that the need for the extension is genuinely exceptional.</p> <p>14.2.3 Subject to approval by the Director who shall record that they have considered the reasons for the extension and that they are satisfied that the circumstances justifying the extension are genuinely exceptional.</p> <p>14.3 Any extension must take into account:</p> <p>14.3.1 Probity</p> <p>14.3.2 Best value/value for money principles.</p>	<p>14.2.2 Subject to a written report in an approved format to be submitted to a Director which shall include reasons for the extension which demonstrate that the need for the extension is genuinely beneficial.</p> <p>14.2.3 Subject to approval by the Director who shall record that they have considered the reasons for the extension and that they are satisfied that the circumstances justifying the extension are genuinely beneficial.</p> <p>14.4 For contracts subject to EU Rules, any extension must meet the conditions set out in the EU Rules in addition to the more general requirements set out above.</p>	<p>To remove the requirement for contract extensions to be approved only in exceptional circumstances and replace it with a need to be for beneficial circumstances</p> <p>To remove the requirement for contract extensions to be approved only in exceptional circumstances and replace it with a need to be for beneficial circumstances</p> <p>To emphasise that the extension must meet all EU procurement requirements</p>

15 Purchasing Schemes	
Current Section 15	Proposed Section 15
<p><b>15 Purchasing Schemes</b></p> <p>15.1 A Responsible Officer may use Purchasing Schemes subject to the following conditions and the Council's Purchasing Guide.</p> <p>15.2 Responsible Officers must check in advance that</p> <p>15.2.1 The Council is legally entitled to use the Purchasing Scheme.</p> <p>15.2.2 The purchases to be made do properly fall within the coverage of the Purchasing Scheme.</p> <p>15.2.3 The establishment and operation of each Purchasing Scheme is in compliance with the EU Rules (where they apply) and meets the Council's own requirements.</p> <p>15.3 A "Purchasing Scheme" may include:</p> <p>15.3.1 Contractor prequalification lists/select lists.</p> <p>15.3.2 Framework arrangements (including those set up by the Office of Government Commerce).</p> <p>15.3.3 Purchasing arrangements set up by central purchasing bodies and commercial organisations.</p> <p>15.3.4 Consortium purchasing.</p> <p>15.3.5 Collaborative working arrangements.</p> <p>15.3.6 Formal agency arrangements.</p> <p>15.3.7 E-procurement/purchasing schemes and methods.</p> <p>15.3.8 Other similar arrangements.</p> <p>15.4 Where a Purchasing Scheme is used then there shall be a whole or partial exemption from the obligations under these Contract Standing Orders in respect of the choice and conduct of procedures to the extent permitted and indicated in the Council's Purchasing Guide.</p>	<p>No Changes</p>

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<b>16 Review and Changes to these Contract Standing Orders</b>	
Current Section 16	Proposed Section 16
<p><b>16 Review and Changes to these Contract Standing Orders</b></p> <p>16.1 These Contract Standing Orders shall be reviewed and updated on a regular basis. Save in the case of revisions to the EU Thresholds in Contract Standing Order 7, amended Contract Standing Orders shall be agreed and adopted by the Council. Revisions to the EU Thresholds shall be dealt with in accordance with them by the Assistant Director Environment and Regulatory Services.</p>	<p>No Changes</p>

# Agenda Item 12

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**14 DECEMBER 2011**

#### **REPORT OF THE STANDARDS COMMITTEE HELD ON 30 NOVEMBER 2011**

##### **1. MEMBERS' ALLOWANCES SCHEME**

- 1.1.** The Standards Committee, at its meeting held on 30 November 2011, considered the report of the Head of Democratic Services setting out the report and recommendations of the Joint Independent Remuneration Panel on Members' Allowances for Maidstone Borough Council which had met to carry out a comprehensive review of the existing scheme of Members' Allowances.
- 1.2.** It was noted that the recommendation of the Panel that the Special Responsibility Allowance for the Chairmen of the Overview and Scrutiny Committees be reduced to £4,665 per annum each would produce a saving in the Members' Allowances budget of £3,498. The recommendation of the Panel relating to car mileage allowances would not have a significant impact, and could be met within existing budgets.
- 1.3.** In response to questions by Members and Co-opted Members, the representative of the Head of Democratic Services confirmed that:-
- The table set out in the summary of Panel recommendations should have included reference to the allowances paid to the Chairman of the Licensing Act 2003 Committee and Co-opted Members of the Standards Committee, which it was proposed should remain the same.
  - Councillors and Co-opted Members would continue to be able to claim an additional 5p per mile if passengers travelled in their vehicles.
  - It was the Panel's recommendation that allowances should continue to be index linked to the annual pay award to staff.
  - No change was proposed to Members' Basic Allowance.
- 1.4.** The report of the Panel has been amended to take into account the points raised by the Standards Committee, and a copy is attached as an Appendix to this report.
- 1.5. RECOMMENDED:**
- 1.5.1. That the recommendations of the Joint Independent Remuneration Panel on Members' Allowances for Maidstone Borough Council, as set out in the report attached as an Appendix to this report, be approved.**

**A REVIEW OF MEMBERS' ALLOWANCES FOR  
MAIDSTONE BOROUGH COUNCIL**

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**THE REPORT BY THE INDEPENDENT REMUNERATION PANEL  
NOVEMBER 2011**

South East Employers  
Newfrith House  
21 Hyde Street  
Winchester  
Hampshire  
SO23 7DR

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## Foreword

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This report has been produced for Maidstone Borough Council as part of the Council's requirement to receive independent advice from its statutory advisory panel on members' allowances. The Panel was established to review members' allowances for both Maidstone Borough Council and Swale Borough Council. The membership of the Panel on this occasion was Chair Susie Bonfield (Policy Officer (Democracy and Governance), South East Employers), Victoria Wallace (Invicta Chamber of Commerce), Dick Mallaby (independent member and local resident), and Val Page (independent member and local resident).

The current Panel was asked to carry out a general review of the existing scheme of allowances. The Panel met on 7 and 8 November 2011 and the summary of recommendations, together with the full report, is attached.

The Panel would like to thank Janet Barnes, Democratic Services Officer, Maidstone Borough Council for all her assistance.

**Susie Bonfield**  
**Chair**  
**Independent Remuneration Panel**

## Summary of Recommendations

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This summary sets out the main recommendations. The considerations that have led to these recommendations are set out in the full report.

The proposals are based on a review of background information, interviews with Councillors and Officers of the Council, a review of oral and written submissions, and a review of benchmark information from other relevant authorities in the region.

Before the Panel arrived at its recommendations, it paid careful consideration to the previous reviews. In addition, the Panel took account of the statutory guidance as published by the former Office of the Deputy Prime Minister (ODPM); the subject of Members' Allowances now falls within the remit of the Department of Communities and Local Government (DCLG).

### Summary of Panel Recommendations

Allowance	No. of Cllrs	Current Amount	Recommended Amount
Basic Allowance	55	£4,666	£4,666
Leader	1	£23, 326	£23,326
Executive Members	4	£11, 663	£11, 663
Chairman of Planning Committee	1	£5, 831	£5, 831
Chairman of Scrutiny Committee	3	£5, 831	£4, 665
Chairman of Licensing Committee	1	£2, 332	£2, 332
Chairman of Licensing Act 2003 Committee	1	£2, 332	£2, 332
Chairman of Standards Committee	1	£1, 166	£1, 166
Co-Opted Members	8*	£331	£331
Chair of Licensing Panel Hearing	1	£77 per day	£77 per day
Licensing Panel Hearing Members	2	£58 per day	£58 per day
Party Group Leaders	3	£11, 663**	£11, 663

\* these are the independent members and parish representatives on Standards Committee

\*\*shared between each Group Leader

### Travel and Subsistence

The Panel recommends the car mileage allowances for Members should be in line with the rates as set by HM Revenue and Customs, which is currently 45p per mile.

### Date of Implementation

The recommendations relating to the Basic Allowance and Special Responsibility Allowances, and all other recommendations, should be implemented from April 2012. The recommendation relating to mileage rates should be implemented with immediate effect.



## Introduction and Terms of Reference

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The meeting of the Joint Independent Remuneration Panel for Maidstone and Swale Borough Councils on 7 and 8 November 2011 was requested by the Authority for the express purpose of carrying out a comprehensive review of the existing scheme of allowances.

The Panel comprised the following members:

- Ms Susie Bonfield, Policy Officer (Democracy and Governance), South East Employers (based in Winchester)
- Ms Victoria Wallace, Invicta Chamber of Commerce
- Mr Dick Mallaby, independent member and Swale resident
- Mrs Val Page, independent member and Maidstone resident

The Panel was supported throughout by Janet Barnes, Democratic Services Officer, Maidstone Borough Council for which the Panel is most grateful.

Additionally, the Panel would like to record its gratitude to the Councillors and Officers of Maidstone Borough Council for making themselves available to talk to the Panel (see **Appendix One** for further details).

## Methodology

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The Panel met at the Council Offices in Maidstone for two days on 7 and 8 November 2011. During the same period, the Panel considered the current allowances scheme for Swale Borough Council, and the scheme available to town and parish councils in the Maidstone area. The Panel meetings were held in private session so as to enable the Panel to interview Councillors and Officers in confidence. The list of the Elected Members and Council Officers that met with the Panel are provided in **Appendix One**.

The Panel's activity fell into four parts:

**One:** Review of background information, in particular, the current political structures and composition of Council committees, a review of the previous reports and the current allowances scheme; tabling of other relevant benchmark information about member's allowances elsewhere in Kent.

**Two:** Interviews with Councillors and Officers of the Council.

**Three:** Review of oral and written submissions including an analysis of responses to the questionnaire that was sent to all Councillors.

**Four:** Arriving at recommendations.

While the Panel reviewed a wide range of available information, and interviewed a cross-section of Councillors, it also considered responses received from Members in relation to the questionnaire that had been circulated to all Members, prior to the Panel's meeting. This ensured no Councillor was denied a voice in the review process (see **Appendix Two** for a copy of the questionnaire). Thirty out of fifty five councillors responded to the questionnaire.

Furthermore, the Panel took into account practice elsewhere for benchmarking purposes. The Panel was also aware of levels of allowance paid to district authorities elsewhere in Kent.

It is from these processes and deliberations that the Panel has arrived at the recommendations set out in this report.

## Principles of the Review

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Before the Panel arrived at its recommendations it decided that its deliberations should be underpinned by the following principles, which take into account the current statutory provisions:

- The recommended allowances should be of a sufficient level that they would allow most people to consider becoming an elected Member without suffering undue financial hardship while not being at such a level that allowances would become the primary reason for standing for Council.
- As far as possible the Panel will abide by the precedent and approach of previous reviews except where there is a clear and prescient case not to do so.
- The allowances should be seen as a contribution and recognition of the time and skills of councillors, but not seen as equivalent to a formal job evaluation exercise and salaries.
- A healthy and resourced Opposition is important in maintaining an appropriate balance within local democracy.
- Any recommendations should be based on a logical and transparent construction and arrived at in a way that is simple to understand.
- Sensitivities of cost of implementation of any recommendations should be borne in mind.

The Panel has laid out a synopsis of its deliberations in this report to assist Members and the public to understand its approach. Following its deliberations, the Panel concluded that there is currently very little appetite for change to the current scheme of allowances at Maidstone. Where there were some real concerns expressed, the Panel have given these our full consideration, and these are set out in the report.

While the Panel's recommendations are not mandatory it is hoped that if the Council disagrees with the actual figures recommended, that the Council would accept the Panel's logic. The recommendations presented in this report represent the view of the Panel and not the official view of Maidstone Borough Council.

## Arriving at the Recommendations

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### Basic Allowance

The Panel noted the statutory guidance it must pay regard to, in particular, that the authority's scheme of allowances must include provision for a Basic Allowance that is payable at an equal flat rate to all Members.

The Panel noted that in response to the question "Is the Basic Allowance appropriate?", 88% of those who responded to the questionnaire said "Yes". In our interviews with councillors we heard the consistent view that councillors are categorically **not** "in it for the money". However, the Panel also noted the concerns expressed by some that an amount of compensation was necessary in order to attract new councillors.

## Special Responsibility Allowances

The Panel was under a duty to take cognisance of the following statutory guidance in arriving at recommendations for Special Responsibility Allowances (SRAs):

*Special responsibility allowance (SRA) may be paid to those members of the council who have significant additional responsibilities, over and above the generally accepted duties of a councillor. These special responsibilities must be related to the discharge of the authority's functions.*

*These are important considerations for local authorities. If the majority of members of a council receive a special responsibility allowance the local electorate may rightly question whether this was justified. Local authorities will wish to consider very carefully the additional roles of members and the significance of these roles, both in terms of responsibility and real time commitment before deciding which will warrant the payment of a special responsibility allowance.*

*It does not necessarily follow that a particular responsibility, which is vested to a particular member, is a significant additional responsibility for which a special responsibility allowance should be paid. Local authorities will need to consider such particular responsibilities very carefully. Whilst such responsibilities may be unique to a particular member it may be that all or most members have some such responsibility to varying degrees. Such duties may not lead to a significant extra workload for any one particular member above another. These sorts of responsibilities should be recognised as a time commitment to council work, which is acknowledged within the basic allowance and not responsibilities for which a special responsibility allowance should be recommended.<sup>1</sup>*

In response to the question "Would you like to see changes made to the SRAs?", 60% of all respondents said "No"; 40% said "Yes". There were also a number of comments and suggestions made in the responses to the questionnaire in relation to particular SRAs currently being paid. These were in relation to the SRA paid to the Chairman of Planning Committee in comparison to the SRA paid to the Chairman of Scrutiny Committee, and in relation to the Group Leaders' Allowance. The Panel gave particular consideration to these issues when conducting their interviews.

- **Chairman of Planning Committee / Chairman of Scrutiny Committee**

It had been requested that the Panel look at the SRA paid to these particular Committee Chairmen. Currently, the SRA payable to both positions is £5,831 per annum, which is 25% of the Leader's SRA. The view had been expressed that there was a discrepancy between the allowances paid and the workload of the Committee Chairmen, namely the SRA paid to the Chairman of Planning and the Chairmen of the three Scrutiny Committees. The Panel recalled that it had considered this particular issue as part of their review of allowances in 2009, but at that time had recommended that the levels remain the same.

However, on this occasion, following interviews with a range of councillors, including both the Chairman of the Planning Committee and the Chairman of one of the Scrutiny Committees, the Panel concluded that both the workload and the time commitment for the Planning Committee was currently greater than for the three Scrutiny Committees.

**The Panel recommended the SRA for the Chairman of the Scrutiny Committee be reduced to £4,665 (20% of the Leader's SRA).**

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<sup>1</sup> See DCLG Consolidated Guidance July 2003, pars 70-73 for further details.

- **Party Group Leaders**

When the Panel met in 2010, a request was noted to review the allocation of Group Leaders Allowance but recommended that no action be taken at that time, rather that it be considered further at the next meeting of the Panel. Currently, the SRA paid to Group Leaders is a total amount of £11, 663, which is allocated according to the number of members within each group.

The Panel, in their discussion with officers, noted that the Leader of the Council was also a Group Leader, but as members could only claim one SRA, he did not claim his Group Leader allowance. In addition, the Leader of the second largest group at Maidstone BC, was now referred to as the Opposition Leader.

The questionnaire circulated to all 55 members asked whether they wished to consider a change to the current scheme, with the following options:

- a) retaining the status quo,
- b) providing an option whereby a set amount is paid to each Group Leader together with an additional amount paid for each Member within their group,
- c) where a fixed amount is paid to the Leader of the Opposition only,
- d) a fixed amount is paid to the Leader of the Opposition and to Group Leaders with groups of specific sizes.

The responses received were as follows:

- a) 68%
- b) 11%
- c) 0%
- d) 3%
- Other) 18%

The Panel noted there were still some concerns regarding this particular SRA as there was a difference in the role of the Group Leader, where that group formed the political administration, and the role of Leader of the Opposition. However, following our considerations, it is clear to the Panel that although the main Opposition group, through its leader, has a challenge and scrutiny role, leaders of the other party groups also undertake a significant role in Council business. The Panel also noted that an outline job description or role profile for the positions of Opposition Leader and Group Leader would have been helpful.

**The Panel, after careful consideration, recommended no change in relation to this particular allowance.**

## Associated Issues

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### Travel and Subsistence Scheme

The Panel noted that HM Revenue and Customs had recently increased the level of Approved Mileage Allowance travel allowance from 40 pence to 45 pence per mile. Noted the views expressed by the majority of councillors (86% of those who responded to the questionnaire) that their mileage allowance should be paid at the same rate. Additionally, noted this was now the standard rate paid at most local authorities. However, the Panel noted there was some confusion with regard to which meetings the mileage allowance could be claimed for.

**The Panel recommended car mileage allowances should be increased to the new HMRC rate of 45p per mile, with immediate effect.**

**The Panel also recommended the Council provide clarification to all its councillors as to which meetings they can claim mileage allowance for.**

### Indexing

The Panel considered evidence with regard to the continued index linking of allowances to the annual pay award to staff. The Panel noted that the continued index linking of allowances to the annual pay award for staff at Maidstone Borough Council was the most favoured option.

**The Panel recommended the Basic and Special Responsibility Allowances should continue to be increased annually in line with the staff pay award.**

### Date of Implementation

**The recommendation for changes to Special Responsibility Allowances, and all other recommendations, to be implemented from 1 April 2012. The recommendation in relation to mileage allowance to be implemented with immediate effect.**

### **Members and Officers interviewed by the Panel**

- Cllr Mrs Annabelle Blackmore, Overview and Scrutiny Chair, Maidstone Borough Council
- Cllr Dan Daley, Maidstone Borough Council
- Cllr Mike FitzGerald, Independent Leader, Maidstone Borough Council
- Cllr Christopher Garland, Leader, Maidstone Borough Council
- Cllr Malcolm Greer, Cabinet Member, Maidstone Borough Council
- Cllr Tony Harwood, Shadow Cabinet Member, Maidstone Borough Council
- Cllr Richard Lusty, Chair of Planning, Maidstone Borough Council
- Cllr Derek Mortimer, Maidstone Borough Council
- Cllr Val Springett, Maidstone Borough Council
- Cllr Mrs Fran Wilson, Leader of the Opposition, Maidstone Borough Council
- Janet Barnes, Democratic Services Officer, Maidstone Borough Council
- Neil Harris, Head of Democratic Services, Maidstone Borough Council

## Appendix Two

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### Members' Allowances Questionnaire 2011

In accordance with Government regulations, a review of payments to councillors is to be undertaken by an independent panel every 4 years.

Your views are vital in allowing the panel members to assess an appropriate level of allowances. As part of this process, I would be grateful if you could take a few minutes to answer the following questions. Don't worry if you feel unable to answer some of the questions, just leave that section blank. I can assure you that the individual views expressed by councillors will remain confidential and will only be disclosed to the members of the panel.

Please return your completed questionnaire to me by Friday 23 September 2011.

Thank you.

Janet Barnes  
Democratic Services Officer

1. How many hours on average do you spend each week on council business?	__ hours
2. In a typical week, how will this time be spent? Please complete the details below.	
a) Attending meetings (including travelling)	__ hours
b) Community representation	__ hours
c) Case work (dealing with particular issues in your ward)	__ hours
d) Research	__ hours
e) Other (please specify)	__ hours
3. The average number of hours assessed at the last review were 20 per week. Is this figure broadly right for the role of an average constituency councillor?  If not, then what do you feel would be the correct number of hours to fulfil the role in an effective and efficient manner?	<b>YES / NO</b> (delete as appropriate)  __ hours

<p>4. Do you incur any significant costs which you believe are not covered by your present allowance?</p>	<p><b>YES / NO</b></p> <p>If <b>YES</b>, please provide details</p>
<p>5. Independent Remuneration Panels are required to assess what <b>Public Service Discount</b> should apply to the basic allowance. At the last review this was assessed at 50%. Do you feel this is broadly right?</p>	<p><b>YES / NO</b></p> <p>If <b>NO</b>, then what do you feel would be an acceptable % discount?</p>
<p>6. The present level of basic allowance payable to all councillors is <b>£4666</b>. Do you think this is appropriate?</p> <p>If <b>NO</b>, should it be higher or lower?</p> <p>If you are able, please indicate an appropriate level</p>	<p><b>YES / NO</b></p> <p><b>HIGHER / LOWER</b></p> <p>£</p>
<p>7. Special responsibility allowances are currently paid as follows:</p> <ul style="list-style-type: none"> <li>• Leader of the Council</li> <li>• Cabinet members</li> <li>• Chairman of the Overview and Scrutiny Committee</li> <li>• Chairman of the Planning Committee</li> <li>• Chairman of the Licensing Committee</li> <li>• Chairman of the Licensing Act 2003 Committee</li> <li>• Chairman of the Standards Committee</li> <li>• Chairman of Audit Committee</li> <li>• Group Leaders</li> <li>• Co-optee Allowance</li> </ul> <p>Would you like to see any changes made to these allowances?</p>	<p><b>£23,326</b></p> <p><b>£11,663</b></p> <p><b>£5,831</b></p> <p><b>£5,831</b></p> <p><b>£2,332</b></p> <p><b>£2,332</b></p> <p><b>£1,166</b></p> <p><b>£1,166</b></p> <p><b>£11,663*</b></p> <p><b>£331</b></p> <p>*Shared between each Group Leader on basis of number of members in Political Group</p> <p><b>YES / NO</b></p> <p>If <b>YES</b>, please provide details</p>
<p>8. At the last review, the Panel was requested to look at the way the Group Leader's allowance is calculated. Please choose one of</p>	



<p>the following options:-</p> <ul style="list-style-type: none"> <li>a) Retaining the status quo</li> <li>b) Providing an option whereby a set amount is paid to each Group Leader together with an additional amount paid for each Member within their group</li> <li>c) Where a fixed amount is paid to the Leader of the Opposition only</li> <li>d) A fixed amount is paid to the Leader of the Opposition and to Group Leaders with groups of specific sizes</li> </ul>	
<p>9. Carer's Allowance</p> <p>The Dependent Carer's Allowance is currently set at £6.00 per hour. Do you think this rate should be increased?</p>	<p><b>YES / NO</b></p> <p>If <b>YES</b>, please can you suggest a new amount?</p>
<p>10. Pensions</p> <p>Under the regulations, the Remuneration Panel is required to make a recommendation regarding pensions for members. Currently members are not entitled to membership of the Local Government Pension Scheme.</p> <p>Would you like to see a change to this?</p>	<p><b>YES / NO</b></p> <p>If <b>YES</b>, please can you provide details here:</p>
<p>11. Travel and Subsistence</p> <p>Your current scheme is attached. The CLG no longer provide information uprating petrol allowances and Independent Remuneration Panels are required to make recommendations.</p> <p>HMRC have recently increased the Approved Mileage Allowance Payments from 40p to 45p a mile. Would you like this new rate applied or would you prefer to see variable rates?</p>	<p><b>YES/NO</b></p> <p>If <b>YES</b>, please can you provide details here:</p>

<p>12. Index Linking of Allowances</p> <p>Your allowances are currently linked to the annual pay award given to staff. Should this continue?</p>	<p><b>YES / NO</b></p> <p>If <b>NO</b>, what other link do you think appropriate?</p>
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If you have any other comments on allowances, please include details below. Please add additional pages as necessary.

If required, would you be prepared to be interviewed by the independent panel? **Y/N**

Name \_\_\_\_\_  
Councillor

Dated \_\_\_\_\_

## Appendix Three

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### Kent districts members' allowances

Information relating to levels of members allowances paid in Kent district councils - extracted from SEE annual Members' Allowances Survey, October 2011.

#### SEE Members' Allowances Survey 2011 - 2012 Basic Allowances

Authority Name	Population (approx)	Basic Allowance for 2011/12
<b>Ashford Borough Council</b>	114,100	£4,292.28
<b>Canterbury City Council</b>	149,100	£4,710.00
<b>Dartford Borough Council</b>	93,600	£4,765.00
<b>Dover District Council</b>	106,100	£3,980.00
<b>Gravesham Borough Council</b>	99,600	£3,447.00
<b>Maidstone Borough Council</b>	148,200	£4,666.00
<b>Sevenoaks District Council</b>	114,100	£3,698.18
<b>Shepway District Council</b>	100,300	£3,876.00
<b>Swale Borough Council</b>	131,900	£3,343.00
<b>Thanet District Council</b>	130,900	£4,360.00
<b>Tonbridge &amp; Malling Borough Council</b>	117,400	£5,076.00
<b>Tunbridge Wells Borough Council</b>	107,600	£5,279.00

Average	117,742	£4,291.04
Maximum	149,100	£5,279.00
Minimum	93,600	£3,343.00

**SEE Members' Allowances Survey 2011 – 2012**  
**Special Responsibility Allowances**  
**Part A**

Authority Name	Leader	Deputy Leader	Cabinet Member / Portfolio Holder	Chair Audit Committee	Licensing Committee Chair	Deputy Chair Licensing Committee	Members of Licensing Committee	Planning Committee Chair	Deputy Chair Planning Committee	Members of Planning Committee	Development Control Committee Chair
Ashford BC	£14,040.52	£9,350.99	£7,020.26	£4,680.17	£1,404.05			£5,616.21	£1,872.07		
Canterbury City C	£18,114.00	£6,342.00		£906.00	£4,539.00	£4,077.00					£3,618.00
Dartford BC	£27,857.00	£16,714.00	£8,357.00	£2,090.00							£5,014.00
Dover DC	£14,832.00	£7,416.00	£5,562.00		£927.00	£232.00	£260.00	£3,708.00	£927.00		
Gravesham BC	£20,260.00	£3,447.00	£3,447.00	£3,447.00	£3,447.00	£1,206.00		£3,447.00	£1,206.00		
Maidstone BC	£23,326.00		£11,663.00	£1,166.00	£2,332.00			£5,831.00			
Sevenoaks DC	£11,944.45	£5,972.22	£5,972.22	£1,696.19			£202.80	£2,551.74	£1,450.53	£202.80	
Shepway DC	£21,245.00	£9,611.00	£8,807.00	£3,956.00	£1,388.00						£3,956.00
Swale BC	£11,700.00		£7,020.00	£1,170.00				£3,510.00			
Thanet DC	£18,082.00	£10,776.00	£7,990.00		£3,216.00	£805.00		£5,204.00	£1,216.00		
Tonbridge & Malling BC	£10,674.00		£8,067.00	£2,539.00	£2,538.00	£1,008.00		£5,076.00	£1,269.00		
Tunbridge Wells BC	£16,750.00		£8,990.00	£1,980.00	£1,980.00	£495.00		£5,279.00	£1,320.00		
Average	£17,402.08	£8,703.65	£7,535.95	£2,363.04	£2,419.01	£1,303.83	£231.40	£4,469.22	£1,322.94	£202.80	£4,196.00
Maximum	£27,857.00	£16,714.00	£11,663.00	£4,680.17	£4,539.00	£4,077.00	£260.00	£5,831.00	£1,872.07	£202.80	£5,014.00
Minimum	£10,674.00	£3,447.00	£3,447.00	£906.00	£927.00	£232.00	£202.80	£2,551.74	£927.00	£202.80	£3,618.00

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**SEE Members' Allowances Survey 2011 – 2012**  
**Special Responsibility Allowances**  
**Part B**

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Authority Name	Deputy Chair Development Control Committee	Standards Committee Chair	Standards Committee Co-optee	Overview and Scrutiny Committee Chair	Deputy Chair Overview and Scrutiny Committee	Overview and Scrutiny Co-optee	Chair / Civic Mayor	Deputy Chair/ Civic Mayor	Opposition Group Leader	Deputy Opposition Leader	Group Leader (SRA per member)
Ashford BC		£1,404.05		£5,616.21	£1,872.07						£220.12
Canterbury City C		£906.00	£453.00	£4,539.00					£4,292.00	£2,861.00	
Dartford BC	£1,655.00		£570.00	£2,090.00		£570.00			£8,357.00	£5,014.00	£234.00
Dover DC		£927.00	£116.00	£3,708.00	£927.00		£5,300.00	£1,400.00	£4,171.00	£1,854.00	
Gravesham BC				£3,447.00	£1,206.00		£10,790.00	£3,140.00	£3,447.00		
Maidstone BC		£1,166.00	£331.00	£5,831.00							
Sevenoaks DC		£984.00	£479.00	£1,592.94	£970.93						
Shepway DC				£3,956.00			£6,228.00	£1,187.00			
Swale BC				£3,218.00					£3,218.00		
Thanet DC		£1,216.00	£139.00	£7,990.00	£3,216.00		£2,188.00	£1,530.00	£5,204.00	£2,304.00	
Tonbridge & Malling BC		£1,269.00		£6,258.00	£1,350.00						
Tunbridge Wells BC		£1,980.00		£5,279.00	£1,320.00				£2,748.00		
Average	£1,655.00	£1,231.51	£348.00	£4,460.43	£1,551.71	£570.00	£6,126.50	£1,814.25	£4,491.00	£3,008.25	£227.06
Maximum	£1,655.00	£1,980.00	£570.00	£7,990.00	£3,216.00	£570.00	£10,790.00	£3,140.00	£8,357.00	£5,014.00	£234.00
Minimum	£1,655.00	£906.00	£116.00	£1,592.94	£927.00	£570.00	£2,188.00	£1,187.00	£2,748.00	£1,854.00	£220.12

**SEE Members' Allowances Survey 2011 – 2012**

## Other Allowances

Authority Name	Travelling / Mileage	Bicycle Mileage	Carers allowance
<b>Ashford Borough Council</b>	45p per mile (over 1000cc); 36.4p per mile (>999cc); 24p per mile (motorbike); qualifying public transport costs met with a receipt.	20p a mile	Child care costs covered up to £5.50 p/h and up to 15 hours p/w. Elderly/ disabled care payable if relevant.
<b>Dartford Borough Council</b>	45p per mile (for the first 10,000 miles); 25p per mile (over 10,000 miles); 24p per mile (motorbike).	20p a mile	Dependent relative care £13.13; childcare NMW.
<b>Dover District Council</b>	40p per mile (extra 1p per passenger)	20p a mile	£5.93 per hour
<b>Gravesham Borough Council</b>	40p a mile car; 24p a mile motorbike; cheapest available fare by rail/ bus/ coach.	20p a mile	£6.00 an hour
<b>Maidstone Borough Council</b>	Cars and vans 40p per mile; motorcycles 24p per mile. Plus 5p per mile if passengers carried.	20p a mile	£6.00 an hour
<b>Sevenoaks District Council</b>	Car 451-999cc 46.9p per mile; 100-1199cc 52.2p per mile; 1200cc+ 65p per mile.	20p a mile	£6.00 an hour; Dependent Carers Allowance £15.50 per hour.
<b>Shepway District Council</b>	Cars and vans 45p per mile; motorcycles 24p per mile. Plus 5p per mile per passenger carried.	20p a mile	
<b>Swale Borough Council</b>	Cars not exceeding 999 cc 42.9p; 1000cc to 1199cc 46.9p; above 1200cc 58.7p.		
<b>Thanet District Council</b>	Within the district 21.69p per mile; outside the district 78.45p	20.4p a mile	£6.00 an hour
<b>Tonbridge &amp; Malling Borough Council</b>	Cars not exceeding 999 cc 46.9p; 1000cc to 1199cc 52.9p; above 1200cc 65p. Motorcycle 24p a mile.	20p a mile	£6.00 an hour; Dependent Carers Allowance £15.50 per hour.
<b>Tunbridge Wells Borough Council</b>		20p a mile	£6.00 an hour

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**14 DECEMBER 2011**

### **REPORT OF THE STANDARDS COMMITTEE HELD ON 30 NOVEMBER 2011**

#### **1. STANDARDS COMMITTEE - EXTENSION OF TERMS OF OFFICE OF INDEPENDENT MEMBERS AND PARISH COUNCIL REPRESENTATIVES**

**1.1.** The Localism Bill received Royal Assent on 15 November 2011 and the Standards Committee, at its meeting held on 30 November 2011, considered a joint report by the Head of Legal Services and the Chairman of the Committee suggesting proposed arrangements for implementing the provisions of the Localism Act insofar as they relate to the ethical standards regime. The report recommended that the new Code of Conduct which would have to be adopted following the coming into force of the Act should be based on the existing Code, and the Committee agreed that if any Members/Co-opted Members of the Council had suggestions for inclusions/exclusions in the new Code, they should let the Monitoring Officer know.

**1.2.** A report will be submitted to the next meeting of the Committee developing these proposals in detail, but since it is not yet known when the provisions of the Act covering standards will come into force, and since the Council has already decided that there should continue to be a Standards Committee comprising Borough, Parish and Independent Members, the Committee felt that it would be sensible to extend the terms of office of the existing Independent Members and Parish Council representatives until the Annual Meeting of the Council in May 2013 or until such time that the new arrangements have been finalised.

#### **1.3. RECOMMENDED:**

**1.3.1. That the terms of office of the existing Independent Members and Parish Council representatives on the Standards Committee be extended until the Annual Meeting of the Council in May 2013 or until such time that the arrangements in relation to the new ethical standards regime have been finalised.**

# Agenda Item 14

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**14 DECEMBER 2011**

#### **REPORT OF THE GENERAL PURPOSES GROUP HELD ON 30 NOVEMBER 2011**

##### **POLLING PLACE REVIEW**

The Group considered the report of the Head of Democratic Services regarding a review of Polling Districts, Polling Places and Polling Stations.

The Head of Democratic Services circulated copies of emails he had received since the publication of the Agenda regarding objections to the recommendations in the report in respect of Barming, West Farleigh, Thurnham, Bicknor, Hucking and Frinsted.

The Group went through each of the recommendations in turn and discussed the pros and cons, taking into consideration the comments of the returning officer and the objections received.

The Group agreed with the objections in respect of Barming and Detling and Thurnham Wards and agreed to make no change in the Polling Stations in those wards.

**RECOMMENDED:** That Council be recommended to agree that there be no changes to Polling Stations, except for the following:-

Ward	Current Polling Station	Recommendation
Coxheath & Hunton Parish: West Farleigh	The Cricket Pavilion	That the electors be transferred to vote at All Saints Church, Church Lane, West Farleigh
Heath	St Andrews Church Hall	That the polling station be changed to Beechwood Community Hall on the grounds of locality.
South	Loose Bowls Club	That the polling station be transferred to the YMCA.
Headcorn Parish: Headcorn	Hawkenbury Public House	That there be no change but if the public house becomes unavailable, electors be transferred to vote at Headcorn Village Hall
North Downs Parish: Bicknor	Hucking Parish Church	That the electors of Bicknor be transferred to vote at the Cardwell Pavilion, Hollingbourne



North Downs Parish: Frinsted	Frinsted Village Hall	That the electors of Frinsted transfer to vote at Wormshill Village Hall
North Downs Parish: Huckling	Huckling Parish Church	That the electors of Huckling be transferred to vote at the Cardwell Pavilion, Hollingbourne.
North Downs Parish: Wichling	St Margarets Church	That the electors of Wichling be transferred to vote at the Harrow Inn, Lenham

**Review of Polling Districts and Polling Stations  
(Parliamentary Elections) Regulations 2006**

**Maidstone and The Weald Constituency (Part)**

Existing Polling Stations and Electorate as at 1 July 2011

<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location/alternative</b>
A	Ward: Allington	Allington Community Association, Castle Road, Maidstone, Kent ME16 0PZ	2293	<b>Presiding Officer(s):</b> <i>Poor lighting in polling booths</i> <b>Returning Officers comments:</b> <i>This polling station is ideal in all aspects other than lighting. Therefore it is felt that no change be made to the location but that improvements are made to the lighting at this station. Investigate the lighting situation in the polling booths. Either where the booths are stood in relation to the internal lighting or lighting attachments.</i> <b>Recommendation:</b> <i>No change</i>
AA	Ward: Allington	St Nicholas Church Hall, Poplar Grove, Maidstone, Kent ME16 0DE	3289	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No Change</i>

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**Review of Polling Districts and Polling Stations  
(Parliamentary Elections) Regulations 2006**

**Maidstone and The Weald Constituency (Part)**

Existing Polling Stations and Electorate as at 1 July 2011

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PD Letters	Borough Ward & Parish (Parish Ward)	Polling Station	Electorate	Comments e.g.: access/location
B	Ward: Barming Parish: Barming	Barming Village Hall, Heath Road, Maidstone, Kent ME16 9JU	1388	<p><b>Parish Council:</b> <i>Satisfied with current arrangements</i></p> <p><b>Alternative Location:</b> <i>Barming Parish Hall, Tonbridge Road</i></p> <p><b>Returning Officers comments:</b> <i>The polling station is located outside the Ward. It is used by both Barming and Heath Wards. Hence this situation is not ideal; it has not caused significant problems in the past. However, under the proposals for the new parliamentary constituencies, Barming ward will be in Tonbridge and Heath ward in Maidstone. In most circumstances the potential problems of having 2 different constituencies run by 2 different authorities would have too many risks, (principally ballot papers going in the wrong box) and means their polling stations should be located at different places. A site visit has confirmed that Barming Parish Hall would be suitable alternative to Barming Village Hall and is located within the Ward. The cost to hire this hall is unknown as the present time. However as the proposed changes to the Parliamentary Constituencies are currently out to consultation it would seem premature to make the change at present until those boundaries are confirmed. If they are confirmed I would recommend for the reasons expressed above that the change to Barming Parish Hall is made.</i></p> <p><b>Recommendation:</b> <i>That if the proposed boundaries of the Parliamentary Constituencies of Maidstone and Tonbridge are confirmed that at the first appropriate election, the electors of Barming Ward will vote in Barming Parish Hall but that in the meantime no change be made</i></p>
BA	Ward: Barming Parish: Teston	Teston Village Hall, Church Street, Teston, Maidstone, Kent ME18 5AH	590	<p><b>Parish Council:</b> <i>Current arrangements should remain unchanged.</i></p> <p><b>Returning Officers comments:</b> <i>No change</i></p> <p><b>Recommendation:</b> <i>No change</i></p>

**Review of Polling Districts and Polling Stations  
(Parliamentary Elections) Regulations 2006**

**Maidstone and The Weald Constituency (Part)**

Existing Polling Stations and Electorate as at 1 July 2011

PD Letters	Borough Ward & Parish (Parish Ward)	Polling Station	Electorate	Comments e.g.: access/location
F	Ward: Bridge	The Church of Jesus Christ of Latter Day Saints, London Road, Maidstone, Kent ME16 8QL	2526	<b>Returning Officers comments:</b> No change <b>Recommendation:</b> No change
FA	Ward: Bridge	St Simon Stock Catholic School, Oakwood Park, Maidstone, Kent ME16 0JP	1832	<b>Alternative Location:</b> Double station at The Church of Jesus Christ of Latter Day Saints <b>Returning Officers comments:</b> <i>The current location is outside the Ward, parking is an issue and there is a preference not to use schools if it can be avoided. However, despite these issues it is felt that this site is the best location for the voters that currently vote there. A change to the church of Jesus Christ of Latter Day Saints would be a significant distance for the electors to travel.</i> <b>Recommendation:</b> <i>That as accessibility to electors would be an issue as many would have further to go, the current arrangements remain unchanged.</i>

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PD Letters	Borough Ward & Parish (Parish Ward)	Polling Station	Electorate	Comments e.g.: access/location
G	Ward: Coxheath & Hunton Parish: Coxheath	Coxheath Village Hall, Stockett Lane, Coxheath, Maidstone, Kent ME17 4PT	3284	<b>Parish Council:</b> <i>Present arrangements were quite satisfactory</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
GA	Ward: Coxheath & Hunton Parish: East Farleigh	East Farleigh Church Hall, (now known as Old School Hall) Lower Road, East Farleigh, Maidstone, Kent ME15 0JL	1209	<b>Parish Council:</b> <i>Church Hall to change ownership, maybe unavailable as a polling station.</i> <b>Alternative Location(s):</b> <i>East Farleigh Social Club, Lower road. Women's Institute Hall, Forge Lane. Function Room, Bull PH, Station Road</i> <b>Returning Officers comments:</b> <i>Awaiting information from the new owners as to the availability of the hall. According to the churchwarden the hall may be available for community use. With regard to the alterations Site visits have confirmed that the locality of the WI Hall would be difficult in relation to traffic congestion and the parking is tight and limited. The Function Room, Bull PH is downstairs and not suitable. The Social Club would be a suitable alternative should the church hall not be available. The Social Club has plenty of parking, good facilities and the club management feel it would be good for the village. The current arrangement is more central to the village and should remain unchanged unless not available.</i> <b>Recommendation:</b> <i>No change, if it is confirmed by January 2012 that the church hall is available but if no confirmation is received, then the polling station is relocated to East Farleigh Social Club.</i>
GB	Ward: Coxheath & Hunton Parish: Hunton	Hunton Village Hall West Street Hunton, Maidstone, Kent ME15 0RS	536	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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GC	Ward: Coxheath & Hunton Parish: Linton	Linton Village Hall Linton Hill Linton, Maidstone, Kent ME17 4AP	454	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
GD	Ward: Coxheath & Hunton Parish: West Farleigh	The Cricket Pavilion, Church Lane, West Farleigh, Maidstone, Kent ME15 0PB	370	<b>Parish Council:</b> <i>Satisfied that they meet all of the necessary requirements.</i> <b>Presiding Officer(s):</b> <i>Disabled access needs reviewing</i> <b>Alternative Location:</b> <i>All Saints Church, Church Lane</i> <b>Returning Officers comments:</b> <i>The current location is far from ideal located in a field and with poor disabled access. All Saints Church is located near to the Cricket Pavilion. The disabled access is good and the facilities meet all the requirements need for a polling station. Adequate parking with more planned.</i> <b>Recommendation:</b> <i>That the electors be transferred to vote at All Saints Church, Church Lane, West Farleigh</i>

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J	Ward: East	St Luke's Church Hall Foley Street, Maidstone Kent ME14 5BE	3691	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
JA	Ward: East	Vinters Community Centre Aldon Close, Vinters Park, Maidstone, Kent ME14 5QF	2527	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
JBX	Ward: East Parish: Boxley - Woodlands	Vinters Community Centre Aldon Close, Vinters Park, Maidstone, Kent ME14 5QF	345	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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K	Ward: Fant	St Michael's CE Junior School, Douglas Road, Maidstone, Kent ME16 8ER	3606	<b>Ward Councillor(s):</b> <i>Satisfied of the arrangements that currently exist. Cllrs Paine, Black and Beerling</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
KA	Ward: Fant	Fant Hall, Fant Lane, Maidstone, Kent ME16 8NN	2997	<b>Ward Councillor(s):</b> <i>Satisfied of the arrangements that currently exist. Cllrs Paine, Black and Beerling</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>



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PD Letters	Borough Ward & Parish (Parish Ward)	Polling Station	Electorate	Comments e.g.: access/location
N	Ward: Heath	St Andrews Church Hall St Andrews Road, Maidstone, Kent ME16 9LW	2791	<p><b>Political Parties:</b> <i>current location not central to voters, one way access to current station by car. Mr Coates</i></p> <p><b>Alternative Location:</b> <i>Beechwood Community Hall, St Andrews Park</i></p> <p><b>Returning Officers comments:</b> <i>An Increasing electorate makes the current venue unsuitable because of its size as well as not being central to majority of voters. A site visit to Beechwood Community Hall identified that the facilities meet all the requirements needed for a polling station. Parking is limited, but as the hall is so central that many electors would not be required to use a car. Cost to hire the hall is £297, whilst St Andrews Hall is £192.</i></p> <p><b>Recommendation:</b> <i>That the polling station be changed to Beechwood Community Hall on the grounds of locality.</i></p>
NA	Ward: Heath	Barming Village Hall Heath Road, Maidstone Kent ME16 9JU	1434	<p><b>Returning Officers comments:</b> <i>No change</i></p> <p><b>Recommendation:</b> <i>No change</i></p>

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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
OO	Ward: High Street	St Philips Church Hall Waterloo Street, Maidstone, Kent	2066	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
OA	Ward: High Street	The Maidstone Baptist Church, Knightrider Street, Maidstone, Kent ME15 6LU	1363	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
OB	Ward: High Street	The Friends Meeting House 170 Union Street, Maidstone, Kent ME14 1EE	1047	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
OC	Ward: High Street	Bob Prowse Health Club, Armstrong Hall, Maidstone, Kent ME15 6AZ	1992	<b>Returning Officers comments:</b> <i>The venue is on the boundary of the Ward opposite a polling station used by a different Ward. It is within the Ward. It is important that the Presiding Officer at each station is briefed about potential problems. Parking limitations make it difficult to distribute the electorate to other polling places within the Ward.</i> <b>Recommendation:</b> <i>No change</i>

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QQ	Ward: Loose Parish: Loose	Loose Parish Pavilion, King George V Playing Fields, Loose, Maidstone, Kent	1998	<b>County Councillor:</b> <i>No Comment. Cllr Hotson</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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RR	Ward: Marden & Yalding Parish: Collier Street	St Margaret's Church, Collier Street, Tonbridge, Kent TN12 9RR	601	<b>Parish Council:</b> <i>St Margaret's Church provides a reasonable and practicable facility and meets the accessibility needs of disabled persons.</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
RA	Ward: Marden & Yalding Parish: Yalding	Laddingford Church Hall Claygate Road, Laddingford, Maidstone Kent ME18 6BP	516	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
RB	Ward: Marden & Yalding Parish: Marden	Marden Memorial Hall Goudhurst Road, Marden Tonbridge, Kent TN12 9JX	2813	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
RC	Ward: Marden & Yalding Parish: Nettlestead	Nettlestead Village Hall Maidstone Road, Nettlestead, Maidstone Kent ME18 5HE	684	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
RD	Ward: Marden & Yalding Parish: Yalding	Yalding Village Hall Lyngs Close, Yalding, Maidstone, Kent ME18 6JS	1277	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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SS	Ward: North	St Paul's Church Hall Church Hall, Boxley Road Maidstone, Kent ME14 2AL	4474	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
SA	Ward: North	St Faiths Church Hall Moncktons Lane, Ringlestone, Maidstone Kent ME14 2PY	1672	<b>Booking Secretary:</b> <i>Building is due to be renovated in 12/18 months</i> <b>Returning Officers comments:</b> <i>No alternative venues available, the situation will be monitored. No change</i> <b>Recommendation:</b> <i>No change</i>

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PD Letters	Borough Ward & Parish (Parish Ward)	Polling Station	Electorate	Comments e.g.: access/location
XX	Ward: South	Loose Baptist Church, Boughton Lane Loose, Maidstone Kent ME15 9QF	1317	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
XA	Ward: South	Loose Bowls Club 444 Loose Road Maidstone, Kent ME15 9UA	1947	<b>Alternative Location:</b> <i>YMCA has reopened. No complaints with current venue.</i> <b>Returning Officers comments:</b> <i>Before the Bowls Club the polling station was located at the YMCA. There are issues at the current polling station namely parking which is on the opposite side of the road and is not specific to the site and the station is very cold. Site visit to the YMCA proved beneficial as parking is good, the facilities for staff are reasonable. Noise maybe an issue when the other half of the hall is used. Cost to hire would be £300. It costs £250 to hire the Bowls Club and additionally YMCA is more central to the area.</i> <b>Recommendation:</b> <i>That the polling station is transferred to the YMCA.</i>
XB	Ward: South Parish: Tovil	St Stephens Day Centre, 1 St Stephens Square Tovil, Maidstone Kent ME15 6RE	1950	<b>Ward Councillor(s):</b> <i>Additional sign posting put up around the area surrounding St Stephens Day Centre. Cllr Chittenden Polling Station moved back to school, Cllr English.</i> <b>Parish Council:</b> <i>Archbishop Courtenay Primary School is used as a polling station instead of St Stephens Day Centre.</i> <b>Returning Officers comments:</b> <i>Had previously received a request to move out of the Archbishop Courtenay Primary School from the School and agreed to a request, moving to the current location at St Stephens Day Centre. This station is suitable but improved signage will be used at the new location. If the school building comes into a community use and is available, a further polling place review should be held for this area.</i> <b>Recommendation:</b> <i>No change but there be a further polling place</i>

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				<i>review be held if the school becomes available for community use.</i>
XC	Ward: South Parish: Tovil	Maidstone Hockey Club, Armstrong Road Maidstone, Kent	676	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
XD	Ward: South	Maidstone Hockey Club, Armstrong Road Maidstone, Kent	468	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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YA	Ward: Staplehurst Parish: Staplehurst	Staplehurst Village Centre High Street Staplehurst Tonbridge, Kent TN12 0BJ	4444	<b>Ward Councillor(s):</b> <i>No Comment, Cllr Hotson</i> <b>County Councillor:</b> <i>No Comment Cllr Hotson</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>



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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
C	Ward: Bearsted Parish: Bearsted	King George V Memorial Hall, Manor Rise Bearsted, Maidstone Kent ME14 4DB	1793	<b>Ward Councillor(s):</b> Adequate for the residents of Bearsted. Cllr Springett. No problems reported except a few minor grumbles that the Plantation Polling Place was convenient for those who live in Plantation Lane. Cllr Ash. <b>County Councillor:</b> Happy to support the status quo. Cllr Carter <b>Alternative Location:</b> Reinstallation of mobile at the Plantation <b>Returning Officers comments:</b> Change took effect May 2011 and there was a 39% turnout in the election and no complaints were received at that time. <b>Recommendation:</b> No change
CA	Ward: Bearsted Parish: Bearsted	Madginford Hall, Egremont Road Bearsted, Maidstone Kent ME15 8LH	3686	<b>Ward Councillor(s):</b> Adequate for the residents of Bearsted. Cllr Springett. No problems reported except a few minor grumbles that the Plantation Polling Place was convenient for those who live in Plantation Lane. Cllr Ash. <b>County Councillor:</b> Happy to support the status quo. Cllr Carter <b>Elector:</b> Reinstallation of mobile at the Plantation due to distance to travel to new location. Paul Young <b>Alternative Location:</b> Reinstallation of mobile at the Plantation or use of Roseacre School <b>Returning Officers comments:</b> Change took effect May 2011 with a 39% turnout and no complaints. Objection received from Roseacre School. <b>Recommendation:</b> No change
CC	Ward: Bearsted Parish: Bearsted	Women's Institute, The Street, Bearsted Maidstone, Kent ME14 4EX	1237	<b>Ward Councillor(s):</b> Adequate for the residents of Bearsted. Cllr Springett. No problems. Cllr Ash. <b>County Councillor:</b> Happy to support the status quo. Cllr Carter <b>Returning Officers comments:</b> No change <b>Recommendation:</b> No change

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D	Ward: Boughton Monchelsea & Chart Sutton Parish: Boughton Monchelsea South	Boughton Monchelsea Village Hall, Church Street, Boughton Monchelsea Maidstone, Kent ME17 4HN	1322	<b>County Councillor:</b> <i>No comment. Cllr Hotson</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
DA	Ward: Boughton Monchelsea & Chart Sutton Parish: Chart Sutton	Chart Sutton Village Hall, Chart Hill Road, Chart Sutton, Maidstone, Kent ME17 3RH	690	<b>County Councillor:</b> <i>No comment. Cllr Hotson</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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E	Ward: Boxley Parish: Boxley South	Boxley Church Hall The Street, Boxley Maidstone, Kent ME14 3DX	174	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr Carter</i> <b>Returning Officers comments:</b> <i>Consideration has been given to moving the location of this station to both Tyland Barn and Grove Green but in both instances the travel distance of miles and minutes travel time is too long particularly as there are only 17 postal voters.</i> <b>Recommendation:</b> <i>No change</i>
EA	Ward: Boxley Parish: Boxley South	Tyland Barn, Sandling Maidstone, Kent ME14 3BD	655	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr Carter</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
EB	Ward: Boxley Parish: Boxley South	Grove Green Community Hall Penhurst Close (adjacent to Tesco) Maidstone, Kent ME14 5BT	2505	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr Carter</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
EBX	Ward: Boxley	Grove Green Community Hall Penhurst Close (adjacent to Tesco) Maidstone, Kent ME14 5BT	34	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr Carter</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
EC	Ward: Boxley Parish: Boxley North	Beechen Hall, Wildfell Close, Walderslade, Chatham, Kent ME5 9RU	2865	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr Carter</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
ED	Ward: Bredhurst	Bredhurst Village Hall	331	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr</i>

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	Parish: Bredhurst	Bredhurst Gillingham, Kent ME7 3JZ		<i>Carter</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
H	Ward: Detling and Thurnham Parish: Detling	Detling Village Hall Pilgrims Way Detling, Maidstone Kent ME14 3EY	613	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
HA	Ward: Detling and Thurnham Parish: Thurnham	Detling Village Hall Pilgrims Way Detling, Maidstone Kent ME14 3EY	77	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
HB	Ward: Detling and Thurnham Parish: Boxley South East	Weaving Village Hall, Weaving Street, Maidstone, Kent ME14 5JR	787	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr Carter</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
HBX	Ward: Detling and Thurnham	Weaving Village Hall Weaving Village Hall, Weaving Street, Maidstone, Kent ME14 5JR	80	<b>County Councillor:</b> <i>Happy to support the status quo. Cllr Carter</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
HC	Ward: Detling and Thurnham Parish: Thurnham	Women's Institute, The Street, Bearsted Maidstone, Kent ME14 4EX	837	<b>Returning Officers comments:</b> <i>Current polling station is not in the ward with limited parking and two Wards voting in the same place which is not an ideal situation. The polling station is also not close to the majority of electors. It is suggested that 744 electors south of the motorway be transferred to Weaving Village Hall (Though it is accepted that this polling station which is closer for the majority of electors is further away for a significant minority) and the 93 electors north of the motorway be transferred to Detling Village Hall.</i> <b>Recommendation:</b> <i>Split the polling district HC as detailed above and no longer use Women's Institute as a polling station for Thurnham Ward.</i>

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I	Ward: Downswood and Otham Parish: Downswood	Downswood Community Centre, Chiltern Close, Off Derringwood Drive, Downswood, Kent ME15 8XG	1759	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
IA	Ward: Downswood and Otham Parish: Otham	Otham Village Hall Otham Street Otham, Maidstone Kent ME15 8RN	314	<b>Parish Council:</b> <i>Recommend that this polling station remains on the list.</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
IB	Ward: Downswood and Otham Parish: Otham	Reculver Walk Day Centre, Reculver Walk, Maidstone, Kent	65	<b>Returning Officers comments:</b> <i>This polling station is outside the ward for the 65 voters in this area and is situated in Shepway South ward. Most residents are far closer to this station than Otham Village Hall the nearest station within the ward. The reasons these voters were allocated to this station is still valid and no change is suggested. However, there is an element of doubt to the future of this polling station but currently I am not aware of any proposals to close this day centre. Investigations have shown the only alternatives would be the (1) Senacre Community Centre which was reopened Sept 2011 and is run by KCC; whilst this location is within the ward it has not worked previously as a polling station because of controlled access.(2) Senacre Primary School which is not within the ward. Use of a school can cause significant disruption including possibly closing for the day. The preference is not to close a school for a day. (3) Otham Village Hall which is some distance away. If the existing polling station is closed a further review can take place to determine the appropriate location.</i> <b>Recommendation:</b> <i>No change unless the Day Centre is not available when a further review would be held.</i>

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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
L	Ward: Harrietsham and Lenham Parish: Harrietsham	Harrietsham Village Hall Church Road, Harrietsham, Maidstone, Kent ME17 1AP	1669	<b>Parish Council:</b> <i>Pleased with the current arrangements for Polling in the village.</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
LA	Ward: Harrietsham and Lenham Parish: Lenham North	Lenham Community Centre, Groom Way, Lenham, Maidstone Kent ME17 2QT	1973	<b>Parish Council:</b> <i>Plenty of car parking</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
LB	Ward: Harrietsham and Lenham Parish: Lenham North	The Harrow Inn, Warren Street, Lenham, Maidstone, Kent ME17 2ED	97	<b>Presiding Officer(s):</b> <i>Poor lighting in polling booths</i> <b>Returning Officers comments:</b> <i>In the past there has been as issue of poor disabled access, limited parking, and changeable ownership. An option could be that 97 electors are transferred to Lenham Community Centre, Groom Way. However a site visit has established that the facilities The Harrow Inn have improved. The facilities meet the requirements to be continued to be used as a Polling Station. Though it is suggested that some additional lighting is provided.</i> <b>Recommendation:</b> <i>No change</i>
LC	Ward: Harrietsham and Lenham Parish: Lenham South	Lenham Community Centre, Groom Way, Lenham, Maidstone Kent ME17 2QT	716	<b>Parish Council:</b> <i>Plenty of car parking</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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Existing Polling Stations and Electorate as at 1 July 2011

<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
M	Ward: Headcorn Parish: Boughton Malherbe	Grafty Green Village Hall, Church Road, Grafty Green, Maidstone Kent ME17 2BA	370	<b>Returning Officers comments:</b> No change <b>Recommendation:</b> No change
MA	Ward: Headcorn Parish: East Sutton	Filmer Hall, East Sutton Maidstone, Kent ME17 3DH	207	<b>Returning Officers comments:</b> No change <b>Recommendation:</b> No change
MB	Ward: Headcorn Parish: Headcorn	Hawkenbury Public House. Hawkenbury Road, Hawkenbury, Staplehurst, Tonbridge, Kent TN12 0DZ	130	<b>Returning Officers comments:</b> The total electorate using this venue is only 193. The building is used by two Wards which could lead to voting complications. The council has a policy of not using mobiles as they are not cost effective as illustrated by the figures below. Additionally the public house has a history of closing at short notice. However the problem of moving to Headcorn Village Hall means that the electors will have further to travel to vote and local members have previously supported no change. Therefore it is suggested the arrangements remain the same but if the Public House becomes not available for use that the electorate be transferred to vote at Headcorn Village Hall. Cost of mobile & ramp £2000 cost per electorate £10.58 Hire of public house cost per electorate £3.17 Sutton Valence V Hall cost per electorate 32p Headcorn Village Hall cost per electorate 12p <b>Recommendation:</b> No change but if the public house becomes unavailable, electors are transferred to Headcorn Village Hall.
MC	Ward: Headcorn Parish: Headcorn	Headcorn Village Hall Church Walk, Headcorn Ashford, Kent TN27 9NR	2558	<b>Returning Officers comments:</b> No change <b>Recommendation:</b> No change



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Existing Polling Stations and Electorate as at 1 July 2011

MD	Ward: Headcorn Parish: Ulcombe	Ulcombe Village Hall Headcorn Road, Ulcombe, Maidstone Kent ME17 1HD	681	<b>Parish Council:</b> <i>The current facilities serve the residents of the parish of Ulcombe well.</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
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**Faversham and Mid Kent Constituency (Part)**

Existing Polling Stations and Electorate as at 1 July 2011

<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
P	Ward: Leeds Parish: Broomfield and Kingswood	Broomfield and Kingswood Village Hall Gravelly Bottom Road, Kingswood, Maidstone Kent ME17 3PX	1313	<b>Ward Councillor(s):</b> <i>Happy with current arrangements for Polling Stations .Cllr Parvin</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
PA	Ward: Leeds Parish: Leeds	The Church Tower, St Nicholas Church, Leeds Maidstone, Kent	589	<b>Ward Councillor(s):</b> <i>Happy with current arrangements for Polling Stations .Cllr Parvin</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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Existing Polling Stations and Electorate as at 1 July 2011

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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
T	Ward: North Downs Parish: Bicknor	Hucking Parish Church Hucking, Maidstone, Kent	64	<b>Ward Councillor(s):</b> Happy with current arrangements for Polling Stations .Cllr Parvin <b>Returning Officers comments:</b> The current venue does not have its own toilet and kitchen facilities. The cost to hire the hall is £140.It is felt that as the facilities at the church are basic and that access to Hollingbourne is straight forward. Only 8 minutes to travel the 4 1/2 miles to Hollingbourne. <b>Recommendation:</b> The electors of Bicknor be transferred to vote at the Cardwell Pavilion, Hollingbourne.
TA	Ward: North Downs Parish: Frinsted	Frinsted Village Hall Frinsted Sittingbourne, Kent	105	<b>Ward Councillor(s):</b> Happy with current arrangements for Polling Stations .Cllr Parvin <b>Returning Officers comments:</b> The cost of voting at Frinsted Village Hall is £4.63 per elector serving an electorate of only 105. It is felt that with the close proximity of Wormshill Village Hall the voters at Frinsted could vote there. It is felt that the option of voting at Wormshill is preferred because there are more electors that vote there currently at a cost of £2.42 per elector. That cost would reduce to £1.52 with this proposed transfer. <b>Recommendation:</b> That the electors of Frinsted transfer to vote at Wormshill Village Hall.
TB	Ward: North Downs Parish: Hollingbourne	The Cardwell Pavilion, Greenway Court Road Hollingbourne, Maidstone, Kent ME17 1QQ	755	<b>Ward Councillor(s):</b> Happy with current arrangements for Polling Stations .Cllr Parvin <b>Parish Council:</b> The Cardwell Pavilion remains a reasonably central and accessible provision as a Polling Station, with access for those who are wheelchair users and moderate parking provision. <b>Returning Officers comments:</b> No change <b>Recommendation:</b> No change

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**Faversham and Mid Kent Constituency (Part)**

Existing Polling Stations and Electorate as at 1 July 2011

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TC	Ward: North Downs Parish: Hucking	Hucking Parish Church Hucking, Maidstone, Kent	60	<p><b>Ward Councillor(s):</b> <i>Happy with current arrangements for Polling Stations .Cllr Parvin</i></p> <p><b>Returning Officers comments:</b> <i>The current venue does not have its own toilet and kitchen facilities. The cost to hire the hall is £140.It is felt that as the facilities at the church are basic and that access to Hollingbourne is straight forward. Only 8 minutes to travel the 4 1/2 miles to Hollingbourne.</i></p> <p><b>Recommendation:</b> <i>The electors of Hucking be transferred to vote at the Cardwell Pavilion, Hollingbourne.</i></p>
TD	Ward: North Downs Parish: Otterden	The Harrow Inn, Warren Street, Lenham, Maidstone, Kent ME17 2ED	131	<p>Ward Councillor(s): <i>Happy with current arrangements for Polling Stations .Cllr Parvin</i></p> <p><b>Returning Officers comments:</b> <i>In the past there has been as issue of poor disabled access, limited parking, and changeable ownership. An option could be that 97 electors are transferred to Lenham Community Centre, Groom Way. However a site visit has established that the facilities The Harrow Inn have improved. The facilities meet the requirements to be continued to be used as a Polling Station. Though it is suggested that some additional lighting is provided.</i></p> <p><b>Recommendation:</b> <i>No change</i></p>
TE	Ward: North Downs Parish: Stockbury	Stockbury Memorial Hall Stockbury, Sittingbourne, Kent ME9 7UD	560	<p><b>Ward Councillor(s):</b> <i>Happy with current arrangements for Polling Stations .Cllr Parvin</i></p> <p><b>Returning Officers comments:</b> <i>No change</i></p> <p><b>Recommendation:</b> <i>No change</i></p>
TF	Ward: North Downs Parish: Wichling	St Margarets Church, Wichling, Sittingbourne Kent	107	<p><b>Booking Secretary:</b> <i>It is fair to say that the continued active use of this building is currently under review although I cannot say how long this process will take. Rev Lillicrap</i></p> <p><b>Ward Councillor(s):</b> <i>Happy with current arrangements for Polling Stations .Cllr Parvin</i></p> <p><b>Returning Officers comments:</b> <i>This polling station has no electricity, outside lighting, toilet, kitchen or parking facilities with its remoteness it would also not be suitable for a November election which will be held end of next year.</i></p>

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Existing Polling Stations and Electorate as at 1 July 2011

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				<p><i>Additionally, in these circumstances including its future, it is suggested that the electors are transferred to Frinsted Village Hall. This option has been chosen instead of The Harrow Inn because The Harrow Inn is in a different constituency under the proposed new boundary. In terms of distance there is hardly any difference in terms of travel between stations. The cost to hire hall is £315 including a portable toilet.</i></p> <p><b>Recommendation:</b> <i>In these circumstances it is suggested the electors are transferred to the Frinsted Village Hall.</i></p>
TG	Ward: North Downs Parish: Wormshill	Wormshill Village Hall Wormshill, Sittingbourne, Kent  £120	178	<p><b>Ward Councillor(s):</b> <i>Happy with current arrangements for Polling Stations .Cllr Parvin</i></p> <p><b>Parish Meeting:</b> <i>Present arrangements for constituents in Wormshill Parish are generally considered convenient and appropriate.</i></p> <p><b>Returning Officers comments:</b> <i>See Frinsted Village Hall.</i></p> <p><b>Recommendation:</b> <i>No change</i></p>

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**Faversham and Mid Kent Constituency (Part)**

Existing Polling Stations and Electorate as at 1 July 2011

<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
UA	Ward: Parkwood	Christchurch Hall Wallis Avenue Parkwood Maidstone, Kent ME15 9JJ	1943	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
UB	Ward: Parkwood	Heather House Bicknor Road Parkwood Maidstone, Kent ME15 9PS	1313	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
UX	Ward: Parkwood Parish: Boughton Monchelsea North	Christchurch Hall Wallis Avenue Parkwood Maidstone, Kent ME15 9JJ	1031	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>

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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
V	Ward: Shepway North	The Red Cross Centre School Lane, Maidstone, Kent ME15 8DY	1214	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
VA	Ward: Shepway North	Shepway Youth & Community Centre Cumberland Avenue Shepway, Maidstone Kent ME15 7JN	2061	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
VC	Ward: Shepway North	Grace Community Church, Grove Road Mangravet, Maidstone, Kent ME15 9AR	1082	<b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
VB	Ward: Shepway North	Park Way C P School Park Way, Maidstone Kent ME15 7AH	2280	<b>Elector:</b> <i>Additional sign posting put up around and within the area of the polling station. Mr D Jones</i> <b>Alternative Location:</b> <b>Returning Officers comments:</b> <i>No change. Ensure additional signage at this venue</i> <b>Recommendation:</b> <i>No change</i>

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**Faversham and Mid Kent Constituency (Part)**

Existing Polling Stations and Electorate as at 1 July 2011

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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
W	Ward: Shepway South	Reculver Walk Day Centre, Reculver Walk, Maidstone, Kent	1936	<p><b>Returning Officers comments:</b> <i>There is an element of doubt to the future of this polling station but currently I am not aware of any proposals to close this day centre. Investigations have shown the only alternatives would be the (1) Senacre Community Centre which was reopened Sept 2011 and it is run by KCC; whilst this location is within the ward it has previously not worked as a polling station because of controlled access. (2) Senacre Primary School which is within the ward. Use of a school can cause significant disruption including possibly closing for the day. The preference is not to close a school for a day. (3) St Martins Church Hall, Northumberland Road would be significant distance for the electors to travel. If the existing polling station is closed a further review can take place to determine the appropriate location.</i></p> <p><b>Recommendation:</b> <i>No change unless the Day Centre is not available when a further review would be held.</i></p>
WA	Ward: Shepway South	St Martins Church Hall Northumberland Road Maidstone, Kent ME15 7LP	2531	<p><b>Returning Officers comments:</b> <i>No change</i></p> <p><b>Recommendation:</b> <i>No change</i></p>



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<b>PD Letters</b>	<b>Borough Ward &amp; Parish (Parish Ward)</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Comments e.g.: access/location</b>
Z	Ward: Sutton Valence and Langley Parish: Langley	Langley Village Hall Horseshoes Lane Langley, Maidstone Kent ME17 3YJ	981	<b>County Councillor:</b> <i>No comment. Cllr Hotson</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
ZA	Ward: Sutton Valence and Langley Parish: Sutton Valence	Sutton Valence Village Hall, Memorial Playing Fields, Maidstone Road, Sutton Valence, Kent ME17 3LR	1064	<b>County Councillor:</b> <i>No comment. Cllr Hotson</i> <b>Returning Officers comments:</b> <i>No change</i> <b>Recommendation:</b> <i>No change</i>
ZB	Ward: Sutton Valence and Langley Parish: Sutton Valence	Hawkenbury Public House, Hawkenbury Road, Hawkenbury, Staplehurst, Kent TN12 0DZ	63	<b>County Councillor:</b> <i>No comment. Cllr Hotson</i> <b>Returning Officers comments:</b> <i>Changes proposed last time received objection. The electorate using this venue is low. The building is used by two Wards which could lead to voting complications. The council has a policy of not using mobiles as they are not cost effective. The public house has a history of closing at short notice. Therefore the arrangements remain the same but voters will be transferred to the polling stations within the remainder of their Ward should the Public House not be available for use. Cost of mobile &amp; ramp £2000 cost per voter £10.58 Hire of public house cost per voter £3.17 Sutton Valence V Hall cost per voter 32p Headcorn Village Hall cost per voter 12p</i> <b>Recommendation:</b> <i>No change but if the public house becomes unavailable, electors are transferred to Sutton Valence Village Hall.</i>

# Agenda Item 15

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**14 DECEMBER 2011**

#### **REPORT OF THE HEAD OF DEMOCRATIC SERVICES**

**Report prepared by Janet Barnes**

#### **1. CALENDAR OF MEETINGS 2012/13**

##### 1.1 Issue for Decision

1.1.1 To approve the calendar of meetings for the forthcoming municipal year for Council and the Non Executive meetings of the Authority.

##### 1.2 Recommendation of the Head of Democratic Services

1.2.1 That the Calendar of Meetings for 2012/13, as attached at Appendix A, be approved.

##### 1.3 Reasons for Recommendation

1.3.1 The Calendar of Meetings for 2012/13 is attached as Appendix A and sets out proposed dates for the Council and various non Executive meetings. These dates follow the normal pattern of meetings for each of the Committees.

1.3.2 There have been some small changes in that the Chairman of Planning Committee has agreed that Adjourned Planning can be held on the following Mondays (instead of the normal Thursday) – 18 March 2013 and 29 April 2013.

1.3.3 There is only one scheduled date for Standards Committee at the beginning of the Municipal Year as the future of this Committee is still to be decided.

1.3.4 Extraordinary Council meetings will be called if necessary.

1.3.5 Included in the Calendar of Meetings are dates for Council Seminars and training dates for Members.

##### 1.4 Alternative Action and why not Recommended

1.4.1 The dates of the above meetings are in accordance with the normal pattern for meetings.

1.5 Impact on Corporate Objectives

Setting the dates of future meetings at this time allows for advanced notice for the public and internal matters to be organised which helps towards our objective of Corporate and Customer excellence.

1.6 Risk Management

1.6.1 There are no risks associated with this report.

1.7 Other Implications

1.7.1

- 1. Financial
- 2. Staffing
- 3. Legal
- 4. Equality Impact Needs Assessment
- 5. Environmental/Sustainable Development
- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management


1.8 Relevant Documents

1.8.1 Appendices

Appendix A – Calendar of Meetings 2012/13

1.8.2 Background Documents

None

**IS THIS A KEY DECISION REPORT?**

Yes

No

If yes, when did it first appear in the Forward Plan?

.....

This is a Key Decision because: .....

.....

Wards/Parishes affected: .....

.....

**CALENDAR OF MEETINGS 2012/13**

	MAY 2012	JUNE	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY 2013
Council (Wed)	16 (11.15 am) AGM	20			19			12		27		24	15 (11.15am) AGM
Planning (Thurs)	17	7/28	19	30	20	11	01/22	13	10/31	21	14	25	
Adjourned Planning (Thurs)	24	14	5/26	16	6/27	18	8/29	20	17	7/28	18 (Mon)	11/29 (Mon)	
Licensing (Thurs)		21		02	13		15		24		21		
CS OSC (Tues)	22	12	10	7	4	2	6	4	8	5	5	9	
Comm OSC (Tues)	23 (Wed)	19	17	14	11	9	13	11	15	12	12	16	
R&ED OSC (Tues)	28 (Mon)	26	24	21	18	16	20	18	22	19	19	23	
Scrutiny T&FP (Tues)	29		3/31	28	25	23	27	17 (Mon)	29	26	26	30	
Standards (Wed)	30												
Audit (Mon)		11	16		17		26		14		25		
Seminar			25		26		28			20			
Members Training (Wed)	23 (New Member Induction - all day)	27		29		31			30		27		

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CS = Corporate Services

R&ED = Regeneration & Economic Development

Comm = Communities

OSC = Overview and Scrutiny Committee

Scrutiny T&FP = Task & Finish Panels

# Agenda Item 16

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**14 DECEMBER 2011**

#### **REPORT OF THE HEAD OF DEMOCRATIC SERVICES**

Report prepared by Debbie Snook

#### **1. COMMITTEE MEMBERSHIP**

- 1.1** Notification has been received of proposed changes to the membership of Committees.

#### **2. RECOMMENDED:**

- 2.1** That the following changes be approved to reflect the wishes of the Leader of the Conservative Group:-

#### **Communities Overview and Scrutiny Committee**

##### Members

Delete Councillor Ash. Insert Councillor Hinder.

#### **Licensing/Licensing Act 2003 Committees**

##### Substitute Members

Delete Councillor Barned. Insert Councillor Black

#### **Maidstone Joint Transportation Board**

##### Members

Delete Councillor Thick. Insert Councillor Ash.

##### Background Documents

Email from the Leader of the Conservative Group – Democratic Services Section

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**14 DECEMBER 2011**

#### **REPORT OF THE HEAD OF DEMOCRATIC SERVICES**

Report prepared by Karen Luck

#### **URGENT DECISIONS TAKEN BY THE EXECUTIVE**

##### **1. CABINET MEMBER FOR COMMUNITY AND LEISURE SERVICES**

The Cabinet Member for Community and Leisure Services agreed on 04 November 2011 that the decision set out below was urgent and needed to be actioned within the call-in period. In accordance with the Overview and Scrutiny Procedure Rules of the Constitution, the Mayor, in consultation with the Head of Paid Service and the Chairman of the Communities Overview and Scrutiny Committee, agreed that the decision was reasonable in all the circumstances and should be treated as a matter of urgency and not be subject to call-in.

##### Youth Service Provision

The Cabinet Member for Community and Leisure Services considered Kent County Council's (KCC) proposed changes and reductions to youth provision within the Borough, particularly the proposals to withdraw from two of its three youth centres, and the feedback to KCC of the views of stakeholders, young people and residents.

##### Decision Made

1. That KCC be asked to re-consider its proposals for Maidstone regarding the reduction in the number of youth centres from three to one and the decrease in detached youth work.
2. That the Manor, Shepway Youth and Community Centre rather than Infozone be identified as the "hub" for Maidstone if youth centre reductions are made.
3. That KCC ensure that Maidstone Borough Council is given the opportunity to jointly commission youth services in future, from voluntary and community organisations and social enterprises.

##### Reason for Urgency

The Cabinet Member for Community and Leisure Services determined that his decision was urgent because the closing date for submission of the Council's response to KCC's consultation was 04 November 2011.

## **RECOMMENDED:**

This report is for information only.

### *Background Documents:*

*Record of Decision of the Cabinet Member for Community and Leisure Services dated 04 November 2011*

## **2. CABINET MEMBER FOR ECONOMIC DEVELOPMENT AND TRANSPORT**

The Cabinet Member for Economic Development and Transport agreed on 17 November 2011 that the decision set out below was urgent and needed to be actioned within the call-in period. In accordance with the Overview and Scrutiny Procedure Rules of the Constitution, the Mayor, in consultation with the Head of Paid Service and the Chairman of the Regeneration and Economic Development Overview and Scrutiny Committee, agreed that the decision was reasonable in all the circumstances and should be treated as a matter of urgency and not be subject to call-in.

### Appointment of Director to Maidstone Town Centre Management Limited and Representative of Council at General Meetings of the Company

The Cabinet Member for Economic Development and Transport considered who to nominate to be a Director of Maidstone Town Centre Management Ltd, who should attend meetings of the company on behalf of the Council as a member and how that person should vote at the forthcoming Annual General Meeting.

### Decision Made

1. That Steve Goulette be nominated as a director of Maidstone Town Centre Management Ltd.
2. That the Head of Legal Services represent the Council in its role as a member of the company at general meetings of the company.
3. That, at the forthcoming Annual General Meeting, the Head of Legal Services vote in favour of the proposals set out in the Maidstone Town Centre Management Ltd 11<sup>th</sup> Annual General Meeting Agenda as attached at Appendix 1 to the report of the Chief Executive and Head of Legal Services.
4. That the Head of Legal Services exercise the Council's vote at future meetings of the company, having consulted the relevant Cabinet Member to use of the vote.

### Reason for Urgency

The Cabinet Member for Economic Development and Transport determined that his decision was urgent because it needed to be actioned at the Town Centre Management Ltd Annual General Meeting on 17 November 2011.



**RECOMMENDED:**

This report is for information only.

*Background Documents:*

*Memorandum and Articles of Association of Maidstone Town Centre Management Limited*