

## **MAIDSTONE BOROUGH COUNCIL**

### **MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 25 APRIL 2012**

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

96. MINUTE'S SILENCE

The Council stood in silence for one minute in memory of Mr Edwin Boorman, OBE, KM Group President and a former High Sheriff and Deputy Lieutenant of Kent, and also Mr Bob Black, a former Councillor and Mayor's Escort, who had died recently.

97. PRAYERS

Prayers were said by the Reverend Canon Chris Morgan-Jones.

98. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors English, Field, Harwood, Robertson, Sams and Verrall.

99. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

100. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

101. EXEMPT ITEMS

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

102. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 29  
FEBRUARY 2012

RESOLVED: That the Minutes of the meeting of the Borough Council held on 29 February 2012 be approved as a correct record and signed.

103. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:-

- A letter had been received from Her Majesty the Queen sending her grateful thanks to the Councillors and citizens of the Borough of Maidstone for their kind message of loyal greetings, sent on the occasion of the sixtieth anniversary of her accession to the throne. The message had been sent at the instigation of Councillors Parvin and Mrs Parvin, who had put a motion to the last meeting of the Council.
- Together with Councillor Hotson (past Mayor) and Councillor Nelson-Gracie (future Mayor), he had gone to watch Maidstone Rugby Club in the RFU Vase national semi-final against Wells, Somerset at The Mote. It was a great match, but, unfortunately, Maidstone did not win a place in the Twickenham final.
- He would like to take the opportunity to wish good luck to all those Members who were seeking re-election and to thank Councillors FitzGerald and Verrall, who were standing down, for their services over the years.

104. PETITIONS

There were no petitions.

105. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

**Questions to the Cabinet Member for Community and Leisure Services**

Councillor Martin Pepper, the Chairman of Boxley Parish Council, asked the following question of the Cabinet Member for Community and Leisure Services:-

*Pressures are on for housing and I notice that MBC has an empty homes policy dated 2007. I am aware of pressure in the media to press HMG and Councils to do better at returning these homes to a habitable state for those on waiting lists. How has MBC performed in the context of their strategy and do they support the initiative with performance targets/achievements reportable to the MBC community?*

The Cabinet Member for Community and Leisure Services responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, and Councillor FitzGerald, the Leader of the Independent Group, then responded to the question.

Councillor Pepper asked the following supplementary question of the Cabinet Member for Community and Leisure Services:-

*The Council should be congratulated on its work in relation to empty homes, but clearly there are anomalies. Can the Cabinet Member give an assurance that the Council will continue in its efforts to bring back long term empty homes into use such as one in Downs View Road, which has been empty since 1978, causing concern to local residents and detriment to the character and appearance of the area?*

The Cabinet Member for Community and Leisure Services responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, and Councillor FitzGerald, the Leader of the Independent Group, then responded to the question.

### **Questions to the Leader of the Council**

Dr Mike Speight asked the following question of the Leader of the Council:-

*According to the Council's website, the provisional venue for two of the next three meetings of the Maidstone Locality Board is County Hall. The last meeting on 28 March was also at County Hall. The Maidstone Locality Board provides governance for the production, revision and delivery of the Sustainable Community Strategy for Maidstone Borough. As a key local document, the Sustainable Community Strategy sets out Maidstone Borough Council's overall direction and long-term vision for the social, environmental and economic well-being of Maidstone Borough, and as such it has been fundamental in shaping the Local Development Framework Core Strategy. In light of the distinctly local nature of such considerations, would the Leader of the Council (currently also enjoying the role of Chair of the Maidstone Locality Board) not think it in the interests of local democracy to hold all meetings of this body in this Chamber, where familiar surroundings and easy physical access, as well as the readily available facility of webcasting, would lend themselves to a truly local engagement with residents of the Borough?*

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, and Councillor FitzGerald, the Leader of the Independent Group, then responded to the question.

Dr Speight asked the following supplementary question of the Leader of the Council:-

*Can the Leader of the Council give an assurance that deliberation by the Locality Board on the local issue of the revision of the Sustainable Community Strategy will be undertaken soon and in surroundings which serve to maximise encouragement of participation in the process by residents of the Borough of Maidstone?*

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, and Councillor FitzGerald, the Leader of the Independent Group, then responded to the question.

To listen to the responses to these questions, please follow this link:-

[http://clients.westminster-digital.co.uk/maidstone/mg\\_proxy.aspx?mg\\_a\\_id=9397](http://clients.westminster-digital.co.uk/maidstone/mg_proxy.aspx?mg_a_id=9397)

106. QUESTIONS FROM MEMBERS OF THE COUNCIL

**Questions to the Cabinet Member for Community and Leisure Services**

Councillor FitzGerald asked the following question of the Cabinet Member for Community and Leisure Services:-

*Can the Cabinet Member explain how ring fencing £100,000 for Localism for more than a year and taking no action yet despite the Localism Act becoming law during this time is helpful to hard pressed voluntary and community groups and others in the Borough having to manage change?*

The Cabinet Member for Community and Leisure Services responded to the question.

Councillor FitzGerald asked the following supplementary question of the Cabinet Member for Community and Leisure Services:-

*My concern is that this is a short term bidding opportunity. Could the Cabinet consider extending this if it is successful?*

The Cabinet Member for Community and Leisure Services responded to the question.

To listen to the responses to these questions, please follow this link:-

[http://clients.westminster-digital.co.uk/maidstone/mg\\_proxy.aspx?mg\\_a\\_id=9398](http://clients.westminster-digital.co.uk/maidstone/mg_proxy.aspx?mg_a_id=9398)

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

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

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

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

108. REPORT OF THE AUDIT COMMITTEE HELD ON 19 MARCH 2012 - REQUEST FOR AUDIT COMMITTEE QUORUM TO BE REDUCED FROM FOUR TO THREE

It was moved by Councillor Nelson-Gracie, seconded by Councillor Warner, that the recommendation of the Audit Committee relating to the proposed reduction in the quorum for meetings of the Committee be approved.

Councillor Parvin, the Vice-Chairman of the Standards Committee, advised the Council that, in accordance with Article 15.02 (a) of the Constitution, the Standards Committee had evaluated the amendment of the Constitution as a consequence of the proposed reduction in the quorum for meetings of the Audit Committee, and believed that its implementation would help to ensure that the aims and principles of the Constitution were given full effect by putting in place arrangements to enable business to be transacted in the event of two Members of the Committee being unable/ineligible to attend a meeting of the Committee, thus enabling decisions to be taken efficiently and effectively.

RESOLVED: That the quorum for meetings of the Audit Committee be reduced from four to three and that the Constitution be amended accordingly.

109. REPORT OF THE STANDARDS COMMITTEE HELD ON 4 APRIL 2012 - ANNUAL REPORT TO COUNCIL 2011/12

Mrs Dorothy Phillips, the Chairman of the Standards Committee, presented the Committee's Annual Report to Council 2011/12.

It was moved by Councillor Parvin, seconded by Councillor FitzGerald, that the recommendation of the Standards Committee relating to its Annual Report to Council 2011/12 be approved.

RESOLVED: That the Standards Committee's Annual Report to Council 2011/12, attached as an Appendix to the report of the Committee, be noted.

110. REPORT OF THE STANDARDS COMMITTEE HELD ON 4 APRIL 2012 - FUTURE OF STANDARDS REGIME

Mrs Dorothy Phillips, the Chairman of the Standards Committee, presented the report of the Standards Committee relating to the future of the ethical standards regime.

It was moved by Councillor Parvin, seconded by Councillor FitzGerald, that the recommendations of the Standards Committee relating to the future of the ethical standards regime be approved.

RESOLVED:

1. That agreement be given to the appointment of one Independent Person and that the Monitoring Officer be given delegated authority

to agree the Job Description with the Chairman of the Standards Committee and the Political Group Spokesmen and to commence the recruitment process, culminating in a recommendation being made to Council as to who should be appointed (following consideration by a group of Members).

2. That the possibility of recruiting an Independent Person from another authority or elsewhere to act as a reserve be investigated.
3. That as from the commencement date of the new ethical standards regime, the non-statutory Standards Committee should comprise a maximum of 3 Members from each political group of the Council (i.e. it should not be politically balanced); that 2 Parish Councillor representatives be appointed as non-voting Members of the Committee on the nomination of the Kent Association of Local Councils; and that the existing arrangements be maintained until the commencement date.
4. That Assessment Sub-Committees (not politically balanced) comprising 3 Councillors be appointed from the membership of the Standards Committee as and when the Monitoring Officer requires.
5. That Hearing Sub-Committees of 3 Councillors (not politically balanced) be appointed to hear complaints where in the opinion of the Monitoring Officer there has been a breach of the Code of Conduct and that a Parish Councillor representative should be appointed to the Sub-Committee as a non-voting Member when Parish Councillors are the subject of the complaint.
6. That the procedures for dealing with complaints of misconduct by Borough and Parish Councillors, as set out in Appendices A and B to the report of the Monitoring Officer and as amended to reflect the views of the Standards Committee, be adopted.
7. That further reports be submitted as and when the LGA publishes its model Code of Conduct.
8. That the Standards Committee be given delegated authority to deal with applications by Borough Councillors for dispensations and that the Monitoring Officer also be given authority to deal with these in consultation with the Independent Person.
9. That the Standards Committee continue to be responsible for promoting and maintaining high standards of conduct by Members including making recommendations to Council as to the Code of Conduct and maintaining an oversight of the training process.
10. That all changes to the Constitution continue to be approved by the full Council, and that any proposed changes be accompanied by an evaluation from the Monitoring Officer.

11. That the Audit Committee become responsible for the oversight of the Whistle Blowing Policy.
12. That the appropriate Overview and Scrutiny Committee become responsible for the overview of complaints handling and Local Government Ombudsman investigations.
13. That the Chief Executive be given delegated authority to make payments in cases of maladministration up to £1,000 and that the appropriate Cabinet Member be responsible for authorising payments in excess of this figure.
14. That it be noted that these proposed arrangements remain subject to review.
15. That the consequential amendments to the Constitution arising from the implementation of the provisions of the Localism Act in so far as they relate to the ethical standards regime be approved.

111. REPORT OF THE HEAD OF ICT SERVICES - STREET NAMING AND NUMBERING

It was moved by Councillor Hotson, seconded by Councillor J A Wilson, that the recommendation contained in the report of the Head of ICT Services concerning the adoption of the provisions of Sections 17 and 18 of the Public Health Act 1925 relating to street naming and alteration of street names be approved.

RESOLVED: That the provisions of Sections 17 and 18 of the Public Health Act 1925 relating to street naming and alteration of street names be adopted to apply throughout the Borough of Maidstone with effect from 1 June 2012.

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

The Mayor announced that this report was for information only.

113. DURATION OF MEETING

6.30 p.m. to 7.40 p.m.