

You are hereby summoned to attend a meeting of the

MAIDSTONE BOROUGH COUNCIL



Date: Wednesday 24 April 2013

Time: 6.30 p.m.

Venue: Town Hall, High Street,
Maidstone

Membership:

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

Continued Over/:

Issued on 16 April 2013

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEBBIE SNOOK on 01622 602030**. To find out more about the work of the Council, please visit www.maidstone.gov.uk

Alison Broom

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

AGENDA

Page No.

1. Prayers
2. Apologies for Absence
3. Dispensations (if any)
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
7. Minutes of the meeting of the Borough Council held on 27 February 2013 1 - 12
8. Mayor's Announcements
9. Petitions
10. Question and Answer Session for Members of the Public
11. 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
12. Current Issues - Report of the Leader of the Council, Response of the Group Leaders and Questions from Council Members
13. Report of the Cabinet held on 13 March 2013 - Maidstone Borough Local Plan 13 - 15
14. Report of the Scrutiny Coordinating Committee held on 11 April 2013 - Cabinet and Enhanced Scrutiny Model 16 - 34

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 27 FEBRUARY 2013

Present: Councillor Nelson-Gracie (The Mayor) and Councillors Ash, Barned, Beerling, Black, Mrs Blackmore, Brindle, Burton, Butler, Collins, Cox, Cuming, Daley, English, Garland, Mrs Gibson, Mrs Gooch, Greer, Ms Griffin, Mrs Grigg, Harwood, Mrs Hinder, Hogg, Hotson, Mrs Joy, Lusty, McKay, McLoughlin, Moriarty, B Mortimer, D Mortimer, Moss, Munford, Newton, Paine, Parvin, Mrs Parvin, Paterson, Pickett, Mrs Ring, Ross, Sams, Mrs Stockell, Thick, Vizzard, Watson, de Wiggondene, J.A. Wilson, Mrs Wilson and Yates

97. MINUTE'S SILENCE

The Council stood in silence for one minute in memory of Mrs Brioni Armytage, a former Member of the Council, and Lady Wells, the wife of Sir John Wells (a former Member of Parliament for Maidstone and a Freeman of the Borough), both of whom had died recently.

98. PRAYERS

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

99. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Chittenden, Mrs Robertson, Springett and Warner.

100. DISPENSATIONS

There were no applications for dispensations.

101. DISCLOSURES BY MEMBERS AND OFFICERS

The Chief Executive, on behalf of herself and all other members of staff present, disclosed an interest in the report of the Member and Employment and Development Panel relating to the Pay Policy Statement.

102. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

103. EXEMPT ITEMS

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

104. MINUTES OF THE EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL HELD ON 4 FEBRUARY 2013

RESOLVED: That the Minutes of the extraordinary meeting of the Borough Council held on 4 February 2013 be approved as a correct record and signed.

105. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:-

- He wished to remind Members of forthcoming events, including the Mayor's Murder Mystery Evening on 1 March 2013 and the Charity Spring Ball on 6 April 2013. He would like to thank Members for their continued support.
- A briefing session for Members on the impact of the Government's welfare reforms had been arranged to take place on 5 March 2013. He would like to take the opportunity to urge all Members to attend this important briefing.

106. PETITIONS

There were no petitions.

107. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Question to the Cabinet Member for Community and Leisure Services

Mrs Joan Langrick asked the following question of the Cabinet Member for Community and Leisure Services:-

My question is regarding the possibility of cancelling the broadband link to the CCTV camera in Senacre Square. Personally, I must admit I find the idea of removing a broadband connection from an area which is well known to the Police not only troubling, but puzzling. For it would appear that while this is being considered, several Councillors are claiming for their own broadband connections, when 80% of households already have internet access. This is at a combined annual cost of almost £5,000 a year which is far in excess of the sum required for the protection we need in this area. It just doesn't make sense.

I have lived in Senacre for fifteen years, and quite a large percentage of residents are elderly. Because many of us experience difficulty in getting around, particularly during the winter months, shopping locally is, for the majority of us, a necessity. However, vandals have targeted our grocers over many years and it wasn't until a broadband link to a CCTV camera in the Square was installed 10 years ago that the situation was finally

brought under control. This, of course, undoubtedly proves the necessity of having a camera there at all times. For those who would argue that evidence is needed before a camera is provided I would point out that whenever a camera is absent vandalism occurs, as shown by the following illustration.

Last year because our CCTV camera was not working the same problems flared up yet again, so much so that a mobile camera was supplied by the Community Safety Unit. As this had an immediate effect it undoubtedly proves yet again the necessity of having a camera in that area.

Because Senacre is not a Parish we are not given the opportunity to purchase our own camera and so have to rely on Maidstone Council to keep us safe in what is so obviously an unsafe area. This is particularly frustrating as the majority of us want to live an independent life in our homes for as long as possible, and this must surely include our being able to shop in safety in our local area.

So, finally, could I please ask the Council to review its policy regarding Councillors claiming for broadband services? This will then enable money to be released in order to provide a broadband connection in Senacre Square and reassure residents our safety is being taken seriously by our elected authorities.

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

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

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

<http://webcasts.umcdn.com/mbc027/interface>

108. QUESTIONS FROM MEMBERS OF THE COUNCIL

Question to the Leader of the Council

Councillor McKay asked the following question of the Leader of the Council:-

Would the Leader support Maidstone Borough Council adopting the principle of the living wage for all its employees? The living wage (currently £7.45) is a level of pay, above the minimum wage, currently set by the Living Wage Foundation and updated annually.

The Leader of the Council responded to the question.

To listen to the response to this question, please follow this link:-

<http://webcasts.umcdn.com/mbc027/interface>

109. CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL,
RESPONSE OF THE GROUP LEADERS AND QUESTIONS FROM COUNCIL
MEMBERS

There was no report from the Leader of the Council on this occasion.

110. REPORT OF THE CABINET HELD ON 13 FEBRUARY 2013 - REFRESH OF
THE STRATEGIC PLAN 2013-14

It was moved by Councillor Garland, seconded by Councillor Hotson, that the recommendations of the Cabinet relating to the refreshed Strategic Plan 2013-14 be approved.

RESOLVED:

1. That the refreshed Strategic Plan 2013-14, attached as Appendix A to the report of the Cabinet, be approved.
2. That the Chief Executive be given delegated authority in consultation with the Leader of the Council to make minor amendments to the document as required.

111. REPORT OF THE CABINET HELD ON 13 FEBRUARY 2013 - BUDGET
STRATEGY 2013/14 ONWARDS

Before calling upon Councillor Garland to move the recommendations of the Cabinet relating to the Budget Strategy 2013/14 onwards, the Mayor reminded Members that, in accordance with Council Procedure Rule 16.4, each Group Leader could speak for up to ten minutes when moving his/her Group's budget proposals.

It was moved by Councillor Garland, seconded by Councillor Hotson, that the recommendations of the Cabinet relating to the Budget Strategy 2013/14 onwards be approved subject to the amendment of paragraphs 15 (c), (d) and (f) to refer to paragraph 15 rather than 13 and paragraph 17 to refer to paragraphs 15 (d) and 16 rather than 13 (d) and 14.

Amendment moved by Councillor Mrs Wilson, seconded by Councillor Harwood:-

That paragraph 4 of the recommendations (as amended) be amended as follows:-

That subject to the disaggregation of the Parks budget so that Mote Park as a strategic park has a cost centre of its own separate from the general parks cost centre, the revenue estimates for 2013/14 incorporating the growth and savings items, as set out in Appendix A to the report of the Cabinet, be agreed.

That an additional paragraph be added to the recommendations (as amended) to be numbered 18 as follows:-

That the Capital Programme beyond 2013/14 be debated at full Council when the detailed information to enable prioritisation of the content of the Capital Programme is fully available.

AMENDMENT CARRIED

The substantive motion was then put to the vote.

SUBSTANTIVE MOTION CARRIED

RESOLVED:

1. That the revised revenue estimates for 2012/13, as set out in Appendix A to the report of the Cabinet (circulated separately), be agreed.
2. That the minimum level of General Fund Balances be set at £2m for 2013/14.
3. That the proposed Council Tax of £226.62 at Band D for 2013/14 be agreed.
4. That subject to the disaggregation of the Parks budget so that Mote Park as a strategic park has a cost centre of its own separate from the general parks cost centre, the revenue estimates for 2013/14 incorporating the growth and savings items, as set out in Appendix A to the report of the Cabinet, be agreed.
5. That the Statement of Reserves and Balances, as set out in Appendix A to the report of the Cabinet, be agreed.
6. That the Capital Programme, as set out in Appendix A to the report of the Cabinet, be agreed.
7. That the funding of the Capital Programme, as set out in Appendix A to the report of the Cabinet, be agreed.
8. That the Medium Term Financial Strategy, as set out in Appendix A to the report of the Cabinet, be agreed.
9. That the Medium Term Financial Projection, as set out in Appendix A to the report of the Cabinet, be endorsed as the basis for future financial planning.
10. That it be noted that, at the meeting of the General Purposes Group on 19 December 2012, the Group calculated the Council's Council Tax Base for the year 2013/14, in accordance with Regulations made under Section 33(5) of the Local Government Finance Act 1992, as 55,155.1 being the amount calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base)

Regulations 1992.

11. That it be noted that, at the meeting of the General Purposes Group on 30 January 2013, the Group approved the values for the business rates yield in accordance with the principles of the Government's guidance for the form NNDR1. The yield approved was £54,915,542 and this information has been provided to the Government and major preceptors.
12. That it be noted that, as detailed in Appendix B, the Council Tax Base for each of the Parish Areas, calculated in accordance with Regulation 6 of the Regulations, are the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which a special item relates (Parish precepts).
13. That the distribution of Local Council Tax Support funding to Parish Councils, as set out in Appendix C, be approved.
14. That the Council Tax requirement for the Council's own purposes for 2013/14 (excluding Parish precepts) be calculated as £12,498,993.
15. That the following amounts now be calculated by the Council for the year 2013/14 in accordance with Sections 31A, 31B and 34-36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011:-
 - (a) £79,052,734 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £65,365,967 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £13,686,767 being the amount by which the aggregate at 15(a) above exceeds the aggregate at 15(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31A(4) of the Act).
 - (d) £248.15 being the amount at 15(c) above (Item R), all divided by the figure stated at 10 above (Item T in the formula in Section 31A(4) of the Act), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- (e) £1,187,774 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix B).
- (f) £226.62 being the amount at 15(d) above less the result given by dividing the amount at 15(e) above by the Tax Base given in 10 above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

16. That it be noted that for the year 2013/14 Kent County Council, the Kent Police & Crime Commissioner and the Kent and Medway Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

<u>Valuation Bands</u>	<u>KCC</u> <u>£</u>	<u>KPCC</u> <u>£</u>	<u>KMFRA</u> <u>£</u>
A	698.52	94.31	45.30
B	814.94	110.03	52.85
C	931.36	125.75	60.40
D	1,047.78	141.47	67.95
E	1,280.62	172.91	83.05
F	1,513.46	204.35	98.15
G	1,746.30	235.78	113.25
H	2,095.56	282.94	135.90

17. That, having calculated the aggregate in each case of the amounts at 15 (d) and 16 above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets out in Appendix D, the amounts of Council Tax for the year 2013/14 for each of the categories of dwellings shown.
18. That the Capital Programme beyond 2013/14 be debated at full Council when the detailed information to enable prioritisation of the content of the Capital Programme is fully available.
112. REPORT OF THE CABINET HELD ON 13 FEBRUARY 2013 - TREASURY MANAGEMENT STRATEGY 2013/14

It was moved by Councillor Garland, seconded by Councillor Hotson, that the recommendation of the Cabinet relating to the Treasury Management Strategy 2013/14 be approved.

RESOLVED: That the Treasury Management Strategy 2013/14, as set out in the report of the Cabinet, be adopted.

113. REPORT OF THE CABINET MEMBER FOR COMMUNITY AND LEISURE SERVICES - MAIDSTONE COMMUNITY SAFETY PARTNERSHIP PLAN 2013-2018

It was moved by Councillor J A Wilson, seconded by Councillor Mrs Stockell, that the recommendation of the Cabinet Member for Community and Leisure Services relating to the new Maidstone Community Safety Partnership Plan 2013-2018 be approved.

RESOLVED: That the new Maidstone Community Safety Partnership Plan 2013-2018, attached as Appendix A to the record of recommendation of the Cabinet Member for Community and Leisure Services, be endorsed.

114. REPORT OF THE MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL HELD ON 28 JANUARY 2013 - PAY POLICY STATEMENT

It was moved by Councillor Lusty, seconded by Councillor Garland, that the recommendations of the Member and Employment and Development Panel relating to the Pay Policy Statement be approved.

RESOLVED:

1. That the Pay Policy Statement, attached as Appendix B to the report of the Member and Employment and Development Panel, be approved.
2. That the Chief Executive be given delegated authority to update the Pay Policy Statement with the pay figures at the end of the financial year, prior to publication.

115. REPORT OF THE HEAD OF DEMOCRATIC SERVICES - MEMBERS' ALLOWANCES

It was moved by Councillor Burton, seconded by Councillor Paine, that the recommendations contained in the report of the Head of Democratic Services relating to Members' Allowances be approved.

RESOLVED:

1. That the following clause relating to Broadband Allowance be included in the Members' Allowances Scheme as a new paragraph 11:-

Councillors are entitled to claim for the actual cost of their broadband service, up to a maximum of £23.49 per month. A copy of the Internet Service Provider's ("ISP") invoice must be supplied to the Payroll Department in May every year in order to continue to receive the allowance and should there be a change of provider, a copy of the new invoice must be sent to the Payroll Department informing them of the change of supplier and, if appropriate, the associated monthly and yearly cost thereafter.

2. That Schedule 1 of the Members' Allowances Scheme be amended as follows:-

Delete: Group Leaders Allowance;

Add: Leader of the Opposition (minimum of 10 Councillors) (25% of Leader's Allowance) £5,831;

Group Leader (minimum of 5 Councillors) (10% of Leader's Allowance) £2,331.

116. APPOINTMENT OF MAYOR SELECT 2013/14

It was moved by Councillor Daley, seconded by Councillor Paine, supported by Councillor Mrs Gooch and:-

RESOLVED: That Councillor Clive English be appointed as Mayor Select for the Municipal Year 2013/14.

117. APPOINTMENT OF DEPUTY MAYOR SELECT 2013/14

It was moved by Councillor Garland, seconded by Councillor Mrs Joy, supported by Councillor Mrs Gooch and:-

RESOLVED: That Councillor Richard Thick be appointed as Deputy Mayor Select for the Municipal Year 2013/14.

118. DURATION OF MEETING

6.30 p.m. to 7.35 p.m.

MAIDSTONE BOROUGH COUNCIL

COUNCIL TAX 2013/2014

Schedule of Council Tax Base and Additional Basic Amounts of

Council Tax in parts of the area with Parish Precepts

PARISH	TAX BASE	PRECEPT £	BAND 'D' TAX £
Barming	710.6	20,000	28.15
Bearsted	3,529.1	91,051	25.80
Boughton Malherbe	212.2	5,000	23.56
Boughton Monchelsea	1,237.3	45,000	36.37
Boxley	3,777.3	97,983	25.94
Bredhurst	166.3	8,224	49.45
Broomfield & Kingswood	697.6	46,200	66.23
Chart Sutton	399.7	19,500	48.79
Collier Street	349.6	10,186	29.14
Coxheath	1,453.2	54,550	37.54
Detling	345.6	19,520	56.48
Downswood	805.5	23,374	29.02
East Sutton	140.1	5,413	38.64
Farleigh East	633.1	27,417	43.31
Farleigh West	204.9	13,000	63.45
Harrietsham	888.5	30,000	33.76
Headcorn	1,455.8	80,888	55.56
Hollingbourne	419.8	14,797	35.25
Hunton	299.1	17,000	56.84
Langley	469.0	16,453	35.08
Leeds	312.5	22,819	73.02
Lenham	1,336.2	54,637	40.89
Linton	242.8	10,537	43.40
Loose	1,069.2	56,529	52.87
Marden	1,468.9	76,928	52.37
Nettlestead	299.0	11,440	38.26
Otham	206.0	7,289	35.38
Staplehurst	2,227.5	99,800	44.80
Stockbury	297.7	11,674	39.21
Sutton Valence	640.7	26,961	42.08
Teston	298.2	19,016	63.77
Thurnham	538.8	15,474	28.72
Tovil	1,160.5	65,721	56.63
Ulcombe	385.4	16,393	42.54
Yalding	931.5	47,000	50.46

MAIDSTONE BOROUGH COUNCIL

COUNCIL TAX 2013/2014

Distribution of Government funding for
Local Council Tax Support Scheme

Parish	LCTS Adjustment to Tax Base £	Government Support £	Excess over need £	Gain / (loss) %
Barming	866.34	1,066.00	199.66	23
Bearsted	4,905.61	6,039.00	1,133.39	23
Bicknor				
Boughton Malherbe	136.77	168.00	31.23	23
Boughton Monchelsea	2,493.83	3,070.00	576.17	23
Boxley	3,188.48	3,925.00	736.52	23
Bredhurst	793.63	977.00	183.37	23
Broomfield & Kingswood	1,762.02	2,169.00	406.98	23
Chart Sutton	1,354.25	1,667.00	312.75	23
Collier Street	396.22	488.00	91.78	23
Coxheath	5,642.10	6,945.00	1,302.90	23
Detling	1,867.96	2,299.00	431.04	23
Downswood	1,725.69	2,124.00	398.31	23
East Sutton	92.04	113.00	20.96	23
Farleigh East	2,448.70	3,014.00	565.30	23
Farleigh West	1,056.98	1,301.00	244.02	23
Frinsted				
Harrietsham	2,086.21	2,568.00	481.79	23
Headcorn	7,166.42	8,822.00	1,655.58	23
Hollingbourne	1,276.67	1,572.00	295.33	23
Hucking				
Hunton	1,067.90	1,315.00	247.10	23
Langley	2,073.07	2,552.00	478.93	23
Leeds	2,929.29	3,606.00	676.71	23
Lenham	5,520.63	6,796.00	1,275.37	23
Linton	571.36	703.00	131.64	23
Loose	3,224.91	3,970.00	745.09	23
Marden	7,894.10	9,717.00	1,822.90	23
Nettlestead	1,456.63	1,793.00	336.37	23
Otham	754.18	928.00	173.82	23
Otterden				
Staplehurst	6,456.39	7,948.00	1,491.61	23
Stockbury	1,194.85	1,471.00	276.15	23
Sutton Valence	1,943.50	2,392.00	448.50	23
Teston	1,383.03	1,702.00	318.97	23
Thurnham	324.61	400.00	75.39	23
Tovil	8,351.38	10,280.00	1,928.62	23
Ulcombe	643.80	792.00	148.20	23
Wichling				
Wormshill				
Yalding	4,824.95	5,939.00	1,114.05	23
	89,874.50	110,631.00	20,756.50	23
Maidstone (Borough)	1,463,184.79	1,344,732.00	-118,452.79	-8
	1,553,059.29	1,455,363.00	-97,696.29	

MAIDSTONE BOROUGH COUNCIL

COUNCIL TAX 2013/2014

Schedule of Council Tax Levels for all Bands

and all Parts of the Area including District Spending and all Precepts.

Parish	Band A Total Rate £	Band B Total Rate £	Band C Total Rate £	Band D Total Rate £	Band E Total Rate £	Band F Total Rate £	Band G Total Rate £	Band H Total Rate £
Barming	1,007.98	1,175.97	1,343.97	1,511.97	1,847.97	2,183.96	2,519.95	3,023.94
Bearsted	1,006.41	1,174.15	1,341.88	1,509.62	1,845.09	2,180.57	2,516.03	3,019.24
Boughton Malherbe	1,004.92	1,172.40	1,339.89	1,507.38	1,842.36	2,177.33	2,512.30	3,014.76
Boughton Monchelsea	1,013.46	1,182.37	1,351.28	1,520.19	1,858.01	2,195.83	2,533.65	3,040.38
Boxley	1,006.50	1,174.26	1,342.01	1,509.76	1,845.26	2,180.77	2,516.26	3,019.52
Bredhurst	1,022.18	1,192.54	1,362.91	1,533.27	1,874.00	2,214.73	2,555.45	3,066.54
Broomfield & Kingswood	1,033.36	1,205.59	1,377.82	1,550.05	1,894.51	2,238.97	2,583.41	3,100.10
Chart Sutton	1,021.74	1,192.03	1,362.32	1,532.61	1,873.19	2,213.77	2,554.35	3,065.22
Collier Street	1,008.64	1,176.74	1,344.85	1,512.96	1,849.18	2,185.39	2,521.60	3,025.92
Coxheath	1,014.24	1,183.28	1,352.32	1,521.36	1,859.44	2,197.52	2,535.60	3,042.72
Detling	1,026.86	1,198.01	1,369.15	1,540.30	1,882.59	2,224.88	2,567.16	3,080.60
Downwood	1,008.56	1,176.65	1,344.75	1,512.84	1,849.03	2,185.22	2,521.40	3,025.68
East Sutton	1,014.97	1,184.13	1,353.30	1,522.46	1,860.79	2,199.11	2,537.43	3,044.92
Farleigh East	1,018.08	1,187.77	1,357.45	1,527.13	1,866.49	2,205.86	2,545.21	3,054.26
Farleigh West	1,031.51	1,203.43	1,375.35	1,547.27	1,891.11	2,234.95	2,578.78	3,094.54
Harrietsham	1,011.72	1,180.34	1,348.96	1,517.58	1,854.82	2,192.06	2,529.30	3,035.16
Headcorn	1,026.25	1,197.29	1,368.34	1,539.38	1,881.47	2,223.55	2,565.63	3,078.76
Hollingbourne	1,012.71	1,181.50	1,350.28	1,519.07	1,856.64	2,194.22	2,531.78	3,038.14
Hunton	1,027.10	1,198.29	1,369.47	1,540.66	1,883.03	2,225.40	2,567.76	3,081.32
Langley	1,012.60	1,181.36	1,350.13	1,518.90	1,856.44	2,193.97	2,531.50	3,037.80
Leeds	1,037.89	1,210.87	1,383.86	1,556.84	1,902.81	2,248.77	2,594.73	3,113.68
Lenham	1,016.47	1,185.88	1,355.30	1,524.71	1,863.54	2,202.36	2,541.18	3,049.42
Linton	1,018.14	1,187.84	1,357.53	1,527.22	1,866.60	2,205.99	2,545.36	3,054.44
Loose	1,024.46	1,195.20	1,365.95	1,536.69	1,878.18	2,219.67	2,561.15	3,073.38
Marden	1,024.12	1,194.81	1,365.50	1,536.19	1,877.57	2,218.95	2,560.31	3,072.38
Nettlestead	1,014.72	1,183.84	1,352.96	1,522.08	1,860.32	2,198.56	2,536.80	3,044.16
Otham	1,012.80	1,181.60	1,350.40	1,519.20	1,856.80	2,194.40	2,532.00	3,038.40
Staplehurst	1,019.08	1,188.92	1,358.77	1,528.62	1,868.32	2,208.01	2,547.70	3,057.24
Stockbury	1,015.35	1,184.58	1,353.80	1,523.03	1,861.48	2,199.94	2,538.38	3,046.06
Sutton Valence	1,017.26	1,186.81	1,356.35	1,525.90	1,864.99	2,204.08	2,543.16	3,051.80
Teston	1,031.72	1,203.68	1,375.63	1,547.59	1,891.50	2,235.41	2,579.31	3,095.18
Thurnham	1,008.36	1,176.42	1,344.48	1,512.54	1,848.66	2,184.78	2,520.90	3,025.08
Tovil	1,026.96	1,198.13	1,369.29	1,540.45	1,882.77	2,225.10	2,567.41	3,080.90
Ulcombe	1,017.57	1,187.17	1,356.76	1,526.36	1,865.55	2,204.75	2,543.93	3,052.72
Yalding	1,022.85	1,193.33	1,363.80	1,534.28	1,875.23	2,216.19	2,557.13	3,068.56
Basic Level of Tax	989.21	1,154.08	1,318.95	1,483.82	1,813.56	2,143.30	2,473.03	2,967.64

MAIDSTONE BOROUGH COUNCIL

COUNCIL

24 APRIL 2013

REPORT OF THE CABINET HELD ON 13 MARCH 2013

MAIDSTONE BOROUGH LOCAL PLAN

Issue for Decision

To consider whether the moratorium on the release of greenfield housing sites allocated in the Maidstone Borough Wide Local Plan 2000 be revoked.

Recommendation Made

That the moratorium on the release of greenfield housing sites allocated in the Maidstone Borough Wide Local Plan 2000 be revoked because the reasons for the moratorium no longer apply

Reasons for Recommendation

At the meeting of the Cabinet on 13 March 2013, they considered the report of the Director of Change, Planning and the Environment regarding the Maidstone Borough Local Plan. A number of decisions were made, including the above recommendation to Council.

In 2008 the moratorium on the release of greenfield sites in the adopted Maidstone Borough Wide Local Plan 2000 (MBWLP) was reaffirmed by Council (the original resolution was made in 2002). This decision was taken in the context of:

- National guidance (PPG3: Housing) that directed local authorities to develop brownfield sites for housing before releasing greenfield sites for development;
- A government target for residential development of 60% brownfield sites, and a focus on higher density development;
- The Maidstone Borough Council Urban Capacity Study (2002 and 2006), which demonstrated that Maidstone could deliver its housing target through the potential development sites listed in the document; and
- A healthy 5-year housing land supply supported by the availability of town centre sites for high density flatted development.

The position has changed since 2008. The NPPF was published in March 2012, and the transition period for local plan compliance with the NPPF ends in March 2013 when there will be a presumption in favour of development in sustainable locations unless any adverse impacts would significantly and demonstrably outweigh the benefits of the development

when assessed against the NPPF as a whole. Although the NPPF still encourages local authorities to make best use of brownfield land, the 60% target has been removed, and local authorities can set out their own approaches towards housing densities. The NPPF moves away from the urban capacity study approach and local authorities must identify deliverable sites for 5-year housing land calculations and specify developable sites or locations for years 6 to 10 and (where possible) years 11 to 15.

The importance of demonstrating a 5-year housing land supply was highlighted in a recent appeal decision where the Inspector referred to the NPPF and concluded:

“The Framework says that where the relevant policies in a Local Plan are out-of-date permission should be granted unless any adverse impacts would significantly outweigh the benefits when taken against the policies in the Framework as a whole, or the policies in the Framework indicate it should be restricted. It also confirms that, in accordance with the Government’s aim to promote house-building, relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.” (Ref: Valley Drive APP/U2235/A/12/2174289).

The November 2012 Cabinet report highlighted the fact that, although the Council continues to experience high levels of dwelling completion rates on sites with planning permission, the windfall sites on previously developed land (brownfield land) that formerly contributed towards the borough’s 5-year housing land supply at a steady pace are no longer materialising at the same rate. The South East Plan (SEP) has now been partially revoked, the excepted policies having no impact on Maidstone Borough. However, the evidence base that informed regional strategies can be used to support local plan policies, as supplemented by up-to-date robust local evidence (NPPF paragraph 218). Until such time as a new target is evidenced in the local plan Given that Maidstone’s Core Strategy target is under review, 5-year calculations should now be based on the former SEP target of 11,080 dwellings as part of former evidence for the development plan (as opposed to the draft Core Strategy target of 10,080).

The Council’s Annual Monitoring Report 2011/12 reveals Maidstone has a 4.5 year land supply against a 10,080 dwelling target and 3.9 years against an 11,080 target. Until such times as a 5-year supply can be demonstrated, planning applications on greenfield sites cannot be refused on the grounds of prematurity and must be assessed on individual merit (including sustainability). The Council has already received a number of residential planning applications on greenfield sites and further applications, particularly for the strategic site allocations, are expected to be submitted after March.

It is important to note that four out of the six housing land allocations to the north west and south east of the urban area identified in the Core Strategy Strategic Site Allocations 2012 are residential allocations in the adopted MBWLP 2000: Bridge Nursery (SS1a), East of Hermitage Lane

(SS1b), Langley Park (SS2a) and North of Sutton Road (SS2b). These four sites have already been through public examination so not only has the principle of residential development been established, but the sites are also development plan allocations (section 38(6) of the Planning and Compulsory Purchase Act 2004 says that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise). The balance of MBWLP allocations include Hook Lane, Harrietsham and Oliver Road, Staplehurst which are the subject of approved and submitted planning applications, respectively; and a small site for 7 units at Detling village.

The reasons for reaffirming the moratorium in 2008 no longer apply so there is no justification in maintaining it. In order to properly manage development, as opposed to determining ad hoc planning applications, a recommendation to Council is made to revoke the current moratorium on the release of the balance of greenfield housing sites allocated in the MBWLP 2000.

Alternatives considered and why not recommended

Council could opt to not revoke the moratorium on the release of adopted greenfield housing allocations but, given the fact that the reasons for initiating the moratorium no longer apply, this approach is not recommended. There are and will continue to be pressures from the development industry through the submission of planning applications on greenfield sites (including for sites allocated in the adopted MBWLP 2000). The end of the transition period for local plan compliance with the NPPF and the presumption in favour of sustainable development, coupled with a shortfall in the Council's 5-year housing land supply, will place the Council in a difficult position in resisting development proposals for the adopted allocations at appeal, particularly as the principle of residential development has previously been established. Revoking the moratorium on allocated sites will assist in addressing the 5-year shortfall so will also strengthen the Council's position in resisting inappropriate development in the countryside.

Background Papers

None

Agenda Item 14

MAIDSTONE BOROUGH COUNCIL

COUNCIL

24 APRIL 2013

REPORT OF THE SCRUTINY COORDINATING COMMITTEE

1. Cabinet and Enhanced Scrutiny Model

1.1 Council on 4 February 2013 considered the Corporate Services Overview and Scrutiny Committee report on Governance. At that meeting it was agreed that the Scrutiny Coordinating Committee would take the review forward and develop the agreed Cabinet and Enhanced Scrutiny Model as agreed.

1.2 Extract from the minutes of full Council, 4 February 2013:

"Councillor Mrs Gooch, the Chairman of the Corporate Services Overview and Scrutiny Committee, introduced the report of the Working Group which had been set up to undertake a review of the Council's governance arrangements. Councillors Black, English, Newton and Vizzard then gave a short presentation on the work of the Group and its findings. The Council was then asked to evaluate the four governance models presented and to agree which option to take forward.

It was moved by Councillor Garland, seconded by Councillor Mrs Wilson, and:

RESOLVED: That Council Procedure Rule 19.1 be suspended for this meeting only, and that all of the options be voted on (each Member having one vote). If there is not a clear majority of votes in favour of one option, then the option with the least number of votes will be taken off the list and a new vote will be taken. The process will continue until there is a majority of votes for one option.

The voting on each of the options was as follows:

<i>i</i>	<i>No Change</i>	<i>None</i>
<i>ii</i>	<i>Hybrid System (Committee System and Scrutiny)</i>	<i>17</i>
<i>iii</i>	<i>Retain Cabinet System with Enhanced Scrutiny</i>	<i>27</i>
<i>iv</i>	<i>Retain Cabinet System and Engage Advisory Committees/Boards</i>	<i>None</i>

Note: Two Members abstained from voting.

RESOLVED: That with a clear majority of votes in favour, option iii be taken forward as the preferred model of governance for the Council.

It was moved by Councillor Hogg, seconded by Councillor English, and:-

RESOLVED:

1. That the Scrutiny Coordinating Committee (being the Chairmen and Vice-Chairmen of the Overview and Scrutiny Committees) be authorised to carry forward the option selected and to bring back to full Council proposals for its implementation.

2. That no action be taken on the recommendation relating to the appointment of a Member Working Group to investigate the development needs of Members, and how this should be approached by the Council, as this work is already in hand.

1.3 **RECOMMENDED:**

Council consider the attached report and approve the recommendations outlined below : That

- a) Option B, be agreed with four Overview and Scrutiny Committees with nine members each, meeting on a calendar monthly cycle for the 2013/14 Municipal Year. Scrutiny Coordinating Committee to monitor and review this.**
- b) Cabinet should revisit its portfolios to avoid overlap, for example Cobtree and Maidstone Leisure Centre between the Economic and Commercial Development and Community and Leisure Services portfolios.**
- c) Spatial Planning Advisory Group and the Housing Consultative Board be subsumed into scrutiny to avoid duplication and strengthen the scrutiny process.**
- d) A phased approach is taken to the induction for new Members.**
- e) Information supplied to new Members is accessible including contact details for key staff and information on the services provided by the Council, and who to contact regarding those services and alignment to Cabinet Portfolios.**
- f) A glossary of acronyms and terminology and a Frequently Asked Questions list be made available to all Members using the expertise of current Members to identify common areas.**

- g) The development needs for scrutiny and an appropriate programme be developed by the Overview and Scrutiny Chairmen and the Scrutiny Team. This could include an annual event with other Councils and use of the Parliamentary Outreach support.**
- h) All new Members to attend a scrutiny committee meeting as part of the induction process.**
- i) Mentoring of Members be encouraged.**
- j) Each Overview and Scrutiny Committee to identify development needs at the beginning of the year and then on a quarterly basis via the Scrutiny Coordinating Committee.**
- k) Cabinet Members attend Committee meetings to present completed Scrutiny Committee Recommendation Action Improvement Plans and the action that will be taken following recommendations; and**
- l) The Scrutiny Coordinating Committee meet quarterly and monitor Overview and Scrutiny Committee recommendations as part of its role.**
- m) Cabinet Member decision reports are amended so they contain contact details for the Cabinet Member and Officer.**
- n) Cabinet Members make themselves available to discuss forthcoming decisions with Members.**
- o) The decision notice for Cabinet Member decisions contains a section summarising any views put forward by other members on the decision and how these have been taken into account in the decision.**
- p) Overview and Scrutiny Chairmen be encouraged to include visiting members at committee meetings.**
- q) Cabinet Members seek to involve scrutiny pre decision wherever possible.**
- r) That Party/Group Leaders continue to improve the appointment process to Overview and Scrutiny Committees to encourage the right Members.**

- s) Pre-meetings be used for Overview and Scrutiny Committees where appropriate.**
- t) Cabinet Members attend scrutiny at three points during the year to discuss their portfolio and progress made.**
- u) That each Overview and Scrutiny Committee meet individually to set their work programme with the relevant Cabinet Members invited to give their forward plan for the year ahead.**
- v) The Scrutiny Coordinating Committee meet following the individual Overview and Scrutiny Committee meetings to review the work programmes to address overlap and identify opportunities for joint working.**
- w) Scrutiny remain with Policy because there is a natural synergy between the two services and closer matching of skills than in Democratic Services**
- x) Any amendments to the constitution necessitated by the approval of the recommendations a-w, are drafted by the appropriate officers and reported back to the next meeting of Council for approval.**

Scrutiny Coordinating Committee

Cabinet System with Enhanced Scrutiny Review

1. Introduction

- 1.1. Council on 4 February 2013 considered the Corporate Service Overview and Scrutiny Committee's review of corporate governance it was agreed that option C, Retain Cabinet System with enhanced Scrutiny be taken forward. Furthermore it was requested that the Scrutiny Coordinating Committee develop the model and proposals for implementation to be considered at the April Council meeting. This paper outlines the thoughts of the Scrutiny Coordinating Committee and its recommendations for the new model.
- 1.2. The Committee are keen to stress that whilst change is required to ensure successful Overview and Scrutiny many of the tools are already present; much will depend on Members appetite for change, their willingness to embrace the new model and new ways of working.

2. Developing the Cabinet and Enhanced Scrutiny Model

- 2.1. In order to develop the model the Scrutiny Coordinating Committee considered a number of areas for improvement/development and change. During the governance review a number of issues were raised regarding scrutiny these are attached at Appendix A. Looking at these findings, the debate at scrutiny and then full council a number of areas were identified for discussion:

- § The Overview and Scrutiny Model
- § Vision for Scrutiny
- § Cabinet Member Accountability
- § The role of Scrutiny Chairmen
- § Pre and Post decision Scrutiny
- § Continuous Professional Development
- § Approach to the Work Programme
- § Support for Scrutiny

2.2 The Vision for Scrutiny

- 2.2.1 The following vision was agreed for Overview and Scrutiny by Members and the Overview and Scrutiny Team in 2007:

"To have an effective and well respected service that ensures the Council's services are delivered equitably, effectively and efficiently to our residents."

- 2.2.2 The Scrutiny Coordinating Committee reviewed the vision and identified that there was not enough emphasis on the respective roles of overview and scrutiny. The vision has been redrafted as follows:

“To deliver effective overview and scrutiny in respect of holding the Cabinet to account, assisting policy development, service challenge and improvement and external scrutiny.”

2.3 The Overview and Scrutiny Model

2.3.1 The Scrutiny Coordinating Committee considered a number of options for the scrutiny model. These are outlined below

Option A – Retain Current Structure

Committee	Terms of Reference	Cabinet
Corporate Services OSC	Cabinet Scrutiny Performance Management Scrutiny Corporate Documents including the Strategic Plan, Strategic Risk Register and MTFS IT Business Improvement Customer Care and Complaints Budget Scrutiny Emergency Planning Communications LSP and Locality Boards Legal Services Procurement and Asset Management Licensing Audit Service	The Cabinet and in particular Cabinet member for Corporate Services
Regeneration and Economic Development OSC	Highways Transport Public Transport Economic Development Support for Business Visitor Economy Learning and Skills Planning LDF and Core Strategy Regeneration projects Employment	Cabinet Member for Economic and Commercial development Leader Cabinet Member for Planning, transport and Development

Communities OSC	Community Development Social Inclusion and Equalities Environment Housing Revenues and Benefits Parks and open spaces Environmental Services Waste and Recycling Street Cleansing Active Citizenship and Democracy Neighbourhood Action Planning Vulnerable People and deprivation Crime and Disorder (responsibility for acting as CDRP OSC twice a year) Health Partnerships	Cabinet Member for Community and Leisure Services Cabinet Member for Environment
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Option B – Align the Committees to Cabinet Portfolios

The Committees below have been aligned to Cabinet portfolios. There is concern that current Cabinet portfolios have duplication and overlap, the Committee requests that the present portfolios be re-examined. One example given was tourism, the review of the Visitor Information Centre revealed that this sits across three portfolios. Another example was that of the Leisure Centre and Cobtree with overlap between the Community and Leisure Services and Economic and Commercial Development portfolios.

Committee	Terms of Reference	Cabinet Member
Strategic Leadership and Corporate Services Overview and Scrutiny Committee	To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships <ul style="list-style-type: none"> • Reviewing performance and ensuring appropriate action is identified and executed to remedy performance issues • Asset Management • Communications • Human Resources • Business Transformation and the Corporate Improvement Programme • Equalities • Democratic services • Scrutinising standards of governance and conduct are achieved throughout the business of the 	To hold to account the relevant Cabinet Members: Leader; and Cabinet Member for Corporate Services

	<p>Council</p> <ul style="list-style-type: none"> • Customer service • Corporate finance including regular budget monitoring • Information Technology including scrutiny of the shared service • Council Tax and Housing Benefit including the Revenues and Benefits Shared Service • Mid Kent Improvement Partnership • Democratic Services including electoral services and member services • Procurement, Property Services and Facilities Management 	
Economic and Commercial Development Overview and Scrutiny Committee	<p>To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships</p> <ul style="list-style-type: none"> • Economic Development and Regeneration • Commercial Services Development • The Visitor Economy including the Hazlitt Arts Centre, Maidstone museums, tourism, the Kent Conference Bureau and Maidstone market. • Capital projects and programmes relevant to the portfolio including regeneration and public realm improvement schemes • Events and venues 	Cabinet Member for Economic and Commercial Development
Planning, Transport and Development Overview and Scrutiny Committee	<p>To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships</p> <ul style="list-style-type: none"> • The Council's contribution to securing sustainable construction with respect to development in the borough. • Spatial planning including the Local Development Framework and other spatial planning documents including Development Plan Documents, Development Management policies and development briefs • Transport and Infrastructure (including Highways, Parking, Park and Ride and Public Transport) • Development Management including 	Cabinet Member for Planning, Transport and Development

	<p>planning enforcement and land charges</p> <ul style="list-style-type: none"> • Landscape and Conservation • Building Control 	
<p>Community, Leisure Services and Environment Overview and Scrutiny Committee</p>	<p>To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships</p> <ul style="list-style-type: none"> • Housing • Community Development • Community Safety (To act as the Crime and Disorder Reduction Partnership OSC twice a year) • Safety In Action • Voluntary and Community Sectors • Health • Parks, open spaces and allotments including grounds maintenance • Leisure activities including sporting and recreational based activities and including services provided via the Maidstone Leisure Centre • Community engagement • Allocation and monitoring of grants • Capital projects and programmes relevant to the portfolio including environmental improvement schemes • Air Quality • Contaminated Land • Water • Climate change • Licensing • Carbon Management • Local Biodiversity • Waste minimisation, recycling and collection • Cleansing services • Environmental Health services • Bereavement i.e. services provided from the cemetery and crematorium • Cobtree Golf Course • Climate Change 	<p>Cabinet Member for Community and Leisure Services;</p> <p>and</p> <p>Cabinet Member for Environment</p>

Option C – One Overview and Scrutiny Committee and Task and Finish Panels

Under this model there would be one Overview & Scrutiny Committee and a series of time-limited task & finish groups established by the Committee to carry out investigations. For example the Overview & Scrutiny Committee may be responsible for performance monitoring and review, consultation on Cabinet proposals and call-in of decisions whilst in-depth scrutiny and policy review could be carried out by time limited task & finish groups. Task & finish group members can be anyone who is not on the executive.

Option D – Split Overview and Scrutiny

There is a potential to separate the roles of 'Overview' and 'Scrutiny.' One or more Committees could focus on holding the executive to account (call-in, performance monitoring) whilst one or more Committees could focus on policy review and conducting in-depth investigations. According to the Centre for Public Scrutiny there are currently twelve Councils nationally running this model.

Recommendations:

- a) Option B, be agreed with four Overview and Scrutiny Committees with nine members each, meeting on a calendar monthly cycle for the 2013/14 Municipal Year. Scrutiny Coordinating Committee to monitor and review this.**
- b) Cabinet should revisit its portfolios to avoid overlap, for example Cobtree and Maidstone Leisure Centre between the Economic and Commercial Development and Community and Leisure Services portfolios.**
- c) Spatial Planning Advisory Group and the Housing Consultative Board be subsumed into scrutiny to avoid duplication and strengthen the scrutiny process.**

2.4 Continuous Professional Development and Scrutiny Chairmen

- 2.4.1 It was clear from the Governance Review and discussions at full council that the Chairmanship of scrutiny has a significant impact on its effectiveness. It would be useful to have more guidance on the role set out in the scrutiny members' handbook; this is attached at Appendix B.
- 2.4.2 The Coordinating Committee considered the roles and skills and what professional development is required to be an effective scrutiny member. It was acknowledged that the development opportunities and tools were already available, however more use needed to be made of these.

Recommendations:

- d) A phased approach is taken to the induction for new Members.**
- e) Information supplied to new Members is accessible including contact details for key staff and information on the services provided by the Council, and who to contact regarding those services and alignment to Cabinet Portfolios.**
- f) A glossary of acronyms and terminology and a Frequently Asked Questions list be made available to all Members using the expertise of current Members to identify common areas.**
- g) The development needs for scrutiny and an appropriate programme be developed by the Overview and Scrutiny Chairmen and the Scrutiny Team. This could include an annual event with other Councils and use of the Parliamentary Outreach support.**
- h) All new Members to attend a scrutiny committee meeting as part of the induction process.**
- i) Mentoring of Members be encouraged.**
- j) Each Overview and Scrutiny Committee to identify development needs at the beginning of the year and then on a quarterly basis via the Scrutiny Coordinating Committee.**

2.5 Post Decision Scrutiny

2.5.1 The Coordinating Committee identified that recommendations were not always followed up and responses from Cabinet and Officers were not always clear. The Scrutiny Committee Recommendation Action Plans (SCRAIPS) had been helpful but were not always followed up by the Committee and it very much depended on Member enthusiasm for the topic. The Coordinating Committee needed to take greater responsibility for monitoring recommendations and should meet quarterly to ensure this happened.

Recommendations

- k) Cabinet Members attend Committee meetings to present completed Scrutiny Committee Recommendation Action Improvement Plans and the action that will be taken following recommendations; and**
- l) The Scrutiny Coordinating Committee meet quarterly and monitor Overview and Scrutiny Committee recommendations as part of its role.**

2.6 Pre-Decision Overview and meetings with Cabinet Members

- 2.6.1 The governance review had identified the importance of using pre-decision scrutiny to ensure greater member involvement in decision making. The change in Cabinet Member behaviour is welcomed in respect of their positive and proactive use of scrutiny in decision making; for example the up coming decision on play areas.
- 2.6.2 Regular meetings with the Cabinet Member and Scrutiny Chairmen and Vice-Chairmen will ensure that they are fully aware of the work programmes on both sides and can be involved in policies and decisions at the earliest opportunity.

Recommendations:

- m) Cabinet Member decision reports are amended so they contain contact details for the Cabinet Member and Officer.**
- n) Cabinet Members make themselves available to discuss forthcoming decisions with Members.**
- o) The decision notice for Cabinet Member decisions contains a section summarising any views put forward by other members on the decision and how these have been taken into account in the decision.**
- p) That Overview and Scrutiny Chairmen be encouraged to include visiting members at committee meetings.**
- q) Cabinet Members seek to involve scrutiny pre decision wherever possible.**

2.7 Appointment of Overview and Scrutiny Members

- 2.7.1 Following the concerns raised during the governance review on Member engagement and involvement with Overview and Scrutiny, the Committee discussed the current process for appointing Committee Members and acknowledged that this was a matter for group leaders.

Recommendation

- r) That Party/Group Leaders continue to improve the appointment process to Overview and Scrutiny Committees to encourage the right Members.**

2.8 Pre-Meetings for Overview and Scrutiny

2.8.1 The Committee considered the use of pre-meetings and acknowledged that they had proved useful when used appropriately.

Recommendation

s) That pre-meetings be used for Overview and Scrutiny Committees where appropriate.

2.9 Cabinet Member Appraisals and Holding the Cabinet to Account

2.9.1 The issue of who appraises the Cabinet was raised during the full council debate. The scrutiny committees could fulfil this function through an appraisal of the cabinet portfolio's progress for their respective cabinet members on a six monthly and yearly basis.

Recommendation

t) Cabinet Members attend scrutiny at three points during the year to discuss their portfolio and progress made.

2.10 Overview and Scrutiny Work Programme

2.10.1 The Committee considered the best approach to this. The Centre for Public Scrutiny's suggested approach was agreed as the way forward, in terms of the initial work programme meeting. Members discussed whether to hold one big meeting and how the Cabinet Member could be involved. The Scrutiny coordinating committee continue to review the work programmes to identify overlap.

Recommendation

u) That each Overview and Scrutiny Committee meet individually to set their work programme with the relevant Cabinet Members invited to give their forward plan for the year ahead.

v) The Scrutiny Coordinating Committee meet following the individual Overview and Scrutiny Committee meetings to review the work programmes to address overlap and identify opportunities for joint working.

2.11 Support for Scrutiny

2.11.1 There was a budget for two full time posts. The senior management restructure, currently in its consultation period, proposes that Overview and Scrutiny will move to Democratic Services. Members of the Scrutiny

Coordinating Committee unanimously agreed that scrutiny required a different skills set from Democratic Services and there was a natural synergy with Policy.

2.11.2 Therefore to maintain independence the team should stay with Policy and Performance.

Recommendation

- w) Scrutiny remain with Policy because there is a natural synergy between the two services and closer matching of skills than in Democratic Services**

Appendix A – Key Findings from the Governance Review

Interviews:

Interview	Summary	Improvements to Scrutiny
Cabinet Members	<ul style="list-style-type: none"> • Pre-decision scrutiny is not being used effectively; • There is a natural defensiveness over call-in, members cannot impact decisions effectively with call-in; • Scrutiny has done it's job and is now stale, as a result there is a lack of interest in scrutiny; • The principles of scrutiny as a system of checks and balances is good, but it is not being used effectively; • The value of cross-party input is before the decision is made through pre-decision scrutiny, not once the decision has been made through call-in; • Members need to have a clearer understanding of the role of scrutiny in order to really use it effectively; • Scrutiny is being misused too often to score political points, and being overshadowed by political agenda; 	<ul style="list-style-type: none"> • Effective pre-scrutiny can be used to better engage members • Programme of training to educate members on the role of scrutiny and the tools available for members to influence decisions • Members need to be proactive – it is up to members to add key decisions to the agenda not the Cabinet member; • Cross party collaboration between Cabinet and Scrutiny would provide better value to the decision makers - but is it for Cabinet to lead the scrutiny agenda? • Have one committee to scrutinise cabinet decisions and one committee to provide the overview; • Scrutiny is member driven should be proactive, rethink the format of meetings, bring back Officers and external people;
Members	<ul style="list-style-type: none"> • Too much focus on scrutiny and not enough overview; • Scrutiny chairmen are not being held to account – they need to have a clear 	<ul style="list-style-type: none"> • There should be a more proactive and effective use of pre-decision scrutiny and should not be Cabinet led; • Chairmanship should not be the same as the

	<p>understanding of their role;</p> <ul style="list-style-type: none"> • Pre-scrutiny meetings hold too much influence members are 'dragged' along and therefore challenge is difficult; • Scrutiny reports have not impact, as a result members feel as though they have not been involved or had any influence over decision making; 	<p>administration;</p> <ul style="list-style-type: none"> • Quality of chairmanship should be improved; • Better programmed training for new members to provide better induction and better continuous professional development; • There needs to be improved training over the role of scrutiny;
Senior Officers	<ul style="list-style-type: none"> • Pre-decision scrutiny is the most effective way to influence decision making and it is not being used effectively; • Scrutiny is not having the right impact – decisions are not being influenced / changed; 	<ul style="list-style-type: none"> • Improve the appetite for pre-decision scrutiny to allow the Committee to actually influence decisions – and choose the right decisions; • Reduce to one scrutiny committee – with support from individual working groups – to allow adequate overview and scrutiny; • Re-consider the format of meetings, and adopt more innovate and flexible Officer reports and interviews; • Reduce scrutiny from 3 committees to one; • Improve collaboration between Cabinet and scrutiny • Improve the accountability of scrutiny recommendations and implement a system to capture and recommendations and report on the actions taken; • Improve the understanding and quality of the chairmanship; • Members should be proactive to be involved in decision before they are made;

Member Survey

Question	Thinking about the present Cabinet and Leader System what do you like and/or dislike?	How could the present system be improved
Key Points	<p>Liked:</p> <ul style="list-style-type: none"> • Speed of decision making • Ability to be decisive • Allows clear strategic direction • Efficiency of decision making <p>Dislike:</p> <ul style="list-style-type: none"> • Lack of transparency • Not enough members involved in decision making • Undemocratic • Disempowerment of ward councillors and their residents 	<p>Greater pre-decision involvement</p> <p>More input from Members</p> <p>More use of the scrutiny system</p> <p>Better forward planning of decision making</p> <p>More consultation</p>

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From the Member workshop

Feedback on the systems of governance:

- Cllr Paine – Being a Cabinet member can be isolating – a hybrid system would improve member involvement;
- The current system allows for quick/snap decisions (that need to be made quickly) to be made;
- Cllr Ash – The speed of the cabinet process can result in decisions being made too quickly without effective challenge;
- Group discussion – Weakness of the current system is that not enough members are or feel like they are involved;
- Members lack sufficient knowledge and expertise – “jack of all trades but master of none”;
- Too much focus on scrutiny, and not enough overview – reports and recommendations are not revisited;
- The committee system led to more decision being made at full Council;
- The Council needs to make the right decision, not a financial decision;
- The system must not eliminate the overview side of the decision process (such as research). Would this be lost in a Committee system?

Accountability:

- Perception that Cabinet members are not being held to account;
- Scrutiny chairmen are not being held to account
- Cllr Paine: In a committee system would you get a decision made? And would there be clear accountability of that decision?

Guidance for Overview and Scrutiny Chairman

Key Duties and Responsibilities may include

- To chair the meetings of the Overview and Scrutiny Committee ensuring each committee member and visiting members have the opportunity to contribute.
- To preside over the agenda setting process.
- To maintain an overview of the work programme of the Committee in order to ensure effective co-ordination and progress of all work.
- To develop a clear understanding of the Committee's terms of reference, the scope and range of services for which it is responsible and Council policies in respect of those services.
- To encourage overview and scrutiny members to develop the necessary skills to contribute effectively to the work of the Committee and to work with officers
- To initiate and develop constructive relationships with the Executive, especially with relevant portfolio holders, senior officers and partners.
- To engage partner agencies in the Committee's work to promote a constructive approach to overview and scrutiny.
- To attend meetings of the Overview and Scrutiny Coordinating Committee
- To contribute to the management and development of the overview and scrutiny function.
- To attend when requested meetings of the Executive when items relevant to the Committee are being considered.
- To liaise and communicate on a regular basis with relevant officers, particularly the Overview and Scrutiny officer team, and specialists to ensure the receipt of appropriate advice to inform effective overview and scrutiny.
- To encourage the involvement of all interested parties and stakeholders, individuals voluntary and community groups in overview and scrutiny matters.

Key Skills and Knowledge

- Advanced chairing skills.
- Project Management
- Facilitation Skills
- Good ambassadorial skills representing and championing the overview and scrutiny function inside and outside the Council.
- Listening and questioning skills.
- High standard of communication skills with officers, Councillors, co-optees, partners, external bodies and members of the public.
- Good presentation and public speaking skills.
- Ability to obtain and weigh up evidence and help the Committee to make quality recommendations based on that evidence.