

You are hereby summoned to attend a meeting of the

MAIDSTONE BOROUGH COUNCIL



Date: Wednesday 23 July 2014

Time: 6.30 p.m.

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Thick (The Mayor), Ash, Black,
Mrs Blackmore, Burton, Butler,
Chittenden, Collins, Cox, Cuming,
Daley, Edwards-Daem, Ells, English,
Fissenden, Garland, Mrs Gooch, Greer,
Mrs Grigg, Harper, Harwood,
Mrs Hinder, Hogg, Mrs Joy, Long,
McKay, McLoughlin, Moriarty,
B Mortimer, D Mortimer, Munford,
Naghi, Newton, Paine, Parvin,
Mrs Parvin, Paterson, Perry, Pickett,
Powell, Mrs Ring, Mrs Robertson,
Ross, Round, Sams, Sargeant,
Springett, Mrs Stockell, Vizzard,
Watson, de Wiggondene, Willis,
J A Wilson and Mrs Wilson

Continued Over/:

Issued on 15 July 2014

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**

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 Annual Meeting of the Borough Council held on 7 June 2014 1 - 7
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 Head of Policy and Communications - Review of Allocation of Seats on Committees 8 - 10
14. Appointment of the following Committees:
 - (a) Overview and Scrutiny Committees:
 - Strategic Leadership and Corporate Services
 - Economic and Commercial Development
 - Planning, Transport and Development
 - Community, Leisure Services and Environment (proposed to be Community, Environment and Housing)
 - (b) Planning Committee
 - (c) Licensing Committee
 - (d) Licensing Act 2003 Committee
 - (e) Member and Employment and Development Panel
 - (f) Joint Transportation Board
 - (g) General Purposes Group
 - (h) Standards Committee
 - (i) Planning Referrals Committee
 - (j) Audit Committee

15. Report of the Audit Committee held on 14 July 2014 - Annual Report to Council 2013/14	11 - 21
16. Report of the Scrutiny Coordinating Committee held on 10 July 2014 - Overview and Scrutiny Annual Report 2013-14	22 - 43
17. Report of the Scrutiny Coordinating Committee held on 10 July 2014 - Proposed Revisions to Article 6 of the Council's Constitution	44 - 51
18. Report of the Head of Policy and Communications - Amendments to the Scheme of Delegation of Executive Functions	52

NOTICE IS GIVEN IN ACCORDANCE WITH SECTION 17 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989 THAT ALTERNATIVE ARRANGEMENTS FOR APPOINTMENTS TO COMMITTEES OUTSIDE THE USUAL POLITICAL BALANCE REQUIREMENTS MAY BE CONSIDERED IN RELATION TO AGENDA ITEM 13.

Agenda Item 7

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE ANNUAL MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 7 JUNE 2014

Present: Councillor English (The Mayor) and
Councillors Black, Mrs Blackmore, Burton, Butler,
Chittenden, Collins, Cox, Cuming, Daley, Ells,
Fissenden, Garland, Mrs Gooch, Greer, Mrs Grigg,
Harper, Harwood, Mrs Hinder, Hogg, Mrs Joy, McKay,
McLoughlin, Moriarty, B Mortimer, D Mortimer,
Munford, Naghi, Newton, Paine, Parvin, Mrs Parvin,
Paterson, Perry, Pickett, Powell, Mrs Ring,
Mrs Robertson, Ross, Round, Sargeant, Springett,
Mrs Stockell, Thick, Vizzard, Watson, de Wiggondene,
Willis, J.A. Wilson and Mrs Wilson

1. **MR JEREMY HINDLE**

The Council stood in silence for one minute in memory of Mr Jeremy Hindle, a former Councillor and Mayor of the Borough, who had died in April.

2. **PRAYERS**

Prayers were said by the Reverend Canon Andrew Sewell.

3. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Ash, Edwards-Daem, Long and Sams.

4. **DISPENSATIONS**

There were no applications for dispensations.

5. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

6. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

7. **ELECTION OF MAYOR**

It was moved by Councillor Garland, seconded by Councillor B Mortimer, supported by Councillor Mrs Gooch and

RESOLVED: That Ian Richard Thick, a Councillor of the Borough, be duly elected Mayor of the Borough of Maidstone until the Annual Meeting of the Council in 2015.

Councillor Thick then made the Statutory Declaration of Acceptance of Office which was duly witnessed in accordance with Section 83(3)(a) of the Local Government Act 1972.

****THE MAYOR (COUNCILLOR THICK) IN THE CHAIR****

8. **CONGRATULATIONS TO THE MAYOR**

The Mayor received congratulations on his election from scholars representing schools as follows:

Marlie Harding and Zara Harding	Headcorn School
Kristian Samwell-Nash and Ethan Gray	Ulcombe School
Ben Johnston	Maidstone Grammar School
Isabelle Baker	Maidstone Grammar School for Girls

9. **THE RETIRING MAYOR**

It was moved by Councillor Chittenden, seconded by Councillor Paine, supported by Councillor Mrs Gooch and

RESOLVED: That the hearty thanks of this Council be given to Councillor Clive English for the admirable discharge of his duties as Mayor during the past year, and for his courteous approach to all sections of the community.

10. **EXEMPT ITEMS**

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

11. **MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 23 APRIL 2014**

RESOLVED: That the Minutes of the meeting of the Borough Council held on 23 April 2014 be approved as a correct record and signed.

12. **APPOINTMENT OF DEPUTY MAYOR**

It was moved by Councillor Mrs Gooch, seconded by Councillor Chittenden, supported by Councillor Collins and

RESOLVED: That Councillor Daniel Patrick Moriarty be duly appointed Deputy Mayor for the Borough of Maidstone until the Annual Meeting of the Council in 2015.

Councillor Moriarty then made the Statutory Declaration of Acceptance of Office which was duly witnessed in accordance with Section 83(3)(a) of the Local Government Act 1972.

13. MAYOR'S ANNOUNCEMENTS

The Mayor welcomed all new Members to their first meeting of the Borough Council.

14. ELECTION OF THE LEADER OF THE COUNCIL

It was moved by Councillor Mrs Ring, seconded by Councillor Greer, that Councillor Mrs Blackmore be elected as Leader of the Council until the expiry of her term of office as a Councillor in 2015.

It was moved by Councillor Harwood, seconded by Councillor B Mortimer, that Councillor Mrs Wilson be elected as Leader of the Council until the expiry of her term of office as a Councillor in 2015.

In accordance with Council Procedure Rule 19.4, five Members of the Council requested that a named vote be taken. The voting was as follows:

Councillor Mrs Blackmore (25)

Councillors Black, Mrs Blackmore, Burton, Butler, Collins, Cuming, Garland, Mrs Gooch, Greer, Mrs Hinder, Hogg, McLoughlin, Munford, Paine, Parvin, Mrs Parvin, Perry, Mrs Ring, Ross, Round, Springett, Mrs Stockell, Thick, de Wiggondene and J.A.Wilson

Councillor Mrs Wilson (22)

Councillors Chittenden, Cox, Daley, English, Fissenden, Mrs Grigg, Harper, Harwood, Mrs Joy, McKay, Moriarty, B Mortimer, D Mortimer, Naghi, Newton, Paterson, Pickett, Mrs Robertson, Vizzard, Watson, Willis and Mrs Wilson

Abstained (3)

Councillors Ells, Powell and Sargeant

RESOLVED: That Councillor Mrs Blackmore be elected as Leader of the Council until the expiry of her term of office as a Councillor in 2015.

15. APPOINTMENTS TO THE CABINET

The Leader of the Council reported that her appointments to the Cabinet were as follows:

Community and Leisure Services	Councillor Perry
Corporate Services	Councillor McLoughlin
Economic and Commercial Development	Councillor Greer
Environment	Councillor Mrs Ring
Planning, Transport and Development	Councillor Burton

The Leader of the Council then reported that she had appointed Councillor Greer as her Deputy.

16. DELEGATION OF EXECUTIVE FUNCTIONS

The Leader of the Council reported that the Scheme of Delegation of Executive Functions had been circulated for the Council's information.

17. ALLOCATION OF SEATS ON COMMITTEES

In accordance with Sections 15 and 16 of the Local Government and Housing Act 1989, the Council considered the allocation of seats to each Political Group in relation to its various Committees.

It was moved by Councillor Mrs Blackmore, seconded by Councillor Greer:

1. That the Planning Referrals Committee comprise three Members, one from each of the largest political groups, and that the Constitution be amended accordingly.
2. That the number of Substitutes for the Standards Committee be increased to one per political group represented on the Committee, and that the Constitution be amended accordingly.
3. That the allocation of seats on Committees be as set out in amended Appendix A (Scenario 2) to the report of the Head of Policy and Communications with the following adjustments:

Audit Committee	1 seat from Independent to Labour
General Purposes Group	1 seat from Conservative to Vacancy
	1 seat from Independent to Councillor Ash
Joint Transportation Board	1 seat from Conservative to Councillor Ash
Licensing Act 2003 Committee	1 seat from UKIP to Labour
Standards Committee	1 seat from UKIP to Vacancy

RESOLVED:

1. That the Planning Referrals Committee comprise three Members, one from each of the largest political groups, and that the Constitution be amended accordingly.

2. That the number of Substitutes for the Standards Committee be increased to one per political group represented on the Committee, and that the Constitution be amended accordingly.
3. That the allocation of seats on Committees be as set out in amended Appendix A (Scenario 2) to the report of the Head of Policy and Communications with the following adjustments:

Audit Committee	1 seat from Independent to Labour
General Purposes Group	1 seat from Conservative to Vacancy
	1 seat from Independent to Councillor Ash
Joint Transportation Board	1 seat from Conservative to Councillor Ash
Licensing Act 2003 Committee	1 seat from UKIP to Labour
Standards Committee	1 seat from UKIP to Vacancy

(A copy of the amended allocation of seats on Committees is attached as Appendix A to these Minutes).

18. APPOINTMENT OF COMMITTEES

In accordance with Section 16 of the Local Government and Housing Act 1989, the Council considered the appointments to its Committees and Substitutes.

It was moved by Councillor Mrs Blackmore, seconded by Councillor Mrs Ring, that the wishes of the Group Leaders with regard to the appointments to Committees and Substitutes be accepted.

RESOLVED: That the wishes of the Group Leaders with regard to the appointments to Committees and Substitutes be accepted.

19. APPOINTMENT OF THE VICE-CHAIRMAN OF THE JOINT TRANSPORTATION BOARD

It was moved by Councillor Mrs Blackmore, seconded by Councillor Paine, that Councillor J. A. Wilson be appointed as the Vice-Chairman of the Joint Transportation Board for the Municipal Year 2014/15.

RESOLVED: That Councillor J. A. Wilson be appointed as the Vice-Chairman of the Joint Transportation Board for the Municipal Year 2014/15.

20. SCHEME OF DELEGATION FOR NON-EXECUTIVE FUNCTIONS

It was moved by Councillor Mrs Blackmore, seconded by Councillor de Wiggondene, that the Scheme of Delegation for Non-Executive Functions be agreed.

RESOLVED: That the Scheme of Delegation for Non-Executive Functions be agreed.

21. DURATION OF MEETING

9.30 a.m. to 10.50 a.m.

APPENDIX A

ALLOCATION OF SEATS ON COMMITTEES

	Overview & Scrutiny Committees													
	Strategic Leadership and Corporate Services	Economic and Commercial Development	Planning, Transport and Development	Community Leisure Services and Environment	Planning Committee	Licensing Committee	Licensing Act 2003 Committee	Member and Employment and Development Panel	Joint Transportation Board	General Purposes Group	Standards Committee	Planning Referrals Committee	Audit Committee	Overall entitlement
Con	4	4	4	4	5	5	5	5	3	2	4	1	2	48
Lib Dem	3	3	3	3	5	4	4	4	3	2	3	1	2	40
Ind	1	1	1	1	1	1	1	1	1	0	1	1	0	11
UKIP	1	1	1	1	1	1	0	1	1	0	0	0	0	8
Lab	0	0	0	0	1	0	1	1	0	0	0	0	1	4
R Ash	0	0	0	0	0	0	0	0	1	1	0	0	0	2
Vac	0	0	0	0	0	0	0	0	0	1	1	0	0	2
	9	9	9	9	13	11	11	12	9	6	9	3	5	115

MAIDSTONE BOROUGH COUNCIL

COUNCIL

23 JULY 2014

REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS

Report Prepared by Debbie Snook

1. REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

- 1.1 Councillor Ash has returned from holiday and given notice of his wish to be treated as a Member of the Conservative Group. Arising from this a request has been received for a review to be carried out of the arrangements for the allocation of seats to political groups pursuant to Section 15 of the Local Government and Housing Act 1989.
- 1.1.1 The revised allocation of seats on individual Committees is set out in Appendix A, together with details of the adjustments required to achieve overall political balance. The calculation assumes a total of 115 seats on Committees as previously, no change in the size of Committees and the Planning Referrals Committee comprising three Members, one from each of the largest political groups which is as set out in the Constitution, but not politically balanced. Appendix B demonstrates the political balance on the various Committee sizes.
- 1.1.2 Section 17 of the Local Government and Housing Act 1989 provides for exceptions to the political balance requirements. In essence, the Council can amend the political balance of a Committee provided that notice of the intention to give such consideration has been given to all Members of the Council and that when the alternative arrangements are put to the vote at the Council meeting, no Member of the Council votes against them.

1.2 RECOMMENDED

- 1.2.1 That the calculation for entitlement to seats on individual Committees and the requisite adjustments as set out in Appendix A be determined.**

APPENDIX A

ALLOCATION OF SEATS ON COMMITTEES

	Overview & Scrutiny Committees																
	Strategic Leadership and Corporate Services	Economic and Commercial Development	Planning, Transport and Development	Community Leisure Services and Environment *	Planning Committee	Licensing Committee	Licensing Act 2003 Committee	Member and Employment and Development Panel	Joint Transportation Board	General Purposes Group	Standards Committee	Planning Referrals Committee	Audit Committee	Total of entitlement on individual Committees etc.	Overall entitlement	Adjustments required	
Con	4	4	4	4	6	5	5	5	4	3	4	1	2	51	50	-1	
Lib Dem	3	3	3	3	5	4	4	4	3	2	3	1	2	40	40		
Ind	1	1	1	1	1	1	1	1	1	1	1	1	1	13	11	-2	
UKIP	1	1	1	1	1	1	1	1	1	0	1	0	0	10	8	-2	
Lab	0	0	0	0	0	0	0	1	0	0	0	0	0	1	4	3	
Vac	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	
	9	9	9	9	13	11	11	12	9	6	9	3	5	115	115		

*Proposed to be Community, Environment and Housing Overview and Scrutiny Committee

SEATS ON COMMITTEES FOR COUNCIL ON 23.07.14 - REFLECTS VACANCY IN STAPLEHURST

2

INPUT AREA
ENTER TOTAL No. of Cttee Seats 115
ENTER START No. of Cttee size 3

APPENDIX B

OVERALL			No. of Seats	Rounded
		Proportion	115	
Conservative	24	0.4364	50.18	50.00
Liberal	19	0.3455	39.73	40.00
Independent	5	0.0909	10.45	11.00
UKIP	4	0.0727	8.36	8.00
Labour	2	0.0364	4.18	4.00
Vacancy	1	0.0182	2.09	2.00
	55	1	115.00	115.00

	Seats	Exact Apportion	Round	Adj't
	3			
Conservative		1.31	1	2
Liberal		1.04	1	1
Independent		0.27	0	0
UKIP		0.22	0	0
Labour		0.11	0	0
Vacancy		0.05	0	0
		3.00	2.00	3.00
			-1	

	Seats	Exact Apportion	Round	Adj't
	9			
		3.93	4	4
		3.11	3	3
		0.82	1	1
		0.65	1	1
		0.33	0	0
		0.16	0	0
		9.00	9.00	9.00
			0	

	Seats	Exact Apportion	Round	Adj't
	15			
		6.55	7	7
		5.18	5	5
		1.36	1	1
		1.09	1	1
		0.55	1	1
		0.27	0	0
		15.00	15.00	15.00
			0	

	4			
Conservative		1.75	2	2
Liberal		1.38	1	2
Independent		0.36	0	0
UKIP		0.29	0	0
Labour		0.15	0	0
Vacancy		0.07	0	0
		4.00	3.00	4.00
			-1	

	10			
		4.36	4	4
		3.45	3	4
		0.91	1	1
		0.73	1	1
		0.36	0	0
		0.18	0	0
		10.00	9.00	10.00
			-1	

	16			
		6.98	7	7
		5.53	6	6
		1.45	1	1
		1.16	1	1
		0.58	1	1
		0.29	0	0
		16.00	16.00	16.00
			0	

	5			
Conservative		2.18	2	2
Liberal		1.73	2	2
Independent		0.45	0	1
UKIP		0.36	0	0
Labour		0.18	0	0
Vacancy		0.09	0	0
		5.00	4.00	5.00
			-1	

	11			
		4.80	5	5
		3.80	4	4
		1.00	1	1
		0.80	1	1
		0.40	0	0
		0.20	0	0
		11.00	11.00	11.00
			0	

	17			
		7.42	7	7
		5.87	6	6
		1.55	2	2
		1.24	1	1
		0.62	1	1
		0.31	0	0
		17.00	17.00	17.00
			0	

	6			
Conservative		2.62	3	3
Liberal		2.07	2	2
Independent		0.55	1	1
UKIP		0.44	0	0
Labour		0.22	0	0
Vacancy		0.11	0	0
		6.00	6.00	6.00
			0	

	12			
		5.24	5	5
		4.15	4	4
		1.09	1	1
		0.87	1	1
		0.44	0	1
		0.22	0	0
		12.00	11.00	12.00
			-1	

	18			
		7.85	8	8
		6.22	6	6
		1.64	2	2
		1.31	1	1
		0.65	1	1
		0.33	0	0
		18.00	18.00	18.00
			0	

	7			
Conservative		3.05	3	3
Liberal		2.42	2	2
Independent		0.64	1	1
UKIP		0.51	1	1
Labour		0.25	0	0
Vacancy		0.13	0	0
		7.00	7.00	7.00
			0	

	13			
		5.67	6	6
		4.49	4	5
		1.18	1	1
		0.95	1	1
		0.47	0	0
		0.24	0	0
		13.00	12.00	13.00
			-1	

	19			
		8.29	8	8
		6.56	7	7
		1.73	2	2
		1.38	1	1
		0.69	1	1
		0.35	0	0
		19.00	19.00	19.00
			0	

	8			
Conservative		3.49	3	3
Liberal		2.76	3	3
Independent		0.73	1	1
UKIP		0.58	1	1
Labour		0.29	0	0
Vacancy		0.15	0	0
		8.00	8.00	8.00
			0	

	14			
		6.11	6	6
		4.84	5	5
		1.27	1	1
		1.02	1	1
		0.51	1	1
		0.25	0	0
		14.00	14.00	14.00
			0	

	20			
		8.73	9	9
		6.91	7	7
		1.82	2	2
		1.45	1	1
		0.73	1	1
		0.36	0	0
		20.00	20.00	20.00
			0	

Agenda Item 15

MAIDSTONE BOROUGH COUNCIL

COUNCIL

23 JULY 2014

REPORT OF THE AUDIT COMMITTEE HELD ON 14 JULY 2014

AUDIT COMMITTEE – ANNUAL REPORT TO COUNCIL 2013/14

The Audit Committee's Annual Report 2013/14 is attached as Appendix A. The report provides assurance to the Council that important internal control, governance and risk management issues are being monitored and addressed by the Committee. It also provides additional assurance to support the Annual Governance Statement which accompanies the Statement of Accounts.

RECOMMENDED: That the Audit Committee's Annual Report 2013/14 be noted.

Maidstone Borough Council
Audit Committee Annual Report – 2013/14



Foreword by: Cllr Alistair Black,
Chairman of the Audit Committee
2014/15

I am pleased to present this report summarising the work of the Audit Committee for the year 2013/14.

I wish to thank Cllr Nelson-Gracie, Committee chair during 2013/14, for his dedication and hard work in ensuring that we fulfilled our terms of reference in delivering supportive analysis to the Council's governance.

I look forward to working with fellow members in 2014/15 as we continue to assist the Council in maintaining its high standards of governance.

Cllr Alistair Black
Chairman

Audit Committee Annual Report 2013/14



1. Introduction – The Role of the Audit Committee:

Maidstone Borough Council understands and supports the value of having an independent Audit Committee as an essential component of the Council's governance framework.

The Maidstone Audit Committee comprises five members whose key purpose is to monitor audit activity (internal and external), review and comment on the effectiveness of the Council's regulatory framework and review and approve the Council's annual statements of accounts and scrutinise associated strategy and policy

The Committee is independent from the Council's Executive and Scrutiny functions and has clear reporting lines and rights of access in order to discharge its responsibilities in line with its terms of reference. This includes direct access to the Council's Appointed Auditor and Head of Internal Audit where appropriate.

The Committee holds, develops and maintains skills, interests and knowledge in finance and risk management, accounting concepts, standards and regulation. It is required to provide independent and unbiased scrutiny to promote apolitical discussion, as well as maintain ability to challenge the Executive and senior officers of the Council when required.

The Committee is not a substitute for the Executive function in the management of internal or external audit, risk management, governance, or any other review or assurance function. It is the Committee's role to examine these functions, and to offer views and recommendations on the way the management of these functions is conducted.

2. Terms of Reference

The Committee's detailed Terms of Reference are set out in Article 6A of the Council's constitution and are based on the Chartered Institute of Public Finance and Accounting (CIPFA) model.

In summary, the Audit Committee core is responsible for providing independent assurance to the Council in relation to the areas of governance. Its core functions are to:

1. Consider the effectiveness of the Authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.
2. Seek assurances that action is being taken on risk-related issues identified by auditors and inspectors.
3. Be satisfied that the authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it.
4. Approve (but not direct) internal audit's strategy, plan and monitor performance.
5. Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
6. Receive the annual report of the Head of Internal Audit Partnership.
7. Consider the reports of external audit and inspection agencies.
8. Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
9. Review the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit.

3. Membership 2013/14

The Audit Committee comprised of five members in 2013/14:



Cllr Rodd Nelson-Gracie
Chairman



Cllr Derek Butler
Vice Chair



Cllr Alistair Black



Cllr Dan Daley



Cllr Mervyn Warner

4. Committee Attendance 2013/14

The Committee met on seven occasions in 2013/14. Audit Committee meetings are held in public, and members of the Council and the public are welcome to attend. All of the Audit Committee meetings are webcast, and recordings, agenda papers and minutes are available on the Council's [website](#).

The Audit Committee has been well supported throughout the year by both Members and Officers. Regular attendees to the Audit Committee meetings include the Director of Regeneration and Communities, the Head of Finance and Resources, the Head of Audit Partnership, the Audit Manager and representatives from the external auditor. The Committee also has the right to call any other officers or agencies of the Council as required.

Attendance records for 2013/14 are set out in the table below:

Cllr/Officer	10 Jun 2013	15 Jul 2013	12 Aug 2013	16 Sept 2013	25 Nov 2013	10 Feb 2014	24 Mar 2014
Audit Committee Members							
Cllr Rodd Nelson Gracie (Chairman)	✓	✓	✓		✓	✓	✓
Cllr Derek Butler (Vice-Chairman)	✓		✓	✓		✓	✓
Cllr Alistair Black	✓	✓	✓	✓	✓	✓	
Cllr Dan Daley	✓	✓	✓	✓		✓	✓
Cllr Mervyn Warner				✓			
Substitute Members							
Cllr Fran Wilson	✓	✓			✓		
Cllr Michael Yates	✓	✓	✓	✓	✓		✓
Cllr Bryan Vizzard						✓	✓
Officers							
Dir of Regeneration & Communities		✓			✓		✓
Head of Finance & Resources	✓	✓	✓	✓	✓	✓	
Head Audit P'ship	✓	✓	✓	✓	✓	✓	✓
Head of Policy & Communications			✓		✓		✓
Head of Revenues & Benefits Service		✓					✓
Audit Manager	✓	✓	✓	✓	✓		✓
Senior Accountant			✓	✓	✓		✓
External Auditor (Grant Thornton)							
MBC Audit Manager		✓	✓	✓	✓		✓
Engagement Lead			✓	✓	✓		
Democratic Services							
Democratic Services Officer	✓	✓	✓	✓	✓	✓	✓

5. Reports Considered by the Committee

The Committee considered the following reports during 2013/14:

Function / Issue	10 Jun 2013	15 Jul 2013	12 Aug 2013	16 Sept 2013	25 Nov 2013	10 Feb 2014	24 Mar 2014
Internal Audit Activity							
Internal Audit Annual Report 2012/13		✓					
Audit Committee annual report		✓					
Internal Audit Charter				✓			
Internal Audit Interim Report					✓		
Internal Audit Operational Plan 2014/15							✓
Internal Audit External Quality Assessment of Conformance with the Public Sector Internal Standards							✓
Internal Audit External Audit Protocol							✓
External Audit Activity							
External Audit Fees 2013/14		✓					
External Auditors Audit Plan 2012/13		✓					
External Audit Progress Report - July 2013		✓					
External Auditors Audit Findings Reports 2012/13				✓			
Grant Thornton Letter of Representation				✓			
External Auditor's Letter to the Chairman					✓		
External Auditor's Annual Audit Letter 2012/13					✓		
Grant Thornton - Enquiries of Management & Audit Committee As Those Charged With Governance							✓
Update on Enhanced Scrutiny Arrangements and Public Meetings							✓
Regulatory Framework / Internal Control Assurance							

Function / Issue	10 Jun 2013	15 Jul 2013	12 Aug 2013	16 Sept 2013	25 Nov 2013	10 Feb 2014	24 Mar 2014
Property Investment	✓						
Audit Committee Work Programme				✓	✓		
Audit Committee Members Skills		✓					
Local Code of Corporate Governance		✓	✓				
Treasury Management Annual Report 2012/13		✓					
Treasury Management Half Year Review					✓		
Treasury Management Strategy 2014/15						✓	
Budget Strategy 2014-15 Onwards - Risk Assessment						✓	
Benefit Fraud Annual Report 2012/13		✓					
Reconciliation of the Collection Fund 2012/13						✓	
Certification of Financial Claims and Returns							✓
Accounts							
Draft Annual Governance Statement			✓				
Annual Governance Statement – Action Plan Update					✓		
Statement of Accounts 2012/13		✓	✓				

6. Assurance

The Audit Committee has considered the following areas of work over the course of the year to demonstrate how it has effectively fulfilled its duties in line with its terms of reference:

Risk Management

In July 2013 the Committee considered the Benefit Fraud Annual report 2012/13, including summary of fraud prevention and detection activity.

In March 2014 the Committee considered the operational audit plan for 2014/15 in compliance with the Public Sector Internal Audit Standards (PSIAS) which adopted risk based audit planning.

In February 2014 the Committee considered the Risk Assessment for the Budget Strategy 2014/15.

Internal Control

In June 2013 the Committee considered the changes to the criteria for prudential borrowing in relation to property investment.

In September 2013 the Committee considered the updated Internal Audit Charter including revisions from adoption of the PSIAS.

In December 2013 the Committee considered the Internal Audit interim report including a summary of audit findings and overall assessment levels of controls assurance.

In July 2013 and November 2013 the Committee considered the Treasury Management activity reports and Prudential Indicators including investment activity and performance. The Committee also approved the 2014/15 Treasury Management strategy in February 2014.

Audit Activity

In July 2013 the Committee considered the Head of Audit Partnerships Annual Report for 2012/13 which included the opinion on the Council's control environment and performance of the Internal Audit service against delivery of the audit plan.

In November 2013 the Committee received the interim report and progress against the 2013/14 Internal Audit plan.

In March 2014 the Committee considered the outcomes from the Internal Audit External Quality Assessment against the PSIAS, noting the achievement of full or partial compliance against all 56 standards.

In March 2014 the Committee noted the Internal and External Audit protocol.

Accounts

In August 2013 the Committee approved the Annual Governance Statement for 2012/13 for submission to Council. The Committee also received a progress report on the AGS action plan in November 2013.

In August 2013 the Committee considered the draft accounts prior to the approval of the Statement of Accounts in August 2013.

Throughout the year the Committee considered various reports from the External Auditor (Grant Thornton). Notably, the Committee agreed the certification of the grant claim, the Annual Audit Letter and agreed the Audit Plan and fee scales for 2013/14.

7. Conclusion

In partnership with its External Auditors, and with the support of Officers, the Audit Committee has provided robust and effective independent assurance to the Council on a wide range of risk, governance and internal control issues. It is concluded therefore, that the Audit Committee can demonstrate that it has appropriately and effectively fulfilled its duties for 2013/14.

8. Work Programme 2014/15

The Audit Committee will continue to strive to achieve best practice in order to satisfy itself that the Council maintains effective systems of internal control, governance and risk management. In particular the committee will continue to oversee and seek assurances over the external audit arrangements with Grant Thornton.

The Members of the Audit Committee will seek to continually enhance their skills, knowledge and experience through training and development in order to be able to provide robust challenge throughout 2014/15. This will include induction of new members, and continual development of existing members of the Committee.

The Audit Committee will face challenges in 2014/15 as the Council continues to operate in times of austerity, but also as the Council continues down a path of adopting new ways of working and delivering services, and moving forward with its commercialisation agenda.

MAIDSTONE BOROUGH COUNCIL

COUNCIL

23 JULY 2014

REPORT OF THE SCRUTINY COORDINATING COMMITTEE

Report prepared by Tessa Mallett

1. OVERVIEW AND SCRUTINY ANNUAL REPORT 2013-14

1.1 Issue for Decision

1.1.1 To consider the Overview and Scrutiny Annual Report for 2013-14.

1.2 Recommended:

1.2.1 That the Overview and Scrutiny Annual Report 2013-14, attached as **Appendix A**, be noted.

1.3 Reason for Recommendation

1.3.1 The Maidstone Borough Council Constitution states "Overview and Scrutiny Committees may report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate" (Part One, article 6.3 (d)).

1.3.2 The attached report summarises the work of the Overview and Scrutiny Committees during 2013-14 and highlights key issues going forward.

1.4 Alternative Action and Why Not Recommend

1.4.1 The Council could choose not to receive the Overview and Scrutiny Annual Report, however this could diminish knowledge of the work of the Committees and would fail to keep the full membership updated on changes to the function.

1.5 Impact on Corporate Objectives

1.5.1 None

1.6 Risk Management

1.6.1 There are no risks associated with the Council noting the Annual Report.

1.7 Relevant Documents

1.7.1 **Appendix A** – Overview and Scrutiny Annual Report 2013-14.

1.8 Background Documents

1.8.1 None.

Overview and Scrutiny Annual Report 2013 - 14



INTRODUCTION

Angela Woodhouse, Head of Policy and Communications



"This year we have held 44 meetings and interviewed 93 witnesses and made a grand total of 272 recommendations across a huge range of topics. So a huge amount of work and hours but what about quality and impact? 62% of the recommendations made have been rated

as quality recommendation¹ which mean they were concerned with improving a service and/or making a difference, rather than requesting or noting information.

Highlights for the year include the events review focussed on how we support those organising events in the Borough. Scrutiny also looked outside the council with a review of access to mental health services with evidence from practitioners and expert witnesses. It will be important to follow up the recommendations made in 2014-15 so we can see the impact of the review. There has also been some very technical scrutiny with a close eye on the emerging Local Plan and documents plus a review given to scrutiny from full council to look at the five year housing land supply.

Last year we reviewed our governance arrangements and asked Council to consider if we should return to the Committee System, stay as we were or improve our current arrangements. The decision was made to go for a scrutiny plus model, increasing the number of scrutiny committees from three to four with the explicit goal to increase parity of esteem between overview and scrutiny and the cabinet.

So what's changed then? Aside from additional meetings! From speaking to the Chairmen and Vice-Chairmen of our scrutiny committees there are mixed review. Some believe that they have seen a real positive change in the attitude of Cabinet to Scrutiny in 2013-14 with positive

and early involvement of scrutiny members in decision making. Other members have really enjoyed working in small groups to get into the 'nitty gritty' of issues for example; the small group who met to look at the budget and the group who met to consider performance indicators. The survey we carried out in 2014 of all members identifies that just over half of respondents felt there had been an improvement.

I think there is still work to be done to raise the quality of overview and scrutiny and its reputation and I look forward to a new impetus in 2014-15 beginning with a joint session between cabinet and scrutiny facilitated by the Centre for Public Scrutiny. I am looking forward to scrutiny making a real difference this year."

¹Scrutiny recommendations should seek to make a real difference to local people and the services provided. Recommendations that note a change or request further information fail to resolve problems or make changes. The Scrutiny team has developed the following as types of quality recommendations:

Recommendations that;

- Affect and make a difference to local people;
- Result in a change in policy that improves services;
- Identify savings and maintain/improve service quality; or,

25 Objectively identify a solution.

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SCRUTINY AT MAIDSTONE BOROUGH COUNCIL

“Overview and Scrutiny is...the principal, democratic means, between elections, of ensuring that decisions made by the council and its partners are held to account. It also provides a vital means of ensuring all councillors can take part in the development of council policy”

(Councillor’s Guide 2012/13: LGA)

Overview and Scrutiny (O&S) was brought into being by the Local Government Act 2000.

A requirement of the act is for a local authority with executive arrangements to have one or more Overview and Scrutiny Committees.

The following, agreed by members and officers, is the “vision for scrutiny” in Maidstone:

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

(Members’ Overview and Scrutiny Handbook 2014/15: MBC)

The four principles of good public scrutiny, identified by the Centre for Public Scrutiny, are used in Maidstone to ensure the fulfilment of this vision

- Provide “Critical Friend” Challenge
- Reflect the voice and concerns of the public and its communities
- Carried out by independent minded governors who lead and own the scrutiny process
- Drives improvement in public services

The structure for Overview and Scrutiny was recently reviewed following a review of the Council’s corporate governance model. This was set up to consider whether the current model was still appropriate or if the Council should consider an alternative.

In February 2013 full Council considered a report on models of governance and concluded the Cabinet system should be retained with

enhanced scrutiny.

As a result of this review there are currently four Overview and Scrutiny Committees overseeing six cabinet portfolios.

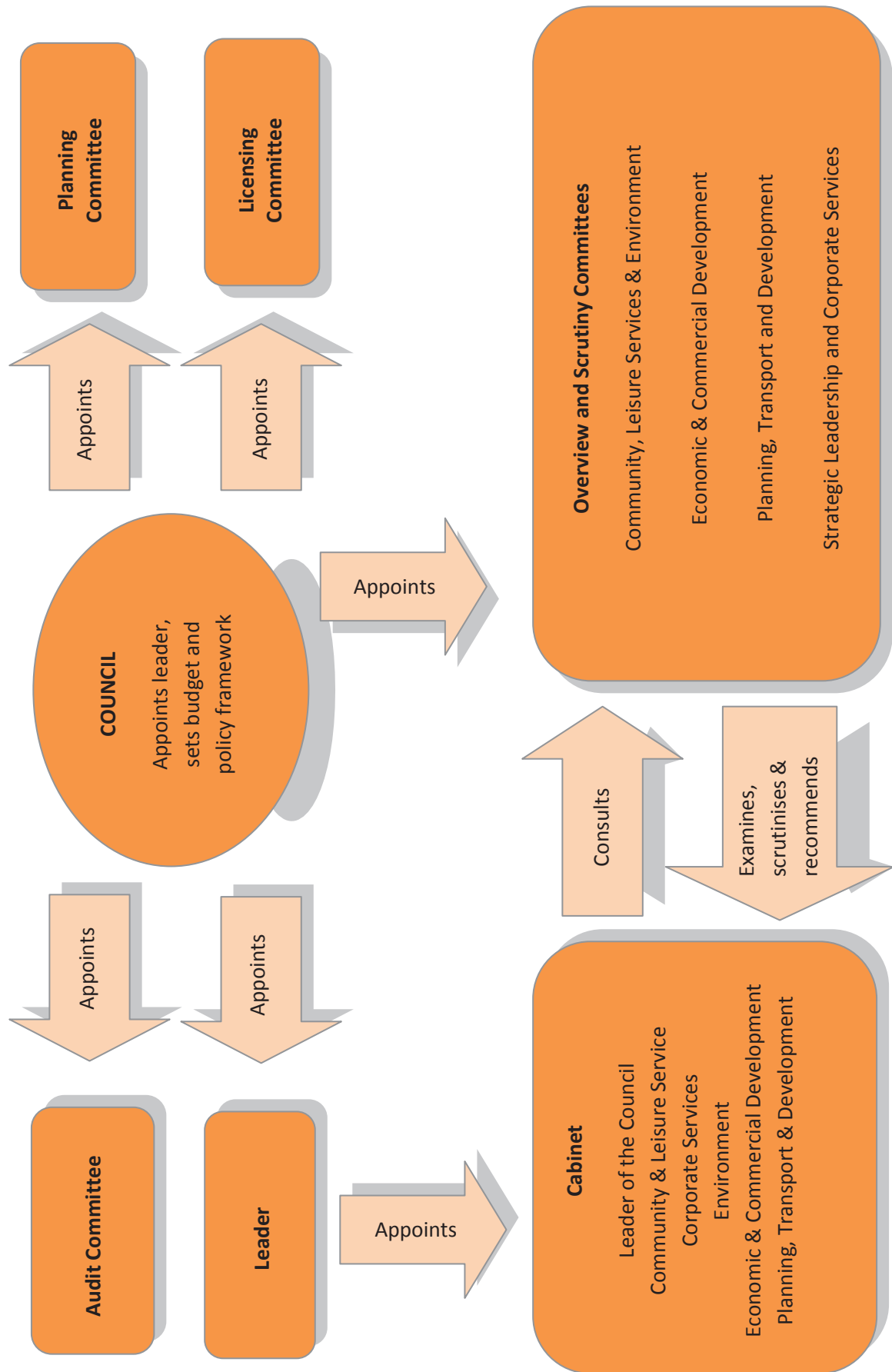
The Overview and Scrutiny Committees correspond with the Cabinet Members’ responsibilities:

- Strategic Leadership and Corporate Services
- Economic and Commercial Development
- Community, Leisure Services and Environment
- Planning, Transport and Development.

In addition, the Scrutiny Coordinating Committee, consisting of the Chairman and Vice Chairman of the four Overview and Scrutiny Committees, considers matters relating to the conduct, performance and procedures for scrutiny.

In summary, Overview and Scrutiny is one of the distinct but interconnected parts of the political structure in the authority. The different roles and responsibilities are shown in the flow chart on the next page.

Decision Making and Council Structures at Maidstone Borough Council



OVERVIEW AND SCRUTINY MEMBERSHIP FOR 2013-2014

(AS OF 30TH APRIL 2014)

Strategic Leadership and Corporate Services Overview and Scrutiny Committee

Cllr Alistair Black	Con
Cllr Derek Butler	Con
Cllr Eric Hotson	Con
Cllr Rodd Nelson Gracie	Con
Cllr Daphne Parvin	Con
Cllr Susan Grigg (Vice Chairman)	LibDem
Cllr Derek Mortimer	LibDem
Cllr David Pickett	LibDem
Cllr Fay Gooch (Chairman)	Ind

Community, Leisure Services and Environment Overview and Scrutiny Committee

Cllr Annabelle Blackmore (Chairman)	Con
Cllr Adrian Brindle	Con
Cllr Jenefer Gibson	Con
Cllr Daphne Parvin	Con
Cllr Michael Yates	Con
Cllr Denise Joy (Vice Chairman)	LibDem
Cllr Jane Mannering	LibDem
Cllr Brian Vizzard	LibDem
Cllr Steve Munford	Ind

Economic and Commercial Development Overview and Scrutiny Committee

Cllr Richard Ash	Con
Cllr John Barned (Chairman)	Con
Cllr Mike Cumming	Con
Cllr Mike Hogg	Con
Cllr Paulina Stockell	Con
Cllr Martin Cox	LibDem
Cllr David Naghi	LibDem
Cllr Jenni Paterson (Vice Chairman)	LibDem
Cllr Gordon Newton	Ind

Planning, Transport and Development Overview and Scrutiny Committee

Cllr Steve McLoughlin (Chairman)	Con
Cllr Dennis Collins	Con
Cllr James Ross	Con
Cllr Val Springett	Con
Cllr Nick de Wiggondene	Con
Cllr Ian Chittenden	LibDem
Cllr Belinda Watson	LibDem
Cllr Fran Wilson (Vice Chairman)	LibDem
Cllr Steve Munford	Ind

BUSINESS COVERED BY OVERVIEW AND SCRUTINY COMMITTEES OVER THE 2013-14 MUNICIPAL YEAR

Councillor Fay Gooch, Chairman of Strategic Leadership and Corporate Services Overview and Scrutiny Committee



"It has been said that ours is not the sexiest of the scrutiny committees. Well, perhaps Performance Indicators and Quarterly Monitoring Reports may be regarded by some people as dry and dusty, yet our keenness to carry out the

role of 'critical friend' does not falter. We have asked officers to restrict themselves to just a few introductory words when they present their reports to Committee so that members can go straight into questions. This has enabled better use of everyone's time, particularly as we have read our papers anyway. We have ensured that our recommendations have been properly followed through and that any further information we have requested has been provided.

Our attempt to attract non-scrutiny members to a Budget Workshop in October comprised some controversial headlines, a piggy bank and a hammer. Although not the hit we were hoping for in terms of numbers of attendees, it turned out to be a triumph of quality over quantity and some worthwhile recommendations.

I warmly thank not only Committee Members for their close attention to detail and for their commitment to questioning, but also the Scrutiny team, without whose invaluable support our Committee could not function effectively."

Strategic Leadership and Corporate Services Overview and Scrutiny Committee

The Strategic Leadership and Corporate Services Overview and Scrutiny Committee hold to account the Leader of the Council and Cabinet Member for Corporate Services. The Committee's terms of reference mirror these areas of responsibility and are closely aligned to the Council's priority: "Corporate and Customer Excellence".

2013/14 was a busy year for this Committee. A common theme throughout was scrutiny of the authority's budget, performance and strategic direction.

Scrutiny of the budget was a priority. During the year the Committee was proactive, asking for information as soon as it became available and setting up a Budget Working Group. This enabled greater scrutiny of the budget strategy for 2014/15 in relation to capital, revenue and fees and charges.

The Committee also considered, and made recommendations for improvement, across a range of cross cutting briefs including:

- Cabinet Member Priorities for 2013/14;
- Proposals for the use of the 2012/13 Underspend;
- Future commissioning and procurement arrangements;
- Regular reports on performance and complaints monitoring;
- The Local Council Tax Support Scheme;
- The Council's Communication and Engagement Plan 2014/15;
- Residents' Survey 2013 – Findings / Result;
- The Council's Accommodation Project;
- The Corporate Improvement Plan;
- The Strategic Plan (Refresh).

In terms of monitoring previous review recommendations, the Committee reviewed

developments in relation to The Council as a Business Review and the Capital Programme Review. Taking these items back to Committee, asking challenging questions, enabled members to check on progress and ensure recommendations previously accepted had been implemented.

Mid Kent Improvement Partnership

The Committee continued to take a keen interest in shared services and the development of the Mid Kent Improvement Partnership (MKIP). In November the MKIP Programme Manager gave a presentation to the Committee setting out what the partnership had achieved since its inception and objectives for the future.

In February the Committee considered the design for the two-site model of operation for the Mid Kent Environmental Shared Service.

The Committee received a further MKIP update in April and interviewed the newly appointed Mid Kent Services Director in May. These sessions proved to be particularly helpful and committee members raised a number of important questions relating to:

- Governance arrangements;
- Seeking clarity on the role of O&S to be able to scrutinise the decisions of the MKIP Management Board, if it so wished;
- The objectives of the Mid Kent Services Director and how these would be measured;
- Communication.

On speaking with Tunbridge Wells Borough Council the committee were interested to hear that their scrutiny members had raised similar questions. With that in mind, an informal meeting was arranged between the Chairmen and Vice Chairmen of both authorities. This established the need, moving forward, to work with Tunbridge Wells Borough Council and Swale Borough Council to scrutinise in more detail issues relating to governance, communication and performance management.

These issues will be kept under review during 2014/15 with an initial joint meeting planned for early July.

Cabinet Member Involvement

Both the Leader and Cabinet Member for Corporate Services attended committee meetings throughout the year. In addition the Cabinet Member for Environment attended in February as a witness for the Mid Kent Improvement Partnership Environmental Health Shared Service Model. The Cabinet Member for Economic and Commercial Development attended as a witness in March for the Council as a Business Review.



Key Facts 2013-14 for the Strategic Leadership and Corporate Services Overview and Scrutiny Committee

Formal Meetings	13
Witnesses Interviewed (Total)	26
Councillors Interviewed	4
Officers Interviewed	21
External Witnesses Interviewed	1
Total Recommendations Made	62
Quality Recommendations Made	29
Site Visits	0
One Off Topics	0

Councillor Jenni Paterson, Vice Chair Economic and Commercial Development Overview and Scrutiny Committee



"I would like to begin on a personal note and convey my thanks to all members of the Committee and officers for bearing with me whilst I have taken the Chair during Councillor Barnard's absence.

It has been a challenging year for the Committee and we have

fulfilled a varied work programme.

Despite a considerable rethink on the focus of our chosen review topic, The Events review, we produced a credible report examining how the council supports those putting on events in the Borough.

The report was presented by two of the Committee members to the Cabinet on 14 May 2014, where it was received positively. The discussion that took place highlighted possible changes of responsibility as to where 'Events' sit within the council.

In addition to their cultural value the Committee is pleased that recognition has now been given to the commercial value of 'Events' within the council's priority 'For Maidstone to have a growing economy'.

The Committee's grateful thanks go to all witnesses and officers for their attendance and sharing their valuable knowledge with us.

The Committee had looked forward to looking at the Regeneration and Economic Development Plan, but this, unfortunately, did not come forward in time for the 2013-14 Committee membership. However, we wish the 2014-15 Committee members all the best when prioritising this into their Future Work Programme."

Economic and Commercial Development Overview and Scrutiny Committee

The Economic and Commercial Development Overview and Scrutiny Committee holds to account the Cabinet Member for Economic and Commercial Development. The Committee's terms of reference mirror the areas of the council within the remit of the Cabinet Member for Economic and Commercial Development. This remit is closely aligned to the Council's priority: 'For Maidstone to have a growing economy.'

Along with the changes to scrutiny, there has been considerable organisational change within the Commercial and Economic Development Department at Maidstone Borough Council during 2013-14. The council employed a new Head of Commercial and Economic Development in December. This brought the following services together under the same department:

- Parks and Leisure;
- Economic Development;
- Cultural Services.

A Cultural Services Manager was recruited, and a new post of Commercial Projects Manager was created to drive forward commercialisation across the council.

Review Topic

In June 2013, committee members decided their main review for the 2013-2014 municipal year would be events and cultural activities. This theme was developed and the primary objective of the review was 'To evaluate the value of borough council supported events to residents, visitors and the local economy'.

To achieve this aim, the committee felt it would be important to develop a toolkit in order to measure the value of events. However the committee heard evidence early on from Dawn Hudd, the council's Head of Commercial and Economic Development, that such a toolkit had already been identified and the council had begun using it to measure the value of events. This resulted in committee changing the focus of the review to examine how the council supports those putting on events in the borough.

The committee heard evidence from the following witnesses in relation to the review topic:

- Dawn Hudd, Head of Commercial and Economic Development;
- Alan Reading, Chairman of Maidstone Tourism Association;
- Ken Scott, Chairman of Maidstone Area Arts Partnership;
- Natalie Price, General Manager of the Hazlitt Arts Centre;
- Emily Hirons, General Manager, and Natalie Kirk, Events Manager, of Kent Life;
- Jennifer Hunt, Local Economy Project Officer, who gave evidence on behalf of the Town Team.

The review brought all the evidence together and made recommendations focused on making it easier for event organisers to hold events in the borough.

Cabinet Member Involvement

As the new scrutiny structure provided a strong link between Cabinet Members and their relevant Overview and Scrutiny Committee the Cabinet Member for Economic and Commercial Development attended the committee as a witness for three items, these were:

- Cabinet Member Priorities for the year 2013/2014;
- Maidstone's vision for the visitor economy; and
- Cabinet Member review of the year 2013/2014.

One off topics, pre-decision scrutiny and site visits

The committee heard evidence for several one off topic items. Some of these related to previous reviews undertaken by overview and scrutiny committees, including the Market review and Visitor Information Centre review. The committee heard the recommendations from both reviews had been accepted and had been progressed resulting in a positive impact on both of the services reviewed.

As well as several update items on current work programmes within the Commercial and Economic Development Department, the committee heard the work on the Enterprise Hub was progressing well and the Skills and Employability programme had been moved over to the Economic Development Unit with a new officer recruited to the post.

There were no major Cabinet Member decisions taken during this municipal year, therefore no opportunity for pre-decision scrutiny. However the Museums' collections policy is due for decision on the 20 June, and the Regeneration and Economic Development Plan is expected to be considered by this committee in the next municipal year.

The forthcoming Cabinet Member decision on the Museums' collection policy prompted a site visit to the museum in April 2014. The purpose of the visit was for members to view the current collections and speak to the Officers involved in developing the collections policy.





Key Facts 2013-14 for the Economic and Commercial Development Overview and Scrutiny Committee

Formal Meetings	9
Witnesses Interviewed (Total)	17
Councillors Interviewed	2
Officers Interviewed	10
External Witnesses Interviewed	5
Total Recommendations Made	51
Quality Recommendations Made	19
Site Visits	1
One Off Topics	9

Councillor Annabelle Blackmore, Chairman, Community, Leisure Services and Environment Overview and Scrutiny Committee



"The Committee set their work programme in June 2013 and our main review was Accessing Mental Health Services. The Play Areas Strategy returned to the committee together with the Health Inequalities Action Plan, Air Quality Action Plan and the Waste Strategy.

During the evidence gathering for the Accessing Mental Health Services we were fortunate to interview Dr. Bob Bowes, David Holman and Dr. David Chesover from the West Kent Clinical Commissioning (WKCCG) who were involved in the commissioning of mental health services for West Kent. In addition Ivan Rudd and Penny Southern, from KCC, supported the themes for further joined up working between the different partners with MBC acting as a facilitator. The Committee was pleased to hear about the Street Triage scheme which involved a mental health nurse working alongside the police. Our hope and belief is for the continuation of the Street Triage programme. This programme offers a better outcome for vulnerable people found on our streets by the police. When the report was presented at Cabinet there was overall support for the report and its findings as well as a desire to pursue further progress in this area including children under pressure.

The Health Inequalities Action Plan was reviewed by the Committee and received much support. They agreed with the priorities and also the outcomes and accepted that this is another issue which requires cooperation with partners to deliver positive change for families in Maidstone.

In March the Committee assessed the Air Quality Action Plan. Since it was drafted many of the partner organisations have had a restructure which has slowed the progress required. The

Committee acknowledged further reductions will need joint working between central government and local authorities.

The Waste Team presented a positive update on the waste contract and scheme offered in Maidstone, reporting recycling rates of 50%. The Waste Team are keen to increase this to 60% within 5 years. The Committee noted the new waste contract offered not only considerable savings but an enhanced service to residents.

I would like to thank the whole Committee for their support and good humour during the municipal year 2013/4. All Members made positive contributions to the subjects under review and it was a delight to have so many engaged members who were happy to undertake their own research. We were ably supported by Orla Sweeney who organised all the witnesses relating to the Mental Health Review. I would like to thank Orla, on behalf of the Committee, for her hard work and enthusiastic minute taking. In March our new Scrutiny Officer Tessa Mallett took over the reins and her attention to detail was appreciated by all. I would like to extend my sincere thanks to Tessa and Orla for their patience during meetings and their preparatory work prior to each meeting.

I wish the Committee well for the forthcoming year 2014 /5."

Community, Leisure Services and Environment Overview and Scrutiny Committee

Following the review of Overview and Scrutiny in 2012-2013 the Communities Overview and Scrutiny Committee was replaced by the Community, Leisure Services and Environment Overview and Scrutiny Committee. This Committee holds to account the Cabinet Member for Community and Leisure Services and the Cabinet Member for Environment.

This Committee's remit is aligned to the council's priority: 'for Maidstone to be a decent place to live'.

Review Topic – Accessing Mental Health Services Before the Point of Crisis

Mental Health has remained an important subject for Overview and Scrutiny.

During the 2012/13 Municipal Year the Communities Overview and Scrutiny Committee responded to three consultations in this area. In addition, at the start of the 2013/14 year, Members of the Committee had been approached by residents informing them of their difficulties accessing treatment for mental health.

This feedback from residents reignited interest in this vital area of well-being, and the Committee decided to investigate what services were available and how they could be accessed.

Members were aware national and local media were reporting a growing number of people at crisis point. A Panorama programme broadcast on 12 September 2013 entitled "Locked up for being ill" examined reports of police regularly detaining mental health patients who should be dealt with by appropriate medical professionals. It was stated approximately 25% of police time was spent in this way.

The Committee felt it was essential to an individual's long term mental well-being that services were easy to access, and focused their review on early intervention for the prevention of further deterioration of a condition. However members found their starting point was understanding how; why, and if, services were being accessed at the point of crisis.

As part of their extensive review of various documents the Committee also heard evidence from:

- A Service User;
- Dr Bob Bowes, Chairman of the West Kent Clinical Commissioning Group (CCG);
- Dr David Chesover, GP Member of the West Kent CCG;
- Meuthia Endrojono-Ellis, Head of Mental Health Commissioning, West Kent CCG;
- Jenny Walsh, Services Manager, Maidstone Mind;
- Andrew Scott-Clark, Director of Public Health Improvement, Kent County Council (KCC);
- Assistant Chief Constable Paul Brandon, Kent Police;
- Chief Inspector Martin Wilson,
- Penny Southern, Director of Learning, Disability and Mental Health at KCC;
- Janet Greenroyd, District Supervisor for Maidstone Community Wardens; and
- Liz Lovatt, Community Warden from Boughton Monchelsea, Loose and Chart Sutton;
- Jo Scott, Programme Director, Sussex Partnership NHS Foundation Trust, Children and Young People;
- Katie Latchford, Community Development Team Leader, Community Development Team, Maidstone Borough Council;
- Dr Chesover, Mental Health Clinical Lead for West Kent and Co-ordinating Mental Health Lead for Kent, West Clinical Commissioning Group;
- Dave Holman, Head of Mental Health Commissioning, West Kent Clinical Commissioning Group;
- Ivan Rudd, Public Health Specialist, Kent County Council;
- Sharon Dodd, Kent Integrated Adolescent Support Service Strategic Manager and lead on the Kent Early Intervention and Prevention Strategy, KCC.



An extract from Twitter, 31 January 2014

The responsibility for public health services in the Borough is the responsibility of KCC. Maidstone Borough Council played a facilitative role by reviewing this topic. The involvement of so many organisations proved to be highly productive. It helped the Committee to identify and make recommendations for the way forward both in terms of what could be achieved within mental health services in Maidstone and future and continued engagement. These recommendations will be followed up by the committee during the 2014-15 municipal year.

Cabinet Member Involvement

The Committee's links with Cabinet members were strengthened throughout the year with the Cabinet member for Leisure Services and the Cabinet Member for Environment attending meetings as witnesses for the following agenda items:

- Cabinet Member Priorities 2013-14;
- Draft New Play Area Strategic Standard;
- CCTV Operational Protocols;
- ECO Pilot;
- Collective Switch of Energy Supplier Services for Householders;
- Health Inequalities Action Plan;
- Draft Play Area Strategy;
- Making Waste Work update;
- Air Quality Action Plan;
- Cabinet Members Review of 2013-14.

Task and Finish Panels

The Community, Leisure Services and Environment Overview and Scrutiny Committee formed a Task and Finish Panel to formulate its response to Kent County Council (KCC) as part of the Part-night Streetlights Consultation.

The panel hosted a meeting on Wednesday 21 August 2013 at Maidstone House, inviting other interested Members of Maidstone Borough Council, the Leader of the Council and Cabinet Member for Environment and selected witnesses to assist it in formulating their response to KCC.

Crime and Disorder Reduction Partnership (CDRP) Overview and Scrutiny

The Community, Leisure Services and Environment Overview and Scrutiny Committee has a statutory role to act as the Council's Crime and Disorder Overview and Scrutiny Committee.

The Committee met in October 2013 and February 2014. Agenda items covered included:

- Accessing Mental Health Services Before the Point of Crisis – interviewing officers from Kent Police, Community Wardens and KCC;
- KCCs Draft Road Casualty Reduction Strategy for Kent consultation – the Committee fed in recommendations to the consultation;
- Maidstone Community Safety Partnership Plan 2013-14, and
- Refresh of Maidstone Protocols for Crime and Disorder Reduction Partnership Overview and Scrutiny



Key Facts 2013-14 for the Economic and Commercial Development Overview and Scrutiny Committee

Formal Meetings	11
Witnesses Interviewed (Total)	27
Councillors Interviewed	2
Officers Interviewed	9
External Witnesses Interviewed	16
Total Recommendations Made	72
Quality Recommendations Made	47
Site Visits	0
One Off Topics	1

Steve McLoughlin, Chairman, Planning, Transport and Development Overview and Scrutiny Committee



“The pressure to build more homes in the borough, and changes to the manner in which the council will receive additional related funding for doing so, has resulted in the Planning, Transport and Development Scrutiny Committee experiencing a

particularly busy and difficult year during 2013/14. This has largely been driven by the urgent need to establish a framework for future development for the borough – a Local Plan – for the period until 2031.

This new Local Plan needed to take account of the Government’s revised National Planning Policy Framework introduced in 2012 and in particular the need for a 5 year land supply to accommodate the Borough’s evidence based housing needs. The process the council has followed in this respect was publically challenged and defended by the Committee. Other important reference documents relating to the Landscape Character and Blue & Green Infrastructure were considered and debated at some length. It is to the credit of the Committee and officers that the draft Local Plan has been through its first public consultation in a timely manner.

There is still much more work to be done to reach a satisfactory balance between the need to provide suitably located homes whilst satisfying public demand to preserve our green spaces and this is likely to occupy much of the Committee’s time in the coming year. Additionally, little progress was made during the year to establish a transport strategy in cooperation with KCC. However, with the willingness of all members to strive to achieve progress in these and other related areas the Committee can look forward to a very intense but interesting year ahead.”

Planning, Transport and Development Overview and Scrutiny Committee

The Planning, Transport and Development Overview and Scrutiny Committee holds to account the Cabinet Member for Planning, Transport and Development.

This committee’s remit is closely aligned to the council’s priorities: ‘For Maidstone to have a growing economy’ and ‘for Maidstone to be a decent place to live’.

During 2013-14 the Committee focused on scrutinising the policies for the draft Local Plan which went out for public consultation between 21 March 2014 and 7 May 2014.

Items scrutinised by the Committee over the year have included:

- Cabinet member Priorities for 2013-14;
- Maidstone Landscape Character Assessment;
- Public Consultation approach for the Maidstone Borough Local Plan;
- Maidstone Borough Local Plan Development Policies;
- Seven Year Housing Land Supply: Methodology and Judgements;
- Community Infrastructure Levy;
- Maidstone Borough Local Plan Consultation Draft Group 2 Policies;
- Green and Blue Infrastructure Strategy;
- Five Year Land Supply – mid-year update;
- Solar Energy Planning Policy;
- Maidstone Integrated Transport Strategy;
- Maidstone Borough Local Plan Consultation Draft Group 3 Policies;
- Maidstone Borough Local Plan Draft including Spatial Strategy and Site Allocation Policies;
- Draft Infrastructure Delivery Plan;
- Draft Integrated Transport Strategy;
- Cabinet Member Review of Priorities for 2013-14;
- Mid Kent Planning Support Services update;
- Planning Enforcement procedures update.

The Committee heard evidence from the following witnesses during their scrutiny of these subjects:

- Cllr Stephen Paine, Cabinet Member for Planning, Transport and Development;
- Deanne Cunningham, Heritage, Landscape and Design;
- Rob Jarman, Head of Planning and Development;
- Emma Boshell, Planning Officer;
- Parish Cllr Sara Evans;
- Parish Cllr Doug Evans;
- Mr Paul McCreery, Boughton Monchelsea Parish Council;
- Parish Cllr Ian Ellis;
- Keith Nicolson, Boughton Monchelsea planning advisor;
- James Stevens, Home Builders Federation;
- Darren Bridgett, Principal Planning Officer;
- Cllr Chris Garland, Leader of Maidstone Borough Council;
- Michael Murphy, Principal Planning Officer;
- Sarah Anderton, Principal Planning Officer;
- Sue Whiteside, Team Leader, Planning;
- Parish Cllr Parr;
- Geraldine Brown, Kent Association of Local Councils;
- Cliff Thurlow, Town and Country Planning Consultants Ltd;
- Jon Bunney, JMP Transport Consultants;
- Sean Carter, South Maidstone Action for Road and Transport;
- Tim Hapgood, JMP Transport Consultants;
- Ryan O'Connell, Mid Kent Planning Support manager;
- Jon Lawrence, Planning Enforcement Officer.

Five Year Land Supply

The Committee spent much of its time scrutinising the Council's Draft Five Year Housing Land Supply for the Draft Local Plan. The

Committee held two meetings in September 2013 focusing on this and submitted a report to full council on 14 October. The report recommended officers urgently investigate what the council can do to protect sites from inappropriate development in the absence of a Five Year Housing Land Supply.

Further discussions and recommendations to Cabinet on the Draft Five Year Housing Land Supply were held throughout the year. At the meeting of 18 February 2014 the Committee scrutinised in detail the sites put forward for development in the Draft Local Plan. From this meeting the Committee put forward 20 recommendations to Cabinet for consideration.

Integrated Transport Strategy

The Committee considered this draft document on 21 January 2014 and revisited it on 18 March. The purpose of the revisit was to clarify the options for park and ride along with the cost benefits and establishing an effective park and ride service.

The Committee made nine recommendations to Cabinet. These included:

- Working with private car park owners to discourage long stay parking in the town and promoting short stay parking to support local business;
- Careful consideration of the impact of a park and ride service at Linton Cross Roads;
- Retaining existing park and ride at Willington Street and London Road.

Cabinet Member Involvement

With the Committee focussing on the development of the Maidstone Borough draft Local Plan the Cabinet member for Planning, Transport and Development attended committee meetings covering the following agenda items:

- Public Consultation Approach to Maidstone Borough Local Plan
- Draft Local Plan Group 2 Policies
- Five Year Land Supply Mid-year Update
- Integrated Transport Strategy
- Draft Local Plan Group 3 Policies
- Spatial Strategy

In addition the Cabinet Member for Planning, Transport and Development and the Leader of the Cabinet also attended the September 2013 committee meeting as witnesses for the agenda item; Five Year Housing Land Supply – methodology and judgements.

The Cabinet Member also attended as a witness to present his Review of Cabinet Member Priorities for 2013/14 in April 2014.



Key Facts for the Planning, Transport and development Overview and Scrutiny Committee

Formal Meetings	11
Witnesses Interviewed (Total)	23
Councillors Interviewed	2
Officers Interviewed	11
External Witnesses Interviewed	10
Total Recommendations Made	87
Quality Recommendations Made	74
Site Visits	0
41 Off Topics	0

Training Attended by Overview and Scrutiny Committee Members

Overview and Scrutiny requires a number of skills on the part of elected members. The council has an agreed training budget for members. In addition to meeting the individual training needs of elected members, the budget is also used to provide group training for councillors on Overview and Scrutiny committees.

Training attended throughout the year is shown in the table below:

Subject	Date	Number of Committee members attended
Managing Events Safely	15/1/14	1
Members Finance	23/4/13	18
Town Centre Health Check	20/5/13	22
Licensing Refresher Training	22/5/13	13
Planning	5/6/13	13
Licensing Act 2003 & Gambling Act 2005	24/6/13	21
Events Road Closures	5/7/13	13
Planning	17/7/13	17
Local Plan Viability Testing	22/7/13	22
Planning Conditions	22/8/13	18
Local Plan	28/8/13	34
Housing for Members	4&11/11/13	25
Findings of the Strategic Housing Market Assessment	9/12/13	21
Local Plan	23/1/14	19
Parliamentary Outreach Service – Questioning Skills and Interpreting Information	29/1/14	16
Members Briefing	3/2/14	22
Using Social Media	18/2/14	9

Looking ahead to the 2014-2015 Municipal Year

The Overview and Scrutiny Team launched a campaign between March and May 2014 to gather suggestions for scrutiny topics. Over 80 suggestions were received from local residents, businesses and stakeholders.

Throughout June 2014 all councillors were invited to attend workshops to develop the Future Work Programmes for each of the O&S Committees and identify review topics for 2014-15 using the suggestions received.

Each committee developed a draft Future Work programme and the review topics included:

- Overview of Healthcare in Maidstone Borough;
- Transport in Maidstone Borough –alternatives to using a car;

Workshops planned for 2014-15 include:

- Effective Cabinet Member and Scrutiny working;
- Questioning Skills for Scrutiny Members.



This leaflet is available in alternative formats including large print and can be translated into other languages.

MAIDSTONE BOROUGH COUNCIL

COUNCIL

23 JULY 2014

REPORT OF THE SCRUTINY COORDINATING COMMITTEE

Report prepared by Christian Scade

PROPOSED REVISIONS TO ARTICLE 6 OF THE COUNCIL'S CONSTITUTION

1. Introduction

- 1.1 On 10 July 2014 the Scrutiny Coordinating Committee considered the terms of reference for the Council's Overview and Scrutiny Committees.
- 1.2 The Committee have recommended a number of revisions to Article 6 of the Council's Constitution. These are set out in full at **Appendix A**.

2. Background

- 2.1 Terms of reference describe the purpose and structure of a committee.
- 2.2 Following feedback from Officers and Members, as part of the planning process for the first round of meetings, the Scrutiny Coordinating Committee reviewed Article 6 of the Council's Constitution at their meeting on 10 July 2014.
- 2.3 The proposed revisions have been put forward in view of recent changes including portfolio changes in relation to housing responsibilities and various restructures across the organisation.
- 2.4 An officer structure chart is attached at **Appendix B** for information (correct as of April 2014).
- 2.5 Proposed changes to the Constitution must be accompanied by an evaluation by the Council's Monitoring Officer. The Monitoring Officer has reviewed the revisions at **Appendix A** and concludes that the changes will assist in meeting one of the purposes of the constitution – i.e. "creating a powerful and effective means of holding decision makers to public account".

3. **RECOMMENDED:**

3.1 That:

- (a) The proposed revisions to Article 6 of the Council's Constitution, set out in **Appendix A**, be approved.
- (b) The Community, Leisure Services and Environment OSC be renamed the Community, Environment and Housing OSC.

4. **Relevant Documents**

Appendix A – Article 6 – Overview and Scrutiny Committees
(Proposed Revisions)

Appendix B – MBC Organisation Structure

5. **Background Documents**

None

APPENDIX A – Proposed Revisions

ARTICLE 6 – OVERVIEW AND SCRUTINY COMMITTEES

6.01 Terms of Reference

The Council will appoint the Overview and Scrutiny Committees set out in the ~~left hand column of the~~ table below to discharge the functions conferred by section 21 of the Local Government Act 2000, the Police and Justice Act 2006, or regulations under section 32 of the Local Government Act 2000 in relation to the matters set out in the second column of the same table. Each overview and scrutiny committee will be responsible for scrutinising policy framework documents that fall within their respective terms of reference.

6.02 Each Overview and Scrutiny Committee will primarily hold to account the Cabinet Member(s) (as set out in each table) but can call other Cabinet Members to account as appropriate.

Strategic Leadership and Corporate Service Overview and Scrutiny Committee	Planning, Transport and Development Overview and Scrutiny Committee
Leader; and Cabinet Member for Corporate Services	Cabinet Member for Planning, Transport and Development
<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 • Scrutinising whether standards of governance and conduct are being achieved throughout the business of the Council • Customer service • Corporate finance including regular budget monitoring • <u>The Capital Programme</u> • 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 <u>including electoral services and</u> member services • <u>Electoral services</u> • Procurement, Property Services and Facilities Management 	<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 <u>Plan Development Framework</u> 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 planning enforcement and land charges • Landscape and Conservation • Building Control

Community, Leisure Services and Environment and Housing - Overview and Scrutiny Committee	Economic and Commercial Development Overview and Scrutiny Committee
<p>Cabinet Member for Community and Leisure Services; & Cabinet Member for Environment <u>and Housing</u></p>	<p>Cabinet Member for Economic and Commercial Development</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 • 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 • Capital projects and programmes relevant to the portfolio • Cobtree Golf Course • Climate Change 	<ul style="list-style-type: none"> • Economic Development and Regeneration • Commercial Services Development • The Visitor Economy including <u>the Hazlitt Arts Centre, Maidstone museums</u>, tourism, the Kent Conference Bureau and Maidstone market. • Capital projects and programmes relevant to the portfolio including regeneration and public realm improvement schemes • <u>Festivals and Events and venues (including activities in parks and other council owned facilities)</u> • <u>Cobtree Golf Course</u> • <u>Leisure activities including sporting and recreational based activities and including services provided via the Maidstone Leisure Centre</u> • <u>Maidstone Culture and Leisure (MCL) including cultural services such as the Hazlitt Arts Centre and Maidstone museums</u>

Scrutiny Coordinating Committee

A Committee consisting of the Chairmen and Vice Chairmen of the four Overview and Scrutiny Committees, to be called the Scrutiny Coordinating Committee shall meet from time to time to consider matters relating to the conduct, performance and procedures of the Committees; to develop mechanisms for addressing cross cutting issues; and to prevent duplication in the work of the individual committees.

6.02 General role

Within their terms of reference Overview and Scrutiny Committees will:

- (a) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions. This would include looking at decisions after they have been implemented;
- (b) Make reports and/or recommendations to the full Council and/or the Executive and/or any other Committee in connection with the discharge of any functions (the decision making power remains with the original decision taker);
- (c) Consider any matter affecting the area or its inhabitants; and
- (d) Exercise the right to call in, for reconsideration, executive decisions not yet implemented by the Executive and/or any other Committees or officers.

6.03 Specific functions

(a) **Policy development and review.** Overview and Scrutiny Committees may:

- (i) Assist the Council and the Executive in the development of its budget and policy framework by in depth analysis of policy issues;
- (ii) Conduct research with the community and other consultation in the analysis of policy issues and possible options;
- (iii) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iv) Question Members of the Executive, Members of Committees and chief officers about their views on issues and proposals affecting the area; and
- (v) Liaise with other external organisations operating in the area, whether national, regional or local to ensure that the interests of local people are enhanced by collaborative working.

(b) **Scrutiny.** Overview and Scrutiny Committees may:

- (i) Review and scrutinise the decisions made by and performance of the Executive, other Committees and Council Officers both in relation to

individual decisions and over time. This would include looking at decisions after they have been implemented;

- (ii) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - (iii) Question Members of the Executive, Members of other appropriate Committees and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
 - (iv) Make recommendations to the Executive, other appropriate Committees and/or the Council arising from the outcome of the Overview and Scrutiny process;
 - (v) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; and
 - (vi) Question and gather evidence from any person (with their consent).
- (c) **Finance.** Overview and Scrutiny Committees may exercise overall responsibility for the finances made available to them within the budget set by Council. This budget to be used to support the policy review work of the Committees.
- (d) **Annual report.** Overview and Scrutiny Committees may report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.
- (e) **Officers.** Overview and Scrutiny Committees may exercise overall responsibility for the work programme of any officers employed to support their work.

6.04 Proceedings of Overview and Scrutiny Committees

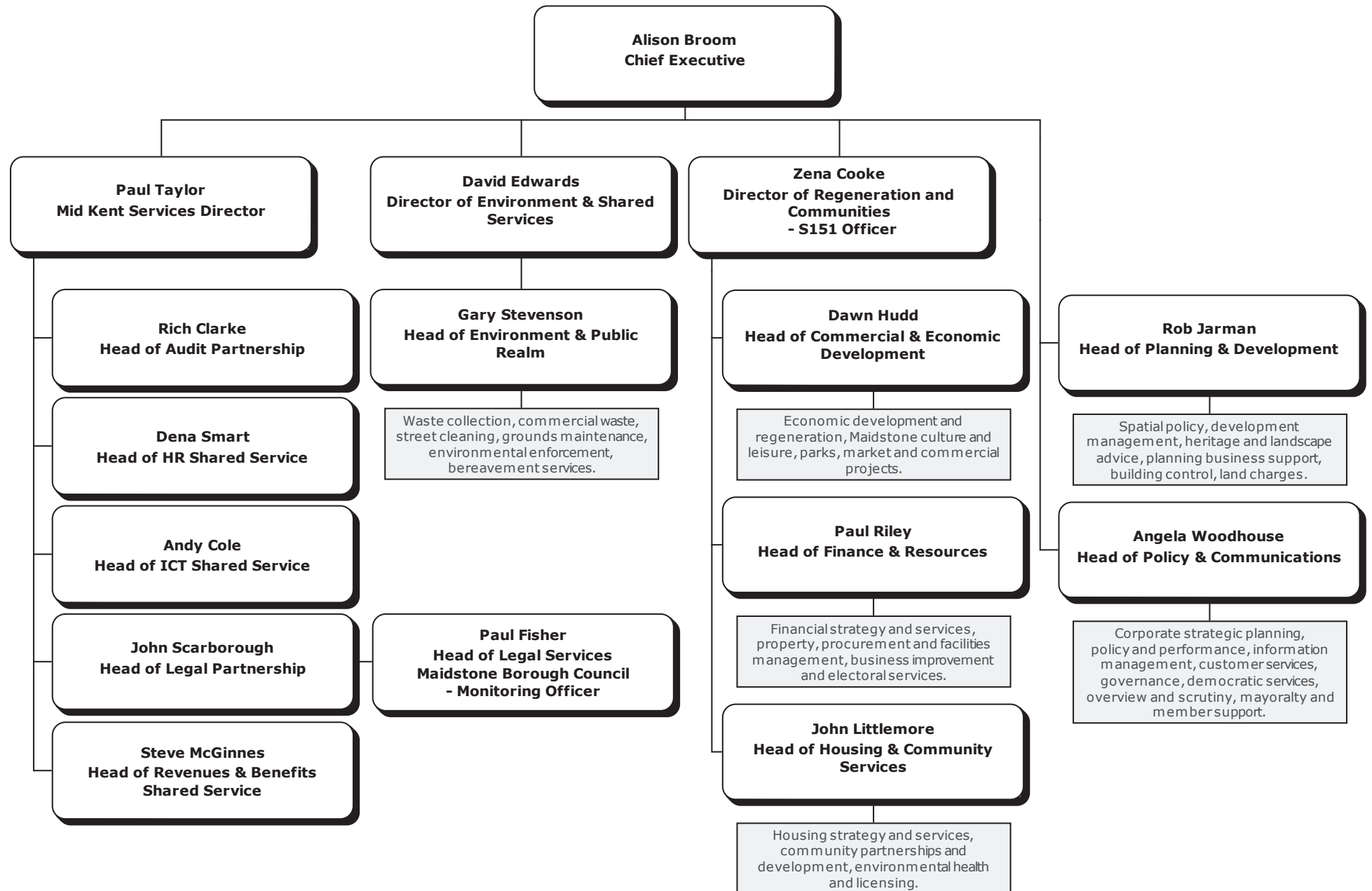
Overview and Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

6.05 Chairmanship

An Overview and Scrutiny Committee shall not be chaired by the Chairman of the Audit Committee.

Maidstone Borough Council - Organisation Structure

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MAIDSTONE BOROUGH COUNCIL

COUNCIL

23 JULY 2014

REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS

Report prepared by Debbie Snook

1. **AMENDMENTS TO THE SCHEME OF DELEGATION OF EXECUTIVE FUNCTIONS**

- 1.1 The Leader of the Council has informed me of the following amendments made to the Scheme of Delegation of Executive Functions:-

Transfer the following delegations from the Cabinet Member for Community and Leisure Services to the Cabinet Member for Environment, to be renamed Cabinet Member for Environment and Housing:

Strategic Planning - to oversee the development, review and implementation of the Council's

- Housing Strategy

Performance Management - to ensure excellent standards of performance and improvement with respect to the Council's services for

- Strategic housing management in consultation with the relevant Overview and Scrutiny Committee

External Affairs and Partnerships

To take responsibility for relationships with funders in respect of Housing, including the Homes and Community Agency and service delivery partners including housing providers.

1.2 **RECOMMENDED:**

- 1.2.1 That the changes to the Scheme of Delegation of Executive Functions be noted.