

MAIDSTONE BOROUGH COUNCIL

CABINET

**MINUTES OF THE MEETING HELD ON
WEDNESDAY 10 FEBRUARY 2010**

Present: Councillor Garland (Chairman), and
Councillors Garland, Ash, Greer, Moss, Mrs Ring and
Wooding

Also Present: Councillors FitzGerald and Mrs Wilson

142. APOLOGIES FOR ABSENCE

There were no apologies for absence.

143. URGENT ITEMS

There were no urgent items.

144. NOTIFICATION OF VISITING MEMBERS

Councillor FitzGerald indicated his wish to speak on Items 8, 12 and 13
and Councillor Mrs Wilson indicated her wish to speak on Item 18.

145. DISCLOSURES BY MEMBERS AND OFFICERS

The Chief Executive and Directors declared a prejudicial interest in Item
18 as they were the subject of the report and they left the meeting whilst
this item was discussed.

146. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

147. EXEMPT ITEMS

RESOLVED: That the Items on Part II of the Agenda be taken in private as
proposed.

148. MINUTES

RESOLVED: That the Minutes of the Meeting held on 13 January 2010 be
approved as a correct record and signed.

149. BUDGET STRATEGY - CORPORATE REVENUE AND CAPITAL BUDGET 2010/11

RECOMMENDATION MADE TO COUNCIL:

1. That the revised revenue estimates be agreed as set out in **Appendix A** (circulated separately).
2. That the minimum level of General Fund Balances be set at £2m for 2010/11.
3. That the proposed Council Tax of £222.39 at Band D for 2010/11 (an increase of 2.49%) be agreed.
4. That the revenue estimates for 2010/11 incorporating the growth and savings items as set out in **Appendix A** be agreed.
5. That the minor amendment to the provision for the annual cost of living increase following the recent settlement be added to the Leaders Contingency Budget.
6. That the Statement of Reserves and Balances as set out in **Appendix A** be agreed.
7. That the medium term Capital Programme as set out in **Appendix A** be agreed.
8. That the funding of the Capital Programme as set out in **Appendix A**, noting that the funding is dependent upon the delivery of an assumed level of additional capital resource, be agreed.
9. That the Treasury Management Strategy include a contingency for Prudential Borrowing of up to £4m, subject to the prior agreement of the Cabinet, during 2010/11 be agreed.
10. That the Medium Term Financial Strategy as set out in **Appendix A** be agreed.
11. That the Medium Term Financial Projection as set out in **Appendix A** as the basis for future financial planning be endorsed.
12. That it be noted that, at the meeting of the General Purposes Group on 27th January 2010, the Council calculated its Council Tax base for the year 2010/11 in accordance with regulations made under Section 33 (5) of the Local Government Finance Act 1992, as 59,765.2 being the amount calculated by the Council in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) regulations 1992.
13. 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).

14. That the following amounts now be calculated by the Council for the year 2010/11 in accordance with Section 32-36 of the Local Government Finance Act 1992:-
- (a) £87,668,186 being the aggregate of the amounts which the Council estimates for its items set out in Section 32 (2) (a) to (e) of the Act;
 - (b) £63,889,949 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act;
 - (c) £23,778,337 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32 (4) of the Act as its budget requirement for year;
 - (d) £9,521,064 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non Domestic Rates and Revenue Support Grant, increased by the amount which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97 (3) of the Local Government Finance Act 1988 (Council Tax Surplus) and increased by the amount which the Council estimates will be transferred from its Collection Fund to its General Fund, pursuant to the Collection Fund (Community Charges) directions under Section 98(4) of the Local Government Finance Act 1988 (Community Charge Surplus) and reduced by the amount representing the authority's contribution to Council Tax benefit resulting from an increase in its Council Tax calculated in accordance with the Collection Fund (General) (England) Directions 2000, the Collection Fund (Council Tax Benefit) (England) Directions 2000 and the Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2000;
 - (e) £238.55 being the amount at (c) above, less the amount at (d) above, all divided by the amount at 12 above, calculated by the Council, in accordance with Section 33 (1) of the Act, as the basic amount of its Council Tax for the year;
 - (f) £966,097 being the aggregate amount of all special items referred to in Section 34 (1) of the Act as detailed in **Appendix B**;
 - (g) £222.39 being the amount at (e) above, less the result given by dividing the amount at (f) above by the amount at 12 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 special item relates;

- (h) As detailed in **Appendix C**, being the amounts given by adding to the amounts at (g) above, the amounts of the special item (s) relating to dwellings in those parts of the Council's area mentioned in **Appendix B**, divided in each case by the amount at 12 above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax (detailed in Band D) for the year for dwellings in those parts of its area to which one or more special items relates;
- (i) As detailed in **Appendix C**, being the amounts given by multiplying the amounts at (g) and (h) above, by the number which, in the proportion set out in Section (5) (1) of the Act, is applicable to dwellings listed in a particular valuation band 'D', calculated by the Council, in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

15. That it be noted that for the year 2010/11 Kent County Council, the Kent Police Authority and the Kent and Medway Towns Fire 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>Variation Bands</u>	<u>KCC</u> £	<u>KPA</u> £	<u>KMTFA</u> £
A	698.52	92.45	45.30
B	814.94	107.86	52.85
C	931.36	123.27	60.40
D	1047.78	138.68	67.95
E	1280.62	169.50	83.05
F	1513.46	200.32	98.15
G	1746.30	231.13	113.25
H	2095.56	277.36	135.90

16. That, having calculated the aggregate in each case of the amounts at 14 (i), and 15 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 2010/11 for each of the categories of dwellings shown.

For full details of this Record of Recommendation please follow this link:-
<http://meetings.maidstone.gov.uk/ieListDocuments.aspx?CIId=151&MIId=696&Ver=4>

150. TREASURY MANAGEMENT STRATEGY 2010/11 - 2012/13

RECOMMENDATION MADE TO COUNCIL:

1. That the Revised Code of Practice be adopted.
2. That the proposed Treasury Management Strategy for 2010/11 be agreed.
3. That the Prudential and Treasury Indicators, as detailed in Appendix A, be agreed.
4. That the Head of Finance be given delegated authority (in consultation with the Cabinet Member for Corporate Services) to make use of alternative investment instruments should it be considered prudent to do so and should it be of advantage to the Council.
5. That the Council's Treasury Management Practices be amended to reflect the decisions made above.
6. That the scrutiny of the proposed strategy be agreed, and the performance in year be a function of Audit Committee and that a report on this strategy and on the use of the example clauses to change the Council's financial procedure rules be presented to the Audit Committee.

For full details of this Record of Recommendation please follow this link:-
<http://meetings.maidstone.gov.uk/ieListDocuments.aspx?CIId=151&MIId=696&Ver=4>

151. BEST VALUE REVIEW OF WASTE AND RECYCLING IMPLEMENTATION PLAN

DECISION MADE:

1. That the Implementation Plan, attached as Appendix A to the report of the Director of Change and Environmental Services, which sets out the actions and time frame for each of the options and recommendations from the Best Value Review of Waste and Recycling which was agreed in November 2009, be agreed.
2. That the progress against the Implementation Plan be reported back to the Cabinet Member every six months be agreed.
3. That the recommendations from the Environment and Leisure Overview and Scrutiny Committee be noted.

For full details of this Record of Decision, please follow this link:-
<http://meetings.maidstone.gov.uk/mgDelegatedDecisions.aspx?XXR=0&DR=03%2f02%2f2010-17%2f02%2f2010&ACT=Find&K=0&V=0&DM=146C&DS=2&META=mgdelegateddecisions&Next=true>

152. STRATEGIC PLAN 2009-12, UPDATE FOR 2010-11

RECOMMENDATION MADE TO COUNCIL:

1. That the proposed 2010-11 update of the Strategic Plan 2009-12 (as attached at Appendix A) be adopted.
2. That the Key Objectives, actions and performance indicators (as attached at Appendix B) be agreed.

For full details of this Record of Recommendation please follow this link:-
<http://meetings.maidstone.gov.uk/ieListDocuments.aspx?CIId=151&MIId=696&Ver=4>

153. FIT FOR THE ROAD, MAIDSTONE ROAD SAFETY REVIEW

DECISION MADE:

That the proposed response to the Overview and Scrutiny Committee, as set out in Appendix A to the Report of the Director of Change and Environmental Services, be endorsed, subject to a review of whether it is value for money for the Borough Council to lead on the annual Road Safety Day.

For full details of this Record of Decision, please follow this link:-
<http://meetings.maidstone.gov.uk/mgDelegatedDecisions.aspx?XXR=0&DR=03%2f02%2f2010-17%2f02%2f2010&ACT=Find&K=0&V=0&DM=146C&DS=2&META=mgdelegateddecisions&Next=true>

154. DRAFT KENT INTEGRATED TRANSPORT STRATEGY - CONSULTATION RESPONSE

DECISION MADE:

1. That the Council's response to the draft Integrated Transport Strategy should include -
 - a) Recommendations with respect to the context and objectives for the strategy as summarised at section 1.3.13 of the report of the Director of Prosperity and Regeneration;
 - b) Recommendations with respect to the strategic themes as summarised in Appendix A to the report of the Director of Prosperity and Regeneration including reference to the Kent

Freedom Pass to Travel in the buses section and active travel in the sustainable travel section;

- c) Recommendations with respect to the context, key issues, objectives and proposals for Maidstone as set out in Appendix B to the report of the Director of Prosperity and Regeneration;
 - d) A request that KCC should consider delegation of its transport planning responsibilities for the local road network in Maidstone to the Borough Council.
2. That the current Department for Transport 'Delivering a Sustainable Transport System (DaSTS)' study relating to Kent described at paragraph 1.3.14 of the Report of the Director of Prosperity and Regeneration be noted.
 3. That the Council should promote consideration of the Maidstone transport issues, objectives and proposals as set out in Appendix B to the Report of the Director of Prosperity and Regeneration for inclusion in this study and lobbies KCC to ensure the inclusion of any resultant scheme or package of schemes that would meet Maidstone's transport planning objectives.
 4. That a copy of the Council's response should be sent to the Secretary of State for Transport, Leader of Kent County Council, Homes and Communities Agency and West Kent District Councils.

For full details of this Record of Decision, please follow this link:-

<http://meetings.maidstone.gov.uk/mgDelegatedDecisions.aspx?XXR=0&DR=03%2f02%2f2010-17%2f02%2f2010&ACT=Find&K=0&V=0&DM=146C&DS=2&META=mgdelegateddecisions&Next=true>

155. BUDGET MONITORING - THIRD QUARTER 2009/10

DECISION MADE:

1. That the position as detailed in the report of the Head of Finance be noted.
2. That the reviewing of the use of balances and other available resources to support budget pressures as part of the final outturn report for 2009/10 be agreed.
3. That the proposals for slippage in the capital programme be agreed.

For full details of this Record of Decision, please follow this link:-

<http://meetings.maidstone.gov.uk/mgDelegatedDecisions.aspx?XXR=0&DR=03%2f02%2f2010-17%2f02%2f2010&ACT=Find&K=0&V=0&DM=146C&DS=2&META=mgdelegateddecisions&Next=true>

156. QUARTER 3 PERFORMANCE REPORT 2009/10

Cabinet considered the report of the Head of Change and Scrutiny regarding the Quarter 3 Performance Report 2009/10.

RESOLVED: That the progress being made be noted.

157. FORWARD PLAN

The Cabinet considered the report of the Democratic Services Manager regarding the Forward Plan for period 1 March 2010 to 30 June 2010.

RESOLVED: That the Forward Plan for period 1 March 2010 to 30 June 2010 be noted.

158. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reason specified, having applied the public interest test:-

**Head of Schedule 12 A and
Brief Description**

Report of the Director of Change
and Environmental Services -
Appointment of a Contractor for the
Maidstone Museum East Wing
Redevelopment Project

1 - Individual

Report of the Leader of the Council
- Review of the Council's Senior
Staff Structure

1 - Individual

159. APPOINTMENT OF A CONTRACTOR FOR THE MAIDSTONE MUSEUM EAST WING REDEVELOPMENT PROJECT

EXEMPT DECISION MADE:

That the recommendations be approved.

160. REVIEW OF THE COUNCIL'S SENIOR STAFF STRUCTURE

EXEMPT DECISION MADE:

That the recommendations be approved.

161. DURATION OF MEETING

6.30 p.m. to 8.36 p.m.