

**MAIDSTONE BOROUGH COUNCIL**

**MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL  
HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE  
ON WEDNESDAY 21 APRIL 2010**

**Present: Councillor Parvin (The Mayor) and  
Councillors Ash, Batt, Mrs Blackmore, Bradshaw,  
Butler, Chittenden, Daley, English, Field, FitzGerald,  
Garland, Mrs Gibson, Mrs Gooch, Greer, Hinder,  
Mrs Hinder, Horne, Hotson, Mrs Joy, Lusty, Marchant,  
Mrs Marshall, Moriarty, Mortimer, Moss, Nelson-  
Gracie, Paine, Parr, Mrs Parvin, Paterson, Mrs Ring,  
Mrs Robertson, Robertson, Ross, Sams, Sellar,  
Mrs Smith, Mrs Stockell, Thick, Verrall, Vizzard,  
Mrs Wilson, J.A.Wilson, J.E.Wilson, Wooding and  
Yates**

102. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Harwood, Marshall, Naghi, Warner and Ms Williams.

103. DISCLOSURES BY MEMBERS AND OFFICERS

Mrs Alison Broom, the Director of Prosperity and Regeneration, disclosed an interest in the report of the Employment and Development Panel relating to the appointment of Chief Executive.

104. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

105. EXEMPT ITEMS

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

106. MINUTES

RESOLVED: That the Minutes of the meeting of the Borough Council held on 3 March 2010 be approved as a correct record and signed.

107. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:-

- He wished to thank Mr Bill Cockcroft, a Deputy Lieutenant, for attending the meeting this evening and to say how much he valued the strong links between the Lieutenancy and the Council.

- Following a suggestion by Councillors Marchant and Vizzard, he would be writing to the Polish Ambassador to the United Kingdom on behalf of the Council and the people of the Borough to express their deep sorrow on the tragic loss of the President of Poland and his colleagues and to send their condolences to the Polish people.

108. PETITIONS

There were no petitions.

109. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

110. QUESTIONS FROM MEMBERS OF THE COUNCIL

Question to the Leader of the Council

Councillor Mrs Wilson, the Leader of the Opposition, asked a question and a supplementary question of the Leader of the Council.

The Leader of the Council responded to these questions.

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

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

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

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

112. ORAL REPORT OF THE CABINET HELD ON 14 APRIL 2010

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

113. REPORT OF THE EMPLOYMENT AND DEVELOPMENT PANEL HELD ON 29 MARCH 2010 - APPOINTMENT OF CHIEF EXECUTIVE

Having disclosed an interest, Mrs Broom, the Director of Prosperity and Regeneration, left the meeting during consideration of this item.

It was moved by Councillor Lusty, seconded by Councillor Mrs Wilson, that the recommendation of the Employment and Development Panel relating to the appointment of Chief Executive be approved.

RESOLVED: That the appointment of Mrs Alison Broom to the position of Chief Executive and Head of Paid Service with effect from 8 June 2010 be confirmed.

114. REPORT OF THE CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE - OVERVIEW AND SCRUTINY FUNCTION REPORT - RECOMMENDATIONS

It was moved by Councillor Mrs Stockell, seconded by Councillor Butler, that the recommendations of the Corporate Services Overview and Scrutiny Committee arising from the review of the Council's Overview and Scrutiny function be approved. Councillor Mrs Stockell then sought the consent of the seconder and the Council to alter the third recommendation to the following:-

That the Council agrees that any non-Executive Member should be allowed to substitute on any Committee subject to the Member having undertaken the required prior training, rather than having nominated Substitutes.

The consent of the Council was not given to this proposed alteration.

Councillor Mrs Hinder, the Vice-Chairman of the Standards Committee, advised the Council that the Standards Committee had, in accordance with Article 15.02(a) of the Constitution, evaluated the changes to the Constitution proposed by the Corporate Services Overview and Scrutiny Committee. The Standards Committee supported the proposed amendments to the Overview and Scrutiny Procedure Rules as set out in Appendix A to the report of the Corporate Services Overview and Scrutiny Committee. However, the Committee felt that the proposal to allow any non-Executive Member to substitute on any Committee that did not have training as a pre-requisite for membership should be restricted to the Overview and Scrutiny Committees. The Standards Committee believed that the implementation of these changes would help to ensure that the aims and principles of the Constitution were given full effect by addressing concerns raised in recent years about the operation of the Overview and Scrutiny function.

AMENDMENT moved by Councillor Mrs Hinder, seconded by Councillor Marchant, that the third recommendation be deleted and the following inserted:-

That the proposal to allow any non-Executive Member to substitute on any Committee that does not have training as a pre-requisite for membership should be restricted to the Overview and Scrutiny Committees and that the Constitution be amended accordingly.

AMENDMENT CARRIED

The substantive motion was then put to the vote.

SUBSTANTIVE MOTION CARRIED

RESOLVED:

1. That the proposed amendments to the Overview and Scrutiny Procedure Rules of the Constitution, as set out in Appendix A to the

report of the Corporate Services Overview and Scrutiny Committee, be approved.

2. That monthly meetings of the Overview and Scrutiny Committees should continue to be held with the exception of May.
3. That the proposal to allow any non-Executive Member to substitute on any Committee that does not have training as a pre-requisite for membership should be restricted to the Overview and Scrutiny Committees and that the Constitution be amended accordingly.

115. REPORT OF THE AUDIT COMMITTEE HELD ON 29 MARCH 2010 - THE ROLE AND TERMS OF REFERENCE OF THE AUDIT COMMITTEE

It was moved by Councillor Horne, seconded by Councillor Butler, that the recommendation of the Audit Committee relating to the amendment of the composition and terms of reference of that Committee be approved with the alteration of paragraph (b) of the recommendation as follows:-

- (b) Increasing the membership of the Committee to include a non-voting Independent Member.

Councillor Mrs Hinder, the Vice-Chairman of the Standards Committee, advised the Council that the Standards Committee had, in accordance with Article 15.02 (a) of the Constitution, evaluated the changes to the Constitution proposed by the Audit Committee. The Standards Committee supported the proposed amendments to the composition and terms of reference of the Audit Committee believing that their implementation would help fulfil the obligation to facilitate efficient and effective decision making. The Committee also felt that the process for appointing an Independent Member to serve on the Audit Committee should replicate that used for appointing Independent Members to serve on the Standards Committee.

AMENDMENT moved by Councillor Mrs Hinder, seconded by Councillor Marchant, that the following paragraph be added to the recommendation:-

That it be noted that, with regard to the appointment of an Independent Member to serve on the Audit Committee, the Standards Committee endorses an appointment process that replicates that used to appoint its Independent Members.

AMENDMENT CARRIED

The substantive motion was then put to the vote.

SUBSTANTIVE MOTION CARRIED

RESOLVED:

1. That Article 6A and the terms of reference of the Audit Committee be amended to reflect the following:-

- (a) The Audit Committee will approve the Statement of Internal Control and the Annual Statement of Accounts.
  - (b) Increasing the membership of the Audit Committee to include a non-voting Independent Member.
2. That it be noted that, with regard to the appointment of an Independent Member to serve on the Audit Committee, the Standards Committee endorses an appointment process that replicates that used to appoint its Independent Members.

116. REPORT OF THE GENERAL PURPOSES GROUP HELD ON 11 MARCH 2010 - TERMINATION OF APPEALS COMMITTEE

It was moved by Councillor Mrs Hinder, seconded by Councillor Marchant, that the recommendation of the General Purposes Group relating to the disbanding of the Appeals Committee be approved.

Councillor Mrs Hinder, the Vice-Chairman of the Standards Committee, advised the Council that the Standards Committee had, in accordance with Article 15.02(a) of the Constitution, evaluated the change to the Constitution proposed by the General Purposes Group and believed that its implementation would help to ensure that the aims and principles of the Constitution were given full effect by deleting from the establishment a Committee which was unlikely ever to be asked to meet.

**RESOLVED:** That the Appeals Committee be disbanded and that reference to it be deleted from the Constitution.

117. REPORT OF THE STANDARDS COMMITTEE HELD ON 7 APRIL 2010

1. Overview and Scrutiny Function Report – Recommendations

See Minute 114 above.

2. The Role and Terms of Reference of the Audit Committee

See Minute 115 above.

3. Termination of Appeals Committee

See Minute 116 above.

4. Annual Report to Council 2009/10

It was moved by Councillor Mrs Hinder, seconded by Councillor Marchant, that the recommendation of the Standards Committee relating to its Annual Report to Council 2009/10 be approved.

RESOLVED: That the Standards Committee's Annual Report to Council 2009/10, attached as an Appendix to the Report of the Standards Committee, be noted.

118. DURATION OF MEETING

6.30 p.m. to 7.45 p.m.