

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 29 FEBRUARY 2012

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

76. MR CLIFFORD PLAYFORD

The Council stood in silence for one minute in memory of Mr Clifford Playford, a former Councillor and Mayor of the Borough, who died on 8 February 2012.

77. PRAYERS

Prayers were said by the Reverend David Jones, Chaplain of Coxheath.

78. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ms Griffin, Sams and Sharp.

79. DISCLOSURES BY MEMBERS AND OFFICERS

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

80. DISCLOSURES OF LOBBYING

Councillor Daley stated that he had been lobbied on behalf of the Maidstone Area Arts Council.

81. EXEMPT ITEMS

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

82. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 14 DECEMBER 2011

RESOLVED: That the Minutes of the meeting of the Borough Council held on 14 December 2011 be approved as a correct record and signed.

83. MAYOR'S ANNOUNCEMENTS

The Mayor announced that he wished to thank those Members who had attended the events arranged to date to raise funds for the charities he had chosen to support during his year in office.

The Deputy Mayor advised the Council that arrangements were being made for an event to celebrate the Queen's Diamond Jubilee in the Square outside the Town Hall on Friday 1 June 2012. As there was only a limited budget available, Members' assistance with the provision/installation of bunting would be appreciated.

84. PETITIONS

There were no petitions.

85. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Questions to the Leader of the Council

Mr Richard Wadey asked a question of the Leader of the Council. Mr Wadey explained that his question related to the area between St Michael's Road and Clare Park in Upper Fant and was being asked on behalf of a group of nineteen Upper Fant residents who were concerned that the Council was unwittingly opening the way to a large housing estate in local back gardens.

Question

In a Government statement of 9 June 2010 (<http://www.communities.gov.uk/newsstories/newsroom/1610351>), the Decentralisation Minister and the Housing Minister stated that "Councils and communities are being given new powers to prevent the destructive practice of 'garden grabbing". They said that the Government's action to take gardens out of the Brownfield category was "a simple step that will dramatically transform Councils' ability to prevent unwanted development on local gardens where local people object and to protect the character of their neighbourhoods". They went on to say that changing the classification of gardens in this way would mean that "Councils and communities no longer have their decisions constantly overruled".

Will the Borough Council:-

- *accept that the statement by Government ministers accurately describes the powers of local Councils in respect of applications to develop back-gardens for housing;*

- *recognise that Fant is one of the more densely populated wards in the Borough with the second-fastest rate of population growth*;
and*
- *therefore use its new powers in the Tonbridge Road area between St. Michael's and Clare Park to prevent further development and to meet the Government's objective of preserving 'green breathing space' and havens for urban wildlife?*

** Source: Kent County Council Research & Evaluation Report, Sept 2011 ("2010 Ward Level Population Estimates")*

The Leader of the Council responded to the question.

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

Mr Wadey asked the following supplementary question of the Leader of the Council:-

The Leader of the Council said that it is not correct to say that new powers were given as a result of that changed classification, but the Ministers said that Councils and communities are being given new powers. Is the Leader of the Council saying that they were not giving an accurate statement?

The Leader of the Council responded to the question.

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

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

http://clients.westminster-digital.co.uk/maidstone/mg_proxy.aspx?mg_a_id=9730

86. QUESTIONS FROM MEMBERS OF THE COUNCIL

Questions to the Leader of the Council

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

On Wednesday 14 March 2012, the Locality Board for Maidstone is due to meet to hear the report from Officers on the consultation relating to the proposed closure of Youth Centres in Maidstone and to make decisions on the future of youth facilities in our town.

Will the Leader of the Council confirm that, in the interest of open government, this meeting will be open to the public, promoted and

advertised in advance, and webcast so individuals who are unable to attend can see or review the debate?

The Leader of the Council responded to the question.

Councillor Chittenden asked the following supplementary question of the Leader of the Council:-

When I raised the same issue with County Councillor Mike Hill, the Cabinet Member for Customer and Communities, his response was that at present the Locality Boards are not open to the public and there are no arrangements in place for their work to be webcast. In the light of this response, and bearing in mind that we have already been told that the future of our libraries will be the next main issue to be passed down to the Locality Boards after youth services, can the Leader of the Council give an assurance that all future meetings of the Locality Board will also be open to the public, including those held at County Hall?

The Leader of the Council responded to the question.

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

Can the Leader of the Council confirm what percentage of employees of Maidstone Borough Council has been made redundant since May 2010?

The Leader of the Council responded to the question.

Councillor Newton asked the following supplementary question of the Leader of the Council:-

Are further redundancies planned this year?

The Leader of the Council responded to the question.

Questions to Cabinet Members

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

What is the current status of Maidstone's draft Leisure and Culture Strategy?

The Cabinet Member responded to the question.

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

Could the Cabinet Member speak to the relevant Officers to see if Maidstone Borough Council could benefit from a Member workshop or group, perhaps later in the year, to see how the fifty five Members of the

Council could contribute some of their time towards developing and supporting cultural activities in Maidstone?

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

Councillor Daley asked the following question of the Cabinet Member for Corporate Services:-

A rumour has been circulating that the Council is about to dispose of or sell the Victorian bandstand in Brenchley Gardens – Can you please either confirm or deny this?

The Cabinet Member for Corporate Services responded to the question.

Councillor Daley asked the following supplementary question of the Cabinet Member for Corporate Services:-

If the Council is not going to sell or dispose of the bandstand, then what exactly is it proposing to do with it? By completely removing the supporting grant which makes it possible for bands to perform and not otherwise proactively supporting the band concert season, the bandstand will remain an empty shell to the annoyance of all those people who have enjoyed the concerts over many years. Is this the kind of community engagement the Council has in mind?

The Cabinet Member for Corporate Services responded to the question.

Councillor Daley asked the following question of the Cabinet Member for Economic Development and Transport:-

In the Cabinet Improvement Plan paper of 8 February to which you presumably subscribed and agreed, there are many separate sections designed to show how the Council may improve service delivery and also save money. In the section dedicated to the Hazlitt Arts Centre there appears what looks to me like a conundrum.

It says the Council's aim is to make the Hazlitt a 'Vibrant Theatre that people will want to go to all of the time' and in the next line says that it will 'cut its subsidy by 50%'. It then goes on to say that it will 'increase community participation and involvement'.

Would the Cabinet Member care to tell us how making a vibrant business is really going to be achieved by cutting the subsidy – and what is meant by 'community involvement and participation' in this context?

The Cabinet Member for Economic Development and Transport responded to the question.

Councillor FitzGerald asked the following question of the Cabinet Member for Economic Development and Transport:-

Can the Cabinet Member for Economic Development and Transport inform Members of the total number of new homes granted planning permission to date this year but not including those knocked down to rebuild or updates or changes to previous permissions granted?

The Cabinet Member for Economic Development and Transport responded to the question.

Councillor FitzGerald asked the following supplementary question of the Cabinet Member for Economic Development and Transport:-

Given the low number of planning applications again this year and the three year period for implementing permissions, there is an added need for some incentive to support regeneration. What plans are being put in place by the Council to address the plight of those on the housing waiting list?

The Cabinet Member for Economic Development and Transport responded to the question.

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

http://clients.westminster-digital.co.uk/maidstone/mg_proxy.aspx?mg_a_id=9731

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

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

88. REPORT OF THE CABINET HELD ON 8 FEBRUARY 2012 - REFRESH OF THE STRATEGIC PLAN 2012-13

It was moved by Councillor Garland, seconded by Councillor Hotson, that the recommendations of the Cabinet relating to the refreshed Strategic Plan 2012-13 be approved.

RESOLVED:

1. That the refreshed Strategic Plan 2012-13, attached as an Appendix to the report of the Cabinet, be adopted.
2. That the Chief Executive be given delegated authority in consultation with the Leader of the Council to make minor amendments to the document as required.

89. REPORT OF THE CABINET HELD ON 8 FEBRUARY 2012 - BUDGET STRATEGY - CORPORATE REVENUE AND CAPITAL BUDGETS 2012/13 ONWARDS

Before calling upon Councillor Garland to move the recommendations of the Cabinet relating to the Budget Strategy - Corporate Revenue and

Capital Budgets 2012/13 onwards, the Mayor reminded Members that, in accordance with Council Procedure Rule 16.4, each Group Leader could speak for up to ten minutes when moving his/her Group's budget proposals.

It was moved by Councillor Garland, seconded by Councillor Hotson, that the recommendations of the Cabinet relating to the Budget Strategy - Corporate Revenue and Capital Budgets 2012/13 onwards be approved.

Amendment moved by Councillor FitzGerald, seconded by Councillor Mrs Gooch, that the recommendations of the Cabinet to the Council relating to the Budget Strategy – Corporate Revenue and Capital Budgets 2012/13 onwards be approved subject to the following amendment:-

That £15,000 of the £23,380 shown as Mayoral and Civic Services savings be reinstated to support the work of the Mayor and that an equivalent saving be made from Members' Facilities and Members' Allowances etc.

AMENDMENT LOST

The original motion was put to the vote and carried.

RESOLVED:

1. That the revised revenue estimates for 2011/12, as set out in Appendix A to the report of the Cabinet (circulated separately), be agreed.
2. That the minimum level of General Fund Balances be set at £2m for 2012/13.
3. That the proposed Council Tax of £222.39 at Band D for 2012/13 (a second year freeze at 2010/11 values) be agreed.
4. That the revenue estimates for 2012/13 incorporating the growth and savings items, as set out in Appendix A to the report of the Cabinet, be agreed.
5. That the Statement of Reserves and Balances, as set out in Appendix A to the report of the Cabinet, be agreed.
6. That the Capital Programme, as set out in Appendix A to the report of the Cabinet, be agreed.
7. That the funding of the Capital Programme, as set out in Appendix A to the report of the Cabinet, be agreed.
8. That the Medium Term Financial Strategy, as set out in Appendix A to the report of the Cabinet, be agreed.

9. That the Medium Term Financial Projection, as set out in Appendix A to the report of the Cabinet, be endorsed as the basis for future financial planning.
10. That it be noted that, at the meeting of the General Purposes Group on 14 December 2011, the Group calculated the Council's Council Tax base for the year 2012/13 in accordance with Regulations made under Section 33(5) of the Local Government Finance Act 1992, as 60,985.3 being the amount calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) regulations 1992.
11. That it be noted that, 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).
12. That the Council Tax requirement for the Council's own purposes for 2012/13 (excluding Parish precepts) be calculated as £13,901,596.
13. That the following amounts now be calculated by the Council for the year 2012/13 in accordance with Sections 31A, 31B and 34-36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011:-
 - (a) £94,194,616 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £79,516,251 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £14,678,365 being the amount by which the aggregate at 13(a) above exceeds the aggregate at 13(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31A(4) of the Act).
 - (d) £240.69 being the amount at 13(c) above (Item R), all divided by the figure stated at 10 above (Item T in the formula in Section 31A(4) of the Act), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- (e) £1,115,812 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix B).
- (f) £222.39 being the amount at 13(d) above less the result given by dividing the amount at 13(e) above by the tax base given in 10 above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

14. That it be noted that for the year 2012/13 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>Valuation 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	1,047.78	138.68	67.95
E	1,280.62	169.50	83.05
F	1,513.46	200.32	98.15
G	1,746.30	231.13	113.25
H	2,095.56	277.36	135.90

15. That, having calculated the aggregate in each case of the amounts at 13 (d) and 14 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets out in Appendix C, the amounts of Council Tax for the year 2012/13 for each of the categories of dwellings shown.

90. REPORT OF THE CABINET HELD ON 8 FEBRUARY 2012 - TREASURY MANAGEMENT STRATEGY 2012-13

It was moved by Councillor Garland, seconded by Councillor J. A. Wilson, that the recommendation of the Cabinet relating to the Treasury Management Strategy 2012/13 be approved.

RESOLVED: That the Treasury Management Strategy for 2012/13, as set out in the report of the Cabinet, be approved, including the Counterparty List attached at Appendix A, the Prudential Indicators attached at Appendix B and the Specified and Non-Specified Investments attached at Appendix C.

91. REPORT OF THE MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL HELD ON 23 JANUARY 2012 - PAY POLICY STATEMENT

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

RESOLVED:

1. That the Pay Policy Statement, attached as an Appendix to the report of the Member and Employment and Development Panel, be approved.
2. That the Chief Executive be given delegated authority in consultation with the Chairman and Political Group Spokespersons of the Member and Employment and Development Panel to make minor amendments to the Pay Policy Statement, if required, prior to publication, including any amendments required following the negotiations with the trade unions on the annual pay review.

92. NOTICE OF MOTION RELATING TO THE QUEEN'S DIAMOND JUBILEE

It was moved by Councillor Parvin, seconded by Councillor Mrs Parvin, and:-

RESOLVED: That the Mayor, on behalf of Councillors and citizens of the Borough of Maidstone, the County Town of Kent, send a message of loyal greetings and congratulations to Her Majesty Queen Elizabeth II on the occasion of the Diamond Jubilee of her reign.

93. APPOINTMENT OF MAYOR SELECT 2012/13

It was moved by Councillor Lusty, seconded by Councillor Warner, supported by Councillor Mrs Gooch and:-

RESOLVED: That Councillor Rodd Nelson-Gracie be appointed as Mayor Select for the Municipal Year 2012/13.

94. APPOINTMENT OF DEPUTY MAYOR SELECT 2012/13

It was moved by Councillor Robertson, seconded by Councillor Paine, supported by Councillor FitzGerald and:-

RESOLVED: That Councillor Clive English be appointed as Deputy Mayor Select for the Municipal Year 2012/13.

95. DURATION OF MEETING

6.30 p.m. to 8.00 p.m.