

**You are hereby summoned to attend an extraordinary meeting of the**

**MAIDSTONE BOROUGH COUNCIL**



Date: Monday 2 September 2013

Time: 6.30 p.m.

Venue: Town Hall, High Street,  
Maidstone

Membership:

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

**Continued Over/:**

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**Issued on 21 August 2013**

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

*Alison Broom*

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

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## AGENDA

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1. Apologies for Absence
2. Dispensations (if any)
3. Disclosures by Members and Officers
4. Disclosures of Lobbying
5. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
6. Minutes of the meeting held on 24 July 2013 1 - 8
7. Mayor's Announcements
8. Petitions
9. Question and Answer Session for Members of the Public
10. 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
11. Notice of the following motion has been given by Councillors Munford, Moriarty, Newton, Mrs Stockell, Daley and B Mortimer:

We, the undersigned, hereby requisition an extraordinary meeting of Maidstone Borough Council to consider the following notice of motion:

"In light of the fact that Boughton Monchelsea Parish Council has obtained **Leading Counsel's Opinion** which states that:

1. Maidstone Borough Council does have between a 5-7 years land supply; and
2. Members were misdirected by using advice in the now cancelled PPS3 instead of the quite different advice contained in the NPPF and that if this advice was used in determination of planning applications, (to the effect that there is a lack of a five year supply), this would be a legal misdirection; and
3. The twin tests of paragraph 48 of the NPPF relating to windfall sites have been met and that windfall sites have consistently become available in the local area, and the clear evidence is that they will continue to provide a reliable (and indeed significant) source of supply; and
4. Members have been given information regarding the Langley Park Farm development which was a misdirection

and misleading, and that any planning permission granted based on this advice would be liable to be quashed in the courts as it is clearly a departure from the Local Plan.

We propose that:

1. With some urgency, an all party investigation is carried out by Members to address the situation where we (the Members) are being given unsound advice (in the opinion of Leading Counsel) and that the investigation team has delegated powers, if necessary, to seek a further opinion from Counsel on this matter.
2. The investigation team should report back to full Council with its recommendations for future actions to be taken by this Council regarding this matter.”

**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 11.**