

AGENDA

GENERAL PURPOSES GROUP MEETING



Date: Tuesday 8 April 2014
Time: 10.00 a.m.
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Black, Chittenden, Mrs Hinder
(Chairman), McKay, D Mortimer and
Mrs Stockell

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying

Continued Over/:

Issued on 31 March 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 CAROLINE MATTHEWS on 01622 602743**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

Alison Broom

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

6. To consider whether any items should be taken in private because of the possible disclosure of exempt information
7. Minutes of the meeting held on 11 December 2013 1 - 2
8. Report of the Head of Policy and Communications - Nominations to Outside Bodies 3 - 29

MAIDSTONE BOROUGH COUNCIL

GENERAL PURPOSES GROUP

MINUTES OF THE MEETING HELD ON 11 DECEMBER 2013

Present: Councillor Mrs Hinder (Chairman), and
Councillors Black, Mrs Joy, McKay, D Mortimer and
Mrs Stockell

23. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Chittenden.

24. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Mrs Joy was substituting for Councillor Chittenden.

25. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

26. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

27. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

28. EXEMPT ITEMS

RESOLVED: That the Items on the Agenda be taken in public as proposed.

29. MINUTES OF THE MEETING HELD ON 19 JULY 2013

RESOLVED: That the Minutes of the Meeting held on 19 July 2013 be approved as a correct record and signed.

30. COUNCIL TAX BASE 2014 15

The Group considered the report of the Head of Finance and Resources regarding the Tax Base for 2014/15.

The Group were informed that although the Local Council Tax Discount Scheme was agreed last year for a 3 year period, there was a report on the Agenda for the Council meeting that evening to consider the agreed increase again following public consultation. It was therefore possible that

the original agreed level of 13% could be amended and it was proposed that delegated authority be given to the Head of Finance and Resources to amend the Tax Base, should the level be amended and report this amendment to Council at the Budget meeting in February 2014.

RESOLVED:

- a) That, in accordance with the Local Authority (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by this Authority as its Council Tax Base for the year 2014/15 shall be 55,675.1;
- b) That, in accordance with the Local Authority (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by this Authority as the Council Tax Base for each Parish area as identified in Appendix B to the report of the Head of Finance and Resources for the year 2014/15 be approved; and
- c) That delegated authority be given to the Head of Finance and Resources to amend the Tax Base figure, if required, following the Council meeting on 11 December 2013 and report any amendment to the Council meeting in February 2014.

31. NOMINATIONS TO OUTSIDE BODIES

The Group considered the report of the Head of Policy and Communications regarding appointments to Outside Bodies.

RESOLVED:

- a) That Councillor Black be appointed to the vacancy on PATROLAJC with immediate effect until 7 September 2017.
- b) That Councillors Nelson-Gracie and Mrs Parvin be appointed to the vacancies on Action for Communities in Rural Kent with immediate effect until 31 August 2014.
- c) That Councillor Paterson be appointed to the vacancy on Maidstone Area Arts Partnership with immediate effect until 21 May 2014 and further nominations be sought for the remaining vacancy.
- d) That Councillors Ash and Vizzard be appointed to the vacancies on Voluntary Action Maidstone with immediate effect until 6 September 2015.

32. DURATION OF MEETING

4.00 p.m. to 4.25 p.m.

MAIDSTONE BOROUGH COUNCIL

GENERAL PURPOSES GROUP

8 APRIL 2014

REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS

Report prepared by Caroline Matthews

1. NOMINATIONS TO OUTSIDE BODIES

1.1 Issue for Decision

1.1.1 To consider nominations received for Outside Bodies.

1.2 Recommendation of the Head of Policy and Communications

1.2.1 That the nominations set out in the report be considered by the Group.

1.3 Reasons for Recommendation

1.3.1 The nominations to Outside Bodies to be made are listed below. Copies of the Nomination Forms received are attached as Appendix A and copies of the Job Specifications are attached as Appendix B to this report.

1.3.2 Maidstone Sea Cadets

Vacancy: 1 x Committee Member

The term of office would be effective from 9 April 2014 until 8 April 2018. This being a four year appointment.

A nomination has been received from Councillor Mike Cuming.

Recommended: That the Group make an appointment to the vacancy with the Maidstone Sea Cadets.

1.3.3 Cutbush & Corrall Charities

Vacancy: 1 x Trustee

The term of office would be effective from 9 April 2014 until 8 April

2018. This being a four year appointment.

Nominations have been received from Councillors Mrs Daphne Parvin and Brian Moss.

Recommended: That the Group make an appointment to the vacancy with the Cutbush & Corrall Charities.

1.3.4 Maidstone Area Arts Partnership

Vacancy: 1 x Committee Member

The term of office would be effective from 9 April 2014 until 8 April 2015. This being a one year appointment.

A nomination has been received from Councillor Dan Daley.

Recommended: That the Group make an appointment to the vacancy with the Maidstone Area Arts Partnership.

1.3.5 Relief in Need Charities

Vacancy: 1 x Committee Member

The term of office would be effective from 9 April 2014 until 8 April 2018. This being a four year appointment.

A nomination has been received from Councillor Dan Daley.

Recommended: That the Group make an appointment to the vacancy with the Relief in Need Charities.

1.3.6 Voluntary Action Maidstone

Voluntary Action Maidstone has recently advised the Council that they no longer have a representative board. In November 2012 their members voted to change their governing documents so that the Board of Directors/Trustees would be made up of independent people.

They are therefore no longer seeking to recruit any Trustees from the Council.

Recommended: That the change be noted and that this Organisation be taken off the list of Outside Bodies.

1.4 Alternative Action and why not Recommended

1.4.1 The Group could decide not to appoint to Outside Bodies but this is not recommended as representation within the Community is an important role.

1.5 Impact on Corporate Objectives

1.5.1 Appointing to the Outside Bodies in the report will allow Councillors to act as advocates for community issues and represent the Council on bodies that make a difference to the local community. This supports the corporate priority of corporate and customer excellence and, in particular, the outcome, to ensure vulnerable people are assisted.

1.6 Risk Management

1.6.1 The Committee will need to consider the potential risk to the Council's reputation when making appointments to the bodies listed. A Scrutiny Review of Outside Bodies identified the importance of monitoring appointments and ensuring Members are fully aware of the role required.

1.7 Other Implications

1.7.1

- 1. Financial
- 2. Staffing
- 3. Legal
- 4. Equality Impact Needs Assessment
- 5. Environmental/Sustainable Development
- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management

1.8 Relevant Documents

1.8.1 Appendices

Appendix A – Nomination Forms received
Appendix B – Job Specifications

1.8.2 Background Documents

None

<u>IS THIS A KEY DECISION REPORT?</u>		<u>THIS BOX MUST BE COMPLETED</u>	
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If yes, this is a Key Decision because:			
.....			
Wards/Parishes affected:			
.....			

NOMINATION FORM TO OUTSIDE BODY

Date ...5 March 2014.....

NAME:	Mike Cuming
ADDRESS:	60 Madginford Road Bearsted, Maidstone Kent, ME15 8LB
TELEPHONE NO:	01622 738825
NAME OF ORGANISATION APPLYING FOR:	Maidstone Sea Cadet Corps
ROLE APPLYING FOR:	Council Representative
REASON FOR APPLYING:	Long association with Marine Activities and Cadet Corps. My experience and abilities would help the young people of this area achieve good community relations through teamwork and social responsibility.
WHAT SKILLS AND EXPERIENCE COULD YOU BRING TO THE ORGANISATION?:	<p>Air Training Corps: Cadet, 714 Sqdn, Croydon, 1961-65 Instructor, 714 Sqdn, 1965-87 Instructor, 40F Sqdn, Maidstone, 1987-88</p> <p>Geophysical Service International, 1967-86: Started as Technician, rose to Crew Manager on offshore oil exploration survey ships, worldwide. Geophysical Consultants, 1990-95: Client representative, various oil companies, on contractors' survey ships, worldwide.</p> <p>Proprietor of marine engineering business in Ramsgate (Davis Marine) 1987-91</p> <p>Owned motor cruisers based on Medway and in Ramsgate 1975-1991, and occasionally crew on friends' boats.</p> <p>Recently retired coach driver 1994-2013.</p>

MEMBERS OF THE GENERAL PURPOSES GROUP REQUIRE THAT THIS FORM IS COMPLETED IN MUCH THE SAME WAY AS A JOB APPLICATION FORM. SO YOUR RESPONSES TO THE QUESTIONS NEED TO BE AS DETAILED AS POSSIBLE OR YOUR APPLICATION MAY NOT BE CONSIDERED BY THE GROUP

NOMINATION FORM TO OUTSIDE BODYDate 16.2.14

NAME:	DAPHNE J. PARVIN
ADDRESS:	49 MEADOW WALK MAIDSTONE KENT. ME15 7RY
TELEPHONE NO:	01622 673209
NAME OF ORGANISATION APPLYING FOR:	COTBUSHS CORRELL
ROLE APPLYING FOR:	BOARD MEMBER.
REASON FOR APPLYING:	I HAVE BEEN A MEMBER OF THIS BOARD FOR MANY YEARS, AND WISH TO CONTINUE AS I FEEL THE EXPERIENCE I HAVE GATHERED IS INVALUABLE TO THE BOARD AND OUR RESIDENTS
WHAT SKILLS AND EXPERIENCE COULD YOU BRING TO THE ORGANISATION?:	AS ABOVE. THE CHARITY NOW HAS 130+ HOMES, AND THE RESIDENTS FEEL MORE COMFORTABLE WITH FAMILIAR FACES. I SERVE ON THE SELECTION COMMITTEE (NEW RESIDENTS) AND THE MAINTANENCE COM. KNOWLEDGE OF THE PROPERTIES IS VITAL.

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Please attach a continuation sheet if required

NOMINATION FORM TO OUTSIDE BODYDate ...18th Feb. 2014.....

NAME:	Brian Moss
ADDRESS:	20 Whitchurch Close Maidstone Kent ME16 8UR
TELEPHONE NO:	01622 761998
NAME OF ORGANISATION APPLYING FOR:	The Cutbush & Corrall Charity
ROLE APPLYING FOR:	Trustee
REASON FOR APPLYING:	<p>I have a long association with the problems and concerns of older people with 15 years as a Director of Age Concern Maidstone (now Age UK) 5 years as its Chairman. Also in dealing with matters passed to Ann Widdecombe MP from surgery visits or forwarded from Citizens Advice Bureau.</p> <p>The problems of isolation of the elderly is a main concern and where Charity housing can be a social benefit.</p>
WHAT SKILLS AND EXPERIENCE COULD YOU BRING TO THE ORGANISATION?:	<p>I have extensive administration experience both within my police career, as Agent to Ann Widdecombe and as a Cabinet Member on the Borough Council. This includes managing budget preparation and monitoring ranging from multi-million pounds to relatively small organisation finances.</p> <p>I have good interpersonal skills and have experience of recruiting and training staff. Also experience in managing organisational change.</p> <p>My main attribute is a genuine concern for the welfare and care of the elderly who in their time have made their own contributions to society.</p>

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NOMINATION FORM TO OUTSIDE BODYDate ...February 28th 2013.....

NAME:	DAN DALEY
ADDRESS:	9, FRINSTEAD WALK ALLINGTON ME16 0NN
TELEPHONE NO:	01622 672459
NAME OF ORGANISATION APPLYING FOR:	Maidstone Area Arts Partnership
ROLE APPLYING FOR:	Member
REASON FOR APPLYING:	Continuing interest in the Cultural and Artistic aspirations of various organisations within the Borough and their wellbeing.
WHAT SKILLS AND EXPERIENCE COULD YOU BRING TO THE ORGANISATION?:	Common sense (I would hope) I have been a Member of this committee for some period of time and have tried to maintain a supportive role between the Members and the Council and even moreso during the last two years during the time of financial squeeze.

NOMINATION FORM TO OUTSIDE BODYDate ...February 28th 2013.....

NAME:	DAN DALEY
ADDRESS:	9, FRINSTEAD WALK ALLINGTON ME16 0NN
TELEPHONE NO:	01622 672459
NAME OF ORGANISATION APPLYING FOR:	Relief in Need Charity
ROLE APPLYING FOR:	Member/Trustee
REASON FOR APPLYING:	For the sake of Continuity of purpose to carry out the aims of the Charity.
WHAT SKILLS AND EXPERIENCE COULD YOU BRING TO THE ORGANISATION?:	I have been a Member of the Trustee Board since July 1994 and hope that this contributes in a positive way in the proceedings of the Charity's performance. I have no wish to resign or retire at this point and therefore remain available if so wished.

Outside Bodies - 'Job Specification' Form

Name of Organisation	Maidstone Sea Cadet Corps	
Type of Organisation e.g. charity	Youth voluntary group and registered charity	
Contact Details Margaret Teacher	Name	David Naghi (Chairman)
	Address	Maldstone Sea Cadet Corps The Masters Tower, College Road, Maidstone ME15 6YF
	Telephone number	01622 772266 673 004
	Email	mtreacher@talktalk.net rutheckins@hotmail.com
	Website	http://units.ms-sc.org/maidstone
Mission and Objectives of Organisation	The Sea Cadet movement is a national youth charity providing young people from 10-18 with life skills of teamwork, self-respect and social responsibility – the core qualities of good citizenship.	
Role and responsibility of the Council representative? (e.g. Observer, Trustee, Director)	Trustee on the UMC	
What do you hope to achieve through the relationship?	Good community relationships	
How often does the Organisation meet?	Monthly basis (last Monday of the month) plus social events throughout the year	
Desirable skills and experience from the Council's representative	Interpersonal skills	
Terms of Reference Attached?	http://seacadets.ms-sc.org/	
Any other information the Organisation wishes to add?	Will require standard CRB clearance Would require them for their term of office	

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Orders that from today, the

15 November 2010

this

SCHEME

will govern the charities

formerly known as

THE CUTBUSH AND CORRALL CHARITY (213463)

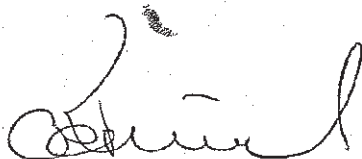
THE QUESTED ALMSHOUSE CHARITY (207442)

and now to be known as

**THE CUTBUSH AND CORRALL CHARITY (INCORPORATING THE QUESTED
ALMSHOUSE CHARITY) (213463)**

In the County of

Kent



Authorised Officer

Reference Number: 842/1011
Case Number: C-298887-OJ9S

1. Definitions

In this scheme:

"the charity" means the charity identified at the beginning of this scheme.

"the Commission" means the Charity Commission for England and Wales.

"the existing residents" means the residents living in the homes at the date of this scheme.

"home" means one of the almshouses.

"the homes" means the almshouses of the charity.

"the reserve funds" means the funds identified in clause 30 of this scheme.

"residents" means those beneficiaries of the charity who live in the homes and "resident" means one of the residents.

"the trustees" means the trustees of the charity acting under this scheme and "trustee" means one of the trustees.

ADMINISTRATION**2. Administration**

The charities identified at the beginning of this scheme are to be administered as one charity in accordance with this scheme. This scheme replaces the former trusts of the charities.

3. Name of the charity

The name of the charity is The Cutbush and Corral Charity (incorporating the Quested Almshouse Charity).

4. Beneficiaries of the charity

Subject to clause 5 of this scheme the beneficiaries of the charity shall be identified as:

(1) The Cutbush and Corral beneficiaries shall be:

- (a) people in need by reason of age, ill-health, disability, financial hardship or other disadvantage of not less than 50 years of age who are inhabitants of the Borough of Maidstone; and
- (b) four of the beneficiaries shall be resident in the City of London or the London Boroughs of Bexley, Bromley, Lewisham and Southwark in the County of Kent with preference being given to members of the Unitarian Church; and

(2) The Quested beneficiaries shall be:

- (a) people in need by reason of age, ill-health, disability, financial hardship or other disadvantage of not less than 60 years who are resident in Harrietsham; and
- (b) six of the beneficiaries shall be Freemen of the Fishmongers Livery Company.

OBJECTS

5. Objects of the charity

- (1) The objects of the charity are:
 - (a) the relief of poverty by the provision of almshouse accommodation for the beneficiaries; and
 - (b) such charitable purposes for the benefit of the residents as the trustees decide.
- (2) The properties identified in part 1 of the schedule to this scheme must be used for the Cutbush and Corral beneficiaries and the properties identified on part 2 must be used for the Quested beneficiaries.

6. Use of almshouse properties

The almshouse properties of the charity must be retained by the trustees for use for the objects of the charity.

7. Powers to dispose of and replace purpose property

The trustees may sell, lease or otherwise dispose of all or any part of the land identified in the schedule to this scheme provided:

- (1) they intend to replace the land disposed of with equivalent land to be used for the objects of the charity; and
- (2) they comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the sale, lease or disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.

POWERS OF THE TRUSTEES

8. Powers of the trustees

In addition to any other powers which they have, the trustees may exercise the following powers in furtherance of the objects of the charity:

- (1) Power to appropriate and use the properties identified in the schedule to this scheme for the objects of the charity.
- (2) Power to make reasonable regulations consistent with this scheme for the management of the homes and the welfare of the residents.

- (3) Power to insure against public liability and, if appropriate, employers' liability; and to insure the homes to their full value against fire and all other usual risks.
- (4) Power to appoint Scheme Managers and other staff (who must not be trustees) and pay them reasonable remuneration, including pension provision for them and their dependants, and to provide a residence for the Scheme Managers in the homes or elsewhere.

TRUSTEES

9. Trustees

- (1) There should be:
 - 4 nominated trustees and
 - 6 co-opted trustees
 appointed in accordance with clauses 10 and 11.
- (2) The first nominated and co-opted trustees are the persons listed in part 3 of the schedule to this scheme. Subject to clause 15 (termination of trusteeship) they will hold office for the periods shown in the schedule.

10. Nominated trustees

- (1) The nominated trustees must be appointed by Maidstone Borough Council.
- (2) Any appointment must be made at a meeting held according to the ordinary practice of the Council. The chairman of the meeting shall cause the name of each appointed person to be notified to the trustees and clerk of the charity.
- (3) Each appointment must be made for:
 - (a) 4 years; or
 - (b) if the appointment is being made to fill a casual vacancy, the unexpired term of the appointee's predecessor.
- (4) The appointment will be effective from the later of:
 - (a) the date of the vacancy; and
 - (b) the date on which the trustees or their secretary or clerk are informed of the appointment.
- (5) The person appointed need not be a member of the Council.

11. Co-opted trustees

- (1) The appointment of a co-opted trustee must be made by the trustees at a special meeting called under clause 19.

- (2) An appointment may, but need not, be made before the date on which the term of office of an existing co-opted trustee comes to an end, to take effect on that date. In these circumstances:
- (a) the appointment may not be made more than 3 months before the date on which the existing co-opted trustee's term of office is due to end; and
 - (b) any co-opted trustee whose term of office is about to come to an end must not vote in favour of their own re-appointment.
- (3) Each appointment must be for a term of 5 years.

12. New trustees

The trustees must give to each new trustee, on their first appointment:

- (1) a copy of this scheme and any amendments made to it;
- (2) a copy of the charity's latest report and statement of accounts.

13. Register of trustees

- (1) The trustees must keep a register of the name and address of every trustee and the dates on which their terms of office begin and end. Every trustee must sign the register before acting as a trustee, whether on their first appointment or on any later re-appointment.
- (2) The trustees must promptly report any vacancy in the office of nominated trustee to the Council entitled to appoint the trustee.

14. Payments to charity trustees

- (1) A trustee may receive from the charity reasonable expenses properly incurred, or to be incurred, by him or her when acting on behalf of the charity.
- (2) No trustee may:
 - (a) buy or receive goods or services from the charity on terms preferential to those applicable to other members of the public; or
 - (b) receive any payment or other financial benefit from the charity; or
 - (c) acquire or hold any interest in property of the charity (except in order to hold it as a trustee of the charity);

unless the payment or transaction is:

- (d) permitted in accordance with, and subject to the conditions in, section 73A or 73F of the Charities Act 1993 (*services including goods supplied in connection with the service provided by a charity trustee to a charity; trustee indemnity insurance*); or

- (e) permitted in accordance with, and subject to the conditions in, sub-clause 3 of this clause; or
 - (f) previously and expressly authorised in writing by the Commission.
- (3) A trustee may receive payment for goods supplied to the charity, provided that:
- (a) the sums paid to the trustee do not exceed an amount that is reasonable in all the circumstances; and
 - (b) the trustee is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her with regard to the supply of goods to the charity; and
 - (c) the other trustees are satisfied that it is in the interests of the charity to contract with that trustee, rather than with someone who is not a trustee (in reaching that decision, the trustees must balance the advantages and disadvantages of contracting with a trustee); and
 - (d) the reason for their decision is recorded by the trustees; and
 - (e) the number of trustees in receipt of any payments authorised by this clause is a minority of the trustees then in office.
- (4) In this clause:
- (a) "charity" includes any company in which the charity:
 - holds more than 50% of the shares; or
 - controls more than 50% of the voting rights attached to the shares; or
 - has the right to appoint one or more directors to the Board of the company;
 - (b) "trustee" includes any child, parent, grandchild, grandparent, brother, sister, spouse or civil partner of the trustee or any person living with the trustee as his or her partner.

15. Termination of trusteeship

A trustee will cease to be a trustee if he or she:

- (1) is disqualified from acting as a trustee by section 72 of the Charities Act 1993; or
- (2) is not an ex officio trustee and is absent without the permission of the trustees from all their meetings held within a period of 12 months and the trustees resolve that his or her office be vacated; or

- (3) gives not less than 1 month's notice in writing of his or her intention to resign (but only if at least 6 trustees will remain in office when the notice of resignation is to take effect).

OFFICERS

16. Chairman

- (1) At their first ordinary meeting in each year the trustees must elect one of their number to be chairman of their meetings.
- (2) The trustees present at a meeting must elect one of their number to chair the meeting if the chairman is not present or the office of chairman is vacant.

17. Secretary and clerk

The trustees may appoint a secretary and clerk. These offices may be held by:

- (1) a trustee (who must not receive any reward for acting and who may be dismissed as secretary or clerk at any time); or
- (2) some other suitable person (who may be employed upon such reasonable terms, including terms as to notice, as the trustees think fit).

MEETINGS OF TRUSTEES

18. Ordinary meetings

- (1) The first meeting after the date of this scheme must be called by or, if they do not do so within 3 months from that date, by any 2 trustees.
- (2) The trustees must hold at least 2 ordinary meetings in each 12 month period.
- (3) Ordinary meetings require at least 10 days' notice.
- (4) The chairman, or any 2 trustees, may call an ordinary meeting at any time.

19. Special meetings

- (1) The chairman, or any 2 trustees, may call a special meeting at any time.
- (2) Special meetings require at least 4 days' notice, except that meetings to consider the appointment of a co-opted trustee require at least 21 days notice.
- (3) The notice calling a special meeting must include details of the business to be transacted at the meeting.
- (4) A special meeting may, but need not, be held immediately before or after an ordinary meeting.

20. Quorum

No business may be transacted at a meeting unless at least 6 trustees are present.

21. Voting

- (1) Every matter must be decided by majority decision of the trustees present and voting at a duly convened meeting of the trustees.
- (2) The chairman of the meeting may cast a second or casting vote only if there is a tied vote.

22. Recording of meetings

The trustees must keep a proper record of their meetings.

23. Trustees to act jointly

The trustees must exercise their powers jointly, at properly convened meetings.

ALMSHOUSES AND RESIDENTS

24. Existing residents

The terms on which the existing residents occupy the homes are not affected by the making of this scheme.

25. Contributions

The trustees may make it a condition of appointing a resident that the resident must:

- (1) contribute a weekly sum (which must not cause the resident hardship) towards the cost of maintaining the homes and essential services in them;
- (2) contribute towards the cost of lighting and heating the homes and providing hot water in them.

26. Applications for appointment

- (1) The trustees must give public notice of a vacancy in the homes, unless:
 - (a) the person to be appointed has been a resident; or
 - (b) notice has been given in the last 12 months.
- (2) Before making an appointment the trustees must:
 - (a) decide how applications are to be made to them;
 - (b) consider the suitability of each applicant;
 - (c) arrange for at least one of the trustees, or an officer of the charity, to meet the person to be appointed, unless they consider that special circumstances make this unnecessary.

- (3) The trustees may, in exceptional circumstances, appoint a resident who is not a beneficiary of the charity but is otherwise qualified. The trustees must record in the record of their meetings the nature of the exceptional circumstances justifying the appointment. The number of residents appointed under this sub-clause must not exceed one-third of the number of residents at any one time.

27. Records

The trustees must keep records of:

- (1) the date of each vacancy and the reason for it;
- (2) the names of persons who have applied for appointment;
- (3) the name and age of every resident and the date of their appointment.

28. Occupation of homes

- (1) The trustees must set out in writing the terms on which a resident occupies their home. A copy of the document recording the terms of occupation (which may take the form of a letter of appointment) must be signed by the resident as evidence of their acceptance.
- (2) The terms must include:
 - (a) a requirement that neither the resident nor any relation or guest of theirs will be a tenant of the charity or have any legal interest in the home;
 - (b) a requirement that the resident must live in the home and not be absent from it, without the trustees' permission, for more than 28 days in any year;
 - (c) a requirement that, without the trustees' permission, the resident must not:
 - (i) allow anyone to share the home with them; or
 - (ii) give up possession of it;
 in whole or in part;
 - (d) a power for the trustees to require the resident to move, temporarily or permanently, to another home;
 - (e) a power for the trustees to end the resident's appointment at any time for the reasons mentioned in clause 29 of this scheme; and
 - (f) such other provisions as the trustees think necessary for the effective running of the homes for the benefit of the residents generally.

29. Termination of appointments

The trustees may terminate the appointment of any resident who:

- (1) was appointed without the necessary qualifications or no longer has the necessary qualifications; or
- (2) persistently breaches the regulations referred to in clause 28 of this scheme; or
- (3) is no longer suited to be a resident by reason of illness or disability but only once the trustees have considered practicable reasonable adjustments and adaptations to the homes.

CHARITY PROPERTY**30. Reserve Funds**

- (1) The trustees must continue to maintain the following reserve funds:
 - (a) an Extraordinary Repair Fund to be used by them for the extraordinary repair, improvement or rebuilding of the homes and the other property of the charity.
 - (b) a Cyclical Maintenance Fund to be used by them for ordinary repair and maintenance of the homes.
- (2) They must use the charity's income to do so and they must invest the funds in trust for the charity.
- (3) The trustees must keep the size of the funds under review in the light of the demands which may be made upon the funds.

31. Use of income and capital

- (1) The trustees must firstly:
 - (a) apply:
 - (i) the charity's income; and
 - (ii) if the trustees think fit, expendable endowment; and
 - (iii) when the expenditure can properly be charged to it, its permanent endowment

in meeting the proper costs of administering the charity and of managing its assets (including the repair and insurance of its buildings);
 - (b) make such annual payments to the reserve funds as they consider necessary.

- (c) a yearly sum of £400 may be applied for the benefit of young persons under 24 in need of financial assistance who are preparing for, entering upon or engaged in any trade, occupation or profession by provision of tools or books, payment of fees for instruction or examination, payment of travelling expenses or such other means as will fit them to earn their own living or advance them in life. If the said sum is not required for application in any year in making such grants the trustees may apply the residue thereof in any subsequent year in like manner.
- (2) After making these payments, the trustees must apply the remaining income in furthering the objects of the charity.
- (3) The trustees may also apply for the objects of the charity:
 - (a) expendable endowment; and
 - (b) permanent endowment, but only:
 - (i) where it is permitted in accordance with, and subject to the conditions in, section 75, section 75A or section 75B of the Charities Act 1993 (*power of unincorporated charities to spend capital*); or
 - (ii) on such terms, including for the replacement of the amount spent, as the Commission may approve by order in advance.

GENERAL PROVISIONS

32. Questions relating to the Scheme

The Commission may decide any question put to it concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

SCHEDULE

PART 1

Land in the Borough of Maidstone and the buildings thereon known as St Faith Street almshouses located at 29-39 (odd numbers) St Faith's Street Maidstone Kent ME14 1LJ is vested in the Official Custodian by virtue of the Orders of the Commissioners of 9 June 1876 and 14 February 1888.

Land in the Borough of Maidstone lying on the south side of St Faith Street Maidstone and registered with HM Land Registry under Title K919383.

Land in the Borough of Maidstone and the buildings thereon known as College Farmhouse College Avenue Maidstone ME15 6YJ registered with HM Land Registry under Title K839152 and K332596.

Land in the Borough of Maidstone and the buildings thereon located at 33 Church Street ME14 1EN registered with HM Land Registry under Titles K381061 and vested in the Official Custodian by virtue of Orders of the Commissioners dated 20 May 1924 and 22 November 1887 and land and buildings erected at 34-40 Church Street ME14 1EN and vested in the Official Custodian by virtue of the Orders of the Commissioners of 14 June 1870, 9 November 1888, and 23 December 1903 as affected by the Orders of the Commissioners of 22 September 1972, 17 December and 7 May 1973.

Land in the Borough of Maidstone and the buildings thereon located at Mote Road ME15 6ET registered with HM Land Registry under Titles K410368 & K521486 and land and buildings known as 52-70 (even numbers) Mote Road is vested in the Official Custodian by virtue of the Orders of the Commissioners of 9 June 1876 and 14 February 1888.

Land in the Borough of Maidstone and the buildings thereon located at 72 Mote Road registered with HM Land Registry under Title K355210.

Land in the Borough of Maidstone and the buildings thereon located at Mary Dukes Place- ME15 6EN is vested in the Official Custodian by virtue of Orders of the Commissioners of 20 May 1924 and 22 November 1887.

Land in the Borough of Maidstone and the buildings thereon located at Cutbush and Corral Court Vinters Road registered with HM Land Registry under K780885 and K517233 and K630833.

Land in the Borough of Maidstone and the buildings thereon located at 2-36a (even numbers) College Road ME15 6YF and vested in the Official Custodian by virtue of the Orders of the Commissioners of 14 June 1870, 9 November 1888, and 23 December 1903 as affected by Orders of the Commissioners of 22 September 1972, 17 December and 7 May 1973.

Land in the Borough of Maidstone and the buildings thereon located at College Walk ME15 6PA (1-10) and vested in the Official Custodian by virtue of the Orders of the Commissioners of 14 June 1870, 9 November 1888, and 23 December 1903 as affected by the Orders of the Commissioners of 22 September 1972, 17 December and 7 May 1973.

Land containing 29 acres situate at St Mary's Romney March and registered with HM Land Registry under Title K965533 and vested in the Official Custodian by virtue of Orders of the Commissioners of 20 May 1924 and 22 November 1887.

Land situate at Welling in the Borough of Bexley with the buildings thereon known as 118-122 (even numbers) High Street and registered with HM Land Registry under Title SGL165290 and vested in the Official Custodian by virtue of a Scheme of the Commissioners dated 26 February 1982.

Land in the Borough of Maidstone and the buildings thereon known as 1-8 Cutbush House College Avenue ME15 6YJ registered with HM Land Registry under Title K400104 and vested in the Official Custodian by virtue of the Orders of the Commissioners of 14 June 1870, 9 November 1888, and 23 December 1903 as affected by the Orders of the Commissioners of 22 September 1972, 17 December and 7 May 1973.

PART 2

Land in the parish of Harrietsham and the buildings thereon known as Harrietsham Almshouses located at 1 to 12 Alms Row, East Street, Harrietsham, Kent ME17 1HJ, registered with HM Land Registry under title number K927050.

PART 3

Nominated trustees

Name	Term of office
P E Oldham	3 years
J M Fenn	1 year
D.Parvin	4 years
D Naghi	2 years

Co-opted trustees

Name	Term of office
C Highwood	3 years
R J Corben	5 years
V R Darley	5 years
J Scott	1 year
S R Darbyshire	1 year
T Sheldon	2 years

OUTSIDE BODIES – JOB SPECIFICATION FORM

DATE	19 th November, 2013-11-19
NAME OF ORGANISATION	Maidstone Area Arts Partnership
TYPE OF ORGANISATION, eg Charity	Charity
CONTACT DETAILS	<p>NAME: Linda Anderson</p> <hr/> <p>ADDRESS 12 Cavendish Way, Bearsted Maidstone Kent ME15 8PN</p> <hr/> <p>TELEPHONE NO: 01622 631586</p> <hr/> <p>EMAIL: 1@linjoy12.plus.com</p> <hr/> <p>WEBSITE: www.maidstineareaartspartnership.org.uk</p>
Mission and Objectives of Organisation	<p>OUR VISION Individuals and communities in Maidstone flourishing through the contribution of Arts and Culture</p> <p>OUR MISSION To represent and promote arts and culture in Maidstone and participate as a proactive partner in its artistic and cultural development</p> <p>KEY OBJECTIVES</p> <ul style="list-style-type: none"> • Help members flourish • Fully represent arts organisation in the Maidstone area • Improve public awareness of artistic and cultural activities and its benefits to individuals and communities • Contribute to development of artistic and cultural initiatives for individual and wider community benefit • Partner with key agencies to implement artistic and cultural initiatives for individual and wider community benefit • Secure financial viability
Role and responsibility of the Council representative eg Observer, Trustee, Director	<p>Observer +</p> <p>To report to the partnership activities proposed or being undertaken by MBC that are pertinent to the aims and objectives of MAAP.</p> <p>To provide feedback and where appropriate take action on issues raised by MAAP members.</p> <p>To advise MAAP on proposed actions so that they are mutually beneficial to MBC, the wider community and MAAP</p>
What do you hope to achieve through the relationship?	Recognition of the role that the arts can make to realising the aspirations of MBC and its residents.

	Mutual support in realising each others aims and objectives
How often does the Organisation meet?	Quarterly, plus ad hoc meetings of working parties
Desirable skills and experience from the Council's representative	Knowledge of a range of MBC activities including but not limited to community development and economic regeneration. Ability to communicate MBC position to partner organisations Support for the arts and an Aability and desire to present MAAP concerns effectively within MBC Ability to attend evening meetings
Terms of Reference Attached?	NO – Do not exist
Any other information the Organisation wishes to add?	MAAP take an active role in the Town Team, supporting all sub teams and taking a lead on most projects. MAAP are also promoting the use of the arts to enhance individual and community wellbeing. They are doing this in consultation with other voluntary groups and with MBC support(Sarah Robson and Zena Cooke)

OUTSIDE BODIES – JOB SPECIFICATION FORM

DATE	8 October 2013
NAME OF ORGANISATION	Maidstone Relief in Need Charities
TYPE OF ORGANISATION, eg Charity	Charity
CONTACT DETAILS	<p>NAME: Debbie Snook – Clerk to the Trustees</p> <hr/> <p>ADDRESS Maidstone Borough Council Maidstone House King Street Maidstone Kent ME15 6JQ</p> <hr/> <p>TELEPHONE NO: 01622 602030</p> <hr/> <p>EMAIL: debbiesnook@maidstone.gov.uk</p> <hr/> <p>WEBSITE: N/A</p>
Mission and Objectives of Organisation	<p>To relieve either generally or individually persons resident in the former Borough of Maidstone who are in conditions of need, hardship or distress. The former Borough is the Borough as constituted prior to local government reorganisation in 1974.</p> <p>The main activity in relation to this objective is the making of grants of money to individuals and organisations.</p>
Role and responsibility of the Council representative eg Observer, Trustee, Director	Trustee
What do you hope to achieve through the relationship?	The relationship is historic and governed by the Scheme for the Regulation of the Charities. Persons nominated by the Borough Council should bring special knowledge of the area of benefit to the body of Trustees.
How often does the Organisation meet?	Two or three times a year, usually at 10.30 a.m. on a Friday.
Desirable skills and experience from the Council's representative	<ul style="list-style-type: none"> • Knowledge of the system of State benefits – desirable but not essential. • Knowledge of the law and financial procedures relating to and governing charities - desirable but not essential.
Terms of Reference Attached?	See above.
Any other information the Organisation wishes to add?	The Scheme for the Regulation of the Charities states that the Trustees shall be persons who through residence, occupation or employment, or otherwise, have special knowledge of the former Borough of Maidstone. The Nominative Trustees may be but need not be Members of the Council.