

## **MAIDSTONE BOROUGH COUNCIL**

### **MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON WEDNESDAY 16 SEPTEMBER 2015**

**Present:** Councillor Moriarty (The Mayor) and Councillors Ash, Mrs Blackmore, Boughton, Brice, Burton, Butler, Chittenden, Clark, Cox, Cuming, Daley, English, Fissenden, Fort, Garland, Greer, Mrs Grigg, Harper, Hemsley, Mrs Hinder, Mrs Joy, McKay, McLoughlin, B Mortimer, D Mortimer, Munford, Naghi, Newton, Paine, Mrs Parvin, Perry, Pickett, Mrs Ring, Mrs Robertson, Ross, Round, J Sams, T Sams, Sargeant, Springett, Mrs Stockell, Thick, Vizzard, Webb, Webster, de Wiggondene, Willis, J A Wilson and Mrs Wilson

41. MINUTE'S SILENCE

The Council stood in silence for one minute in memory of Mary Black, a former Member for Allington Ward and Mayor of Maidstone, Mick Stevens, a former Member for Heath Ward and Leader of the Council, and Allan Willett, a former Lord Lieutenant of Kent, all of whom had died recently.

42. PRAYERS

Prayers were said by the Reverend Canon Andrew Sewell.

43. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ells, Mrs Gooch, Harwood and Paterson.

The Mayor welcomed Councillor Brian Mortimer who had been absent from meetings due to ill-health.

44. DISPENSATIONS

There were no applications for dispensations.

45. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

46. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

47. EXEMPT ITEMS

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

48. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 15 JULY 2015

**RESOLVED:** That the Minutes of the meeting of the Borough Council held on 15 July 2015 be approved as a correct record and signed.

49. MAYOR'S ANNOUNCEMENTS

The Mayor introduced Paul Spooner, the interim Director of Planning and Development.

The Mayor then updated Members on recent/forthcoming events, and thanked them for their support.

50. PETITIONS

There were no petitions.

51. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

**Question to the Chairman of the Policy and Resources Committee**

Mrs Susan Hogg asked the following question of the Chairman of the Policy and Resources Committee:

*As the Councillors in this Chamber have been elected to serve the people of Maidstone, please can the Chairman of the Policy and Resources Committee tell me why some Councillors are not answering electors' phone calls or emails, and what do you think is an adequate time scale for people to have an acknowledgement or answer to their query or questions?*

The Chairman of the Policy and Resources Committee replied that:

This has proved to be quite an interesting question because the situation is not as straightforward as it seems. There are no rules laid down as to how, when or, indeed, if a Councillor should answer questions from members of the public. I think that will come as quite a surprise to everybody. It is up to individual Councillors to make these decisions themselves. However, obviously, if one of their residents feels that they are failing in their duties, it is open to them to contact the Monitoring Officer and make a complaint if they wish to do so.

I cannot tell you as Chairman of the Policy and Resources Committee why some Councillors are not answering their phone calls or emails because there is nothing within the remit of my post that says I have to contact

every Councillor on the Committee to see whether they are doing what we would all hope they do.

You also asked me if I have a personal view on this, and the answer is I do because we have an Officer handbook, and in that it says Officers should endeavour to respond to all letters within 10 working days, and, if this is not possible, the customer should be informed of when they can expect a reply. Officers should endeavour to respond to emails within 2 working days, and, if this is not possible, an email should be sent advising the customer of when they can expect a reply.

I hope that all of us as Councillors would endeavour to try and follow the same protocol that the Officers have, but with the caveat that the majority of Councillors do not have any PA support. The number of emails, in particular, that we get these days makes it almost impossible to answer them all within 2 working days. I personally get between 90 and 120 emails a day. Other Councillors get a huge number of emails and you need to factor in holidays etc. Being a Councillor is a voluntary role, and Members have other work and family commitments etc.

I do hope that all Councillors will endeavour to follow the Officer protocol, but it is not something that we can insist upon under any circumstances.

Councillor Mrs Blackmore, the Leader of the Conservative Group, Councillor Newton, on behalf of the Leader of the Independent Group, Councillor Sargeant, the Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, then responded to the question.

52. QUESTIONS FROM MEMBERS OF THE COUNCIL TO THE CHAIRMEN OF COMMITTEES

**Question to the Chairman of the Strategic Planning, Sustainability and Transport Committee**

Councillor J Sams asked the following question of the Chairman of the Strategic Planning, Sustainability and Transport Committee:

*A decision was made at the meeting last week not to make the setting of the AONB a landscape of local value. In the spirit of transparency, can I ask after the agenda was sent out for that meeting, who, when and why was the decision made to put this to the committee in the urgent update report given to Councillors and seen by residents on the night of the meeting?*

The Chairman of the Strategic Planning, Sustainability and Transport Committee replied that:

The Strategic Planning, Sustainability and Transport Committee agenda of 8 September included a report seeking amendments to the countryside policy of the emerging Local Plan, expressly referring to Landscapes of Local Value. Following publication of the agenda, on 2 September Committee Members undertook site visits with Officers in order to review

some of the landscapes, including the setting of the AONB. As a result of deliberations during the site visit, an urgent update report was prepared for the 8 September meeting, clearly setting out the reasons as to why it was not necessary to designate the setting of the AONB as a Landscape of Local Value. At the meeting the Head of Planning and Development apologised for the late changes in the report recommendation; and I asked the Committee Members if they were happy to accept the urgent update and gave adequate time for them to read the update before the agenda item was discussed. I am happy that correct procedures were followed. I also believe that it is better to have more information before Members than less. The earlier report was there still with its considerations; the update did not force a different decision. The whole topic was fully debated.

Councillor J Sams asked the following supplementary question of the Chairman of the Strategic Planning, Sustainability and Transport Committee:

*Following the call-in of the decision of the Strategic Planning, Sustainability and Transport Committee, how can we ensure that all of the information available after the agendas have been printed is included in appendices and sent out and that the urgent update is used for precisely that purpose?*

The Chairman of the Strategic Planning, Sustainability and Transport Committee replied that:

I am not sure about the status of the referral of that decision currently, but I would very much hope that should it be going ahead, the accompanying report is as full as possible. I do think that Members should actively seek time with Officers to find out information in a proactive manner and I would discourage all of us from thinking that we should only be making decisions on the basis of what appears in reports; we should expand our thinking and investigations as much as possible. The very nature of the Local Plan timescale at the moment does put us under certain pressure. We have to get the necessary business transacted and decisions made if we are to stand a chance of being successful with the Local Plan next year and of bringing to the Borough the protection it gives and the control back to the Council in planning matters.

53. CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL, RESPONSE OF THE GROUP LEADERS AND QUESTIONS FROM COUNCIL MEMBERS

The Leader of the Council submitted her report on current issues, and welcomed Councillor Matt Boughton to his first meeting of the Council.

After the Leader of the Council had submitted her report, Councillor Mrs Blackmore, the Leader of the Conservative Group, Councillor Newton, on behalf of the Leader of the Independent Group, Councillor Sargeant, the

Leader of the UKIP Group, and Councillor McKay, the Leader of the Labour Group, responded to the issues raised.

A number of Members then asked questions of the Leader of the Council on the issues raised in her speech.

54. REPORT OF THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE - AUDIT COMMITTEE - ANNUAL REPORT TO COUNCIL 2014/15

It was moved by Councillor McLoughlin, seconded by Councillor Daley, and

**RESOLVED:** That the Audit Committee Annual Report 2014/15 (attached as Appendix 1 to the report of the Audit, Governance and Standards Committee), which demonstrates how the Committee discharged its duties during 2014/15, provides assurance that important internal control, governance and risk management issues were monitored and addressed by the Committee, and provides assurance to support the Annual Governance Statement, be noted.

55. ORAL REPORT OF THE STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORT COMMITTEE HELD ON 8 SEPTEMBER 2015

It was noted that there was no report arising from the meeting of the Strategic Planning, Sustainability and Transport Committee held on 8 September 2015.

56. ORAL REPORT OF THE COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE HELD ON 15 SEPTEMBER 2015

It was noted that there was no report arising from the meeting of the Communities, Housing and Environment Committee held on 15 September 2015.

57. NOTICE OF MOTION - CENTENARY OF THE END OF THE FIRST WORLD WAR

The Mayor announced that Councillor Newton had withdrawn his motion asking the Council to support, in principle, the provision of resources for the organisation of an event to mark the centenary of the end of the First World War in 2018.

58. REPORT OF THE HEAD OF FINANCE AND RESOURCES - OVERVIEW AND SCRUTINY ANNUAL REPORT 2014/15

It was moved by Councillor J A Wilson, seconded by Councillor Springett, and

**RESOLVED:** That the Overview and Scrutiny Annual Report to Council 2014/15 be noted subject to the following amendments:

The deletion of the duplicate paragraph on page 10; and

The amendment of paragraph 7 of revised page 23 circulated at the meeting to read:

That the new Committees consider the topics (listed below) as part of their work programmes in the next Municipal Year.

59. REPORT OF THE HEAD OF FINANCE AND RESOURCES - NON-ATTENDANCE AT COUNCIL MEETINGS

It was moved by the Mayor, seconded by Councillor Mrs Wilson, and

**RESOLVED:** That since Councillor Brian Mortimer is present this evening, the report of the Head of Finance and Resources relating to Councillor Mortimer's absence from Council meetings on the grounds of ill-health be withdrawn from the agenda.

60. REPORT OF THE HEAD OF FINANCE AND RESOURCES - REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

It was moved by the Mayor, seconded by Councillor Mrs Blackmore, and

**RESOLVED:** That since a request has not been received for a review to be carried out of the arrangements for the allocation of seats on Committees, the report of the Head of Finance and Resources relating to the allocation of seats on Committees be withdrawn from the agenda.

61. MEMBERSHIP OF COMMITTEES

It was moved by the Mayor, seconded by Councillor Ash, and

**RESOLVED:** That the wishes of the Group Leaders with regard to the membership of Committees and Substitute membership, as set out in the lists circulated, be accepted.

**MAIDSTONE BOROUGH COUNCIL ACTING AS CORPORATE TRUSTEE OF THE CHARITY KNOWN AS THE COBTREE MANOR ESTATE**

62. REPORT OF THE HEAD OF FINANCE AND RESOURCES - REVIEW OF ALLOCATION OF SEATS ON THE COBTREE MANOR ESTATE CHARITY COMMITTEE

It was moved by the Mayor, seconded by Councillor Mrs Blackmore, and

**RESOLVED:** That since a request has not been received for a review to be carried out of the arrangements for the allocation of seats on Committees, the report of the Head of Finance and Resources relating to the allocation of seats on the Cobtree Manor Estate Charity Committee be withdrawn from the agenda.

63. MEMBERSHIP OF THE COBTREE MANOR ESTATE CHARITY COMMITTEE

It was moved by the Mayor, seconded by Councillor J A Wilson, and

**RESOLVED:** That the wishes of the Group Leaders with regard to the membership of the Cobtree Manor Estate Charity Committee and Substitute membership, as set out in the lists circulated, be accepted.

**MAIDSTONE BOROUGH COUNCIL ACTING AS CORPORATE TRUSTEE OF THE QUEEN'S OWN ROYAL WEST KENT REGIMENT MUSEUM TRUST**

64. REPORT OF THE HEAD OF FINANCE AND RESOURCES - REVIEW OF ALLOCATION OF SEATS ON THE QUEEN'S OWN ROYAL WEST KENT REGIMENT MUSEUM TRUST COMMITTEE

It was moved by the Mayor, seconded by Councillor Daley, and

**RESOLVED:** That since a request has not been received for a review to be carried out of the arrangements for the allocation of seats on Committees, the report of the Head of Finance and Resources relating to the allocation of seats on the Queen's Own Royal West Kent Regiment Museum Trust Committee be withdrawn from the agenda.

65. MEMBERSHIP OF THE QUEEN'S OWN ROYAL WEST KENT REGIMENT MUSEUM TRUST COMMITTEE

It was moved by the Mayor, seconded by Councillor Ash, and

**RESOLVED:** That the wishes of the Group Leaders with regard to the membership of the Queen's Own Royal West Kent Regiment Museum Trust Committee and Substitute membership, as set out in the lists circulated, be accepted.

66. DURATION OF MEETING

6.30 p.m. to 7.40 p.m.