

You are hereby summoned to attend a meeting of the

MAIDSTONE BOROUGH COUNCIL



Date: Wednesday 20 July 2016

Time: 6.30 p.m.

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Adkinson, Mrs Blackmore, Boughton, Brice, D Burton, M Burton, Butler (Mayor), Clark, Cox, Cuming, Daley, Ells, English, Fermor, Fissenden, Fort, Garland, Garten, Mrs Gooch, Greer, Mrs Grigg, Harper, Harvey, Harwood, Hastie, Hemsley, Mrs Hinder, Joy, Lewins, McLoughlin, B Mortimer, D Mortimer, Munford, Naghi, Newton, Perry, Pickett, Powell, Prendergast, Revell, Mrs Ring, Mrs Robertson, Round, J Sams, T Sams, Springett, Mrs Stockell, Vizzard, Webb, Webster, de Wiggondene, Wilby, Willis and Mrs Wilson

Continued Over/:

Issued on 12 July 2016

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

Alison Broom

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

1. Prayers
2. Apologies for Absence
3. Dispensations (if any)
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
7. Minutes of the Annual Meeting of the Borough Council held on 21 May 2016 1 - 7
8. Mayor's Announcements
9. Petitions
10. Question and Answer Session for Members of the Public
11. Questions from Members of the Council to the Chairmen of Committees
12. Current Issues - Report of the Leader of the Council, Response of the Group Leaders and Questions from Council Members
13. Report of the Democracy Committee held on 7 July 2016 - Amendments to the Council's Constitution 8
14. Oral Report of the Strategic Planning, Sustainability and Transportation Committee to be held on 12 July 2016 (if any)
15. Oral Report of the Communities, Housing and Environment Committee to be held on 19 July 2016 (if any)
16. Notice of Motion

Notice of the following motion has been given by Councillor Harper, seconded by Councillor Adkinson:

Maidstone Celebrates being a Multi-Cultural Society

Following the EU referendum campaign the UK has voted to leave the EU after 43 years. For EU citizens living in the Borough and UK as well as our ethnic minority communities, this has led to a feeling of insecurity and of not being welcomed.

Race hate crimes have increased considerably in recent weeks and this Council needs to send out strong messages of our support for a multi-cultural society.

Maidstone Council welcomes all communities to our Borough (including EU citizens) and all who make a home here, work

here or visit our Borough.

The Council will do all it can to ensure that Maidstone is a welcoming and culturally inclusive Borough.

The recent rise of hate crimes and xenophobia across the UK including our Borough since the referendum campaign is a disgrace.

The Council therefore resolves that it will:

- (1) Do everything in its power to celebrate the cultural diversity of the Borough.
- (2) Undertake the strongest action to tackle any race hate that occurs in the Borough.
- (3) Urge the Borough's two MPs and the new Prime Minister to make a clear statement that EU citizens currently living and working in the UK are welcomed and respected as valuable members of our community.

17. Appointment of Two Non-Voting Parish Councillor Representatives to Serve on the Audit, Governance and Standards Committee

KALC Maidstone has nominated Councillor Mrs Eileen Riden (Chairman of Sutton Valence Parish Council) and Councillor Peter Coulling (Chairman of Teston Parish Council) to serve as the non-voting Parish Councillor representatives on the Audit, Governance and Standards Committee.

It is suggested that the appointments be for the period until the Annual Meeting of the Borough Council in 2019.

18. Membership of Committees

The Council is asked to approve the following changes to reflect the wishes of the Leader of the Conservative Group:

Audit, Governance and Standards Committee – Delete Councillor Cuming as a Substitute Member

Democracy Committee – Add Councillor Cuming as a Substitute Member

PUBLIC SPEAKING

In order to book a slot to speak at this meeting of the Council, please contact Debbie Snook on 01622 602030 or by email on debbiesnook@maidstone.gov.uk by 5.00 p.m. one clear working day before the meeting. If asking a question, you will need to provide the full text in writing and specify the Councillor to whom it is to be put. If making a statement, you will need to say which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

Agenda Item 7

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE ANNUAL MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 21 MAY 2016

Present: Mr Daniel Moriarty (The Mayor) and Councillors Mrs Blackmore, Boughton, Brice, D Burton, M Burton, Butler, Clark, Cox, Cuming, Daley, Ells, English, Fermor, Fissenden, Fort, Garland, Garten, Mrs Gooch, Greer, Mrs Grigg, Harper, Harvey, Harwood, Hastie, Hemsley, Mrs Hinder, Mrs Joy, Lewins, McLoughlin, B Mortimer, D Mortimer, Munford, Naghi, Newton, Perry, Pickett, Powell, Prendergast, Revell, Mrs Ring, Mrs Robertson, Round, J Sams, T Sams, Springett, Mrs Stockell, Vizzard, Webb, Webster, de Wiggondene, Wilby, Willis and Mrs Wilson

1. **PRAYERS**

Prayers were said by the Reverend Ian Parrish. During the prayers, the Council observed a minute's silence in memory of Councillor Dave Sargeant who had died the previous week.

2. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillor Adkinson.

3. **DISPENSATIONS**

There were no applications for dispensations.

4. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

5. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

6. **ELECTION OF MAYOR FOR THE ENSUING MUNICIPAL YEAR**

It was moved by Councillor Mrs Blackmore, seconded by Councillor Naghi, supported by Councillors Mrs Gooch, Harper and Powell, and

RESOLVED: That Derek George Butler, a Councillor of the Borough, be duly elected Mayor of the Borough of Maidstone until the Annual Meeting of the Council in 2017.

Councillor Butler then made the Statutory Declaration of Acceptance of Office which was duly witnessed in accordance with Section 83(3)(a) of the Local Government Act 1972.

****THE MAYOR (COUNCILLOR BUTLER) IN THE CHAIR****

7. CONGRATULATIONS TO THE MAYOR

The Mayor received congratulations on his election from scholars representing schools as follows:

Tom Lindsey Maidstone Grammar School

Alexandra Hadaway Maidstone Grammar School for Girls

8. THE RETIRING MAYOR

It was moved by Councillor Mrs Gooch, seconded by Councillor Mrs Wilson, supported by Councillors Mrs Blackmore, Harper and Powell, and

RESOLVED: That the hearty thanks of this Council be given to Mr Daniel Moriarty and Mrs Shirley Moriarty for the admirable discharge of their duties as Mayor and Mayoress during the past year, and for their courteous approach to all sections of the community.

9. EXEMPT ITEMS

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

10. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 13 APRIL 2016

RESOLVED: That the Minutes of the meeting of the Borough Council held on 13 April 2016 be approved as a correct record and signed.

11. APPOINTMENT OF DEPUTY MAYOR FOR THE ENSUING MUNICIPAL YEAR

It was moved by Councillor Mrs Blackmore, seconded by Councillor Daley, supported by Councillors Mrs Gooch, Harper and Powell, and

RESOLVED: That Councillor Malcolm Frank Greer be duly appointed Deputy Mayor for the Borough of Maidstone until the Annual Meeting of the Council in 2017.

12. MAYOR'S ANNOUNCEMENTS

The Mayor and Group Leaders paid tribute to Councillor Dave Sargeant who had died the previous week.

The Mayor then announced that:

- He wished to extend his condolences to the relatives and friends of those killed in the Egypt Air plane crash earlier in the week.
- He wished to congratulate Maidstone United Football Club on its promotion to the National League. He would be hosting a reception for the Club Manager and players in June, and all Members and Officers were welcome to attend.

13. ELECTION OF THE LEADER OF THE COUNCIL FOR THE ENSUING MUNICIPAL YEAR

It was moved by Councillor Mrs Ring, seconded by Councillor Perry, that Councillor Mrs Blackmore be elected as the Leader of the Council until the Annual Meeting of the Council in 2017.

It was moved by Councillor Daley, seconded by Councillor Cox, that Councillor Mrs Wilson be elected as the Leader of the Council until the Annual Meeting of the Council in 2017.

In accordance with Council Procedure Rule 21.4, five Members of the Council requested that a named vote be taken. The voting was as follows:

Councillor Mrs Blackmore (23)

Councillors Mrs Blackmore, Boughton, Brice, D Burton, M Burton, Butler, Cuming, Fort, Garland, Garten, Greer, Hemsley, Mrs Hinder, McLoughlin, Perry, Prendergast, Revell, Mrs Ring, Round, Springett, Mrs Stockell, Webster and de Wiggondene

Councillor Mrs Wilson (27)

Councillors Clark, Cox, Daley, Ells, English, Fermor, Fissenden, Mrs Gooch, Mrs Grigg, Harvey, Harwood, Hastie, Mrs Joy, Lewins, B Mortimer, D Mortimer, Naghi, Newton, Pickett, Mrs Robertson, J Sams, T Sams, Vizzard, Webb, Wilby, Willis and Mrs Wilson

Abstained: Councillors Harper, Munford and Powell

RESOLVED: That Councillor Mrs Wilson be elected as the Leader of the Council until the Annual Meeting of the Council in 2017.

Note: Councillors Garland, Springett and de Wiggondene left the meeting at the conclusion of this item.

14. APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL FOR THE ENSUING MUNICIPAL YEAR

It was moved by Councillor Cox, seconded by Councillor B Mortimer, and

RESOLVED: That Councillor Mrs Gooch be appointed as the Deputy Leader of the Council until the Annual Meeting of the Council in 2017.

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

In accordance with Sections 15 and 16 of the Local Government and Housing Act 1989, the Council considered the allocation of seats to each Political Group in relation to its various Committees.

It was moved by Councillor Mrs Wilson, seconded by Councillor Cox, that the allocation of seats on Committees be as set out in amended Appendix A to the report of the Head of Finance and Resources (circulated separately).

RESOLVED: That the allocation of seats on Committees be as set out in amended Appendix A to the report of the Head of Finance and Resources (copy attached as Appendix A).

16. APPOINTMENT OF COMMITTEES

In accordance with Section 16 of the Local Government and Housing Act 1989, the Council considered the appointments to its Committees and Substitutes.

It was moved by Councillor Mrs Wilson, seconded by Councillor B Mortimer, that the wishes of the Group Leaders with regard to the appointments to Committees and Substitutes be accepted.

RESOLVED: That the wishes of the Group Leaders with regard to the appointments to Committees and Substitutes be accepted.

17. RE-APPOINTMENT OF TWO NON-VOTING PARISH COUNCILLOR REPRESENTATIVES ON THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

It was moved by Councillor Mrs Wilson, seconded by Councillor English, that since the Maidstone Area Committee of the Kent Association of Local Councils will not be in a position to put forward nominations until after its AGM in June, Councillors Eileen Riden and Paul Butcher be re-appointed as Non-Voting Parish Councillor Representatives on the Audit, Governance and Standards Committee until the next ordinary meeting of the Council.

RESOLVED: That since the Maidstone Area Committee of the Kent Association of Local Councils will not be in a position to put forward nominations until after its AGM in June, Councillors Eileen Riden and Paul Butcher be re-appointed as Non-Voting Parish Councillor Representatives on the Audit, Governance and Standards Committee until the next ordinary meeting of the Council.

18. ADOPTION OF THE CONSTITUTION INCLUDING THE SCHEME OF DELEGATION AND RECENT UPDATES

It was moved by Councillor Mrs Wilson, seconded by Councillor Cox, that the Constitution, including the Scheme of Delegation and recent updates, be adopted.

RESOLVED: That the Constitution, including the Scheme of Delegation and recent updates, be adopted.

To view the Constitution adopted with effect from 21 May 2016, please follow the link below:

<https://services.maidstone.gov.uk/meetings/documents/s48549/MBC%20Constitution%2021%20May%202016.pdf>

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

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

It was moved by Councillor Mrs Wilson, seconded by Councillor Mrs Gooch, that the allocation of seats on the Cobtree Manor Estate Charity Committee be as follows:

Conservative	2
Liberal Democrats	2
Independent	1

RESOLVED: That the allocation of seats on the Cobtree Manor Estate Charity Committee be as follows:

Conservative	2
Liberal Democrats	2
Independent	1

20. APPOINTMENT OF THE COBTREE MANOR ESTATE CHARITY COMMITTEE

It was moved by Councillor Mrs Wilson, seconded by Councillor English, that the wishes of the Group Leaders with regard to the appointment of Members and Substitutes to serve on the Cobtree Manor Estate Charity Committee be accepted.

RESOLVED: That the wishes of the Group Leaders with regard to the appointment of Members and Substitutes to serve on the Cobtree Manor Estate Charity Committee be accepted.

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

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

It was moved by Councillor Mrs Wilson, seconded by Councillor B Mortimer, that the allocation of seats on the Queen's Own Royal West Kent Regiment Museum Trust Committee be as follows:

Conservative	2
Liberal Democrats	2
Independent	1

RESOLVED: That the allocation of seats on the Queen's Own Royal West Kent Regiment Museum Trust Committee be as follows:

Conservative	2
Liberal Democrats	2
Independent	1

22. APPOINTMENT OF THE QUEEN'S OWN ROYAL WEST KENT REGIMENT MUSEUM TRUST COMMITTEE

It was moved by Councillor Mrs Wilson, seconded by Councillor Mrs Gooch, that the wishes of the Group Leaders with regard to the appointment of Members and Substitutes to serve on the Queen's Own Royal West Kent Regiment Museum Trust Committee be accepted.

RESOLVED: That the wishes of the Group Leaders with regard to the appointment of Members and Substitutes to serve on the Queen's Own Royal West Kent Regiment Museum Trust Committee be accepted.

23. DURATION OF MEETING

9.30 a.m. to 11.25 a.m.

APPENDIX A

ALLOCATION OF SEATS ON COMMITTEES

	Service Committees												
	Policy and Resources	Strategic Planning, Sustainability and Transportation	Communities, Housing and Environment	Heritage, Culture and Leisure	Planning Committee	Licensing Committee	Employment Committee	Joint Transportation Board	Democracy Committee	Audit, Governance and Standards Committee	Planning Referrals Committee	Urgency Committee	Overall entitlement
Con	6	4	4	4	6	5	5	4	4	4	1	1	48
Lib Dem	6	4	4	4	5	5	4	4	4	4	1	1	46
Ind	1	1	0	1	1	1	1	1	1	0	1	1	10
UKIP	1	0	0	0	1	0	1	0	0	0	0	1	4
Lab	1	0	0	0	0	1	1	0	0	0	0	1	4
Vac	0	0	1	0	0	0	0	0	0	1	0	0	2
	15	9	9	9	13	12	12	9	9	9	3	5	114

MAIDSTONE BOROUGH COUNCIL

COUNCIL

REPORT OF THE DEMOCRACY COMMITTEE HELD ON 7 JULY 2016

AMENDMENTS TO THE COUNCIL'S CONSTITUTION

1. Issue for Decision

That Council is asked to approve the recommendations of the Democracy Committee regarding changes to the Council's Constitution.

2. Recommendation Made

- 2.1 That Council be recommended to agree that the Constitution be amended to include the following wording as the penultimate sentence at part 4.5, paragraph 1c of the Constitution:

Members will not be eligible to sit on a Licensing Act 2003 Sub-Committee until training, which will be open to all Councillors, has been completed.

- 2.2 That the Council be recommended to agree that the Constitution be amended to make it a requirement that Members and Substitute Members of the Planning Referrals Committee undergo training on the policies, procedures, legislation and guidance relevant to the work of the Planning Committee. In connection with this, the following wording be included in section 2.8 of Part 2.1 of the Constitution:

No Member will be able to serve on the Planning Referrals Committee without having agreed to undergo training on the policies, procedures, legislation and guidance relevant to the work of the Planning Committee, the details of which are to be agreed by the Chief Executive in consultation with the Leaders of the Political Groups represented on the Committee. The training must be completed before the Committee first meets to discharge its function and must be refreshed as appropriate.