

## **MAIDSTONE BOROUGH COUNCIL**

### **MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 16 DECEMBER 2009**

**Present:** Councillor Parvin (The Mayor) and  
Councillors Ash, Batt, Bradshaw, Butler, Chittenden,  
English, Field, FitzGerald, Garland, Mrs Gibson,  
Mrs Gooch, Greer, Harwood, Hinder, Mrs Hinder,  
Horne, Hotson, Mrs Joy, Lusty, Marchant, Marshall,  
Mrs Marshall, Moriarty, Mortimer, Moss, Naghi,  
Nelson-Gracie, Paine, Parr, Mrs Parvin, Paterson,  
Mrs Ring, Mrs Robertson, Robertson, Sams, Sellar,  
Sherreard, Mrs Smith, Mrs Stockell, Thick, Verrall,  
Vizzard, Warner, J.A. Wilson, Wooding and Yates

#### 61. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Beerling, Mrs Blackmore, Daley, Ms Williams, J Wilson and Mrs Wilson.

#### 62. DISCLOSURES BY MEMBERS AND OFFICERS

The Mayor, on behalf of all Members present, disclosed a personal interest in item 2 of the report of the Standards Committee relating to Members' Allowances.

Councillor Chittenden disclosed a personal interest in the report of the Regeneration and Sustainable Communities Overview and Scrutiny Committee relating to the Fit for the Road – Maidstone Road Safety Review. He stated that he had Special Responsibility as a Member of the Kent Police Authority for overseeing roads policing and he was also Chairman of the Joint Road Casualty Reduction Strategy Committee.

#### 63. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

#### 64. EXEMPT ITEMS

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

#### 65. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 23 SEPTEMBER 2009

RESOLVED: That the Minutes of the meeting of the Borough Council held on 23 September 2009 be approved as a correct record and signed.

66. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:-

- He wished to welcome Councillor Fran Smith, the newly elected Member for Fant Ward, to her first meeting of the Council.
- Tim Goodwin, Civic Officer, had been taken ill recently. He was now home from hospital and starting to get better.
- Together with several other Councillors and past Mayors, he had attended the funeral of Mrs Veronica Roscow who had been Mayor during 1977/78. He had received a letter from Mr Roscow thanking them for their attendance.
- He had been in attendance when the Duke of Kent visited Transmille Calibration in Staplehurst to present an award.
- He was pleased to report that John Hooper, a former Civic Officer, was continuing to improve following his illness. It was hoped that he would be allowed home from hospital in the near future.
- He would like to wish all Members and Officers a happy Christmas and New Year.

67. PETITIONS

There were no petitions.

68. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from Members of the public.

69. QUESTIONS FROM MEMBERS OF THE COUNCIL

Questions to the Leader of the Council

Councillor Mrs Gooch asked a question and a supplementary question of the Leader of the Council.

The Leader of the Council responded to these questions.

Councillor Paine asked a question of the Leader of the Council.

The Leader of the Council responded to this question.

Councillor Mrs Marshall asked a question and a supplementary question of the Leader of the Council.

The Leader of the Council responded to these questions.

Councillor Mrs Stockell asked a question of the Leader of the Council.

The Leader of the Council responded to this question.

#### Questions to Cabinet Members

Councillors FitzGerald and Yates asked questions and supplementary questions of the Cabinet Member for Community Services.

The Cabinet Member for Community Services responded to these questions.

Councillor Chittenden asked a question and a supplementary question of the Cabinet Member for Environment.

The Cabinet Member for Environment responded to these questions.

Councillor FitzGerald asked a question and a supplementary question of the Cabinet Member for Leisure and Culture.

The Cabinet Member for Leisure and Culture responded to these questions.

Councillors Field and English asked questions and supplementary questions of the Cabinet Member for Regeneration.

The Cabinet Member for Regeneration responded to these questions.

#### Questions to the Chairmen of other Committees

Councillor Sams asked a question and a supplementary question of the Chairman of the Joint Transportation Board.

The Chairman of the Joint Transportation Board responded to these questions.

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

The Leader of the Council submitted his report on current issues.

After the Leader of the Council had submitted his report, Councillor Harwood, on behalf of the Leader of the Opposition, and Councillor Mrs Marshall, the Leader of the Independent Group, responded to the issues raised.

The Leader of the Council then responded to the points raised by Councillors Harwood and Mrs Marshall.

#### 71. ORAL REPORT OF THE CABINET HELD ON 16 DECEMBER 2009

It was noted that there was no report from the Cabinet on this occasion.

72. REPORT OF THE LICENSING ACT 2003 COMMITTEE HELD ON 19 NOVEMBER 2009 - GAMBLING ACT 2005 - DRAFT STATEMENT OF LICENSING PRINCIPLES

It was moved by Councillor Mrs Parvin, seconded by Councillor Sellar, that the recommendation of the Licensing Act 2003 Committee relating to the Gambling Act 2005 Draft Statement of Licensing Principles be approved.

RESOLVED: That the Gambling Act 2005 Draft Statement of Licensing Principles, attached as an Appendix to the report of the Licensing Act 2003 Committee, be approved subject to the amendments set out in the report of the Licensing Act 2003 Committee.

73. REPORT OF THE STANDARDS COMMITTEE HELD ON 25 NOVEMBER 2009

Review of Contract Standing Orders/Purchasing Guide

It was moved by Councillor Mrs Hinder, seconded by Councillor Marchant, that the recommendation of the Standards Committee relating to the review of the Contract Procedure Rules be approved.

RESOLVED: That after Clause 5.6 of the Contract Procedure Rules which states that "Any Officer or Member who suspects any misconduct or corruption in relation to the purchase by or on behalf of the Council of works, supplies (goods) and services must immediately report that suspicion to the Council's Monitoring Officer and Head of Internal Audit and Risk Strategy", a new Clause 5.7 be inserted which states that:-

"Any person or company against whom any misconduct or corruption referred to in Clause 5.6 is proved will be immediately disbarred from consideration in relation to the purchase by or on behalf of the Council of works, supplies (goods) and services."

The Standards Committee has, in accordance with Article 15.02 (a) of the Constitution, evaluated the proposed amendment to the Contract Procedure Rules and believes that its implementation will help to ensure that the aims and principles of the Constitution are given full effect by helping the Council to maintain its core values of integrity and high standards of corporate governance.

Report of the Independent Remuneration Panel on Members' Allowances

It was moved by Councillor Mrs Hinder, seconded by Councillor Marchant, that the recommendation of the Standards Committee relating to the report of the Independent Remuneration Panel on Members' Allowances be approved.

RESOLVED: That the recommendations of the Independent Remuneration Panel on Members' Allowances, as amended at the meeting of the Standards Committee held on 25 November 2009, be approved.

74. REPORT OF THE SELECTION PANEL FOR INDEPENDENT PERSONS ON THE STANDARDS COMMITTEE HELD ON 2 DECEMBER 2009 - APPOINTMENT/REAPPOINTMENT OF INDEPENDENT MEMBERS

It was moved by Councillor Mrs Hinder, seconded by Councillor Mortimer, that the recommendation of the Selection Panel relating to the reappointment of Mr Mike Powis as an Independent Member of the Standards Committee be approved.

RESOLVED: That Mr Mike Powis be reappointed as an Independent Member of the Standards Committee for a term of three years commencing on 1 July 2010.

75. REPORT OF THE REGENERATION AND SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE - FIT FOR THE ROAD - MAIDSTONE ROAD SAFETY REVIEW

It was moved by Councillor FitzGerald, seconded by Councillor English, that the "Fit for the Road – Maidstone Road Safety Review" report be noted.

RESOLVED: That the "Fit for the Road – Maidstone Road Safety Review" report be noted.

76. NOTICE OF MOTION - KENT INTERNATIONAL GATEWAY PUBLIC INQUIRY

The Council considered the following motion moved by Councillor Horne and seconded by Councillor Garland:-

That the Council notes the daily attendance at the Kent International Gateway Public Inquiry by Officers during the last ten weeks and wishes to thank them for their assiduous care in this matter.

RESOLVED: That the Council notes the daily attendance at the Kent International Gateway Public Inquiry by Officers during the last ten weeks and wishes to thank them for their assiduous care in this matter.

77. REPORT OF THE DEMOCRATIC SERVICES MANAGER - COMMITTEE MEMBERSHIP

It was moved by the Mayor, seconded by Councillor Garland, that the recommendation contained in the report of the Democratic Services Manager relating to the membership of Committees be approved.

RESOLVED: That the following changes be approved to reflect the wishes of the Leader of the Conservative Group and the Leader of the Liberal Democrat Group:-

External Overview and Scrutiny Committee

Members – Delete Councillor Mrs Parvin, insert Councillor Hinder.

Environment and Leisure Overview and Scrutiny Committee

Members – Insert Councillor Mrs Smith.

Planning Committee

Substitute Members – Insert Councillor Mrs Smith.

78. REPORT OF THE DEMOCRATIC SERVICES MANAGER - CALENDAR OF MEETINGS 2010/11

It was moved by the Mayor, seconded by Councillor Garland, that the recommendation contained in the report of the Democratic Services Manager relating to the calendar of meetings for the forthcoming Municipal Year be approved.

RESOLVED: That the calendar of meetings for 2010/11, attached as Appendix A to the report of the Democratic Services Manager, be approved.

79. REPORT OF THE DEMOCRATIC SERVICES MANAGER - AMENDMENTS TO THE SCHEME OF DELEGATIONS RELATING TO EXECUTIVE FUNCTIONS

The Mayor announced that this item was for information only.

80. REPORT OF THE DEMOCRATIC SERVICES MANAGER - URGENT DECISION TAKEN BY THE EXECUTIVE

The Mayor announced that this report was for information only.

81. DURATION OF MEETING

7.00 p.m. to 8.55 p.m.