

MAIDSTONE BOROUGH COUNCIL

**MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL
HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON
5 MARCH 2014**

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

103. PRAYERS

Prayers were said by the Reverend Jackie Cray of St Faith's Church, Maidstone.

104. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Barned, Beerling, Burton, Mrs Hinder, Sams and De Wiggondene.

105. DISPENSATIONS

There were no applications for dispensations.

106. DISCLOSURES BY MEMBERS AND OFFICERS

The Chief Executive, on behalf of herself and all other members of staff present, disclosed an interest in the report of the Member and Employment and Development Panel relating to the Pay Policy Statement.

107. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

108. EXEMPT ITEMS

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

109. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 11 DECEMBER 2013

RESOLVED: That the Minutes of the meeting of the Borough Council held on 11 December 2013 be approved as a correct record and signed.

110. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:

- It was with sadness that he had to inform Members of the death of Councillor Colin Bothwell, the Deputy Mayor of Tunbridge Wells, following a long illness. He had sent letters of condolence to the Mayor of Tunbridge Wells and Councillor Bothwell's family.
- On a much happier note, he wished to congratulate Councillors Daphne and Peter Parvin who would be celebrating their eightieth birthdays and their sixtieth wedding anniversary this year.
- The Head of Finance and Resources and the Property and Procurement Manager would appreciate Members' feedback on the proposed changes to the layout of the foyer at the Town Hall.
- The Overview and Scrutiny Team was seeking feedback on the effectiveness of the new enhanced scrutiny model with four Overview and Scrutiny Committees aligned to the Cabinet portfolios and an emphasis on both pre- and post decision scrutiny, and a questionnaire had been circulated.
- He would like to thank Members for their continued support and to encourage them to attend forthcoming events.
- He was supporting a new initiative between the Diocese of Canterbury and the Kent Savers' Credit Union, the aim of which was to enable more people to access local, ethical and affordable financial services.

111. PETITIONS

There were no petitions.

112. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Mr Fergus Wilson asked the following question of the Leader of the Council:

Is Maidstone Borough Council still committed to agriculture within the Borough and if so how does it intend to achieve it?

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, and Councillor Mrs Gooch, the Leader of the Independent Group, then responded to the question.

Mr Wilson asked the following supplementary question of the Leader of the Council:

Does the Council believe that 19,000 houses are required and what effect will the proposed 19,000 houses have on agricultural opportunities in Maidstone Borough and is there a danger of Maidstone's rural area disappearing into a sea of houses with the resulting loss of agricultural land forever?

The Leader of the Council responded to the question.

Councillor Mrs Wilson, the Leader of the Opposition, and Councillor Mrs Gooch, the Leader of the Independent Group, then responded to the question.

113. QUESTIONS FROM MEMBERS OF THE COUNCIL

Question to the Cabinet Member for Community and Leisure Services

Councillor Newton asked the following question of the Cabinet Member for Community and Leisure Services:

It is good to see from the budget that additional resources are being made available to help the homeless and vulnerable in the Borough of Maidstone. Can the Leader confirm how many homeless and vulnerable people, including "street sleepers", reside within our Borough and how many are British Nationals and how many are Foreign Nationals and how they can be helped?

The Cabinet Member for Community and Leisure Services responded to the question.

Question to the Vice-Chairman of the Licensing Act 2003 Committee

Councillor Vizzard asked the following question of the Vice-Chairman of the Licensing Act 2003 Committee in the absence of the Chairman of the Committee:

During my time volunteering on the Urban Blue Bus on 30 November, I was advised that one of the clubs in Maidstone had oversold tickets for a "Ticket Only" event by 600. This resulted in the footpath in the High Street being barricaded off so that they could "manage" the crowd who were waiting to get in. This was done without any authority. The Police wanted to close down the club but felt it more prudent to manage the situation so that a riot was avoided. I witnessed the volume of people standing outside that were waiting to gain access to the club. This was at least 2.00 a.m.

On the evening of the 14 December, another of the clubs had a situation where a fight broke out and spilled out into Bank Street. On this occasion 10 arrests were made.

At the New Year celebrations, yet another club closed its doors after a fight broke out in the premises. They evicted all of the customers at 2.00 a.m. On 11 January a similar incident occurred. Again the club closed at 2.00 a.m.

I have personal knowledge of these events which occurred when I was volunteering. The question I would ask is:

Is it not time that the Council reviewed the process of revoking the licences of these premises if they break the terms of the licence and cannot control the clientele?

The Vice-Chairman of the Licensing Act 2003 Committee responded to the question.

Question to the Cabinet Member for Community and Leisure Services

Councillor Vizzard asked the following question of the Cabinet Member for Community and Leisure Services:

Perhaps the whole question of the Night Time Economy should be reviewed?

The Cabinet Member for Community and Leisure Services responded to the question.

Councillor Vizzard asked the following supplementary question of the Cabinet Member for Community and Leisure Services:

Having regard to the issues I have raised, does the Cabinet Member agree that this is not the image we wish to promote of the County Town, and does he agree that these issues should be addressed by all Members?

The Cabinet Member for Community and Leisure Services responded to the question.

To listen to the responses to these questions, please follow this link:

<http://cdn.unique-media.tv/mbc236/interface#>

114. 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 his report on current issues.

After the Leader of the Council had submitted his report, Councillor Mrs Wilson, the Leader of the Opposition, and Councillor Mrs Gooch, the Leader of the Independent Group, responded to the issues raised.

A number of Members then asked questions of the Leader of the Council and the Leader of the Opposition, but some of these questions were ruled out by the Mayor as they did not relate to issues raised in the speeches.

115. REPORT OF THE CABINET HELD ON 12 FEBRUARY 2014 - STRATEGIC PLAN REFRESH 2014-15

It was moved by Councillor Moss, seconded by Councillor Garland, that the recommendations of the Cabinet relating to the refreshed Strategic Plan 2014-15 be approved.

RESOLVED:

1. That the refreshed Strategic Plan 2014-15, attached as Appendix A to the report of the Cabinet, be approved.
2. That delegated authority be given to the Chief Executive, in consultation with the Leader of the Council, to make minor amendments to the document as required.

116. REPORT OF THE CABINET HELD ON 12 FEBRUARY 2014 - BUDGET STRATEGY 2014/15 ONWARDS

Before calling upon Councillor Garland to move the recommendations of the Cabinet relating to the Budget Strategy 2014/15 onwards, the Mayor reminded Members that, in accordance with Council Procedure Rule 16.4, each Group Leader could speak for up to ten minutes when moving his/her Group's budget proposals.

It was moved by Councillor Garland, seconded by Councillor J A Wilson, that the recommendations of the Cabinet relating to the Budget Strategy 2014/15 onwards be approved.

Councillor Mrs Wilson, the Leader of the Opposition, stated that whilst her Group supported a Council Tax increase of 1.99%, she did not believe that they would support the budget as a whole.

As a consequence of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which came into force on 25 February 2014, a named vote was taken on the motion as follows:

FOR (27)

Councillors Ash, Black, Mrs Blackmore, Brindle, Butler, Collins, Cuming, Garland, Mrs Gibson, Mrs Gooch, Greer, Hogg, Hotson, Lusty, McLoughlin, Moss, Nelson-Gracie, Newton, Mrs Parvin, Parvin, Mrs Ring, Ross, Springett, Mrs Stockell, Thick, J A Wilson and Yates

AGAINST (19)

Councillors Chittenden, Cox, Daley, Mrs Grigg, Harwood, Mrs Joy, Mrs Mannering, McKay, Moriarty, B Mortimer, D Mortimer, Munford, Naghi, Paterson, Pickett, Mrs Robertson, Vizzard, Warner and Mrs Wilson

ABSTAINED (1)

Councillor English (The Mayor)

MOTION CARRIED

RESOLVED:

1. That the revised revenue estimates for 2013/14, as set out in Appendix A to the report of the Cabinet (circulated separately), be agreed.
2. That the minimum level of General Fund Balances be set at £2m for 2014/15.
3. That the proposed Council Tax of £231.12 at Band D for 2014/15 be agreed.
4. That a premium of 50% to the Council Tax charge be introduced on 1st April 2014 for properties that have been empty and unfurnished for two years. This to include periods prior to 1st April 2014 but not payable on charges prior to 1st April 2014.
5. That the revenue estimates for 2014/15 incorporating the growth and savings items, as set out in Appendix A to the report of the Cabinet, be agreed.
6. That the Statement of Reserves and Balances, as set out in Appendix A to the report of the Cabinet, be agreed.
7. That the Capital Programme, as set out in Appendix A to the report of the Cabinet, be agreed.
8. That the funding of the Capital Programme, as set out in Appendix A to the report of the Cabinet, be agreed.
9. That the Medium Term Financial Strategy, as set out in Appendix A to the report of the Cabinet, be agreed.
10. That the Medium Term Financial Projection, as set out in Appendix A to the report of the Cabinet, be endorsed as the basis for future financial planning.
11. That it be noted that the Council's Council Tax Base for the year 2014/15 has been calculated as 55675.1 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax

Base) Regulations 1992.

12. That it be noted that in accordance with Government guidance the yield from business rates has been calculated as £54,171,300.
13. That it be noted that, as detailed in Appendix B, the Council Tax Base for each of the Parish Areas, calculated in accordance with Regulation 6 of the Regulations, are the amounts of the Council Tax Base for the year for dwellings in those parts of its area to which a special item relates (Parish precepts).
14. That the distribution of Local Council Tax Support funding to Parish Councils, as set out in Appendix C, be approved.
15. That the Council Tax requirement for the Council's own purposes for 2014/15 (excluding Parish precepts) is £12,867,601.
16. That the following amounts now be calculated by the Council for the year 2014/15 in accordance with Sections 31A, 31B and 34-36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011:
 - (a) £83,406,934 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £69,251,582 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £14,155,352 being the amount by which the aggregate at 16(a) above exceeds the aggregate at 16(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31A(4) of the Act).
 - (d) £254.25 being the amount at 16(c) above (Item R), all divided by the figure stated at 11 above (Item T in the formula in Section 31A(4) of the Act), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £1,287,752 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix B).

- (f) £231.12 being the amount at 16(d) above less the result given by dividing the amount at 16(e) above by the Tax Base given in 11 above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

17. That it be noted that for the year 2014/15 Kent County Council, the Kent Police and Crime Commissioner and the Kent and Medway Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

<u>Valuation Bands</u>	<u>KCC</u> £	<u>KPCC</u> £	<u>KMFRA</u> £
A	712.44	96.19	46.20
B	831.18	112.22	53.90
C	949.92	128.25	61.60
D	1,068.66	144.28	69.30
E	1,306.14	176.34	84.70
F	1,543.62	208.40	100.10
G	1,781.10	240.47	115.50
H	2,137.32	288.56	138.60

18. That, having calculated the aggregate in each case of the amounts at 16 (d), and 17 above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets out in Appendix D, the amounts of Council Tax for the year 2014/15 for each of the categories of dwellings shown.

Note: Following consideration of this report, there was a short adjournment of the meeting (8.13 p.m. to 8.20 p.m.).

117. REPORT OF THE CABINET HELD ON 12 FEBRUARY 2014 - TREASURY MANAGEMENT STRATEGY 2014/15

It was moved by Councillor Garland, seconded by Councillor Nelson-Gracie, that the recommendations of the Cabinet relating to the Treasury Management Strategy 2014/15 be approved.

RESOLVED:

1. That the Treasury Management Strategy 2014/15, as set out in the report of the Cabinet, be adopted.

2. That a review be undertaken at mid-year of the use of foreign banks for last resort, short term investments.

118. REPORT OF THE MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL HELD ON 21 JANUARY 2014 - PAY POLICY STATEMENT

It was moved by Councillor Lusty, seconded by Councillor Black, that the recommendations of the Member and Employment and Development Panel relating to the Pay Policy Statement be approved.

RESOLVED:

1. That the Pay Policy Statement, attached as Appendix B to the report of the Member and Employment and Development Panel, be approved for publication on the Council's website after 31 March 2014.
2. That the Chief Executive be given delegated authority to update the Pay Policy Statement with the pay figures at the end of the financial year, prior to publication.

119. NOTICE OF MOTION - OFFICER RESPONSE TO FLOODING

It was moved by Councillor Mrs Ring, seconded by Councillor Cox, and:

RESOLVED: That this Council places on record its recognition and appreciation of the hard work and dedication of staff during the flooding which has affected the Borough and its residents over the last few months. Many staff have been involved, working long hours on providing rest centre care, arranging temporary accommodation, keeping the public informed, answering and responding to 24 hour telephone enquiries, being out and about in the community to help those in need, and much more.

120. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - NON-ATTENDANCE AT COUNCIL MEETINGS

It was moved by the Mayor, seconded by Councillor Hotson, that the recommendations contained in the report of the Head of Policy and Communications relating to the absence from Council meetings of Councillor Beerling be approved.

RESOLVED:

1. That the reason of ill-health for non-attendance at Council meetings by Councillor Beerling be approved.
2. That the approval of the reason for absence be reviewed at the Annual Meeting of the Council scheduled to be held on 7 June 2014.

121. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - COMMITTEE MEMBERSHIP

It was moved by the Mayor, seconded by Councillor Hotson, that the recommendation contained in the report of the Head of Policy and Communications 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:

Licensing Committee/Licensing Act 2003 Committee

Substitute Members

Delete Councillor Black. Insert Councillor Ross.

122. APPOINTMENT OF MAYOR SELECT 2014/15

It was moved by Councillor Garland, seconded by Councillor B Mortimer, supported by Councillor Mrs Gooch and:

RESOLVED: That Councillor Richard Thick be appointed as Mayor Select for the Municipal Year 2014/15.

123. APPOINTMENT OF DEPUTY MAYOR SELECT 2014/15

It was moved by Councillor Mrs Gooch, seconded by Councillor Chittenden, supported by Councillor Nelson-Gracie and:

RESOLVED: That Councillor Daniel Moriarty be appointed as Deputy Mayor Select for the Municipal Year 2014/15.

124. DURATION OF MEETING

6.30 p.m. to 8.50 p.m.