

## **MAIDSTONE BOROUGH COUNCIL**

### **MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 23 APRIL 2014**

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

125. PRAYERS

Prayers were said by the Reverend Canon Andrew Sewell.

126. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Mrs Gibson and Mrs Joy.

127. DISPENSATIONS

There were no applications for dispensations.

128. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

129. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

130. EXEMPT ITEMS

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

131. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 5 MARCH 2014

**RESOLVED:** That the Minutes of the meeting of the Borough Council held on 5 March 2014 be approved as a correct record and signed.

### 132. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:

- This being the last Council meeting of the Municipal Year, he would like to thank all those long-standing Members who were not seeking re-election in May for their services to the Council and to their local communities over the years, and to wish them all the best for the future. He would also like to wish good luck to all those who were standing in the forthcoming elections.
- He and the Deputy Mayor had continued to attend a tremendous number of functions and he wished to thank those Members who had attended the events arranged to raise funds for the charities he had chosen to support during his year in office. He would also like to thank the Mayoral team for their continued help and support.
- He would like to thank Asda Living for their recent generous donation to the Mayor's Charity Fund.

### 133. PETITIONS

The Mayor informed the Council that he had received notification that Mrs Lauren Sykes wished to present a petition calling upon the Council to safeguard Freshland Road children's play area.

In accordance with the Council Procedure Rules, petitions had to be presented to the Proper Officer at least one clear day before the day of the meeting at which it was to be presented, which would have been by 5.00 p.m. on Thursday 17 April 2014. Unfortunately, the petition was not received until the morning of 22 April 2014. In the circumstances, given the Easter break, he intended to propose that Council Procedure Rule 11 (iv) be suspended for this meeting only to enable the petition to be presented and discussed.

The Procedure Rule could only be suspended if at least one half of the whole number of Members of the Council was present and the majority of those present approved.

It was then moved by the Mayor, seconded by Councillor Paine, that Council Procedure Rule 11 (iv) be suspended for this meeting only to enable the petition relating to the Freshland Road children's play area to be presented and discussed.

With at least one half of the whole number of Members of the Council present and the majority of those present in agreement, it was:

**RESOLVED:** That Council Procedure Rule 11 (iv) be suspended for this meeting only to enable the petition relating to the Freshland Road children's play area to be presented and discussed.

Mrs Lauren Sykes then presented the petition as follows:

*We the undersigned call upon Maidstone Borough Council to safeguard Freshland Road children's play area, in compliance with Play England's recommendations. Freshland Road play area is well-used and cherished by local residents. Further, there is not another accessible play park within 12 minutes by road as referred to in the Maidstone Play Strategy.*

A factual briefing note prepared by the Parks and Leisure Manager on the issues raised in the petition was circulated.

Councillor J A Wilson, the Cabinet Member for Community and Leisure Services, advised the Council that he had visited the play area and he was sympathetic towards the concerns expressed by the local residents. As a result of the consultation, and subject to his final approval of the Play Area Strategy, the play area would be kept on for the time-being as a non-strategic play area and maintained, subject to the ongoing review of the condition of the play equipment.

During the ensuing discussion, Members welcomed the Cabinet Member's response to the petition.

**RESOLVED:** That the petition be referred to the Cabinet Member for Community and Leisure Services together with the points raised in the discussion.

#### 134. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

##### Questions to the Leader of the Council

Mr Mike FitzGerald asked the following question of the Leader of the Council:

*Does the Leader of the Council agree with me that two tier government is unaffordable and wasteful and in the climate of continuing year on year cuts to both Kent County Council and Maidstone Borough Council with fewer and fewer services being supported, is the time not right for Maidstone to drive forward the ultimate 'joint working' of a single Council Authority embracing all two tier Councils in say the NHS West Kent Commissioning Area or some other similar coming together?*

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 FitzGerald asked the following supplementary question of the Leader of the Council:

*If the national coalition government can take forward combined authorities under their policy of making local councils more transparent and accountable to local people, cannot Maidstone lead the way in Kent and deliver joined up government, more easily understood and much*

*more cost effective than the present system and is the time not right for a big debate to take this forward? Can you agree that Maidstone should lead this debate and be at the forefront of change at this moment in time?*

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.

#### Questions to the Cabinet Member for Planning, Transport and Development

Mr Geoff Licence asked the following question of the Cabinet Member for Planning, Transport and Development:

*The draft Local Plan shows an allocation of 125 new houses on Barty Farm, Thurnham. There is an acute shortage of primary school places in Bearsted, what schooling provision will be made for children from these houses, so that they can attend local schools? This will equally apply to other similar developments where schools are already full?*

The Cabinet Member for Planning, Transport and Development responded to the question.

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

Mr Licence asked the following supplementary question of the Cabinet Member for Planning, Transport and Development:

*How do you ensure that enough money is in place from developers to provide the extra school places required?*

The Cabinet Member for Planning, Transport and Development responded to the question.

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

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

<http://live.webcasts.unique-media.tv/mbc081/interface>

#### 135. QUESTIONS FROM MEMBERS OF THE COUNCIL

##### Questions to the Leader of the Council

Councillor Mrs Grigg asked the following question of the Leader of the Council:

*How does the Leader intend to improve the relationship with Kent County Council in order that progress can be made with the Local Plan?*

The Leader of the Council responded to the question.

Councillor Mrs Grigg asked a supplementary question of the Leader of the Council, but it was rejected by the Mayor on the grounds that it duplicated a question to be asked by another Member.

Councillor Newton asked the following question of the Leader of the Council:

*Following my previous question to the Leader at Full Council in respect of the serious congestion issues at peak times in Maidstone, does he accept that the evidence published last week clearly shows that deaths from traffic related pollution are rising. Does he therefore agree that Maidstone Borough Council's proposals put to Kent County Council to widen the Sutton Road in order to accommodate the additional traffic from proposed developments to the south and south east of Maidstone is not a sensible option given the fact that pollution at the Wheatsheaf Traffic Lights is already above EU standards and that planning proposals in this area will do nothing for the health of the residents of this Borough?*

The Leader of the Council responded to the question.

Councillor Newton asked the following supplementary question of the Leader of the Council:

*Does the Leader agree that in the light of the 745 deaths due to air pollution in Kent, there is a serious need for the south and south east relief road to take some pressure off the residents of the Borough who are breathing in the fumes?*

The Leader of the Council responded to the question.

#### Questions to Cabinet Members

Councillor Vizzard asked the following question of the Cabinet Member for Environment:

*Would the Cabinet Member for Environment indicate what is the timescale for the review of the Saturday Freighter Service as reported in the Waste Strategy Report 2014-2019 dated 3 April 2014?*

The Cabinet Member for Environment responded to the question.

Councillor Moriarty asked the following question of the Cabinet Member for Planning, Transport and Development:

*Can the Cabinet Member for Planning, Transport and Development tell me the total amount of Section 106 money received and not yet spent and*

*how much is still awaited as a result of planning decisions? Do you have this as a Ward by Ward breakdown?*

The Cabinet Member for Planning, Transport and Development responded to the question.

Councillor Moriarty asked the following supplementary question of the Cabinet Member for Planning, Transport and Development:

*Can the information be shared regularly by the Cabinet Member and published so that all Council Tax payers are aware of the impact in their area?*

The Cabinet Member for Planning, Transport and Development responded to the question.

Councillor Mrs Gooch asked the following question of the Cabinet Member for Planning, Transport and Development:

*Following the recent Planning, Transport and Development Overview and Scrutiny Meeting, will the Cabinet Member for Planning, Transport and Development confirm that consultation with, and the involvement of, Parish Councils, will be significantly improved during the continuing difficult and challenging Local Plan process?*

The Cabinet Member for Planning, Transport and Development responded to the question.

Councillor Mrs Gooch asked the following supplementary question of the Cabinet Member for Planning, Transport and Development:

*How would development at Detling Airfield be viewed in the context of the AONB?*

The Cabinet Member for Planning, Transport and Development responded to the question.

<http://live.webcasts.unique-media.tv/mbc081/interface>

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

There was no report from the Leader of the Council on this occasion.

137. REPORT OF THE CABINET HELD ON 9 APRIL 2014 - COMMUNITY SAFETY PARTNERSHIP PLAN 2013-18 - ANNUAL REFRESH 2014-15

It was moved by Councillor J A Wilson, seconded by Councillor Paine, that the recommendation of the Cabinet relating to the Community Safety Partnership Plan Annual Refresh 2014-15 be approved.

**RESOLVED:** That the refreshed Community Safety Partnership Plan 2014-15, attached as Appendix A to the report of the Cabinet, be approved.

138. REPORT OF THE COMMUNITY, LEISURE SERVICES AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE HELD ON 11 FEBRUARY 2014 - CRIME AND DISORDER REDUCTION PARTNERSHIP OVERVIEW AND SCRUTINY - AMENDMENT TO PROCEDURE RULES

It was moved by Councillor Mrs Blackmore, seconded by Councillor Nelson-Gracie, that the recommendation of the Community, Leisure Services and Environment Overview and Scrutiny Committee relating to the Protocols for Crime and Disorder Reduction Partnership Overview and Scrutiny be approved.

**RESOLVED:** That the Constitution be amended as follows:-

- (a) Second bullet point, paragraph 1 of Appendix 3 of the Overview and Scrutiny Procedure Rules be updated and replaced with the following:

“The continued existence of a Crime and Disorder Committee within the Overview and Scrutiny Function at Maidstone Borough Council (currently the Community, Leisure Services and Environment Overview and Scrutiny Committee);”

- (b) Section 10.2 of Appendix 3 of the Overview and Scrutiny Procedure Rules be deleted and replaced with the following:

“In addition to Co-option, the Crime and Disorder Committee will invite the Chief Inspector from Kent Police (Maidstone) to attend committee meetings when items on community safety are being considered.”

- (c) Section 11 of Appendix 3 of the Overview and Scrutiny Procedure Rules be updated and replaced with the following:

“These Protocols will be reviewed on an annual basis, at the first meeting of the Crime and Disorder Committee each Municipal Year by the Committee and the Safer Maidstone Partnership Chairman to ensure that they remain fit for purpose.”

139. DURATION OF MEETING

6.30 p.m. to 7.50 p.m.