

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 20 JULY 2016

Present: Councillor Butler (The Mayor) and Councillors Adkinson, Mrs Blackmore, Boughton, Brice, D Burton, M Burton, Clark, Cox, Cuming, Daley, Ells, Fermor, 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, Perry, Pickett, Powell, Prendergast, Revell, Mrs Ring, Mrs Robertson, Round, J Sams, T Sams, Vizzard, Webb, Webster, de Wiggondene and Mrs Wilson

24. PRAYERS

Prayers were said by the Reverend Ian Parrish.

25. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Fissenden, Newton, Springett, Mrs Stockell, Wilby and Willis.

26. DISPENSATIONS

There were no applications for dispensations.

27. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

28. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

29. EXEMPT ITEMS

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

30. MINUTES OF THE ANNUAL MEETING OF THE BOROUGH COUNCIL HELD ON 21 MAY 2016

RESOLVED: That the Minutes of the Annual Meeting of the Borough Council held on 21 May 2016 be approved as a correct record and signed.

31. MAYOR'S ANNOUNCEMENTS

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

The Mayor then announced that:

- He had sent a letter of condolence to the Mayor of Nice following the atrocity which had taken place in the city at the celebration of Bastille Day.
- This would be the last Council meeting that Paul Riley, Head of Finance and Resources, would attend before his retirement. On behalf of the Council, he would like to thank Mr Riley for his advice and services over the last twenty six years and to wish him well for the future.

Councillor Garland entered the meeting during the Chairman's announcements (6.40 p.m.).

32. PETITIONS

There were no petitions.

33. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Question to the Chairman of the Communities, Housing and Environment Committee

Mrs Susan Hogg asked the following question of the Chairman of the Communities, Housing and Environment Committee:

With over 18,000 new homes to be built in Maidstone, will the Borough Council make serious considerations to lobby Kent County Council to build another tip site to relieve pressure from the Tovil tip for safety of residents living in Tovil?

The Chairman of the Communities, Housing and Environment Committee replied that:

I can assure you that we have been looking at this for a long time through the Kent Waste Partnership.

Kent County Council is currently consulting on their draft Waste Disposal Strategy which includes the provision of Household Waste Recycling Centres. Maidstone Borough Council will be replying to this consultation and has previously raised its support for the provision of an additional facility to improve access to Maidstone residents. The consultation response will be considered by the Communities, Housing and Environment Committee prior to being submitted to Kent County Council at the end of September.

The Mayor then asked if any Group Leader/representative present would also like to respond.

Councillor Mrs Wilson, the Leader of the Liberal Democrat Group, Councillor Adkinson, on behalf of the Leader of the Labour Group, Councillor Mrs Blackmore, the Leader of the Conservative Group, and Councillor Powell, the Leader of the UKIP Group, responded to the question.

Mrs Hogg asked the following supplementary question of the Chairman of the Communities, Housing and Environment Committee:

With the pressure of traffic generated from the use of the tip and increased fly-tipping within Maidstone, and especially Tovil, would Maidstone Borough Council agree that there is a great need and that it is vital for them to apply pressure on Kent County Council for an additional tip thus saving the rising cost of the Council using taxpayers' money to tidy up fly-tipping due to the ever growing demand placed on one facility for the whole Borough?

The Chairman of the Communities, Housing and Environment Committee replied that:

The Council takes recycling very seriously and only a small percentage of Maidstone waste is sent to landfill. There are household waste recycling facilities at Tovil. The Council will continue to put pressure on Kent County Council as there is demand for another site taking into account population and housing growth in the Borough.

The Mayor then asked if any Group Leader/representative present would also like to respond.

Councillor Mrs Gooch, the Leader of the Independent Group, responded to the question.

Question to the Chairman of the Democracy Committee

Mr Mike Hogg asked the following question of the Chairman of the Democracy Committee:

With no Borough elections next year and the Borough expecting to build a further 18,000 plus new homes, will this Council undertake a review of all the Borough ward boundaries, for most wards will become even larger if the boundaries are not moved.

Furthermore split South ward, for the Tovil section of the ward is expecting to take a further 1,000 plus new homes, making it one of the largest wards in Maidstone, or merge Tovil and the Coombe Farm estate together to form a new South ward and merge North Loose together with Loose.

The Chairman of the Democracy Committee replied that:

At its first meeting of the municipal year the Democracy Committee considered its work plan. As part of that consideration the Committee agreed to the creation of a working group to consider the options for an electoral review. The decision was based on a number of issues that includes the estimated growth in registered electors over the forthcoming five years.

While the group has not yet met it is intended to work through the potential benefits of and options for a boundary review; a review of the number of Councillors; and the potential for four yearly elections. The results of the review will be reported to Democracy Committee later in the year and the Committee will be asked to consider making a recommendation to Council based on the outcome of the review. Any such recommendation can only result in a request for a formal review by the Local Government Boundary Commission for England.

At this time I am unable to say if your suggested amendments would form part of any review. The Local Government Boundary Commission for England has responsibility for completing reviews and, along with the size of electorate, the Commission include a number of factors in their considerations, these include:

- Ward patterns and electoral equality;
- Community identity;
- Number of Councillors; and
- Rurality.

Should the Commission choose to make a recommendation for change, they would publish a consultation in due course. The Council can make representations to them as can any local elector.

The Mayor then asked if any Group Leader/representative present would also like to respond.

Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Harper, the Leader of the Labour Group, and Councillor Powell, the Leader of the UKIP Group, responded to the question.

Mr Hogg asked the following supplementary question of the Chairman of the Democracy Committee:

If boundary changes are not considered by this Borough Council, how will the Councillors who already exist in the wards be able to cope with representing a larger number of people and a larger workload to the high standard the electorate deserves without compromising any area of service supplied by the Council?

The Chairman of the Democracy Committee replied that:

We are in danger of letting the process undermine the principle. Personally, I believe there is a case for fewer Councillors. You look at Councils that have undertaken boundary reviews and often they come out

with fewer Councillors; it means representing more people. If that increases the quality of Councillor and the quality of decision making, then I am all for it. This will all be covered in the review, and I am sure that your points will be taken into consideration in due course.

The Mayor then asked if any Group Leader/representative present would also like to respond.

Councillor Mrs Wilson, the Leader of the Liberal Democrat Group, and Councillor Mrs Gooch, the Leader of the Independent Group, responded to the question.

To listen to the questions asked by members of the public and the responses, please follow this link:

<http://live.webcasts.unique-media.tv/mbc409/interface>

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

There were no questions from Members of the Council to the Chairmen of Committees.

35. 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.

After the Leader of the Council had submitted her report, Councillor Mrs Blackmore, the Leader of the Conservative Group, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor Powell, the Leader of the UKIP Group, and Councillor Harper, the Leader of the Labour Group, responded to the issues raised.

A number of Members then asked questions of the Leader of the Council and the Leader of the UKIP Group on the issues raised in their speeches.

36. REPORT OF THE DEMOCRACY COMMITTEE HELD ON 7 JULY 2016 - AMENDMENTS TO THE COUNCIL'S CONSTITUTION

It was moved by Councillor Boughton, seconded by Councillor D Burton, that the recommendations of the Democracy Committee regarding changes to the Council's Constitution be approved with the addition of the following words to the second sentence of paragraph 2.2:

...and also added to Section 1(c) of Part 4.4 – The Local Code of Conduct for Councillors and Officers Dealing with Planning Matters:

Amendment moved by Councillor Harper, seconded by Councillor Adkinson, that the motion be amended as follows:

1. Insert the following words after the word "training" in the proposed change set out in paragraph 2.1:

"has been provided out of work hours to make it available to all Councillors who undertake paid work,"

2. Insert the following words after the word "training" in the first sentence of the proposed change set out in amended paragraph 2.2:

"to be made available out of work hours so that Councillors who undertake paid work can attend,"

AMENDMENT LOST

The original motion was then put to the vote and carried.

RESOLVED:

1. That the Constitution be amended to include the following wording as the penultimate sentence at Part 4.5, paragraph 1c:

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. 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 this connection, the following wording be included in Section 2.8 of Part 2.1 and also added to Section 1(c) of Part 4.4 – The Local Code of Conduct for Councillors and Officers Dealing with Planning Matters:

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.

37. ORAL REPORT OF THE STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE HELD ON 12 JULY 2016

There was no report from the Strategic Planning, Sustainability and Transportation Committee on this occasion.

38. ORAL REPORT OF THE COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE HELD ON 19 JULY 2016

There was no report from the Communities, Housing and Environment Committee on this occasion.

39. NOTICE OF MOTION

The following motion was moved 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.

The Mayor said that he considered it to be convenient and conducive to the despatch of business that the motion be dealt with at this meeting, and that a factual briefing note had been circulated.

Amendment moved by Councillor D Burton, seconded by Councillor Boughton:

1. That the first part of the motion be amended to read:

"Continue to celebrate the cultural diversity of the Borough."

2. That the second part of the motion be amended to read:

“Condemn any form of racially motivated discrimination or abuse of EU citizens and any other minority groups.”

3. That the third part of the motion be deleted.

The mover and the seconder of the motion indicated that they accepted the amendments to parts 1 and 2 of the motion, but not the deletion of part 3.

AMENDMENT CARRIED

Councillors Harper and Adkinson requested that their disagreement with the deletion of part 3 of the motion be recorded.

The motion, as amended, was then put to the vote.

SUBSTANTIVE MOTION CARRIED

RESOLVED: That the Council will:

1. Continue to celebrate the cultural diversity of the Borough.
2. Condemn any form of racially motivated discrimination or abuse of EU citizens and any other minority groups.

40. APPOINTMENT OF TWO NON-VOTING PARISH COUNCILLOR REPRESENTATIVES TO SERVE ON THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

It was moved by Councillor McLoughlin, seconded by Councillor D Burton, and:

RESOLVED: That Councillors Eileen Riden and Peter Coulling be appointed as non-voting Parish Councillor representatives on the Audit, Governance and Standards Committee, specifically for hearings into allegations of misconduct by Parish Councillors, until the Annual Meeting of the Council in 2019.

41. MEMBERSHIP OF COMMITTEES

It was moved by the Mayor, seconded by Councillor D Burton, and:

RESOLVED: That the following changes to the membership of Committees be approved 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

42. DURATION OF MEETING

6.30 p.m. to 8.05 p.m.