

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 25 OCTOBER 2017

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

43. RECORDING OF PROCEEDINGS

It was noted that a journalist from the Kent Messenger newspaper would be recording the proceedings.

44. PRAYERS

Prayers were said by the Reverend Ian Parrish.

45. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Garland, Harwood and Springett.

46. DISPENSATIONS

There were no applications for dispensations.

47. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

48. DISCLOSURES OF LOBBYING

All Members present except Councillor B Mortimer stated that they had been lobbied regarding the adoption of the Maidstone Borough Local Plan (2017).

49. EXEMPT ITEMS

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

50. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 19 JULY 2017

RESOLVED: That the Minutes of the meeting of the Borough Council held on 19 July 2017 be approved as a correct record and signed.

51. MAYOR'S ANNOUNCEMENTS

The Mayor updated Members on recent and forthcoming Mayoral engagements.

During his announcements, the Mayor made a presentation to Mr Mike Fitzgerald, a former Member of the Borough Council and Mayor of the Borough of Maidstone, and congratulated him on being awarded an MBE in the Queen's Birthday Honours List for services to the homeless and the community.

Note: Councillor Brice entered the meeting after the Mayor's announcements.

52. CHANGES TO ORDER OF BUSINESS

The Mayor announced that he intended to change the order of business to take the following items after agenda item 11 (Questions from Members of the Council to the Chairmen of Committees):

Item 17 - Report of the Strategic Planning, Sustainability and Transportation Committee held on 12 September 2017 - Maidstone Borough Local Plan (2017): Adoption; and

Item 16 - Report of the Strategic Planning, Sustainability and Transportation Committee held on 12 September 2017 - Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule: Approval

53. PETITIONS

There were no petitions.

54. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Question to the Chairman of the Strategic Planning, Sustainability and Transportation Committee from Councillor Geraldine Brown (Chairman of Maidstone KALC and Chairman of Yalding Parish Council)

Do you accept that, if DCLG's current consultation proposals are subsequently adopted, our Borough will be expected to take about 7,000 more homes than the 17,660 in the Local Plan to be adopted this evening?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that:

In short, yes. If the Government's proposed methodology is confirmed, the annual housing requirement would increase from 883 to 1,236 dwellings per year, amounting to an additional 7,060 dwellings over a 20 year period compared with the Local Plan.

I think that it is very important to note that if we adopt the Local Plan, the annual requirement will be fixed at 883 dwellings per year until the Plan is reviewed.

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

Councillor Harper, the Leader of the Labour Group, responded to the question.

Councillor Brown asked the following supplementary question of the Chairman of the Strategic Planning, Sustainability and Transportation Committee:

Will you do everything possible to minimise further impact on existing residents given the already high level of planned development in the Plan?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that:

I think that I can honestly answer this on behalf of all of us. Yes, of course, minimising impact will be first and foremost in every Councillor's mind when we enter the review period.

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

Councillor Perry, the Leader of the Conservative Group, responded to the question.

Question to the Chairman of the Strategic Planning, Sustainability and Transportation Committee from Councillor Peter Coulling (Chairman of Teston Parish Council)

Do you commit to ensuring that the number of planned new homes is kept within the capacity of our Borough's infrastructure?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that:

Yes, but there needs to be a more detailed explanation behind that. The National Planning Policy Framework sets out that Local Plans should plan positively for the development and infrastructure required to meet identified needs. In developing a strategy to meet the identified needs for housing, local planning authorities should work with other authorities and infrastructure providers to assess the quality and capacity of infrastructure

in the area, and Local Plans should include strategic policies to ensure the delivery of necessary supporting infrastructure.

Through the development of the Integrated Transport Strategy and Infrastructure Delivery Plan the Council has evidenced the need to provide a series of measures to ensure that planned growth can be accommodated in infrastructure terms. This includes the provision of new schools and community infrastructure, highways and sustainable transport improvements, health infrastructure improvements and green infrastructure provision, including new open spaces. These measures are reflected in strategic policies in the Local Plan so as to provide a robust basis on which to secure developer provision, or financial contributions towards delivery of these things through Section 106 agreements or the new CIL regime.

In general terms, the purpose of the measures is to provide the additional infrastructure capacity required to support growth and their suitability, effectiveness and deliverability has been considered as part of the Local Plan's statutory, independent examination process. The Local Plan Inspector has found that the Plan, as modified, complies with national policy and is sound. The Council will therefore continue to work constructively with other authorities and infrastructure providers to ensure that the necessary infrastructure measures are delivered in a timely manner to support planned development.

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, responded to the question.

Councillor Coulling asked the following supplementary question of the Chairman of the Strategic Planning, Sustainability and Transportation Committee:

Given your assurance and given the state of traffic congestion, the problem of rat running through our villages and air quality, what has gone wrong in the past and why will it be better in the future?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that:

I think that one of the big problems with this plan making process has been that at the very beginning we thought about the numbers, and the inevitability of the numbers, and so much time, energy and effort was spent on the negative parts of the process when we should have been coming together to actually plan the proper infrastructure at the earliest stage.

So, if there is a lesson that I would like to take forward into the future, it is that we take a very calm approach to the evidence at the beginning.

I'm sure that we will not like matters in front of us, but let's get on with the positive, productive, constructive planning from day one.

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

There were no further responses to the question.

Question to the Chairman of the Strategic Planning, Sustainability and Transportation Committee from Mr Roger Vidler (Vice-Chairman of the Bearsted and Thurnham Society)

Mr Roger Vidler had given notice of his wish to ask a question of the Chairman of the Strategic Planning, Sustainability and Transportation Committee, but was unable to attend the meeting due to an injury. The Mayor indicated that a written response would be provided for Mr Vidler.

Question to the Chairman of the Planning Committee from Councillor John Horne of Thurnham Parish Council

How will you ensure that residents' concerns about Air Quality feed through to the workings and decisions of your Committee?

The Chairman of the Planning Committee replied that:

Planning Committee Members of all parties have been attempting to take the serious issue of air quality into account in determining planning applications already. However, it has to be noted that the policy template that we are using based upon the current Local Plan and the policies from it has become rather outdated so we have been limited in what we can achieve. We have been updating our policy palette both on our own initiative and because the Inspector in the examination of the new Local Plan made it very clear that we needed to do so; to bring in a whole raft of new policy approaches. The new Local Plan, assuming that it is adopted, contains a specific policy on air quality.

In recognition of the increasing national and local importance of this issue, the Council is also proposing to prepare a specific Air Quality Development Plan Document which will enable us to get to grips with the planning aspects of dealing with the air quality control agenda. In the meantime whilst the DPD is being prepared, the Kent and Medway Air Quality Technical Guidance provides additional guidance on the assessment and mitigation of air quality impacts. The Strategic Planning, Sustainability and Transportation Committee will consider approving this guidance for development management purposes at its meeting in November.

Elsewhere within the Council, we have been working cross-party within the Low Emissions Working Group to bring forward a number of planning and non-planning control policies which will have an impact in improving the air quality in the town and across the Borough as a whole. We will be seeing the published results of the consultation, which has seen a strong response from the public, in a few days' time.

So, to conclude, I hope that in the next year or so we will be getting a very firm grip on these issues. We have to as we owe it to the public of this Borough to actually do something about this hidden killer.

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

Councillor Perry, the Leader of the Conservative Group, responded to the question.

Councillor Horne asked the following supplementary question of the Chairman of the Planning Committee:

The Kent and Medway Air Quality Planning Guidance will soon be reported to the Strategic Planning, Sustainability and Transportation Committee, and to reassure residents, once it is amended to Maidstone's specification, will your Committee immediately apply that guidance whether or not the development site is in the Local Plan?

The Chairman of the Planning Committee replied that:

Yes, of course. The very purpose of bringing this forward as everyone who has been associated with it knows, whether an Officer or a Member, is to enable us to apply some form of control as quickly as possible in the interim period when we are developing our own document. It is unfair to the Officers and Members cross-party who have been working very hard on this strategy and these approaches in general for the last year or so to say that there has been nothing happening. It is perhaps true to say that a lot of this activity has been below the surface or in Committee rooms, but there has in fact been a lot happening. Councillors D and M Burton, for example, have contributed very significantly as have I and Councillors D Mortimer and C Robertson – a real cross-party effort.

It is absolutely essential that we do what we can with the guidance that is available to adopt as soon as possible. Obviously there is still a Committee vote to be taken, but I would be very, very surprised if we do not go forward with that given the work that has been put in, and I really want to see it applied as widely and as deeply as possible.

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

There were no further responses to the question.

Question to the Chairman of the Policy and Resources Committee from Mr Arthur Thomas

Are the Council allowed to charge for external services that they could provide in-house and already receive funding for from central government. How do you ensure that there is no conflict of interest?

The Chairman of the Policy and Resources Committee replied that:

I can assure you that Maidstone Borough Council only charges for services that we are permitted to make a charge for. Where the Council has a statutory duty to provide a service a charge is only levied where there is a specific power for the Council to do so, and I think that is where you are targeting your question. The majority of charges levied are usually for non-discretionary services provided by the Council. The position is the same whether the service is provided in-house or whether it has been outsourced to a contractor to provide the service for us.

There is a lot of legislation covering this. Perhaps the most interesting is the 2011 Localism Act which introduced the General Power of Competence which explicitly gives Councils the power to do anything that an individual can do which is not expressly prohibited by other legislation. This includes the power to charge for services unless expressly prohibited from doing so.

With regard to conflicts of interest, each Committee that has charges within its remit looks at them once a year, but both Councillors and Officers have to work to Codes of Conduct (the Code of Conduct for Councillors and the Code of Conduct for Officers) contained within the Council's Constitution, which make it very clear what is permitted and what is not.

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

There were no further responses to the question.

Mr Thomas asked a supplementary question of the Chairman of the Policy and Resources Committee. The Mayor ruled that the supplementary question did not relate to the original question.

Question to the Chairman of the Heritage, Culture and Leisure Committee from Mr Gary Butler

Do the Council have a policy of following the UN Agenda 21 (aka local agenda 21) which basically destroys our indigenous culture in favour of a very different agenda? Such as funds being made available for the Mela festival but no longer for our River festival or Green fair etc.

The Chairman of the Heritage, Culture and Leisure Committee replied that:

Local Agenda 21 was a commitment to local sustainable development, which included making improvements to economic, social and environmental conditions at a local level. That being the case, I struggle to see what the connection is between Agenda 21 and the festivals and events in the Borough.

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

Councillor Harper, the Leader of the Labour Group, responded to the question.

Mr Butler asked a supplementary question of the Chairman of the Heritage, Culture and Leisure Committee. The Mayor ruled that the supplementary question did not relate to the original question.

Question to the Chairman of the Policy and Resources Committee from Mr Ben Frankham

Who owes the Council Tax debt and which Officer is ultimately responsible for its collection and payment?

The Chairman of the Policy and Resources Committee replied that:

If a Council Tax debt is outstanding, it is the person or company named on the Council Tax bill that is liable.

Responsibility for the administration and recovery of Council Tax is delegated within the Council's Constitution to the Head of Revenues and Benefits Shared Service.

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

There were no further responses to the question.

Mr Frankham asked a supplementary question of the Chairman of the Policy and Resources Committee. The Mayor ruled that the supplementary question did not relate to the original question.

Question to the Chairman of the Strategic Planning, Sustainability and Transportation Committee from Mr Robert Sinclair

Can you ensure that consideration of the new application for Woodcut Farm is deferred until the result of the Planning Inquiry is known?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that:

The answer to this question is no. We have a statutory duty to determine planning applications within statutory timeframes unless an extension of time is agreed with the applicant. The Council has no control over whether such an agreement can be made. If the Council does not determine a planning application within the statutory timescales without an agreement for an extension of time it would be at risk of the application being appealed on the grounds on non-determination.

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

Councillor Harper, the Leader of the Labour Group, responded to the question.

Mr Sinclair asked the following supplementary question of the Chairman of the Strategic Planning, Sustainability and Transportation Committee:

Does this not conflict with the Borough's public stance to strongly defend the Members' decision against the current appeal or don't you intend to do so now? The Officers said that they would defend the appeal, the Council has said that it has the money to do it so they should be doing that, or is it part of a deal whereby get the applicant to get his application through and then they withdraw the appeal?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that:

It is the policy of this Council to defend the decisions made by the Planning Committee at appeals, and I believe that work is in hand, and we will be defending the decisions made. However, should there be another decision, it is not necessary that the same reasons for refusal may occur so it has to be treated as a separate and different application; but yes, this Council does defend the decisions made by the Planning Committee.

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

There were no further responses to the question.

Note: Councillor Willis entered the meeting during the question and answer session for members of the public.

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

Question to the Chairman of the Strategic Planning, Sustainability and Transportation Committee from Councillor Paul Harper

As Maidstone Council has adopted the Integrated Transport Plan a considerable time ago, what measures is Maidstone Borough Council doing to get it adopted or endorsed by Kent County Council? The Kent Cabinet Member for Environment and Transport recently stated that he saw no obstacle to adopting the Walking and Cycling Strategy of the Integrated Transport Plan separately, will the Council do all it can to ensure that that is carried out?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that:

We are already working very collaboratively at this time with Kent County Council to deliver the schemes identified in the Integrated Transport Strategy and the Walking and Cycling Strategy.

It is my understanding that Kent County Council actually endorses and does not formally adopt these policies as it considers them to be local policies. The comments of the County Member with regard to his willingness to endorse it are very much welcomed and I believe that it currently sits with him to do so. We can certainly send him a letter and jog his memory.

Councillor Harper did not ask a supplementary question of the Chairman of the Strategic Planning, Sustainability and Transportation Committee.

Question to the Chairman of the Policy and Resources Committee from Councillor Paul Harper

Can the Chairman of Policy and Resources Committee please update the Council on measures to protect the Hart Street's approximately 650 Flats from suffering flooding in the future? In the last major floods in Maidstone there was serious flooding to the undercrofts and access stair cases to a considerable number of these flats. The Local Plan identifies this as an area where further development is likely to take place, only potentially making the situation worse.

The Chairman of the Policy and Resources Committee replied that:

We have a lot of flooding issues throughout the Borough and they are being dealt with as robustly as this Council can manage to do so in conjunction with the Environment Agency and Kent County Council.

The area you are talking about is slightly different to some of the other areas in that the land these properties have been built on was formerly industrial and the flooding issues in that area were very well known. In relation to an application for 307 flats at Wallis Place in May 2004, the Environment Agency commented that "the Agency considers the site is likely to be Flood Zone 3, category a, that is High Risk". The Environment Agency and the Council were well aware of the issues when the development was proposed which is why the development is as it is with the undercroft; it was built to withstand flooding. The flats were designed to ensure that the residents' living quarters would not be affected.

I am not trying to diminish the way that people feel about a serious flood. I think that the issue here is it is not a reason in itself because an area floods not to build there if mitigation measures can be found. Indeed in this area the developments did cover that. There is an issue I believe if an evacuation is required that we have robust plans in place to get people out, and that is where we work with the Kent Resilience Forum which includes the Coast Guard as it has particular expertise in that sort of evacuation.

It does not mean to say that we will not look to see if there are other measures that can be taken, but we are taking the most serious first which brings us back to the Marden/Yalding area. As you know, as a High Street Ward Member myself, neighbouring you but on the other side of the River, we did work very hard to say although we absolutely

understand what has happened in Marden and Yalding, there is a flooding issue downstream as well that needs to be tackled and tackled very seriously.

I take your question with the utmost seriousness, but it is slightly different in that the buildings were designed for flood conditions.

Councillor Harper asked the following supplementary question of the Chairman of the Policy and Resources Committee:

Whilst the buildings might originally have had some resilience built in so that the residential accommodation is elevated, the access to it is from ground level through a series of staircases and it was these staircases that got flooded as well as vehicles. Whilst I accept that the flats were not flooded and people's homes were not ruined, it did create massive problems for the residents there when the area was flooded at Christmas 2013. If the Environment Agency back in 2004 recognised that there was an issue, it is very unfortunate that given all the information that has been reported to the Policy and Resources Committee to date, it has not been referenced once and it affects a lot of people.

The Chairman of the Policy and Resources Committee replied that:

I did pick up on the access and egress from the buildings being a problem and we need to be sure that we can adequately cover that in the event of flooding. Where I agree with you is that I do believe that it is a pity that the whole issue of flooding throughout the Borough was not picked up immediately after those major floods, and it was local Ward Councillors everywhere who actually said, yes, but what about us? Indeed in the case of Marden and Yalding, they said you know about us, but what are you doing about it and how long are you taking?

The only robust answer that I can give you is that as Leader of the Council and as Chairman of the Policy and Resources Committee, I am doing all I can to try and expedite resolutions to all of this. Things are moving in Marden and Yalding, perhaps not as quickly as we would like, but at least the work is being done to look at the individual properties and test whether they can have individual protection or not. It is quite a small number overall so it needs to go onto the second stage which says can we have a collective approach round a number of properties.

We have looked at the town centre in relation to the High Street Ward side because when we get flooding it is that side which affects commercial properties first before it affects any residences in the town centre. So, things are moving forward.

I personally take it very, very seriously indeed. I have never forgotten when I was at one of my first meetings as a Councillor, and I sat next to Councillor Harwood who is an Emergency Planning Officer. We were considering a planning application for a house in the flood plain, and he said I am not going to vote for this because you can actually drown in six inches of water. I have never forgotten that. It means that you have to

take flooding, no matter how small or how great, with the utmost seriousness, and this Council does exactly that.

56. REPORT OF THE STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE HELD ON 12 SEPTEMBER 2017 - MAIDSTONE BOROUGH LOCAL PLAN (2017): ADOPTION

It was moved by Councillor D Burton, seconded by Councillor Boughton, that subject to the minor factual corrections set out in the note on this item circulated separately at the meeting, the Maidstone Borough Local Plan (2017) in Appendix VI to the report of the Strategic Planning, Sustainability and Transportation Committee, which incorporated the Inspector's Main Modifications, and the Policies Map at Appendix VII to the report be adopted.

The corrections were as follows:

Maidstone Borough Local Plan: Policies Map – Factual Changes

Map Page	Factual Change
Map 26	Correct the down arrow at the foot of the page to 34
Policies SP5 and SP11	Within the boundaries of the Rural Service Centres of Harrietsham, Headcorn, Lenham, Marden and Staplehurst, as defined on the Policies Map, to include an annotation for Policy SP5; and within the boundaries of the Larger Villages of Boughton Monchelsea, Coxheath, Eyhorne Street (Hollingbourne), Sutton Valence and Yalding, as defined on the Policies Map, to include an annotation for Policy SP11.

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

FOR (40)

Councillors Adkinson, Barned, Mrs Blackmore, Boughton, D Burton, M Burton, Butler, Clark, Cox, Daley, Ells, English, Fermor, Fissenden, Fort, Mrs Gooch, Greer, Mrs Grigg, Harper, Harvey, Hastie, Mrs Hinder, Mrs Joy, Lewins, McLoughlin, D Mortimer, Munford, Naghi, Pickett, Mrs Ring, Mrs Robertson, Round, J Sams, T Sams, Vizzard, Webb, Webster, Wilby, Willis and Mrs Wilson

AGAINST (9)

Councillors Brice, Cuming, Newton, Perry, Powell, Prendergast, Spooner, Mrs Stockell and de Wiggondene

ABSTAINED (1)

Councillor B Mortimer

RESOLVED: That subject to the minor factual corrections set out in the note on this item circulated separately at the meeting, the Maidstone Borough Local Plan (2017) in Appendix VI to the report of the Strategic Planning, Sustainability and Transportation Committee, which incorporated the Inspector's Main Modifications, and the Policies Map at Appendix VII to the report be adopted.

57. REPORT OF THE STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE HELD ON 12 SEPTEMBER 2017 - MAIDSTONE BOROUGH COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEDULE: APPROVAL

It was moved by Councillor D Burton, seconded by Councillor Cox, that the recommendations of the Strategic Planning, Sustainability and Transportation Committee regarding approval of the Community Infrastructure Levy (CIL) Charging Schedule be agreed.

RESOLVED:

1. That the Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule, attached as Appendix A to the report of the Strategic Planning, Sustainability and Transportation Committee, be approved in accordance with Section 213 of the Planning Act 2008 with an effective implementation date of 1 October 2018.
2. That the CIL Regulation 123 List, attached as Appendix B to the report of the Strategic Planning, Sustainability and Transportation Committee, and CIL Instalments Policy, attached as Appendix C to the report, be approved.

58. 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.

59. REPORT OF THE MAIDSTONE JOINT TRANSPORTATION BOARD HELD ON 19 APRIL 2017 - AMENDMENTS TO THE MAIDSTONE JOINT TRANSPORTATION BOARD AGREEMENT

It was moved by Councillor D Burton, seconded by Councillor English, that the recommendation of the Maidstone Joint Transportation Board regarding amendments to the Maidstone Joint Transportation Board agreement be approved.

RESOLVED: That the amended Maidstone Joint Transportation Board agreement, attached as Appendix 2 to the report of the Maidstone Joint Transportation Board, be adopted.

60. REPORT OF THE POLICY AND RESOURCES COMMITTEE HELD ON 25 JULY 2017 - POLICY ON DISPOSAL OF PROPERTY - AMENDMENTS TO THE CONSTITUTION

It was moved by Councillor Mrs Wilson, seconded by Councillor Harper, that the recommendations of the Policy and Resources Committee regarding amendments to the Constitution arising from the adoption of a new policy on the disposal of property be approved.

RESOLVED:

1. That the following paragraph be added to the Terms of Reference of the Heritage, Culture and Leisure Committee:

'To declare Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and to take the final decision on disposal.'

2. That the following paragraph be added to the Terms of Reference of the Policy and Resources Committee:

'To make decisions regarding land and property including acquisition (by agreement or compulsorily), disposal, appropriation and development, with the exception of the declaration of Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and the final decision on the disposal of Open Space.'

61. REPORT OF THE POLICY AND RESOURCES COMMITTEE HELD ON 25 JULY 2017 - MEDIUM TERM FINANCIAL STRATEGY

It was moved by Councillor Mrs Wilson, seconded by Councillor Harper, that the recommendation of the Policy and Resources Committee regarding the Medium Term Financial Strategy be approved.

RESOLVED: That the Medium Term Financial Strategy, attached as Appendix 2 to the report of the Policy and Resources Committee, be agreed.

62. ORAL REPORT OF THE COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE HELD ON 17 OCTOBER 2017

It was noted that there was no report arising from the meeting of the Communities, Housing and Environment Committee held on 17 October 2017.

63. REPORT OF THE HEAD OF LEGAL PARTNERSHIP - APPOINTMENT OF MONITORING OFFICER

It was moved by Councillor Mrs Wilson, seconded by Councillor Mrs Gooch, that the recommendations set out in the report of the Interim Deputy Head of Legal Partnership relating to the appointment of a Monitoring Officer for the Council be approved.

RESOLVED:

1. That Patricia Narebor be appointed as the Monitoring Officer for the Council with effect from 4 September 2017.
2. That it be noted that Patricia Narebor was appointed as the Head of Mid-Kent Legal Partnership on 1 September 2017.
- 3 That the Head of Legal Partnership be authorised to exercise the delegated functions and responsibilities relating to the Head of Legal Partnership as noted in the Council's Constitution.

Members welcomed Ms Narebor to her first meeting of the Council.

64. MEMBERSHIP OF COMMITTEES

It was moved by the Mayor, seconded by Councillor Daley, and

RESOLVED:

1. That the following changes be approved to reflect the wishes of the Leader of the Conservative Group:

Communities, Housing and Environment Committee

Delete Councillor Perry as a Member of the Committee and add Councillor Garten

Add Councillor Perry as a Substitute Member of the Committee

Licensing Committee

Delete Councillor Perry as a Member of the Committee and add Councillor Cuming

Add Councillor Perry as a Substitute Member of the Committee

Planning Committee

Add Councillor Perry as a Substitute Member of the Committee

2. That the following change be approved to reflect the wishes of the Leader of the UKIP Group:

Planning Committee

Delete Councillor Ells as a Substitute Member of the Committee

65. DURATION OF MEETING

6.30 p.m. to 8.00 p.m.