

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 12 APRIL 2017

Present: Councillor Butler (The Mayor) and Councillors Adkinson, Barned, Mrs Blackmore, Boughton, Brice, D Burton, M Burton, Cox, Cuming, Daley, Ells, English, Fermor, Fissenden, Garland, Garten, Mrs Gooch, Greer, Harper, Harvey, Harwood, Hastie, Mrs Hinder, Mrs Joy, Lewins, McLoughlin, Munford, Naghi, Perry, Pickett, Powell, Prendergast, Mrs Robertson, Round, Springett, Mrs Stockell, Vizzard, Webb, Webster and Mrs Wilson

118. PRAYERS

Prayers were said by the Reverend Ian Parrish.

119. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Clark, Mrs Grigg, Hemsley, B Mortimer, D Mortimer, Newton, Mrs Ring, J Sams, T Sams, de Wiggondene and Wilby.

120. DISPENSATIONS

There were no applications for dispensations.

121. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

122. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

123. EXEMPT ITEMS

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

124. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 1 MARCH 2017

RESOLVED: That the Minutes of the meeting of the Borough Council held on 1 March 2017 be approved as a correct record and signed subject to it being made clear that Councillors Brice, Perry and de Wiggondene had requested that their dissent be recorded in relation to the third decision set out in the Minute 113.

125. MAYOR'S ANNOUNCEMENTS

The Mayor updated Members on recent and forthcoming Mayoral engagements, and thanked them, the Deputy Mayor and the Deputy Mayoress, and the Leader of the Council for their support. During his announcements, the Mayor made reference to the resignation of Mike Revell as a Borough Councillor. The Mayor said that he would like to thank Mr Revell for his time spent as a Borough Councillor and to extend to him his best wishes.

The Mayor then called upon Councillor John Perry who wished to make a statement relating to the capture of Vimy Ridge in northern France by the Canadian Corps, an event which took place one hundred years ago to the day, almost to the hour, and which had a huge symbolic effect on Canada's identity as a nation.

Councillor Perry said that, as a postscript to his statement, his great uncle had served with the Royal Winnipeg Rifles and taken part in the assault and capture of the Ridge.

126. PETITIONS

There were no petitions.

127. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Mr Paul Billanie had given notice of his wish to ask a question of the Chairman of the Policy and Resources Committee, but was not present at the meeting.

Tobe Hayden Leigh asked the following question of the Chairman of the Policy and Resources Committee:

Is it not the case that every single local Council is mandated under statute to issue legal proceedings for the immediate recovery of all unpaid Council Tax bills?

The Chairman of the Policy and Resources Committee replied that:

This and other Councils in their role as billing authority are required to collect Council Tax payable in respect of dwellings situated in their area.

The processes that follow in the event of non-payment are set out in statute (Council Tax Administration and Enforcement Regulations 1992) with the decision as to when to issue legal proceedings taken by the Council.

Tobe Hayden Leigh asked the following supplementary question of the Chairman of the Policy and Resources Committee:

What is the consequence for the Council if it does not issue such recovery proceedings? Is it in fact that you, the Council, are liable to the Crown for the unpaid Council Tax?

The Chairman of the Policy and Resources Committee replied that she did not know the precise answer, but she would ensure that a written response was provided.

The Chairman of the Policy and Resources Committee then looked to the Chief Executive for a response. The Chief Executive replied that the Council was not responsible to the Crown.

The Chairman of the Policy and Resources Committee confirmed that a written response would be provided to the supplementary question, and all Members would be provided with a copy.

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

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

Can the Chairman of the Strategic Planning, Sustainability and Transportation Committee confirm that the former Astor of Hever Meadows are not designated as a site for housing in the emerging Local Plan, and would as a consequence any proposals for the development of the site for housing be turned down?

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

Land at the former Astor of Hever School, Oakwood Park is not allocated in the emerging Maidstone Borough Local Plan. Also, to date, the Local Plan Inspector has not indicated that further housing sites will need to be added into the Plan. If a planning application were submitted for development on this land, the Council would need to determine it in accordance with the adopted Local Plan policies in place at the time and also take account of any other planning matters which could point in favour or against consent being granted. All relevant planning matters would rightly be considered in full at the time of the application and cannot be prejudged now.

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

Can the Chairman of the Strategic Planning, Sustainability and Transportation Committee please confirm the planning status of the Oakwood Park playing fields? Are residents correct to assume that they are safe from development?

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

The Oakwood Park playing fields have no specific designation in either the adopted Maidstone Borough-Wide Local Plan (2000) or in the emerging Maidstone Borough Local Plan. Policy DM22 of the emerging Plan covers 'Publicly accessible open space and recreation' and sets out the considerations which will apply if development is proposed which would result in the loss of such space. Like for the earlier question, all relevant planning matters would be considered in full at the time of any application.

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

With regard to Oakwood Park and Astor of Hever, is there any scope within the planning process to designate these types of spaces and open spaces such as these as green spaces to give them further protection?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that Policy DM22 of the emerging Maidstone Borough Local Plan sought to put in place precisely those considerations and those protections that would be necessary.

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

There are considerable problems with the Medway towpath cycle route in its section in the town centre. The Maidstone Cycle Campaign Forum has had discussions with Kent County Council officers on this. The issues relate to the section from Medway Street to Lockmeadow, which has dangerous blind spots both for pedestrians and cyclists. As the Council invested £0.5m into the scheme, can the Chairman of the Strategic Planning, Sustainability and Transportation Committee confirm that he will work with the Maidstone Cycle Campaign Forum and Kent County Council to try to resolve these issues?

The Chairman of the Strategic Planning, Sustainability and Transportation Committee replied that he would be very happy to meet with Councillor Harper and the Maidstone Cycle Campaign Forum to look at the matter in detail and to make sure that nothing was being missed. Indeed, arrangements could be made after the Council meeting.

129. 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 on the issues raised in her speech.

130. REPORT OF THE DEMOCRACY COMMITTEE HELD ON 8 MARCH 2017 - AMENDMENTS TO THE CONSTITUTION

It was moved by Councillor Boughton, seconded by Councillor Mrs Blackmore, that the recommendation of the Democracy Committee relating to changes to the Constitution be agreed.

RESOLVED: That the following changes to the Constitution be adopted to take effect from the date of the Annual Meeting of the Council in 2017:

1. Additional delegations to the Head of Regeneration and Economic Development and the Head of Housing and Community Services as follows:-

Head of Regeneration and Economic Development –

Responsibility for the implementation of the Council’s Public Realm Design Guide and Public Arts Policy.

Head of Housing and Community Services – To liaise and negotiate with government bodies and their appointees, third parties and housing providers in order to promote the priorities identified in the Council’s Housing Strategy.

2. Addition of the following to the Strategic Planning and Performance Management functions of the Heritage, Culture and Leisure Committee:

Bereavement Services – Vinters Park Crematorium and Maidstone Cemetery with the delegation of functions to the Head of Environment and Public Realm.

Regeneration and Economic Development - the Public Realm Design Guide and Public Arts Policy with the delegation of functions to the Head of Regeneration and Economic Development.

131. REPORT OF THE COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE, ACTING AS THE CRIME AND DISORDER COMMITTEE, HELD ON 14 FEBRUARY 2017 AND 28 MARCH 2017 - 2013-18 COMMUNITY SAFETY PARTNERSHIP PLAN REFRESH AND 2017-18 STRATEGIC ASSESSMENT

It was moved by Councillor Barned, seconded by Councillor Perry, that the recommendation of the Communities, Housing and Environment Committee, acting as the Crime and Disorder Committee, relating to the adoption of the 2013-18 Community Safety Partnership Plan refresh and the 2017-18 Strategic Assessment be approved.

RESOLVED: That the 2013-18 Community Safety Partnership Plan refresh and the 2017-18 Strategic Assessment, attached as Appendices to

the report of the Communities, Housing and Environment Committee, acting as the Crime and Disorder Committee, be adopted for implementation by the Safer Maidstone Partnership and its priority sub-groups.

132. ORAL REPORT OF THE HERITAGE, CULTURE AND LEISURE COMMITTEE HELD ON 4 APRIL 2017

There was no report from the Heritage, Culture and Leisure Committee on this occasion.

133. ORAL REPORT OF THE STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE HELD ON 11 APRIL 2017

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

134. DURATION OF MEETING

6.30 p.m. to 7.35 p.m.