

## **MAIDSTONE BOROUGH COUNCIL**

### **Policy and Resources Committee**

#### **MINUTES OF THE MEETING HELD ON WEDNESDAY 22 NOVEMBER 2017**

**Present:** Councillors Barned, Mrs Blackmore, Boughton, D Burton, Butler, English, Fermor, Mrs Gooch, Harper, Harvey, Harwood, Hastie, McLoughlin, Mrs Ring and Mrs Wilson (Chairman)

**Also Present:** Councillors Adkinson, M Burton, Joy, D Mortimer and Naghi

89. APOLOGIES FOR ABSENCE

Apologies were received by Councillors Brice, Cox, Garland and Perry.

90. NOTIFICATION OF SUBSTITUTE MEMBERS

The following members were present as substitute members:

- Councillor Burton for Councillor Perry
- Councillor Butler for Councillor Garland
- Councillor English for Councillor Cox
- Councillor Ring for Councillor Brice

91. URGENT ITEMS

The Chairman informed the Committee that there was an urgent update to Item 16. Call in of Decision of Heritage, Culture and Leisure Committee - Disposal of Land Adjacent to Gallagher Stadium. The reason for urgency was that the information was not available at the time of agenda publication. It was noted that this information was commercially sensitive and would only be circulated in closed session.

92. NOTIFICATION OF VISITING MEMBERS

It was noted that the following members were present as visiting members and indicated their intention to speak on Item 16. Call in of Decision of Heritage, Culture and Leisure Committee - Disposal of Land Adjacent to Gallagher Stadium:

- Councillor Adkinson;
- Councillor M Burton; and
- Councillor Naghi.

Councillors Mortimer and Joy were present as visiting members but did not indicate their intention to speak on any items on the agenda.

93. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Wilson disclosed, in relation to Item 16. Call in of Decision of Heritage, Culture and Leisure Committee - Disposal of Land Adjacent to Gallagher Stadium, that she had met with Maidstone United on two occasions prior to this meeting. However no opinion was given either way on this topic at the meetings.

94. DISCLOSURES OF LOBBYING

All members of the Committee had been lobbied on Item 16. Call in of Decision of Heritage, Culture and Leisure Committee - Disposal of Land Adjacent to Gallagher Stadium.

Councillors Barned and Gooch had been lobbied on Item 15. Mid Kent Services (MKS) Board Appointment – options.

95. EXEMPT ITEMS

**RESOLVED:** That Item 17. Payroll Services be taken in private due to the possible disclosure of exempt information.

96. MINUTES OF THE MEETING HELD ON 30 OCTOBER 2017

It was noted that the wrong minutes had been attached to the Committee agenda. Therefore the minutes of the meeting held on 30 October 2017 would be considered at the next meeting of this Committee.

97. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

98. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC (IF ANY)

There were no questions from members of the public.

99. COMMITTEE WORK PROGRAMME

The Director of Finance and Business Improvement updated the Committee on its Work Programme. It was noted that:

- The item on Office Accommodation would be considered by the Committee in January instead of December;
- David Tibbit had retired therefore other officers had taken on his projects – the work programme would be updated to reflect this for the next meeting; and

- The Chairman had asked for the columns to be numbered on the Work Programme for the next meeting, so that items could be referenced easier during meetings.

**RESOLVED:** That the Committee Work Programme is noted.

100. AMENDMENT TO THE ORDER OF BUSINESS

**RESOLVED:** That Item 16. Call in of Decision of Heritage, Culture and Leisure Committee - Disposal of Land Adjacent to Gallagher Stadium be considered before Item 12. Key Performance Indicator Update Quarter 2.

101. CALL IN OF DECISION OF HERITAGE, CULTURE AND LEISURE COMMITTEE - DISPOSAL OF LAND ADJACENT TO GALLAGHER STADIUM

Councillors Boughton, M Burton and Naghi presented their referral of decision from the Heritage Culture and Leisure Committee held on 31 October 2017. The presentation covered the following:

- The referral of the decision was because the Councillors felt that the club's position on a leasehold disposal was misrepresented during the debate, and this may have affected the decision the Councillors made at that meeting.
- Maidstone United Football Club was an asset to the community, and the Council should offer maximum support to the Club.
- Fans of the football club were an important part of the community in Maidstone, and their voices should be heard when making this decision.

Terry Casey spoke on this item.

Councillor Adkinson spoke on this item as a Visiting Member.

Following the presentation by the members that referred the decision, the Director of Finance and Business Improvement spoke on this item. The Director of Finance and Business Improvement explained that the Heritage, Culture & Leisure Committee supported the idea of the land being used in the way the Club wanted, and they had therefore agreed at their meeting on 31 October to dispose of the land to the football club. The only issue was whether the disposal should be on a freehold or a leasehold basis. The report to the Committee had made clear the Club's preference for a freehold disposal.

The Director of Finance and Business Improvement explained that his response to a specific question that had been asked about the Club's position on accepting a freehold disposal was based on two separate meetings that had been held with the club. Therefore there was no intention to mislead Councillors as he had given an honest opinion.

The Committee debated the proposal to dispose of the land on a leasehold basis. It was noted that the Council's policy was to usually dispose of surplus land using a leasehold. However the Committee felt that the benefits that the football club brought to the local community, and the footfall it brought to the town centre, meant that a freehold disposal would be appropriate in this case. Members noted that the Council had an obligation to achieve the best price reasonably obtainable for the disposal and confirmed that the disposal should be handled on a commercial basis.

**RESOLVED:** That

1. A freehold disposal of the Land Adjacent to Gallagher Stadium is agreed.

Voting: Unanimous

2. The freehold disposal should be at the valuation price and subject to an overage clause.
3. Authority is delegated to the Director of Finance and Business Improvement to conclude negotiations based on the Overage Clause and Valuation Price specified.

Voting: For - 14 Against - 1 Abstentions - 0

Note: Councillor Burton left the meeting after the consideration of this item.

102. EXCLUSION AND RE-ADMITTANCE OF THE PRESS AND PUBLIC

During consideration of Item 16. Call in of Decision of Heritage, Culture and Leisure Committee - Disposal of Land Adjacent to Gallagher Stadium, the Chairman explained to the Committee that in order to consider the item fully, commercially sensitive information would need to be considered and this could only be considered in closed session.

**RESOLVED:** That the press and public are excluded from the meeting due to the possible disclosure of exempt information.

Once the commercially sensitive information had been discussed, the Committee -

**RESOLVED:** That the press and public are re-admitted to the meeting.

103. KEY PERFORMANCE INDICATOR UPDATE QUARTER 2

The Head of Policy, Communications and Governance introduced this item. It was noted that overall, 75% of all the Key Performance Indicators (KPIs) achieved their target. The one KPI that had missed its target and was at 'red' status was fly tips cleared within two working days.

The Head of Environment and Public Realm was present to answer questions from the Committee about the indicator that was at 'red' status. The Head of Environment and Public Realm explained the reason this indicator had performed so poorly was because of a software issue. The software issue meant that although the fly tips had been cleared, the system did not allow them to close the report down.

In response to a question from the Committee, the Head of Environment and Public Realm confirmed that the majority of the fly tips that were showing as cleared outside of two working days target had been cleared within target time.

**RESOLVED:**

That the summary of performance for Quarter 2 of 2017/18 for Key Performance Indicators (KPIs) is noted.

104. 2ND QUARTER BUDGET MONITORING REPORT

The Director of Finance and Business Improvement presented the 2<sup>nd</sup> Quarter Budget Monitoring Report to the Committee.

It was noted that overall, the position at the end of the second quarter was that there was an underspend. This overall underspend was made up of overspends in some areas and underspends in others.

In response to questions from members of the Committee, the Director of Finance and Business Improvement clarified:

- There were no updates in the position for Development Control Appeals since the last meeting, as no significant appeals had concluded.
- The backlog in dealing with Penalty Charge Notice (PCN) appeals, which affected PCN income, in Parking Services was being addressed.
- The slippage in the Heritage, Culture and Leisure Committee Capital Programme was due to projects being delayed, but that spend would pick up once projects had been progressed during the year.
- The apparent underspend on Rent Allowances would not be an underspend at the end of the year, as it arose from the timing of government subsidy payments. These payments would ensure a neutral position by year end.

**RESOLVED:** That

1. The revenue position at the end of the second quarter and the actions being taken or proposed to improve the position where significant variances have been identified, as set out in table 1, paragraph 2.6 are

noted.

2. The capital position at the end of the second quarter is noted.
3. The performance of the Collection Fund and the estimated level of balances at the year-end is noted.
4. The write-off of unpaid business rates as set out in Appendix 3 is approved.
5. The performance in relation to the Treasury Management Strategy for the second quarter of 2017/18 is noted.

Voting: Unanimous

105. CHARGING POLICY

The Director of Finance and Business Improvement introduced the updated Charging Policy to the Committee.

The Committee noted that the refreshed policy replaced one that had been produced five years previously. The renewed policy was simpler, and reflected the councils renewed focus on commercialism.

**RESOLVED:**

That the updated Charging Policy, attached as Appendix 1, is approved.

Voting: Unanimous

106. MID KENT SERVICES (MKS) BOARD APPOINTMENT- OPTIONS

The Mid Kent Services Support Officer presented a report to the Committee which outlined the options for appointing an additional member on the Mid Kent Services (MKS) Board.

**RESOLVED:**

1. The recommendation of the MKS Board to expand the board by one additional member drawn from each of the partnership authorities is agreed.
2. The additional member on the MKS Board will be the Deputy Leader of the Council, with the Vice Chairman of Policy and Resources Committee acting as a substitute for both board members.

Voting: Unanimous

107. EXCLUSION OF THE PRESS AND PUBLIC

**RESOLVED:** That the press and public are excluded from the meeting due to the possible disclosure of exempt information.

108. PAYROLL SERVICES

The Head of Human Resources Shared Service presented a report to the Committee which informed the Committee that another Local Authority had chosen the Shared Payroll Service between Maidstone and Swale Borough Councils as a preferred bidder to supply their Payroll Services.

In response to a question from the Committee, the Head of Human Resources Shared Service confirmed that the new partner would mean an approximately 30% increase in the number of payslips processed by the team.

**RESOLVED:**

That delegation is given to the Mid Kent Services Director to negotiate and enter into such agreements as necessary to expand the HR/Payroll Service in order to provide services for other Councils.

Voting: Unanimous

109. DURATION OF MEETING

7.01 p.m. to 9.31 p.m.