

## Policy and Resources Committee

15 February 2017

Is the final decision on the recommendations in this report to be made at this meeting?

**Yes**

## Councillor Referral from Heritage, Culture and Leisure Committee

<b>Final Decision-Maker</b>	Policy and Resources Committee
<b>Lead Head of Service</b>	Head of Policy and Communications
<b>Lead Officer and Report Author</b>	Head of Policy and Communications
<b>Classification</b>	Public
<b>Wards affected</b>	All Wards

### **This report makes the following recommendations to this Committee:**

1. That the referral be considered and a decision to either:

- (a) endorse the original Committee decision; or
- (b) substitute a different decision in place of the decision of the Committee

### **This report relates to the following corporate priorities:**

- Keeping Maidstone Borough an attractive place for all

### **Timetable**

<b>Meeting</b>	<b>Date</b>
Policy and Resources Committee	15 February 2017

# Councillor Referral from Heritage, Culture and Leisure Committee

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To consider the referral of a decision of Heritage, Culture and Leisure Committee related to the River Festival.

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## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Constitution as agreed by Council on 21 May 2016 sets out that when a decision is made by a service committee, any three Councillors may make a request to refer that decision to Policy and Resources Committee.
- 2.2 The Head of Policy and Communications received a referral request for a recent decision of the Heritage, Culture and Leisure Committee in relation to the River Festival as set out at Appendix C and 2.4 below.
- 2.3 The Chairman of Policy and Resources Committee has been consulted on the issue and agreed to accept the referral for consideration at the Policy and Resources Committee meeting on 15 February 2017.
- 2.4 The referral details are set out below:-

Decision making body:	Heritage, Culture and Leisure Committee
Decision made:	That it be agreed that the Council facilitate the River Festival Committee and links to the Safety Advisory Group and clean up after the event. (This has been amended to the exact wording used at the meeting).
Reason for referring the decision:	<p>The intention behind the oral report presented to the Committee, as the Chairman clearly stated, was to inform Members so that they may decide whether to receive a report into the possibility of the return of the River Festival.</p> <p>Instead, HCL Committee resolved, by a margin of a single vote, "that it be agreed that the Council facilitate the River Festival Committee, including links to the Safety Advisory Group and clean up after the event".</p> <p>It is flatly irresponsible that this Committee, or indeed any other, should commit both the support of the Council, or more explicitly,</p>

	<p>the resources owed to its taxpayers, to any project without proper prior assessment. We believe that the lack of due diligence applied in this instance has resulted in a foolhardy decision, which will place great strain on the Council and its partners. This will be the case not least because the River Festival will be due to fall on scheduled dates for the Ramblin' Man Festival later this year – an event that has been given proper consideration by the Committee and forms a part of the Festival and Events Policy.</p> <p>Not one of use is opposed to the River Festival per se, but we feel that it is inappropriate to make such an unthinking commitment to support the reinstatement of the event. Instead, we ask that Policy and Resources Committee review this decision in hope that Heritage, Culture and Leisure Committee may receive a report on the River Festival, outlining to resource costs to MBC, in due course. We believe that this will allow a considered, evidence-based conclusion to be reached as to how Maidstone Borough Council could support the River Festival in the future.</p>
Members calling in the decision:	Signatories: Councillors M Burton, Fort and Revell

### **3. AVAILABLE OPTIONS**

- 3.1 After consideration of the reasons for referral and the oral report and original decision of the Heritage, Culture and Leisure Committee, the Committee may endorse the original decision of Heritage, Culture and Leisure Committee.
- 3.2 However, the Committee may propose an alternative decision and substitute that for the decision of the Heritage, Culture and Leisure Committee.

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 As the matter is a decision based upon a referral there is no preferred option to be presented by officers.
- 4.2 Attached to this report is the published decision, a briefing note from the Head of Regeneration and Economic Development and a copy of the referral.

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## 5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

5.1 The decision of Heritage, Culture and Leisure Committee will either stand as published or be amended the decision of Policy and Resources will be published.

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## 6. CROSS-CUTTING ISSUES AND IMPLICATIONS

6.1 The cross cutting issues are as follows:-

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	The council has already agreed a festivals and events strategy which aligns with our priorities to keep Maidstone Borough and attractive place for all. The strategy is focused on creating an environment for others to facilitate and host rather than direct provision.	Head of Policy and Communications
<b>Risk Management</b>	No risks have been identified at this stage. Risks will have to be fully considered if the original decision stands and there may be cost implications to mitigate these particularly in relation to safety.	Head of Regeneration and Economic Development
<b>Financial</b>	Although the actual cost is unknown, the Council has not set aside any financial resource from within its budget.	Section 151 Officer & Finance Team
<b>Staffing</b>	Staffing implications would be implicit within this report.	Head of Regeneration and Economic Development
<b>Legal</b>	The referral has been made in accordance with the Constitution.	Interim Head of Legal Partnership
<b>Equality Impact Needs Assessment</b>	This would form part of the event organiser's event management plan	Head of Regeneration and Economic

		Development
<b>Environmental/Sustainable Development</b>	Not applicable.	Head of Policy and Communications
<b>Community Safety</b>	This would be implicit.	Head of Policy and Communications
<b>Human Rights Act</b>	None.	
<b>Procurement</b>	None.	
<b>Asset Management</b>	None	

**7. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix A – Original Decision of the Heritage, Culture and Leisure Committee
- Appendix B – Briefing Note from the Head of Regeneration and Economic Development
- Appendix C – Copy of Decision Referral

**8. BACKGROUND PAPERS**