

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 7 DECEMBER 2022

Present: Councillor Mortimer (Mayor) and Councillors Mrs Blackmore, Brice, Brindle, Bryant, Burton, Cannon, Clark, Cleator, Coates, Conyard, Cooke, Cox, English, Forecast, Fort, Garten, Mrs Gooch, Mrs Grigg, Harper, Hinder, Holmes, Jeffery, Joy, Khadka, Kimmance, McKenna, Munford, Naghi, Newton, Parfitt-Reid, Perry, Mrs Robertson, Rose, Round, Russell, J Sams, T Sams, Spooner, Trzebinski, S Webb, D Wilkinson, T Wilkinson and Young

66. **MINUTE'S SILENCE**

The Council observed a minute's silence in memory of Mrs Maureen Woods, widow of Mr Dick Woods, who had passed away recently. Mr and Mrs Woods served as Mayor and Mayoress of the Borough of Maidstone in 1979/80.

In observing the minute's silence, the Council also acknowledged the sad loss of the young person who would be mentioned in the questions from Members item later in the meeting.

67. **PRAYERS**

Prayers were said by the Very Reverend John S Richardson, Vicar of Maidstone.

68. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Bartlett, Cooper, Harwood, Hastie, Mrs Ring, Springett and de Wiggondene-Sheppard.

69. **DISPENSATIONS**

There were no applications for dispensations.

70. **DISCLOSURES BY MEMBERS AND OFFICERS**

Councillor Naghi said that with regard to agenda items 9 (Presentation from the Maidstone Royal Naval Association) and 16 (Notice of Motion – Freedom of the Borough – Royal British Legion Branches), he had attended Royal Naval Association Dinners when he was the Mayor and

that he was the Chairman of the Maidstone Branch of the Royal British Legion.

Angela Woodhouse, Director of Strategy, Insight and Governance, disclosed interests on behalf of herself and Ryan O'Connell, Democratic and Electoral Services Manager, in agenda item 15 (Appointment of Returning Officer and Electoral Registration Officer). Mrs Woodhouse said that they would both leave the room when the matter was discussed.

71. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

72. EXEMPT ITEMS

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

73. MINUTES OF THE MEETING OF THE BOROUGH COUNCIL HELD ON 28 SEPTEMBER 2022

RESOLVED: That the Minutes of the meeting of the Borough Council held on 28 September 2022 be approved as a correct record and signed.

74. MAYOR'S ANNOUNCEMENTS

The Mayor updated Members on recent engagements and events, including the launch of the Shaun the Sheep in the Heart of Kent art trail, the exhibition on the History of Maidstone United Football Club in the Museum Friends' shop at Fremlin Walk, the Maidstone Mini World Cup held at the Gallagher Stadium, the Christmas lights switch-on in Jubilee Square, the opening of the Giant Post Box at Lockmeadow, the Magic of Christmas Parade and the launch of the pantomime at the Hazlitt Theatre.

The Mayor said that he had received positive feedback about the Remembrance Sunday Parade and Service and wanted to thank all those involved.

75. PRESENTATION TO FULL COUNCIL FROM THE MAIDSTONE ROYAL NAVAL ASSOCIATION

Mr Gerry Brown, the Chairman of the Maidstone Royal Naval Association, accompanied by Mr Steve Champion, the Standard Bearer, and supported by Councillor Bob Hinder, presented a plaque to the Mayor as a mark of the bond between the Association and the Borough Council.

76. PETITIONS

There were no petitions.

77. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS

Question from Ms Kate Hammond to the Leader of the Council

Lenham Parish Council and its parishioners have now spent over £50,000 having to robustly protect our community and its green space along with upholding our adopted Neighbourhood Plan. Heathlands is not supported by the very large majority of Lenham's residents and never will be. Do you think it is right that local parish councils with very limited cash reserves should have to expend such vast amounts of money to protect their residents from a brazenly opportunistic Borough Council?

The Leader of the Council responded to the question.

Ms Hammond asked the following supplementary question of the Leader of the Council:

Through the inspection, it was often referred that the Council was making policy on the hoof. Given this and given what we have already stated, would the Council be willing to reimburse Parish Councils for any additional costs?

The Leader of the Council responded to the question.

Question from Mr Steve Heeley to the Leader of the Council in the Absence of the Lead Member for Planning and Infrastructure

The Local Plan Examination commenced on Monday 5 September. By Thursday 8 September it had been brought to an abrupt halt because essential evidence including critical transport modelling which should have been submitted in August had still not been made available. The Inspector paused the Examination and rescheduled for mid-November. Transport modelling for Heathlands had still not been submitted by this point and continues to remain unavailable today. Kent County Council said Heathlands was unsound as matters currently stand. It was pointed out to the Inspector that no other developer would be allowed to submit such a major development site to a Local Plan Examination without sufficient transport modelling. Why should Maidstone Borough Council be given special preferential treatment by Maidstone Borough Council?

In the absence of the Lead Member for Planning and Infrastructure, the Leader of the Council responded to the question.

Mr Heeley asked the following supplementary question of the Leader of the Council in the absence of the Lead Member for Planning and Infrastructure:

Would you be as willing to accept evidence so late in the process from other developers for other sites that have been presented in the Garden Community Call for Sites?

The Leader of the Council responded to the question.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=8fdoyTINa8s&t=485s>

78. QUESTIONS FROM MEMBERS OF THE COUNCIL

Question from Councillor Hinder to the Lead Member for Housing and Health

Given the recent loss of a young life in Manchester, attributable to poor housing conditions in the family's housing association home, please can you give me some assurance as to how Maidstone Borough Council regulates housing standards and conditions within our Borough?

The Lead Member for Housing and Health responded to the question.

Councillor Hinder did not wish to ask a supplementary question of the Lead Member for Housing and Health arising out of his original question or the reply.

Question from Councillor T Sams to the Lead Member for Corporate Services

Last year this Council was asked repeatedly for the SOBC (Strategic Outline Business Case) for the potential new station at Heathlands.

When asked directly in December 2021 by SOHL, the Chairman of the Policy and Resources Committee, Councillor David Burton, stated: "In terms of the preliminary business case, this was in fact commissioned and funded by Homes England rather than the Council."

Given in November 2022 the Inspector and the rest of us learnt that the SOBC had not even begun, can you explain what happened?

The Lead Member for Corporate Services responded to the question.

Councillor T Sams asked the following supplementary question of the Lead Member for Corporate Services:

Given your knowledge of the station's importance, how do you feel its omission will impact on the Inspector's view?

The Lead Member for Corporate Services responded to the question.

Question from Councillor Jeffery to the Lead Member for Environmental Services

Can the Lead Member for Environmental Services tell me what proportion of bin collections were missed, i.e. total number of households each week where bins were not emptied divided by the number of that should have been collected, between April and September this year, how this

compares to last year and which wards had the highest and lowest proportion of missed collections?

The Lead Member for Environmental Services responded to the question.

Councillor Jeffery asked the following supplementary question of the Lead Member for Environmental Services:

Given that every week since I have been elected, 230 flats have missed bin collections in my ward and this has been reported each week and accounts for about 0.3% of homes across the Borough, what assurance checks do you carry out that this missed bin data is collected accurately?

The Lead Member for Environmental Services responded to the question.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=8fdoyTINa8s&t=485s>

79. CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL, RESPONSE OF THE GROUP LEADERS AND QUESTIONS FROM COUNCIL MEMBERS

Councillor Burton, the Leader of the Council, submitted his report on current issues.

After Councillor Burton had submitted his report, Councillor English, the Leader of the Liberal Democrat Group, Councillor Munford, the Leader of the Independent Group, and Councillor Cleator, the Leader of the Labour Group, responded to the issues raised.

Councillor Burton then responded to questions from Members on matters relevant to his role as the Leader.

80. REPORT OF THE EXECUTIVE HELD ON 23 NOVEMBER 2022 - COUNCIL TAX REDUCTION SCHEME 2023/24

It was moved by Councillor Parfitt-Reid, seconded by Councillor Brice, that the recommendation of the Executive relating to the Council Tax Reduction Scheme 2023/24 be approved.

RESOLVED: That no changes be made to the Council Tax Reduction Scheme for the year 2023/24.

81. REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE HELD ON 21 NOVEMBER 2022 - APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

Having disclosed interests in this item, Angela Woodhouse, Director of Strategy, Insight and Governance and Ryan O'Connell, Democratic and Electoral Services Manager, left the meeting while it was discussed.

It was moved by Councillor Mrs Joy, seconded by Councillor Mrs Blackmore, that the recommendations of the Democracy and General Purposes Committee relating to the appointment of a new Returning Officer and Electoral Registration Officer following a staff restructure be approved.

RESOLVED:

1. That Angela Woodhouse be appointed, with immediate effect, as the Returning Officer and Electoral Registration Officer for Maidstone Borough Council.
2. That Ryan O'Connell be appointed as Deputy Electoral Registration Officer.
3. That that the Monitoring Officer be authorised to amend the Constitution to reflect these changes.

82. NOTICE OF MOTION - FREEDOM OF THE BOROUGH - ROYAL BRITISH LEGION BRANCHES

The following motion was moved by Councillor Mrs Gooch, seconded by Councillor Munford:

Under Section 249 of the Local Government Act 1972, Borough Councils may admit to be Honorary Freemen of the Borough 'persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the Borough'.

The Royal British Legion has been supporting ex-serving personnel all year round, every day of the week since 1921. It has seen many changes over the years and now focuses on two equally important areas:

- *As the custodian of Remembrance, ensuring that the memories of those who have fought and sacrificed in the British Armed Forces live on through the generations*
- *Through its welfare work to help the British Armed Forces, veterans and their families to live on to a more hopeful future*

At the heart of how the Royal British Legion operates are the volunteers who run the local branches. The number and spread of local branches have changed and continue to change over time, so it is appropriate to bestow the honour collectively to all the Royal British Legion branches throughout the Borough, their members, past and present.

The Award of the Freedom of the Borough would be in recognition of all the Royal British Legion's work to the residents of this Borough; it would also acknowledge branches reaching their Centenary in line with the National Royal British Legion which celebrated its 100th Anniversary throughout 2021.

I therefore move the following motion:

1. *Maidstone Borough Council agrees in principle pursuant to Section 249 of the Local Government Act 1972 to award all Royal British Legion branches throughout the Borough the Freedom of the Borough in recognition of the eminent services rendered to the Borough by them and everything they have done and continue to do for our Armed Forces, veterans and families past and present; the award of the Freedom of the Borough also acknowledges branches reaching their Centenary in line with the National Royal British Legion which celebrated its 100th Anniversary throughout 2021.*
2. *An extraordinary meeting of the Council be convened to resolve the same accordingly.*

RESOLVED:

1. That Maidstone Borough Council agrees in principle pursuant to Section 249 of the Local Government Act 1972 to award all Royal British Legion branches throughout the Borough the Freedom of the Borough in recognition of the eminent services rendered to the Borough by them and everything they have done and continue to do for our Armed Forces, veterans and families past and present; the award of the Freedom of the Borough also acknowledges branches reaching their Centenary in line with the National Royal British Legion which celebrated its 100th Anniversary throughout 2021.
2. That an extraordinary meeting of the Council be convened to resolve the same accordingly.

83. NOTICE OF MOTION - RIGHTS OF NATURE

The following motion was moved by Councillor Jeffery, seconded by Councillor J Sams:

This Council recognises that nature has rights and that by having regard to such rights, decisions made by the Council can help create regenerative rather than extractivist economies while also making human and other living communities safer, stronger and more resilient.

This Council declares that:

1. *Nature is a unique, indivisible, self-regulating community, system and habitat of interrelated and interdependent beings that sustains, contains and reproduces, and these beings, of which humans are but one species, have rights. The rights of each being are limited by the rights of other beings and any conflict between their rights must be resolved in a way that maintains the integrity, balance and health of nature.*
2. *Nature and all beings of which she is composed have the right to life and to exist, to be respected, to regenerate their bio-capacity, to maintain their identity and integrity as distinct, self-regulating and interrelated beings, to a place and to play their role in nature, to wellbeing and to live free from torture or cruel treatment.*

3. *Every human being is responsible for respecting and living in harmony with nature. Human beings and all public and private institutions must ensure that the pursuit of human wellbeing contributes to the wellbeing of nature, now and in the future and respect, protect, conserve and where necessary, restore the integrity, of the vital ecological cycles, processes and balances of Nature.*

This Council asks the:

1. *Democracy and General Purposes Committee to work with officers and others to bring forward changes to the Council's Constitution that enshrine these rights alongside human rights already mentioned in the document, and the*
2. *Executive to commission a report to come to Council on embedding 'Rights of Nature' as a keystone concept into Council's operational practices, planning processes and ensuring that nature is considered in decision making.*

When put to the vote, the motion was lost.

84. REPORT OF THE LEADER OF THE COUNCIL - URGENT DECISIONS TAKEN BY THE EXECUTIVE BETWEEN 20 SEPTEMBER 2022 - 29 NOVEMBER 2022

It was moved by Councillor Burton, seconded by Councillor Mrs Blackmore, and

RESOLVED: That the report setting out details of urgent decisions taken by the Executive between 20 September 2022 – 29 November 2022 be noted.

85. DURATION OF MEETING

6.30 p.m. to 8.05 p.m.