

Annual Council 19th May 2010

Outside Bodies

Tabled Agenda Item No. 9

Members raised various questions on Outside Bodies at the Executive meeting on 12th May 2010. Responses received from officers are set out below:

(i) The Terms of Reference and meeting dates of the Drainage Forum

The Drainage Forum has not met for a number of years and it does not appear that Terms of Reference have been produced. It is hoped that a meeting can be organised to discuss future arrangements.

(ii) Guidance requested from the Head of Legal Services on the position of Executive Members on the Faversham Swimming Pool Management Committee

A guidance note has been prepared for Members appointed to Outside Bodies and this is intended to highlight some of the issues which Members should be aware of when accepting an appointment to an outside body.

(iii) Information on the remit of the Mid-Kent Downs AONB Steering Group

See papers attached as Appendix I.

(iv) Confirm meeting arrangements for the NHS Scrutiny Committee

KCC officers have advised that this is now called 'Health Overview and Scrutiny Committee'. Confirmation has been given that information regarding future meetings will be forwarded to the SBC representative.

(v) Confirm the revised remit of Oare Gunpowder Works Advisory Group

Terms of reference for the Oare Gunpowder Works Advisory Group are:

The main objective is to work and collaborate to ensure continuous improvement in the Oare Gunpowder Works site and to attract increasing numbers of visitors.

Individual terms of reference and objectives are:

1. To co-ordinate and encourage close working between Swale Borough Council, Groundwork Medway Swale, Friends of Oare Gunpowder Works, Kent Wildlife Trust, English Heritage and other interested stakeholders such as Faversham Natural History Group, Kent Bat Group etc.

- 2. To encourage improvement of the Industrial Archaeology of the site in line with the development plan agreed with English Heritage*
- 3. To encourage improvement of the wildlife and biodiversity of the site in line with agreed plans*
- 4. To encourage improvements towards making the site more attractive to visitors*
- 5. To encourage increases to the use of the site for educational purposes*
- 6. To improve the marketing of the site as a visitor attraction and organise events to this end*
- 7. To maintain the site and encourage the maximum amount of voluntary work in order to maximise the value of funding available from all sources*

(vi) All Members to be invited to meetings of the Swaleraill project
Sittingbourne Sheerness Branch

Contact details of Sheppey and Sittingbourne Councillors and Parish/Town Councils forwarded to the Swaleraill Project Officer.

Memorandum of Agreement

DRAFT

Mid Kent Downs Countryside Project

16 September 2004

Memorandum of Agreement

Agreement between The Kent County Council, Maidstone Borough Council, Swale Borough Council and Kent Downs AONB Unit

1. Agreement timescale

This agreement between the above authorities relates to the continuation of the Mid Kent Downs Countryside Project from Sept 04 - Sept 09 (5 years)

2. Definitions

- 2.1 (a) "Core Fund" means the contribution from core funding members towards costs incurred in administering and operating the Project but excluding any contribution to the Project in the nature of special Project Funding.
- (b) "Core Funding Members" shall be deemed to be those individuals or bodies who both agree to contribute to the Core Fund in either money or monies worth and are accorded the status of Core Funding Member by the Steering Group.
- (c) The Core Funding Members are The Kent County Council, The Kent Downs AONB Unit, Maidstone Borough Council, and Swale Borough Council.
- (d) "MKDCP" means Mid Kent Downs Countryside Project

3. Background and Powers

The Project was established in 2001 to carry out countryside management within the Kent Downs AONB area. The project aims to cover the mid-Kent area that is not covered by another countryside management partnership.

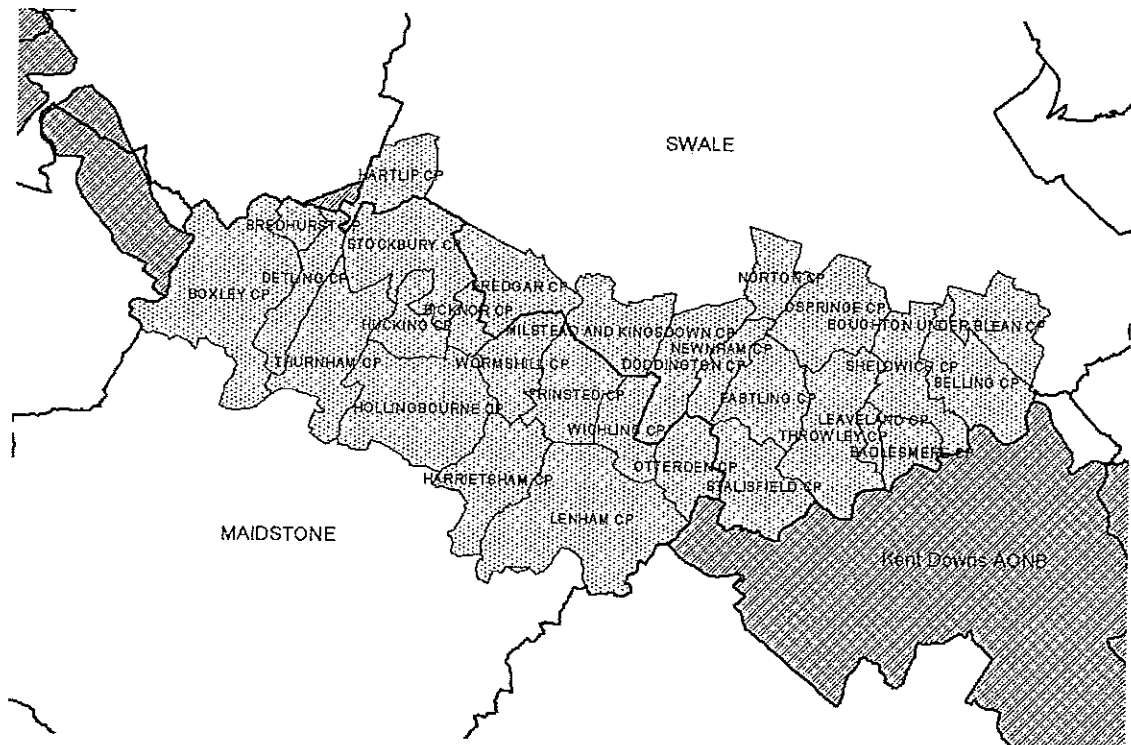
4. The Area

The MKDCP covers 29 parishes in the central area of the Kent Downs AONB, between Lenham and Boxley, from the M20 north to the M2.

The general area to be covered currently by the Project is shown on the map, figure 1.

The project staff of the MKDCP will, where resources permit, support community led initiatives and provide advice for sites outside the defined area but usually within parishes that fall in part within the MKDCP boundary.

Figure 1 – Mid Kent Downs Project area



5. Mission Statement
To Link People, Land and Nature

To work with local communities to improve the wildlife and landscape value of local environments, with a consistent aim for sustainability and re-emphasising our fundamental connection with the natural world.

Specifically this will involve providing advice and support, facilitating grant aid and encouraging awareness, self-help and participation wherever possible.

6. Objectives of the Project:

- Through partnership, demonstration, training and advice encourage the conservation management of the landscape, enhancing natural beauty, biodiversity and rural regeneration.
- Develop opportunities for sustainable countryside recreation and tourism, enhancing enjoyment and understanding of the AONB.
- Enabling the local community to take practical action to conserve and enhance the AONB and environment around them.
- Raising awareness of the uniqueness of the AONB, the pressures facing it, and involve the whole community in caring for it.

ACTIVITY

To achieve these aims, the Project will embrace the following types of activity:

- Identify opportunities for the improvement of the Kent Downs AONB.
- Provide advice for landowners and encourage landowners adopt best practise in the management of the Kent Downs AONB and other countryside areas.
- Contribute towards the improvement of access network and promoted routes.
- Raise awareness of the Kent Downs AONB and local countryside through a variety of means and activities, for example public participation events, seminars, guided walks, promotional literature and publications.
- Enable art and cultural activities to raise awareness and increase connection of the local community and the countryside and AONB.
- Enable community and volunteer involvement in improving and looking after the Countryside and AONB
- Broaden base of income
- Promote the work of the Project and its areas of interest
- Record and monitor work.

7. Organisation

- A Working Group will be maintained to agree on policy and to monitor progress.
- Core funding members shall agree to provide a suitable representative on the Working Group and allow attendance at all reasonably convened meetings;
- The Project will operate under the day-to-day direction of the Project Manager with the assistance of such staff as the Project may prove to warrant and as may be agreed between the participating project core-funding partners.

8. Working Group

- The responsibilities of the Working Group are to agree on policy and strategic issues, and to monitor progress;
- The Working Group shall at all times be comprised of a representative from Kent County Council, the Kent Downs AONB Unit and from Maidstone and Swale Borough Councils and such other persons as the Working Group may from time to time invite.
- The Working Group shall select and appoint a Chairman who shall be a representative of a Core Funder, or independent chair subject to the agreement of all partners.
- In the absence of consensus, all decisions of the Working Group shall be by resolution which shall be proposed and seconded and determined by majority vote.
- The Working Group shall meet not less than four times a year.
- Any member of the Working Group may, by giving 6 weeks notice call a special meeting of the Working group.
- The Project staff shall take and keep minutes of Working Group proceedings.
- Any amendments to the Agreement shall be made by the Working Group, and may need to be separately approved by each Core Funder.
- The Working Group will pay particular attention to:
 1. The overall standard of achievement and long-term effectiveness;
 2. The balance between different aspects of the work;
 3. The effectiveness/ flexibility of the Project Manager and working arrangements;
 4. The co-ordination of the work of the Project and the work of other organisations involved, such as local authorities or other projects;
 5. Approving and monitoring annual budget and business plan
 6. The financial management of the project
 7. Contents of annual report and meetings/events for Members and the Public.

9. Project staff

- All staff shall be employed by KCC, and to KCC's payscale and conditions.
- Vacancies for staff posts will be advertised by KCC/ In the event of staff resignation or dismissal, interviews for the appointment of replacement will be carried out by representatives of the Working Group, as appropriate and the post's line manager. Any appointment must be by joint agreement of/ selection by these representatives.
- The Project Team at the commencement of this agreement, will consist of a Project Manager

1. The Role of the Project Manager

- To co-operate with and where appropriate, co-ordinate the work of the Core Funders and other organisations, identifying problems, conflicts and opportunities for action, and developing a management strategy for the area in conjunction with Working Group representatives.
- To ensure the implementation of projects. With volunteers where appropriate, considering where work more suitably carried out by LA contractors
- To promote the Project throughout the area with particular reference to potential sponsors and core funding groups.
- To work in close liaison with other groups, and the private, public and voluntary sector to achieve external funding of the Project and its activities.
- To ensure consultation with local members, councillors, parish councils and other bodies on specific projects, as appropriate and organise an Annual tour of inspection.
- To attend and make presentations to meetings of the Steering Group and Committee/Cabinet meetings of Local Authority Core-Funders as required.
- To produce a Business Plan, budget and Work Programme which is agreed by the members of the Steering Group.
- To develop partnerships to achieve the work.
- To ensure that all work complies with KCC financial regulations, codes of practice and authorised expenditure limits.

10. Documentation

The following reports shall be prepared by the Project Manager:

- **Business Plan**, updated when appropriate.
- **Annual report**.
- **Progress reports, budgets and financial statements**, to include the reporting of achievements against previously agreed targets.
- **Agendas and minutes** of the Steering Group meeting.

11. Financial Arrangements

- The core funding costs of the MKDCP will be estimated annually by KCC after consultation with the Steering Group. These costs, subject to the agreement of each of the Core Funding Members will be met on the basis of an annual grant by apportioning charges between the Core Funding Members. For the avoidance of doubt, a Core Funding Member shall only be responsible to pay contributions that he/she shall agree, and this clause shall only be altered by the unanimous agreement of all Core Funding Members

- The Core-Funding Partners shall give support to the aims and objectives of the Project and, subject to funding being available, will not unreasonably withhold or delay payment of their contribution.
- All expenditure shall be governed by the Financial Regulations and Standing Orders of KCC.
- All expenditure in respect of the Project shall be borne by KCC as the Lead Body/ employing authority.
- Any person authorised by any of the Core-Funding Partners shall be entitled at all reasonable times to examine the progress of the Project or to inspect any relevant books, documents, records or accounts, but subject to any statutory or other restrictions including the Data Protection Act 1998 and any duty of confidentiality.
- Project finances will be administered by KCC which will be responsible for:
 1. Producing estimates and accounts.
 2. The exercise of proper financial control.
 3. Arranging public liability insurance cover for staff and volunteers and insuring property and equipment.
 4. Submitting estimates/statements and claiming of grants.
 5. Submitting invoices to core funding partners.
 6. Other services to include Personnel and some staff training.

12. Termination

- Any Core Funding Partner may withdraw from the Project (without prejudice to any obligations or rights), giving six months' notice, in writing to the Chairman of the Working Group or to all Core-Funding Partners.
- This Agreement may be terminated by a unanimous vote of the Working Group giving six months' notice.
- In the event of the termination of the Agreement;

Should the Working Group decide to terminate the Agreement, then any surplus income over expenditure and liabilities, after liabilities have been settled, will be returned to each Core Funding Partner in proportion to their contribution in that financial year. If there is a deficit of income over expenditure and liabilities, then all Core Funding Partners will contribute equally towards any shortfall left by the termination of the Agreement and the winding up of the Project and within 28 days of being notified of their contribution by KCC. Liabilities will include all redundancy payments and costs associated with redundancies incurred by KCC in respect of all staff employed by KCC pursuant to the provisions of clause (employment). This Clause 12 shall survive termination of this Agreement.

13. Arbitration

Any dispute or difference between the Core-Funding Partners in connection with this Agreement shall be referred to a sole arbitrator to be appointed by the Core Funding Partners or, failing agreement, by the Chartered Institute of Arbitrators.

14. Contracts (rights of Third Parties) Act 1999

This agreement does not create any right enforceable by any person not a party to it nor does it create any right enforceable by a third party under the Contracts (Rights of Third Parties) Act 1999.

Signed on behalf of

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Authorised signatory

Signed on behalf of

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Authorised signatory

Outside Bodies - 'Job Specification' Form

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| Name of Organisation | Mid Kent Downs Steering Group | |
| Type of Organisation e.g. charity | Multi-Agency Group | |
| Contact Details | Name | Gill Gymer |
| | Address | Maidstone Borough Council King Street Maidstone Kent ME15 6JQ |
| | Telephone number | 01622 602023 |
| | Email | gillgymer@maidstone.gov.uk |
| | Website | |
| Mission and Objectives of Organisation | <p>The Mid Kent Downs Steering Group is a multi agency group working towards improving the quality of life and environment within the Mid Kent Downs (bounded by Boxley Parish in the West and Stalisfield Parish in the East). The Group has a membership which includes Kent County Council, Maidstone Borough Council, Swale Borough Council, Ashford Borough Council, Kent Association of Parish Councils, local Parish Council representatives, National Farmers Union, Countryside Agency, Kent Wildlife Trust, English Nature, Hollingbourne Society, North Kent Downs Society and the Country Landowners Association.</p> <p>The work of the Mid Kent Downs Project is reported to the Mid Kent Downs Steering Group. The Memorandum of Agreement is attached.</p> | |
| Role and responsibility of the Council representative? (e.g. Observer, Trustee, Director) | The role of the nominated representative is to further the aims of MKDSG and to represent the Borough Council on the group. | |

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| What do you hope to achieve through the relationship? | MKDSG started life as an initiative by an MBC Councillor to improve the quality of life and environment within the Mid Kent Downs. This has resulted in a group with representatives from diverse organisations who all have similar objectives but who have a greater impact by working together. |
| How often does the Organisation meet? | Four times a year |
| Desirable skills and experience from the Council's representative | An interest in countryside matters and the quality of life and the environment within the Mid Kent Downs. |
| Terms of Reference Attached? | |
| Any other information the Organisation wishes to add? | By bringing together a diverse group with similar interests it has been possible to move forward and support a number of initiatives (Boxley Warren, Quiet Lanes proposals). |

Outside Bodies Report

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| Councillor's Name: Mark Baldock |
| Name of outside body: Swale Stay Put |
| Number of meetings held and number attended: 3 meetings held – attended 2 |
| Purpose of outside body: To influence the management of the Staying Put Scheme |
| What you contributed: Attendance at meetings. Link through to Supporting People Commissioning Body |
| What you learnt: Staying Put is a well used resource which is valuable in enabling people to remain in their houses. Has taken on extra services for residents coming out of hospital and this has been very well received. Potential threats from changes to the way that Supporting People will be issuing monies in future budgets. |
| Date: |

Outside Bodies Report

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| Councillor's Name: Mark Baldock |
| Name of outside body: Faversham Pools Management Committee |
| Number of meetings held and number attended: Quarterly Management Meetings |
| Purpose of outside body: To oversee the management of the Pools in Faversham |
| What you contributed: Attendance at Meetings. Support on preparing asset management plan. |
| What you learnt: Pools well used and valuable community asset. Good progress over year at developing business plan and asset management. No asset management plan forthcoming from the Council with regard to our assets at the pool, and this is important. Real potential issues for the pool regarding the outside pelmet. Needs to do more about maximising income through using sessions and charging external spectators – but no real appetite for this from staff or Board. |
| Date: |

Outside Bodies Report

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| Councillor's Name: Mark Baldock |
| Name of outside body: Swale Citizens Advice Bureau |
| Number of meetings held and number attended: 4 meetings held. 2 attended (50%) |
| Purpose of outside body: To oversee the management of the CAB organisation in Swale |
| What you contributed: Attendance at meetings. Support on funding. |
| What you learnt: Adoption of different method of seeing clients, ensures that the CAB is able to provide support to a larger number of people seeking advice and guidance. CAB keen on Gateway project and being part of that. Issues remain concerning premises elsewhere in Swale. Funding remains challenging, but Swale BC funding is good when compared to the funding which other CAB's receive from their local authorities. There is a push nationally to amalgamate CAB's. What does this mean for Swale and other CAB's in Kent? Would a larger CAB be better able to deliver services, or would this mean a loss of local control? |
| Date: |

Outside Bodies Report

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| Councillor's Name: Mark Baldock |
| Name of outside body: Amicus Horizon Area Panel:- East Kent |
| Number of meetings held and number attended: Monthly Meetings – 70% attended Area Tour – 1 held and 1 attended Kick-off meeting for Area Panels – 1 held and 1 attended Consultation on Asset Management Strategy – 2 held and 1 attended Various Training sessions held and attended |
| Purpose of outside body: To provide a resident voice into the way which Amicus Horizon operates and provides services. |
| What you contributed: Attendance at meetings. Independent voice at meetings to balance those of tenants and Amicus staff. Links to wider Council undertakings and other voluntary activities within the Borough. |
| What you learnt: Area panels are a good means of obtaining tenant views on how their houses and surrounding areas are managed and on the quality of the services which they receive. These Panels are well resourced and are a really good development. Tenants have been really empowered to challenge and question the services which they receive and this is not just a paper exercise. There does appear, however, to be a lot of duplication of services that Amicus provide – i.e. community development – with services which are provided by other housing associations and groups. How do we better co-ordinate this and/or ensure that we open services up. Amicus provide a range of adult learning activities with Kent Adult Education – these do not always appear to be linked in to the needs of local areas. |
| Date: |

Outside Bodies Report

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| Councillor's Name: Mark Baldock |
| Name of outside body: West Faversham Community Association |
| Number of meetings held and number attended: Monthly Trustee Meetings: 65% 2 full-day strategy meetings: 100% |
| Purpose of outside body: To oversee the management of this Community Asset in the Bysingwood part of Faversham. |
| What you contributed: Attendance at meetings. Link through to wider Swale Council aims and other community groups. |
| What you learnt: Looking to raise funds to regenerate the Centre. Have a new improved Management Committee. Planning permission granted for new improved Centre. Looking for long term lease for the building from the Council. Need to ensure that continue to take local community with them as they further develop plans. Have done well in engagement so far and circulate a large number of leaflets. |
| Date: 30/4/2010 |

Outside Bodies Report

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| Councillor's Name: George Bobbin |
| Name of outside body: Oare Gunpowder Works Advisory Group |
| Number of meetings held and number attended: Meetings held – ? Meetings attended - None |
| Purpose of outside body: The purpose of this group is to raise awareness of and funds for the Gunpowder Works at Oare. |
| What you contributed: Due to my not receiving any notification of meeting dates, I was unable to attend this body. |
| What you learnt: |
| Date: 12/5/2010 |

Outside Bodies Report

Councillor's Name: George Bobbin

Name of outside body: Kent Rural Community Committee

Number of meetings held and number attended: Meetings held - 2
Meetings attended - 0

Purpose of outside body:

Unable to state the purpose of this group as I was unable to attend any meetings due to commitments elsewhere on the dates of the meetings held.

What you contributed:

What you learnt:

Date: 12/5/2010

Outside Bodies Report

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| Councillor's Name: George Bobbin |
| Name of outside body: Faversham Swimming Pool Management Committee |
| Number of meetings held and number attended: Meetings held - Unsure Meetings attended – Attended all bar one. |
| Purpose of outside body: The purpose of this group is to manage the upkeep of both the inside and outside pools at Faversham. |
| What you contributed: I attended these meetings and agreed with proposals put forward by the committee. |
| What you learnt: |
| Date: 12/5/2010 |

Outside Bodies Report

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| Councillor's Name: George Bobbin |
| Name of outside body: Faversham Hop Festival Co-ordination Group |
| Number of meetings held and number attended: Meetings held – ? Meetings attended - None |
| Purpose of outside body: The purpose of this group is to raise awareness of and funds for the Faversham Hop Festival. |
| What you contributed: Due to my not receiving any notification of meeting dates, I was unable to attend this body. |
| What you learnt: |
| Date: 12/5/2010 |

Outside Bodies Report

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| Councillor's Name: George Bobbin |
| Name of outside body: Boughton Village Hall |
| Number of meetings held and number attended: Meetings held – 10 Meetings attended - 6 |
| Purpose of outside body: The purpose of this body is to look at ways to raise capital for the upkeep of the Village Hall and to make it accessible to hirers. |
| What you contributed: I attended these meetings and supplied my input for fundraising events. |
| What you learnt: |
| Date: 12/5/2010 |

Outside Bodies Report

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| Councillor's Name: George Bobbin |
| Name of outside body: Benstead's Charity Faversham |
| Number of meetings held and number attended: Meetings held – 2 Meetings attended - 2 |
| Purpose of outside body: The purpose of this body is to look at "needy" cases that apply for funding to help their causes. |
| What you contributed: I attended these meetings and either agreed or disagreed with the application. |
| What you learnt: |
| Date:12/5/2010 |

