

**MAIDSTONE BOROUGH COUNCIL**

**DEMOCRACY AND GENERAL PURPOSES COMMITTEE**

**MINUTES OF THE MEETING HELD ON WEDNESDAY 26 JANUARY  
2022**

**Present:** Councillors Mrs Blackmore, Cooke, Cooper, English, Hastie, Perry, Purle (Chairman) and R Webb

75. APOLOGIES FOR ABSENCE

Apologies were received from Councillor McKay.

76. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

77. URGENT ITEMS

There were no urgent items.

78. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

79. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

80. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

81. EXEMPT ITEMS

**RESOLVED:** That Item 19 – Exempt Appendix 2 (Independent Remuneration Panel – Recruitment of Independent Person) Interview Assessment Form, be considered in private due to the possible disclosure of exempt information.

82. ADJOURNMENT OF MEETING

The meeting was briefly adjourned between 6.35 p.m. and 6.40 p.m. whilst Officers attempted to remedy the webcast's sound failure.

83. MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2021

**RESOLVED:** That the Minutes of the meeting held on 23 November 2021 be approved as a correct record and signed.

84. PRESENTATION OF PETITIONS

There were no petitions.

85. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There was one question from a member of the public. In accordance with Constitutional Rule 14.10, Part 3 of the Council's Constitution a summary of the answers given by the Chairman has been provided below.

Question from Mr Peter Coulling to the Chairman of the Democracy and General Purposes Committee

*'The Council is currently relying on YouTube to make available recordings of Council and Committee meetings, despite the fact that the recorded speech is not always discernible and, at examination of the current Local Plan, Webcast failed for the first week to the disadvantage of the democratic process. For Council or Committee meetings, minutes are created to record for posterity the gist of many agenda items, including corresponding decisions. However, those minutes record nothing about the answers to questions and supplementaries from the public and rely on perpetual availability of YouTube recordings as a source for future researchers.*

*'What are the specific contractual terms with YouTube and what are the MBC contracted back-up IT arrangements in the event of YouTube live failure or deletion of historic recordings that, together, give assurance of continued availability of recordings for posterity?'*

In response, the Chairman stated that £50,000 had been saved since the Council had switched to using YouTube as the platform to webcast the Council's meetings. YouTube's terms of service were easily accessible with the recordings to be retained indefinitely and could be downloaded by the Council at any time. The purpose of the minutes was to provide an accurate record of any decisions taken, rather than a verbatim record of meetings.

Mr Peter Coulling asked the following supplementary question:

*'There's an unholy reliance on YouTube without any contractual obligations; indefinitely is in the eye of the beholder. It strikes me that this all argues for a slightly fuller set of minutes including a gist of all questions and all answers so that they can be reviewed as we move into a critical period of the Local Plan Review. Your answer was very full, but I believe it shows an exposure. Does that argue for a slightly fuller minutes including all questions and answers/with a gist of the answer?'*

In response, the Chairman stated that it did not.

86. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

87. COMMITTEE WORK PROGRAMME

The Committee were informed that the positions associated with the Relief in Need Charities, as an Outside Body within the remit of the Committee, would be advertised and considered at the March 2022 meeting of the Committee.

In response to questions, the Chairman confirmed that it was intended that the three items shown as 'Cllr Request' would be reviewed and where possible added to the Committee's work programme for this year.

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

88. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

89. INDEPENDENT REMUNERATION PANEL - RECRUITMENT FOR INDEPENDENT PERSON

The Democratic Services Officer introduced the report and stated that the remaining vacancy on the Independent Remuneration Panel (IRP) must be filled ahead of the IRP's review of the Member's Allowance scheme, as applicable to Borough Councillors and Parish Councils.

The Committee entered into closed session to conduct the interview in accordance with Exempt Appendix 2 to the report.

**RESOLVED:** That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified, having applied the public interest test:

**Head of Schedule 12A and Brief Description**

Exempt Appendix 2 (Independent Remuneration Panel – Recruitment of Independent Person) Interview Assessment Form

Paragraph 1 –Information relating to an individual

One candidate was interviewed, with questions asked by the Committee.

**RESOLVED:** That

1. The application received to fill the vacancy on the Independent Remuneration Panel be considered; and
2. Council be recommended to appoint Derek Butler as an Independent Person on the Independent Remuneration Panel for the review taking place in February 2022'.

Note: The Committee remained in closed session between 6.50 p.m. to 6.59 p.m.

90. ADJOURNMENT OF MEETING

The Committee adjourned between 6.59 p.m. to 7.04 p.m. whilst attempts were made to rectify the webcast's sound failure.

The Committee agreed that the meeting should proceed in order to conduct the items of business on the agenda.

91. WORKFORCE STRATEGY UPDATE REPORT

The Head of HR Shared Service introduced the report and outlined the progress made against the Workforce Strategy themes, particularly 'organisation culture and change'. The updated action plan was shown in Appendix 1 to the report.

Staff training programmes continued to be delivered, both virtually and in-person, on topics such as mental health, safeguarding and wellbeing. A Hybrid Policy had been introduced jointly with Swale Borough Council. A total of 111 recruitment campaigns had taken place across 2021, with several Senior Officer positions currently being advertised.

In response to questions, the Head of HR Shared Service confirmed that apprentices were encouraged to remain employed with the Council when possible. The days lost to Mental Health had reduced significantly from 2019/20 and the supporting facilities available to staff, including trained Mental Health First Aiders, were outlined.

The Committee expressed support for the work undertaken and the sustained reduction in days lost to mental health issues.

**RESOLVED:** That the report be noted.

92. PAY POLICY REPORT

The Head of HR Shared Service introduced the report and outlined the statutory requirement for Local Authorities to update and publish the Pay Policy Statement annually. Particular attention was drawn to section 3.5 and appendix H as contained within Appendix 1 to the report.

**RESOLVED:** That Council be recommended to agree the proposed Pay Policy Statement set out at Appendix 1 to the report, prior to the documents publication on the Council's website.

93. NEW CONSTITUTION: CONSIDERATION OF DRAFT SECTIONS

The Head of Policy, Communications and Governance introduced the report and outlined the purpose of a Local Authority Constitution. The approach taken by the Governance Arrangements Working Group (working group) differed from standard practice, as the draft Constitution

had been produced by the Chairman and then considered by the working group, with advice provided by the External Legal Advisor and Officers.

The Committee were asked to consider the drafted sections in relation to the Leader, Policy Advisory Committees (PAC), Overview & Scrutiny and Procedure Rules, as shown in appendix A to the report, which included comments from the External Legal Advisor. Appendix B to the report contained a list of significant changes.

The changes made by the working group, and whether these were required as part of the change in governance arrangements, were outlined in section 2.14 of the report. The risks identified in points 5.3, 5.4 and 5.5 of the report were specifically highlighted.

In response to questions, the Head of Policy, Communications and Governance confirmed that the governance arrangements concerning Charitable Trusts alongside the terms of reference for an agreed Employment Committee would be considered by the working group at its next meeting. Access to Information was also scheduled to be considered at the Committee's next meeting.

In response to questions, the Democratic and Electoral Services Manager highlighted the importance of rules that provided flexibility in managing meetings, such as the invitation to third parties.

It was confirmed that the Administration's Programme would be re-presented to Council until agreed, at which point the Executive would be responsible for the programme's implementation. The aim of PACs to encourage collegiate working between Executive and Non-Executive Members was reiterated, following the amendment that the Leader would nominate an Executive Member as the PAC Chairman.

Several Members felt that the draft Constitution should be written in plain English, with the removal of Latin phrases and simply laid out to increase its useability. Further consideration would be given to facilitating Councillor training on the new Constitution.

**RESOLVED:** That

1. The new draft Constitution sections relating to the role of Leader, Policy Advisory Committees, Overview and Scrutiny, Procedure Rules and the Administration's Programme, as attached at Appendix A to the report, be agreed in principle;
2. The further amendments likely required to the document as the drafting process continued, be noted; and
3. All drafting would be in accordance with legal requirements.

94. LOCAL GOVERNMENT BOUNDARY REVIEW - UPDATE

The Democratic and Electoral Services Manager introduced the report and informed the Committee that the Local Government Boundary Commission for England (LGBCE) had agreed the figure of 48 Councillors as proposed by the Council.

The LGBCE would be undertaking a virtual community engagement event on 31 January 2022, focusing primarily on the borough's parishes. A Member workshop focussed on the urban and rural areas of the borough would be arranged for February 2022. A draft series of options, for example whether to have one-Member urban wards, would be presented to the Committee and its next meeting and then discussed at the Member workshop.

The boundary review consultation being carried out by the LGBCE had commenced on the 25 January 2022. It included the projected electorate forecast figures that demonstrated the electoral inequality there would be in 2027 between the number of residents per Councillor across existing wards.

In response to questions, the Democratic and Electoral Services Manager emphasised that the review would focus on the creation of the new wards and that multiple options would be considered.

The Committee expressed support for the consideration of a multitude of options as the next stage of the review progressed and thanked Officers for the work undertaken. The intensity and speed with which the next stage of the review had to be completed was noted.

**RESOLVED:** That

1. The proposed timetable as set out in point 2.6 of the report alongside the approach set out in the report be agreed; and
2. The tight and intense period of work required with Members between the February and March meetings of the Committee be noted.

95. EXEMPT APPENDIX 2 (INDEPENDENT REMUNERATION PANEL - RECRUITMENT OF INDEPENDENT PERSON) INTERVIEW ASSESSMENT FORM

**RESOLVED:** That the item be considered alongside Item 14 – Independent Remuneration Panel – Recruitment for Independent Person.

96. DURATION OF MEETING

6.30 p.m. to 8.06 p.m.

Note: The Committee adjourned between 6.35 p.m. to 6.40 p.m. and 6.59 p.m. and 7.04 p.m.