

AGENDA

DEMOCRACY COMMITTEE MEETING



Date: Thursday 7 July 2016
Time: 10.00 am
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Boughton (Chairman), Fissenden
(Vice-Chairman), Mrs Hinder, Joy,
Lewins, Newton, Revell, Mrs Ring and
Vizzard

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Urgent Items
4. Notification of Visiting Members
5. Disclosures by Members and Officers

Continued Over/:

Issued on Wednesday 29 June 2016

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**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

6.	Disclosures of Lobbying	
7.	To consider whether any items should be taken in private because of the possible disclosure of exempt information.	
8.	Minutes of the Meeting held on 17 March 2016	1 - 5
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10.	Report of the Head of Human Resources - Member Development Budget	7 - 18
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14.	Reference from Planning Committee - Training for Planning Referrals Committee Members and Substitute Members	41

MAIDSTONE BOROUGH COUNCIL

Democracy Committee

MINUTES OF THE MEETING HELD ON THURSDAY 17 MARCH 2016

Present: Councillor Mrs Fissenden (Chairman), and
Councillors Butler, Chittenden, Cuming, Daley,
English, Mrs Hinder, Newton, Mrs Ring.

Also Present: Councillors Mrs Wilson

35. APOLOGIES FOR ABSENCE

There were no apologies.

36. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

37. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Wilson was present to speak on item 8 – Amendments to the Constitution.

38. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

39. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

40. EXEMPT ITEMS

RESOLVED:

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

41. MINUTES OF THE MEETING HELD ON 28 JANUARY 2016

RESOLVED:

That the Minutes of the meeting held on 28 January 2016 be agreed as a correct record and signed by the Chairman.

42. REPORT OF THE HEAD OF MID KENT LEGAL PARTNERSHIP -
AMENDMENTS TO THE CONSTITUTION

The Assistant Head of the Mid Kent Legal Partnership presented the report and the Committee agreed to discuss each amendment in Appendix A of the report in turn.

It was noted that where reference is made in the report to the Working Group having 'agreed' to amendments, it was for this Committee to make the decision on any changes or additions to the Constitution and where relevant refer the final decision to Council.

It was also noted that the Annual Council meeting date was 21 May 2016.

The amendments were discussed as follows:

- **Page 11** – Leader of the Council – changes agreed.
- **Page 12** – Addition of paragraph referring to Committee meeting agenda items – changes agreed.
- **Pages 13-17** – update changes to Strategic Planning, Sustainability and Transportation Committee and Heritage Culture and Leisure Committee Terms of Reference – changes agreed.
- **Page 18** – the addition of new point 2(i) referring to rule on Public Speaking - change agreed.
- **Page 19** – First sentence of first paragraph of point 3.2 removed – change agreed.
- **Page 20** – Fourth paragraph of point 3.2 removal of the word 'service' – change agreed.
- **Page 20** – addition of paragraph on Councillors placing items on Committee agendas:

Councillor Mrs Wilson addressed the Committee.

The Committee were reminded of the rules regarding public access to reports and information relating to agenda items. The public must be given access no later than five clear working days before the date of the meeting.

The Committee agreed Councillors who wished to submit an item to a Committee agenda should be prepared to provide a report and supporting papers in time to fulfil the legal requirements for public access to information.

The Committee agreed to the addition of the following wording to the suggested paragraph:

'Any item put forward will have a relevant report and background papers published with the agenda for the meeting following the access to information rules. The Councillor putting forward the item must

attend the meeting to introduce and speak on the item, making clear what outcome is sought. Following the initial report the Committee will decide whether to take the matter further and request an Officer report on the subject.'

The Committee also agreed that a procedure briefing note for Councillors and Officers be produced to clarify the process for Councillors putting an item on a Committee agenda.

- **Page 21** – clarification regarding Visiting Members at Committee meetings – change agreed.
- **Page 22/23** – Additional paragraph on lobbying – change agreed.
- **Page 24** – 12.1 – changes on questions and answers by members of the public - additional wording to reduce the time spent on responding – change agreed.
- **Page 25** – suggested amendments to members of the public speaking at Committee meetings:

The Committee heard that the suggested changes had not been agreed by the Working Group and had been put forward as a suggestion for the Committee to discuss.

The Committee generally felt the suggested wording covered a situation where a member of the public wished to attend to make a statement to the Committee. It was generally felt that the suggested wording did not, however, cover a situation where the Committee wished to invite a third party to attend a meeting and participate in the discussion of a particular item.

It was also agreed the wording needed to clearly state that the decision to invite third parties to Committee meetings in this way would be at the discretion of the Chairman.

The Committee agreed to the following additional heading and text to include after the new section on Public Speaking at Council and Committees:

'INVITATION OF THIRD PARTIES TO COUNCIL AND COMMITTEE MEETINGS

A Committee may invite, through the Chairman, a third party to attend a meeting and speak and/or answer questions on a particular subject on the agenda.

It was also agreed that an item on an agenda could be deferred if the Committee agreed a third party contribution to the discussion was necessary.

RESOLVED:

That the recommendation on the proposed amendments to the Constitution made by the Review of the Constitution Working Party, as amended by this Committee, be recommended to Council.

Voting: For – 9 Against – 0 Abstentions - 0

That the addition of a procedural rule for Public Speaking proposed by the Review of the Constitution Working Party, as amended by this Committee, be recommended to Council.

Voting: For – 9 Against – 0 Abstentions - 0

That the cycle of meetings for the Heritage, Culture and Leisure Committee increase to once a month be recommended to Council with effect of the date of the annual meeting of Council.

Voting: For – 9 Against – 0 Abstentions - 0

That all the changes and amendments to the Constitution agreed by this Committee be recommended for adoption by Council to take effect from the date of the annual meeting of Council.

Voting: For – 9 Against – 0 Abstentions – 0

43. **REPORT OF THE HEAD OF FINANCE AND RESOURCES - OUTSIDE BODY NOMINATIONS FOR APPROVAL**

The Committee considered the report and nominations to up and coming Outside Body vacancies.

It was noted that the two vacancies for the Howard de Walden Centre were reserved for the two Ward members. These vacancies would be automatically filled by the successful candidates after the elections on 5 May 2016.

Councillor Chittenden asked for it to be noted that he was standing down as a Borough Councillor at the next elections. He would, however, remain with the Howard de Walden Centre as an Independent Trustee.

Concern was raised regarding the nomination for the Cutbush and Corral Charity. The Committee agreed that this nomination is deferred to the meeting after the elections in May 2016.

The Committee agreed that Councillor Pickett's nomination for Maidstone Area Arts Partnership and Councillor Mrs Joy's nomination for Maidstone Street Pastors be endorsed by the Committee.

RESOLVED:

- i. That the nomination included in the papers for the Cutbush and Corral Charity be deferred until the Democracy Committee meeting after the elections in May 2016.
- ii. That the nomination from Councillor Pickett for Maidstone Area Arts Partnership be endorsed by the Committee.
- iii. That the nomination from Councillor Mrs Joy for Maidstone Street Pastors be endorsed by the Committee.

Voting: For – 7 Against – 0 Abstentions – 2

44. DURATION OF MEETING

10:30am to 11:56am

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

Democracy Committee

MINUTES OF THE MEETING HELD ON TUESDAY 24 MAY 2016

Present: Councillor Boughton (Chairman), and
Councillors Boughton, Daley, Fissenden, Mrs Hinder,
Joy, Newton, Revell, Mrs Ring and Vizzard

Also Present: Councillors Burton, Cox, Ells, English,
Garten, Mrs Gooch, Mrs Grigg, Naghi,
Perry, Pickett, Prendergast,
Mrs Robertson, Mrs Stockell, Webster
and Mrs Wilson

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Lewins.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Daley was in attendance as substitute for Councillor Lewins.

3. NOTIFICATION OF VISITING MEMBERS

The following Councillors were in attendance as Visiting Members:

Councillor M Burton, Councillor Cox, Councillor Ells, Councillor English, Councillor Garten, Councillor Gooch, Councillor Grigg, Councillor Naghi, Councillor Perry, Councillor Pickett, Councillor Prendergast, Councillor Robertson, Councillor Stockell, Councillor Webster and Councillor Wilson.

4. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Boughton be elected as the Chairman for the Municipal Year 2016-17.

5. ELECTION OF VICE-CHAIRMAN

RESOLVED: That Councillor Fissenden be elected as Vice Chairman for the Municipal Year 2016-17.

6. DURATION OF MEETING

7:30pm to 7:33pm.

Democracy Committee	07/07/2016
Is the final decision on the recommendations in this report to be made at this meeting?	Yes

Member Development Plan 2016-2017

Final Decision-Maker	Democracy Committee
Lead Director or Head of Service	Dena Smart, Head of HR Shared Service
Lead Officer and Report Author	Catherine Harrison, Mid Kent Learning and Development Manager
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to the final decision-maker:

1. To approve the Member Development Plan 2016-2017.
2. To approve the estimated expenditure for the 2016-2017 Member Development budget.

This report relates to the following corporate priorities:

- Great People

Timetable	
<i>Meeting</i>	<i>Date</i>
Democracy Committee	7 th July 2016

Member Development Plan 2016-2017

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The report sets out the Member Development Plan for 2015-2016 and the actual spend for last year.
 - 1.2 The report also proposes the plan and estimated expenditure for 2016-2017 for approval.
 - 1.3 There may be additional training needs identified by the Democracy Committee that budget allowing can be included into the plan.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 Democracy Committee have the responsibility for approving the Member Development Plan and expected budget spend for 2016-2017 as proposed in this report
 - 2.2 In 2015/2016, we estimated that the Member Development Plan would spend nearly its entire £11k budget. The actual spend for last year was £5147.19. A large amount of this was spent on the Charing Skills training, at a cost of just over £3k (Appendix I).
 - 2.3 This is under previous years' spends:

2014/2015	£6752.15
2013/2014	£7795.16
2012/2013	£6281.39
 - 2.4 The Questioning Skills training was scheduled for July 2015, but was cancelled due to a lack of demand. Respecting Difference training was not scheduled, as in hindsight it was identified that the demand wasn't sufficient (having already run the programme in 2014) to schedule such an expensive programme.
-

3. AVAILABLE OPTIONS

- 3.1 The proposed Member Development Plan for 2016-2017 can be seen in Appendix II.
- 3.2 There may be additional or alternative needs identified by the Democracy Committee for Members. There is sufficient budget remaining to meet further training needs should they exist. If it did impact on the proposed plan for 2016-2017, the plan can be refined or redeveloped if other priorities are identified as being more important or urgent.
- 3.3 An alternative would be to take a piecemeal approach and only book activities and events on an 'ad hoc' first come, first served basis. This is not

recommended. Our recommended approach to Member development is preferred as this gives the potential of systematically identifying conferences/learning activities which will have the biggest impact on supporting the effective performance of Members in their various roles and/or the greatest impact for all Members.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The proposed Member Development Plan (Appendix II) includes the same conferences as in previous years. An additional conference has been included for Cllr Pickett to attend the LGA Leadership Essentials: Cultural Services conference. A further session on Charing Skills has already been run.
- 4.2 Currently Member Learning and Development activities are planned by the Mid Kent Learning and Development Manager in consultation with Members and Key Officers, and then Democratic Services support the scheduling and booking process. Due to the nature of the Council and the way that the elections take place, many of the same learning activities, including conferences, are provided each year.
- 4.3 This being said there are many more learning activities that are required in line with the needs identified by Members themselves, legislation, central government and those that arise from our commitment to partnership working and our desire to learn from each other and best practice.
- 4.4 The plan aims to address as many learning needs as possible, for example:
- Individual skills building
 - Legislative requirements
 - Role related skills
 - Corporate requirements
 - Networking and keeping up-to-date
 - Knowledge and future focus
- 4.5 As with previous year it is proposed that the key areas for Member Development this year are:-
- Support and build on existing skills for their role in the community now and in the future
 - Support and build on existing skills for the various roles undertaken within and on behalf of the Council
- 4.6 It is important to ensure that an effective planning process is in place for all learning activities and that this planning process involves Members. With a continued commitment to provide value for money in all aspects, it is imperative that careful thought is given to how the Member budget is spent to ensure that maximum value from each activity is achieved. The responsibility for ensuring value for money rests with everyone and it is vital that all learning is shared effectively with all Members and disseminated widely.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 The Member Development Plan has been developed in consultation with the Democratic Services Officers, and the Heads of Service/lead Managers for the different services who provide development activities, for example Planning and Internal Audit.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Once the Member Development Plan has been approved, the Democratic Services Officers will schedule into the calendar for the year the briefings and training sessions.
- 6.2 The Mid Kent Learning and Development Manager will support the Democratic Services Officers in developing any new programmes and identifying any new providers that might be required.
- 6.3 It is the responsibility of Members and Group Leaders to identify any individual training needs, and subject to checking budget availability with the Mid Kent Learning and Development Manager, make the arrangements to attend the required training. These responsibilities are set out in the Member Development Policy.
- 6.4 It is also the responsibility of Members and Group Leaders to determine who should attend the conferences identified in the Plan, and to ensure that learning is disseminated and shared with other Members.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	This is a cross-cutting requirement as Member involvement is essential for the delivery of all priorities and good decision making impacts on the whole council.	Head of HR Shared Service
Risk Management	The risks associated with not investing in a planned approach to learning and development are that the investment does not lead to supporting good decisions and the expenditure on learning and development fails to deliver value for money.	Head of HR Shared Service
Financial	The annual budget for Member Development and Conferences is	Head of Finance and Resources

	£10,600. This budget will be used to resource the proposed programme set out in Appendix II.	
Staffing	The impact on staffing relates to the officer time invested in delivering the learning and development activities to Members	Head of HR Shared Service
Legal	There are no legal implications in the general nature of the report, however some of the training relates to the learning and development required for quasi legal committees such as licensing and planning and it is essential members are trained to carry out these roles	
Equality Impact Needs Assessment	The training will be delivered flexibly and in line with equality policies to ensure that there is equal access to opportunities.	Policy & Information Manager
Environmental/Sustainable Development	None identified at this time	Head of HR Shared Service
Community Safety	None identified at this time	Head of HR Shared Service
Human Rights Act	None identified at this time	Head of HR Shared Service
Procurement	The procurement rules will be followed in the process of selecting organisations to deliver the necessary training.	Head of HR Shared Service
Asset Management	None identified at this time	Head of HR Shared Service

8. REPORT APPENDICES

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

- Appendix I: Member Development Budget 2015-2016 Actual Spend
- Appendix II: Member Development Budget 2016-2017

Localism in relation to planning	Parishes	The areas from the Localism Bill that impact on Planning will be shared with members as and when they emerge. Sessions will be developed with officers and members of the planning committee as appropriate.	time only	
Licensing				
Licensing Training	All committee Members & subs	Induction for new members plus an on-going requirement to update committee on legislation, often also complimented by briefings by officers. There will be two parts to the training each running for 2 to 2.5 hours. Part one – Licensing Act 2003, Regulatory Framework and Hackney Carriage/Private Hire Part Two - Gambling Act 2005, Street Trading and Sex Establishments. One Spokesperson of Licensing to attend the annual conference for Licensing which updates on new legislation and best practice. Upon return disseminate all relevant information and learning points to members utilising the mechanisms as highlighted in the Member Development Policy.	Officer time only	
National Training Event	1		£495 (for full residential 2 days 2014 costs)	
13				
Audit				
Audit Committee Training	Audit committee members and subs	Audit committee will require induction training for new members and refresher training for existing members. Learning needs and approach can be detailed specifically. It is likely that some external training will be needed, thus some funds have been set aside for this. If all or part of these funds are not utilised then these funds will be maintained in the budget for 'ad hoc' general training needs that may arise over the coming year.	Officer time only £750	
Housing and Communities				
Housing	Open to all members	Training proposed for 2015-2016 to include: General housing legislation overview (homelessness & new build) The new Allocation Scheme Housing Assistance Policy (grants) Private Sector Housing enforcement and interventions	Officer time only	

Safeguarding Training	Open to all members	The safeguarding policy, practice and training across the Council is currently under review, and it is likely that training will be required to ensure knowledge and understanding is up-to-date. This training will be met through briefings provided by Officers and some external training will also be required.	Officer time £750	
Finance				
Local Government Finance	Open to all members	Internally run briefings on local government finance. These were last run in 2010/2011 and since then there has been significant change, so updated briefings will be run by Paul Riley/Alison Broom.	Officer time	
Committee System				
Procedure Guidance briefings	Open to all members	Briefings facilitated by the Legal team (may require an external facilitator), to include areas such as: <ul style="list-style-type: none"> • Rules of debate • Ongoing legislative changes, etc. 	Officer time £750	
Conferences				
LGA Conference	Leader	The Leader to attend this conference, if the Leader is unable to attend then a sub will be selected.	£495 PP + accom expenses and workshops (£1000)	£495.00 + £490.00
LGA Annual Rural Conference	1	One member to attend	£229	
General				
LGA Effective Leadership in a No Overall Control Context	Group Leaders	<i>(provided at no cost; there is the opportunity if we feel it would be helpful to have further workshops)</i>	£0	
LGA Leadership Academy	1 councillor in a leadership position or with leadership	One Member to attend this training and upon the agreement of all Group Leaders	£1250	£1000.00 +£265.00

	potential			
Inductions for new members	All new members (open to all members)	<ul style="list-style-type: none"> • Essential points in the Constitution • Decision making at Maidstone Borough Council • Protocols for Committees and Council meetings • Responsibilities under the Code of Conduct • Disclosable Pecuniary Interests and Other Significant Interests • Responsibilities as a Council under the Data Protection Act 	Officer time only and some expenses (£125)	
General Training	Offered to all members	General Respecting Difference (Inclusion) Chairing Skills – drama based workshop (delivered 15/6/15) Questioning Skills – drama based workshop (cost committed)	£1850 £1700 £1700	£3063.59
15		Member Personal Development Planning sessions are also on offer to any member delivered by the Learning & Development Shared Service Manager In addition – other training sessions that are included on the Corporate Training Calendar are also on offer to members. For example, report writing.		
		Miscellaneous Room Hire/Refreshments at Oakwood House 15/06/2016		£328.60
		Total currently allocated	£10,599	
		Budget for 15/16 (incl Conference Budget)	£11,100	
		Actual Spend 2015-2016		£5,642.19

Briefings 2015-2016

13 July 2015	Audit Committee – Essentials workshop
27 October 2015	Briefing Maidstone Bridges Gyrotory Improvement scheme
23 November 2015	Audit Committee – Selecting an External Auditor
15 December 2015	Local Plan briefing
21 December 2015	Local Plan briefing
9 March 2016	Licensing – Evidence based decision making
31 March 2016	Licensing – pre meeting training Licensing Act 2003
21 March 2016	Audit Committee – Value for Money Conclusion

MAIDSTONE BOROUGH COUNCIL

REPORT OF THE HEAD OF HUMAN RESOURCES/DEMOCRATIC SERVICES

MEMBERS DEVELOPMENT BUDGET 2016/2017

Includes items from previous years and ongoing commitments (costs are approximate)

Activity	No's	Further details	Cost
Planning			
General Planning Committee Training 16	All committee members and substitute members and open to all members Parish members will be invited to some sessions at some point throughout the year	Essential Planning awareness and refresher training for all members delivered by internal officers, covering: <ul style="list-style-type: none"> • Planning Induction • River Medway Cycling Scheme • Developing and Determining Planning Applications • Conditions and reasons for refusal and S106 • Local Plan and Neighbourhood Plans, NPPF and NPPG • Enforcement • Transport and Heritage • Further CPD Sessions (TBC) When new legislation is introduced our internal officers will ensure that all members of the committee and substitute members are kept up to date and will carry out briefings/workshops as necessary with the support of Learning and Development.	Officer time only
Planning Tour Localism in relation to planning	Committee, Subs, All members/ Parishes	This is a tour of local planning sites and is used as a learning tool through observation and discussion. The tour of planning sites is part of the MBC Constitution's Planning Code (Section 13). The Planning Code states that this tour has to be arranged at least annually. The areas from the Localism Bill that impact on Planning will be shared with members as and when they emerge. Sessions will be developed with officers and members of the planning committee as appropriate.	Cost only related to expenses Officer/member time only

Licensing			
Licensing Training	All committee Members & subs	<p>Induction for new members plus an on-going requirement to update committee on legislation, often also complimented by briefings by officers.</p> <p>There will be two parts to the training each running for 2 to 2.5 hours.</p> <p>Part one – Licensing Act 2003, Regulatory Framework and Hackney Carriage/Private Hire</p> <p>Part Two - Gambling Act 2005, Street Trading and Sex Establishments.</p>	Officer time only
National Training Event	1	<p>One Spokesperson of Licensing to attend the annual conference for Licensing which updates on new legislation and best practice. Upon return disseminate all relevant information and learning points to members utilising the mechanisms as highlighted in the Member Development Policy.</p>	£495 (for full residential 2 days 2014 costs)
Audit			
Audit Committee Training	Audit committee members and subs	Audit Governance and Standards Induction	Officer time only
Housing and Communities			
Housing	Open to all members	Briefing sessions for 2016-2017 are likely to include the Housing and Planning Act 2016 as details become available	Officer time only
Safeguarding Training	Open to all members	The safeguarding policy, practice and training across the Council was reviewed in 2015-2016, and it is likely that training will be required to ensure knowledge and understanding is up-to-date. This training will be met through briefings provided by Officers and some external training will also be required.	Officer time £750
Finance			
Local Government Finance	Open to all members	<p>Internally run briefings on local government finance.</p> <ul style="list-style-type: none"> Finance and Budget briefing 	Officer time
Other Briefings			
Other Briefings	Open to all members	<p>Briefings facilitated internally by the appropriate Service Unit:</p> <ul style="list-style-type: none"> Devolution Low Emissions Strategy 	Officer time

Conferences			
LGA Conference	Leader	The Leader to attend this conference, if the Leader is unable to attend then a sub will be selected.	£495 PP + accom expenses and workshops (£1000)
LGA Annual Rural Conference	1	One member to attend	£229
LGA Leadership Essentials in Cultural Services	1	Cllr Pickett to attend 2016-2017	Fully subsidised by LGA
General			
LGA Leadership Academy	1 councillor in a leadership position or with leadership potential	One Member to attend this training and upon the agreement of all Group Leaders	£1250
Inductions for new members ∞	All new members (open to all members)	<ul style="list-style-type: none"> • Essential points in the Constitution • Decision making at Maidstone Borough Council • Protocols for Committees and Council meetings • Responsibilities under the Code of Conduct • Disclosable Pecuniary Interests and Other Significant Interests • Responsibilities as a Council under the Data Protection Act 	Officer time only and some expenses (£125)
General Training	Offered to all members	General Chairing Skills	£3000.00
		Member Personal Development Planning sessions are also on offer to any member delivered by the Mid Kent Learning and Development Manager. In addition - other training sessions that are included on the Corporate Training Calendar are also on offer to members.	
		Total currently allocated	£6,849
		Budget for 16/17	£10,600

DEMOCRACY COMMITTEE

7 JULY 2016

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

Yes

OPTIONS FOR COMMITTEE WORK PLAN 2016-2017

Final Decision-Maker	Democracy Committee
Lead Head of Service	Head of Finance & Resources
Lead Officer and Report Author	Paul Riley, Head of Finance & Resources
Classification	Public
Wards affected	All

This report makes the following recommendations to this Committee:

1. To include in the work plan all issues meeting the criteria set out in paragraph 3.3 and 3.4 of the report;
2. To include one issue from the proposals under the criteria set out in 3.5 that may be as suggested by the Chairman or as proposed by another member of the Committee;
3. To consider and review the work plan at each meeting of the Committee.

This report relates to the following corporate priorities:

The Committee is responsible for the effectiveness of the democratic procedures of the Council and its remit supports the effective decision making process of the Council and other Committees.

Timetable

<i>Meeting</i>	<i>Date</i>
Democracy Committee	7 July 2016

OPTIONS FOR COMMITTEE WORK PLAN 2016-2017

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report has been produced at the request of the Chairman of Democracy Committee in order to commence a debate and make a decision at this meeting.
 - 1.2 The report offers the Committee an opportunity to consider options for a work plan for 2016-2017. As this is the first meeting of the municipal year it is the ideal occasion to consider the options.
 - 1.3 Setting the priority areas for the work of the Committee will provide officers and members with the opportunity to focus on delivering the objectives set by the committee.
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2. INTRODUCTION AND BACKGROUND

- 2.1 The production of a work plan should be a task completed by all relevant committee members and lead officers combined. The process should set objectives for the Committee to achieve within the remit as set down by the Constitution.
- 2.2 A work plan cannot be definitive as objectives, priorities and the needs of the Council can and will vary during the course of a municipal year.
- 2.3 As such, proposals for the work plan can be expected from any members of the Committee. However agenda setting for the Committee is a role of the Chairman and Vice-Chairman of the Committee. They would have a direct influence over when and how the objectives set out in a work plan would be considered and brought to the Committee.
- 2.4 The work of the Committee can be divided into three separate elements:
 - 1) Ongoing work brought forward from the last municipal year;
 - 2) Work of a repetitive nature that is the expected normal activity of the Committee; and
 - 3) Additional reviews and areas of interest to the Committee or specific members.
- 2.5 Consideration of any proposals to add to the work programme must therefore be matched to a series of criteria that will help members of the committee to prioritise ideas. These are:
 - 1) The remit of the Committee as set by Council when agreeing the constitution (given at Appendix A);
 - 2) The commitment made previously by the Committee to complete a review or make a decision;
 - 3) The resources available to investigate, review and report on any other issues;

- 2.6 While recognising that the members of the committee may wish to bring forward ideas and objectives of their own the Chairman has provided a short list of options that are considered in the following section.

3. AVAILABLE OPTIONS

- 3.1 Available options include any proposals brought to the meeting by members of the Committee and the work programme must be open to routine review and amendment throughout the year.
- 3.2 Detailed below are ideas put forward by the Chairman to commence debate and discussion.
- 3.3 Ongoing work brought forward from the last municipal year. There is no choice with this group of issues as they must be completed by the committee:

Outside Body Review:
Next report to the Committee in September. To involve members who are on OBs for their opinions of the effectiveness of OBs and Committee Chairs on links with Committees

- 3.4 Work of a repetitive nature that is the expected normal activity of the Committee. These are normal day to day activities of the committee and as issues arise or are referred to the Committee they will be added to the work plan and considered as soon as possible:

Meeting Start times:
Currently 10am on a Thursday every other month – could these be changed to an evening?
Review of the Constitution:
This would be similar to the one undertaken last year – with a report coming to the Committee around Christmas.
Election of all Chairs at the beginning of the municipal year, not just Service Committees
This would form part of any review of the Constitution.
References from other committees:
Planning Committee has referred an issue relating to the training of Planning Referrals Committee members.
Licensing Committee has referred an issue relating to the development of Licensing Policies.

- 3.5 Additional reviews and areas of interest to the Committee or specific members. This group would include reviews of a type similar to scrutiny reviews as completed under the previous governance structure of the Council. At the time of changing the Governance structure it was made clear

to members that limited resources exist to complete such reviews and it would be impossible to resource more than two reviews across all committees in any one year. The officer recommendation is therefore to select a maximum of one review, either from this list or proposed at the meeting and complete this issue during the current municipal year. If no review is selected, this would free up capacity for other committees to carry out the maximum of two reviews.

Review of the Committee System
This was reviewed as part of last year's constitution review. While minor changes to the structure could be considered, the Council cannot change its Governance structure for another four years. Accordingly, it would be inappropriate to devote resources to a review when any recommendations would not be capable of implementation in the near term.
Four Yearly Elections
This matter has been reviewed twice before. On both occasions it was triggered by a motion at Council which was referred to Democracy Committee. Given the issues around resources this option should only be followed up if a clear majority at Council is willing to consider the proposal
Boundary Review in the Borough
Boundary reviews are triggered by population levels and are the responsibility of the Boundary's Commission for England & Wales. The Committee can engage in any necessary boundary review but it cannot carry out a review.
Cost/benefit analysis of the Mayoralty
A review was completed in 2015/16 by the Committee. Although there was a difference in emphasis the review concluded that the Mayoralty gave value for money and recommended minor changes which were adopted by Council.
Cost/benefit analysis of the courier run
This is a minor issue at an operational level and would, due to the implications for the budget, be a recommendation by this Committee to Policy & Resources Committee. The matter should be considered as part of the Council's work on the Medium Term Financial Strategy and should be raised through that route.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The proposals set out in paragraph 3.3 and 3.4 are normal activities of the Committee and they will be included in a work plan. Any further issues of this type will be picked up the Democratic services Officer and added to the Work Plan as identified.
- 4.2 The proposals set out in paragraph 3.5 and any proposals raised at the meeting of a similar type require additional support from the Democratic Services Team and as such it was agreed that the number of such reviews by committees would be limited to resources available. At this time the service can resource a maximum of two such reviews. It is recommended that a maximum of one review be selected from the list.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 The creation of a work plan does not require consultation.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 The work plan will be used as a basis for future agenda setting meetings and will be reported for noting at each Committee meeting.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The Committee is responsible for the effectiveness of the democratic procedures of the Council and its remit supports the effective decision making process of the Council and other Committees.	Head of Finance & Resources
Risk Management	<p>The committee must ensure that it is able to complete the work that is expected by its remit and must act to support the priorities in the strategic plan. Both of these are as agreed by Council and are expected of all committees.</p> <p>The Committee can if resources and time are available review any area of the Council's activity that is within its remit.</p>	Head of Finance & Resources
Financial	Resources within the Democratic Services Team are limited and it is only possible to resource a maximum one specific review each year for this committee.	Head of Finance & Resources

Staffing		[Head of Service]
Legal		[Legal Team]
Equality Impact Needs Assessment		[Policy & Information Manager]
Environmental/Sustainable Development		[Head of Service or Manager]
Community Safety		[Head of Service or Manager]
Human Rights Act		[Head of Service or Manager]
Procurement		[Head of Service & Section 151 Officer]
Asset Management		[Head of Service & Manager]

8. REPORT APPENDICES

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

- Appendix A: Functions of Democracy Committee (Constitution agreed May 2016)

9. BACKGROUND PAPERS

Appendix A

DEMOCRACY COMMITTEE – Terms of Reference

Membership: 9 Councillors

Purpose:

To be responsible for Councillor training and development; to determine matters relating to elections, electoral registration; and other democratic services responsibilities and functions, including reviewing this constitution on a regular basis.

FUNCTIONS DELEGATION OF FUNCTION

1. To recommend to the Council the appointment of an Electoral Registration Officer and Returning Officer.
2. To consider any matters relating to electoral registration, elections or electoral boundaries which have not been delegated to the Electoral Registration Officer or Returning Officer.
3. To consider matters relating to the Mayoralty or Councillors generally, where appropriate.
4. To appoint Council nominees to outside bodies and seminars as appropriate.
5. To be responsible for the appointment of independent persons to the Independent Remuneration Panel for Councillors' Allowances.
6. Consider applications from persons wishing to act as Independent Persons in connection with Councillor and Statutory Officer conduct; and for the Independent Remuneration Panel and make recommendations to Council to appoint such persons.
7. To advise Councillors and the Head of Human Resources Shared Service on Councillor development priorities where appropriate.
8. To regularly review the Constitution in conjunction with the Monitoring Officer and recommend proposed changes, where significant, to the Council.
9. The determination of an appeal against any decision made by or on behalf of the authority where there is a statutory appeals procedure and no other panel or Sub-Committee is appropriate elsewhere under this Part of the Constitution.

Agenda Item 12

Democracy Committee

7 July 2016

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

Yes

Report of the Head of Finance and Resources – Councillor Nominations to Outside Bodies

Final Decision-Maker	Democracy Committee
Lead Head of Service	Paul Riley, Head of Finance and Resources
Lead Officer and Report Author	Tessa Ware, Democratic Services Officer
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to this Committee:

1. That the Nominations for Outside Body membership in Appendix I of this report be approved.
2. That the automatic appointments to Outside Bodies, shown in paragraph 2.4 of this report be noted.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all -
- Securing a successful economy for Maidstone Borough -

Timetable

Meeting	Date
Democracy Committee	7 July 2016

Report of the Head of Finance and Resources – Councillor Nominations to Outside Bodies

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides details in paragraph 2.3 of the nominees put forward to fill the available vacancies to the outside bodies for the Committee’s approval. This table also shows the Outside Bodies where no nominations have been put forward .
- 1.2 The report also provides details of automatic appointments to outside bodies for the Committee’s information.

2. INTRODUCTION AND BACKGROUND

- 2.1 Maidstone Borough Council supports several outside bodies whose work should relate to the Council’s priorities.
- 2.2 The Maidstone Borough Council Constitution states the Democracy Committee has responsibility to appoint Council nominees to outside bodies as appropriate.
- 2.3 The table below provides details of the vacancies available. Some are currently unfilled vacancies and some are vacancies due to end shortly. The figure in brackets represents the number of positions available for each outside body – this includes filled positions. The Committee is asked to approve the nominations listed. Completed nomination forms are attached to this report as Appendix I.

Outside Body	Number of vacancies	Role	Nominee/s
AgeUK (formerly Age Concern)	1 (1)	Committee member	None received
Cutbush and Corral	1 (2)	Committee member	Cllr English
Maidstone Area Arts Partnership	1 (3)	Committee member	None received
One Maidstone CIC	1 (4)	Director of the CIC	None received
Maidstone Beauvais Twinning Association	3 (4)	Committee member	None received
Mid Kent Downs Steering Group	2 (2)	Committee member	Cllr Garten
Relate West and Mid Kent	1 (1)	Committee member	None received
South East Employers	1 (1+1)	Deputy representative	None received
Quality Bus Partnership	1 (1)	Member	Cllr Willis

2.4 The table below shows the automatic outside body appointments from May 2016 for the Committee's information. The Committee are asked to note these:

Outside Body	Appointee	Reason for automatic appointment
Action with Communities in Rural Kent	Councillor Prendergast	Ward Member
Bentliff Wing	Councillor Butler	Mayor
Citizen Advice Bureau	Councillor Butler	Mayor
Headcorn Aerodrome Consultative Committee	Councillor Prendergast - substitute	Ward Member
Howard de Walden Centre	Councillor Cox Councillor Wilby	Ward Members
Kent County Council (KCC) Overview and Scrutiny Committee	Councillor Ring	Chair of Communities, Housing and Environment Committee
Kent and Medway Crime Panel	Councillor Wilson	Leader of the Council
Kent Partnership	Councillor Wilson	Leader of the Council
Local Government Association General Assembly	Councillor Wilson Councillor Blackmore	Leader of the Council Leader of the Opposition
Maidstone Area Arts Partnership	Councillor Butler	Mayor
West Kent Health and Wellbeing Board	Councillor Wilson	Leader of the Council

3. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

3.1 Once the Committee has made their decision each nominee and outside Body will be notified of the appointment.

4. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities		[Head of Service or Manager]
Risk Management		[Head of Service or Manager]
Financial	There are no direct financial implications arising from this report	Head of Finance & Resources
Staffing		[Head of Service]
Legal		[Legal Team]
Equality Impact Needs Assessment	No detrimental impact on the protected characteristics of individuals identified.	Orla Sweeney, Insight and Information Officer
Environmental/Sustainable Development		[Head of Service or Manager]
Community Safety		[Head of Service or Manager]
Human Rights Act		[Head of Service or Manager]
Procurement		[Head of Service & Section 151 Officer]
Asset Management		[Head of Service & Manager]

5. REPORT APPENDICES

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

- Appendix I: Completed Outside Body nomination forms

NOMINATION FORM TO OUTSIDE BODY

Date25/05/2016.....

NAME:	Patrik Garten
ADDRESS:	Kingswood House Pitt Road ME17 3NR
TELEPHONE NO:	01622 807 907
NAME OF ORGANISATION APPLYING FOR:	Mid Kent Downs Steering Group
REASON FOR APPLYING:	I am the ward councillor for North Downs, covering the overwhelming area of interest for this body
WHAT BENEFITS COULD YOU BRING TO THE ORGANISATION?:	<p>Being the Ward Councillor for the largest and most central part of the interest area, I have good knowledge of the local community, I am known by the community and it is my duty to represent my ward on this body which is so relevant to my ward.</p> <p>Furthermore, I previously campaigned in the ward of Harrietsham & Lenham and have therefore sound knowledge of that ward and its people as well.</p> <p>I am personally very interested in all matters which relate to rural living, including but not limited to, nature conservation and promotion of tourism.</p>

NOMINATION FORM TO OUTSIDE BODY

Date 16th June 2016.

NAME:	Clive English
ADDRESS:	107 Sutton Road, Maidstone, Kent ME15 9AA
TELEPHONE NO:	07922616858
NAME OF ORGANISATION APPLYING FOR:	Cutbush and Corral Almshouses
REASON FOR APPLYING:	<p>I am familiar with the general work of the organisation as a number of their sites are within High street Ward. They are a small, but important housing provider, which is deserving of support.</p> <p>Over the years I have been involved with a number of organisations in both the Housing field and in the broader sphere. As a result I have g a broad range of charitable, voluntary, public and private experience.</p> <p>Consequently I have developed a wide knowledge of governance issues and arrangements, procurement, contract monitoring and compliance arrangements, and accounting and audit practices and procedures. Additionally I have a good understanding of and experience of human resource issues.</p> <p>I hope this experience will be useful to Cutbush and Corral and their residents.</p>
WHAT BENEFITS COULD YOU BRING TO THE ORGANISATION?:	I can bring my time energy and commitment based on a broad and extensive record of serving as a Trustee, Member and Officer of a number of organisations within both the

NOMINATION FORM TO OUTSIDE BODY

Date ...30 july...2015.....

NAME:	Cllr James willis
ADDRESS:	c/o Maidstone boro Council Maidstone house King st Maidstone
TELEPHONE NO:	07838103350
NAME OF ORGANISATION APPLYING FOR:	Maidstone Quality Bus Partnerhsip
REASON FOR APPLYING:	I am very active in transport areas on policy and campaign work , and informally the Lib Dem group transport spokesperson.
WHAT BENEFITS COULD YOU BRING TO THE ORGANISATION?:	Very proactive in encouraging ease of access and internal use of public transport in policy Terms and more practically . I regularly use public transport to commute. In cycle terms I cycle a bit but also have been involved with councillor harper in setting this forum up. Happy to assist ongoing

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY COMMITTEE

7 JULY 2016

REPORT OF THE LICENSING COMMITTEE HELD ON 16 JUNE 2016

LICENSING COMMITTEE ROLES AND RESPONSIBILITIES

1. Issue for Decision

- 1.1 The Democracy Committee is asked to approve the recommendations of the Licensing Committee regarding its own role and responsibilities.

2. Recommendation Made

- 2.1 That the function to oversee the development, review and implementation of the Council's Licensing Strategy and Policies (including making recommendations to Council) be removed from the delegated functions of the Community, Housing and Environment Committee, and inserted into the delegated functions of the Licensing Committee at part 2.1, para. 2.9 of the Constitution;
- 2.2 That a penultimate sentence be added to part 4.5, para. 1c of the Constitution to read: 'Members will not be eligible to sit on a licensing act 2003 sub-committee until training has been completed'.

3. Reason for Recommendation

- 3.1 At the meeting of Licensing Committee held on 16 June 2016 Members considered a report of the Head of Housing and Community Services in relation to the Licensing Committee roles and responsibilities
- 3.2 The report recommended that training be undertaken by Members and Substitutes of the Licensing Committee within six months of appointment to the Committee, and that this training should be refreshed when statutory or significant guidance changes were made, and on a regular timescale to be agreed by the Committee.
- 3.3 The report explained that the Licensing Committee and its sub-committees exercise licensing and gambling functions on behalf of the Council. This includes undertaking a variety of duties including gambling functions, licences in relation to the sale of alcohol and entertainment, making recommendations to the Communities Housing and Environment Committee or Council concerning the adoption of new Policy Statements, any decisions on Cumulative Impact Policies for the Borough, Late Night Alcohol Levy. Sub-committees are called as required in order to make

decisions about individual licensing matters and appeals that are not otherwise delegated to the Head of Housing and Community Services.

3.4 It was explained that, as this sphere of responsibility is heavily governed by statute and guidance, the discharge of these functions requires that members and officers have a good understanding of the statutory framework. Licensing, as an area of local authority decision making, has become a fertile topic for legal challenge. This emphasises the importance for members and officers to be familiar with the legislation in order to make sound decisions.

3.5 During discussion it was set out that:

- The Community, Housing and Environment Committee has the delegated function to oversee the development, review and implementation of the Council's Licensing Strategy and Policies, including making recommendations to Council. The Licensing Committee has input into policies through making recommendations to the Communities, Housing and Environment Committee.
- Members of the Communities, Housing and Environment Committee are not required to undertake licensing training.
- There was no legal obligation for Members of the Licensing Committee to undertake training, however if Members were untrained this could leave a decision open to appeal.

3.6 The Committee agreed that a Member of the Licensing Committee should not be able to sit on a Licensing sub-committee hearing without having undertaken training, due to the potential for appeal implications, and to recommend to Democracy Committee that the constitution be updated to clarify this.

3.7 The Committee expressed that, as Licensing Committee Members were trained in licensing matters and Community, Housing and Environment Committee were not, it would be preferred that the function to oversee the development, review and implementation of the Council's Licensing Strategy and Policies (including making recommendations to Council) was delegated to the Licensing Committee.

4. Appendices

4.1 Appendix 1 – Communities, Housing and Environment delegation of functions

4.2 Appendix 2 – Licensing Committee delegation of functions

4.3 Appendix 3 – Local code of conduct for Councillors and Officers dealing with Licensing matters, part 4.5, para 1.c.

ROLE OF THE CHAIRMAN OF STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORT

- Working with others in building a vision for the Council and Community
- To represent the Council on all partnerships relevant to the Committee
- To take the lead role in this Committee of fostering close links with key stakeholders including Parish Councils, the Developers Forum, English Heritage and transport interest groups such as Quality Bus Partnership, Transport Users Group, Rail Stakeholders Group
- To take the lead role within this Committee for responsibility for relationships with funders including Kent County Council and Highways England.
- To chair the Joint Transportation Board with Kent County Council in alternate years and be Vice Chairman in others.

2.4 LOCAL PLAN SUB COMMITTEE

Membership: 5 Councillors

Responsible for Spatial Planning Strategy including the local plan and other Spatial Planning documents including Development Plan documents, Development Management policies and Development briefs (subject to approval by Council and the Strategic Planning, Sustainability and Transportation Committee).

2.5 COMMUNITIES, HOUSING AND ENVIRONMENT

Membership: 9 Councillors

Purpose: To take the lead within the Council for ensuring that the Council delivers its strategic objectives with regard to Communities, Housing and the Environment; to ensure inclusive and productive community engagement, Public Health, licensing, housing, other community services and to be the Council's Crime and Disorder Committee.

FUNCTIONS	DELEGATION OF FUNCTIONS
To take the lead within the Council for ensuring that the Council delivers its strategic objectives with regard to Communities, Housing Public Health and the Environment	N/A
To take the lead within the Council in ensuring that the Council achieves inclusiveness and productive community engagement	N/A

To act as the Council's Crime and Disorder Committee under section 19 Police and Justice Act 2006 and to meet at least once per annum in this capacity.	N/A
To submit to Policy and Resources (P&R) Committee all revenue estimates and capital programmes within the remit of the Committee with a view to P&R determining the budget for submission to Council	N/A
To be responsible for all strategic budget related staffing matters within this Committee's remit	N/A
Strategic Planning and Performance Management – to oversee the development, review and implementation of the Council's:	
Housing Strategy	Head of Housing and Community Services
Community Development Strategy	Head of Housing and Community Services
Climate Change Framework	Head of Housing and Community Services
Parish Charter, Parishes and Community Governance	Head of Housing and Community Services
Crime and Disorder Reduction Strategy (and recommend changes to full Council); and Community Safety Strategy to include CCTV	Head of Housing and Community Services
Compact with Voluntary and Community Sector	Head of Housing and Community Services
Public Health, Healthy Living and Health Inequalities Strategy	Head of Housing and Community Services
Waste Management, Waste minimisation and Recycling Strategy	Head of Environment and Public Realm
Private Water Management	Head of Housing and Community Services
District flood risk management functions	Director of Environment and Shared Services

Licensing Strategy and Policies (including making recommendations to Council)	Head of Housing & Community Services
Public Conveniences	Head of Environment and Public Realm
Street Scene and Environmental Strategy (to include Clean Neighbourhood Enforcement, monitoring.	Director of Environment and Shared Services/Head of Environment & Public Realm
Enforcement of Air Quality Policies)	Head of Housing and Community Services
Renewable Energy Strategy	Director Environment & Shared Services
Contaminated Land Strategy	Environmental Health
Community Safety in consultation with the Safer Maidstone Partnership; reviewing the exercise of crime and disorder functions by responsible authorities (Police and Crime Commissioner, Chief Constable, probation, health etc) and to make reports and recommendations with regard to the discharge of those functions - NB any Councillor may refer such a matter to this Committee.	Head of Housing and Community Services

ROLE OF THE CHAIRMAN OF COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

- Taking the lead within this Committee of working with others in building a vision for the Council and community
- To take the lead within this Committee for external relationships with properly constituted Tenants and Resident's Groups and Parish Councils including the Parish Services Scheme
- To take the lead within this Committee for all aspects of community engagement
- To work with groups such as the Older Person's Forum and the Voluntary Sector including organisations such as the Citizens Advice Bureau, Voluntary Action Maidstone, Maidstone Mediation and other important community organisations
- To represent the Council on all relevant partnerships including the Kent Waste Partnership, the Kent Community Safety Partnership and the Kent Health Overview & Scrutiny Committee. (Health scrutiny shall be

2.9 LICENSING COMMITTEE

Membership: 12 Councillors

Purpose: To exercise licensing and gambling functions on behalf of the Council

(NB Councillors and substitute members of Planning Committee cannot be members of Licensing Committee.)

FUNCTIONS	DELEGATION OF FUNCTIONS
<p>Licensing – Functions relating to licensing as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations [2001/2015]</p> <p>To deal with Licensing functions in accordance with the Licensing Act 2003 and the Licensing Policies agreed by the Council.</p> <p>Consideration of appeals against any decision on a licence or consent shall be determined by a Sub-Committee of 3 Councillors.</p> <p>Counter notice to temporary use notices will be dealt with by a Sub-Committee of 3 Councillors.</p> <p>A Sub-Committee of 3 Councillors shall deal with matters set out in the table below.</p> <p>To deal with Gambling functions in accordance with the Gambling Act 2005 and the Statement of Principles agreed by the Council.</p> <p>Consider and recommend Communities Housing and Environment Committee or to Council adopting a new Licensing Policy Statement, any Cumulative Impact Policies for the Borough decisions, Late Night Alcohol Levy and to make, vary or revoke Early Morning Alcohol Restriction Orders.</p>	<p>All non-Licensing Act 2003 and Gambling Act 2005 functions delegated to the Director of Regeneration and Communities/Head of Housing and Community Services except the determination of policy, setting the level of fees and charges which are the responsibility of the Licensing Committee.</p> <p>All matters where a "Relevant Representation", (including an objection, objection notice or application for summary review) (Licensing) or a "Relevant Representation", (including an objection) (Gambling) has been made; cancellation of club gaming/ club machine permits.</p> <p>All other licensing and gambling matters will be dealt with by the Head of Housing and Community Services, except for Responsible Authority functions</p>

which will be dealt with by the Director of Regeneration and Communities. (save where prohibited by legislation or otherwise delegated).
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2.10 LICENSING SUB COMMITTEE

Membership: 3 Councillors from Licensing Committee

Purpose: To make decisions about individual licensing matters and appeals where not otherwise delegated to the Head of Housing and Community Services.

Note: The scheme of delegation will normally be adhered to but may be varied in exceptional circumstances and having regard to any relevant statutory requirements.

A requirement for staff to act impartially is also included within the Council's Employees' Code.

Such impartiality (particularly crucial in highly contentious matters) is re-enforced by requirements on Councillors in the Code of Conduct. Councillors are placed under a requirement by paragraphs 3(2)(c) of the Code:

Not to do anything that compromises, or is likely to compromise, the impartially or integrity of those who work for, or on behalf of, the authority.

- (c) The Council has agreed that no Councillor will be able to serve on this Committee without having agreed to undertake a minimum period of training on the policies procedures, legislation and guidance relevant to of this Committee as specified by the Committee. This training should be completed to an agreed level according to an agreed programme within an agreed time period set by the Committee for newly appointed members and substitute members of the Committee. If the specified training has not been completed by the due date, the Councillor will cease to be a member/substitute member of this Committee until the training has been completed. The Head of Housing and Community Services will keep a record of the training requirements of this Committee and of Councillors' compliance with the requirements. Existing members and substitute members of the Licensing Committee should be updated regularly on changes of legislation and procedures and must receive refresher training on an annual basis. Failure to undertake the refresher training will result in the Councillor ceasing to be a member/substitute member of the Committee until the refresher training has been completed.

2. REGISTRATION OF INTERESTS BY COUNCILLORS

The Localism Act 2011 and the Councillors' Code place requirements on Councillors relating to the registration and declaration of their interests and sets out the consequences for Councillors' participation in consideration of an issue, in light of those interests. These requirements must be followed scrupulously and Councillors should review their situation regularly. Advice may be sought from the Council's Monitoring Officer on these issues. Ultimate responsibility for fulfilling the requirements rests individually with each Councillor.

A register of Councillors' interests will be maintained by the Council's Monitoring Officer, which will be available for public inspection and be published on the Council's website. A Councillor must provide the Monitoring Officer with written details of relevant interests within 28 days of his/her election, or appointment to office. Any changes to those

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY COMMITTEE

7 JULY 2016

REFERENCE FROM PLANNING COMMITTEE

TRAINING FOR PLANNING REFERRALS COMMITTEE MEMBERS AND SUBSTITUTE MEMBERS

At its meeting held on 2 June adjourned to 9 June 2016, the Planning Committee agreed a programme of training and development designed to assist Members and Substitute Members of the Committee in meeting the requirements of the Constitution.

During the discussion, it was suggested that the Democracy Committee be asked to recommend to the Council that the Constitution be amended to make it a requirement that Members and Substitute Members of the Planning Referrals Committee undergo training on the policies, procedures, legislation and guidance relevant to the work of the Planning Committee.

The Planning Referrals Committee comprises three Members (one from each of the three largest Political Groups, but excluding Members and Substitute Members of the Planning Committee). The purpose of the Committee is to determine planning applications referred to it by the Head of Planning and Development if he/she is of the opinion that the decision of the Planning Committee is likely to have significant cost implications for the Council's budget. The Committee has met once to undertake this function since its establishment in 2006.

RECOMMENDED: That the Council be recommended to agree that the Constitution be amended to make it a requirement that Members and Substitute Members of the Planning Referrals Committee undergo training on the policies, procedures, legislation and guidance relevant to the work of the Planning Committee.

NOTE: In this connection, the following wording could be included in section 2.8 of Part 2.1 of the Constitution:

No Member will be able to serve on the Planning Referrals Committee without having agreed to undergo training on the policies, procedures, legislation and guidance relevant to the work of the Planning Committee, the details of which are to be agreed by the Chief Executive in consultation with the Leaders of the Political Groups represented on the Committee. The training must be completed before the Committee first meets to discharge its function and must be refreshed as appropriate.