

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY AND GENERAL PURPOSES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 3 JULY 2019

Present: Councillors Mrs Blackmore, Chappell-Tay, Mrs Gooch (Chairman), Hastie, Joy, Lewins, Purle and Webb

Also Present: Councillor Naghi

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Perry.

7. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

8. URGENT ITEMS

There were no urgent items.

9. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillor Naghi was present as a Visiting Member, and indicated that he wished to speak on Item 13. Member Agenda Item Request from Cllr David Naghi: Protocols for Flying the Borough Council Flag at Half-Mast.

10. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

11. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

Note: Councillor Blackmore arrived during consideration of this item.

12. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

RESOLVED: That all items be taken in public as proposed.

13. MINUTES OF THE MEETING HELD ON 21 MAY 2019

RESOLVED: That the minutes of the meeting held on 21 May 2019 be approved as a correct record and signed.

14. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

15. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

16. COMMITTEE WORK PROGRAMME

The Head of Policy, Communications and Governance informed the Committee that title of the Workforce Strategy Update was to be amended to reflect that it was a six-month update and that the update had been postponed from July 2019 to September 2019.

RESOLVED: That the Committee Work Programme be noted.

17. REPORTS OF OUTSIDE BODIES

The Committee thanked Councillor Joy for the report.

RESOLVED: That the Outside Body report be noted.

18. MEMBER AGENDA ITEM REQUEST FROM CLLR DAVID NAGHI: PROTOCOLS FOR FLYING THE BOROUGH COUNCIL FLAG AT HALF-MAST

Councillor Naghi introduced his report.

The Committee commented that it recognised the importance of respecting and recognising individuals that had served the Council.

In response to questions from the Committee, the Democratic and Electoral Services Manager said that:

- In the event of a clash, the order of precedence for civic events determined which flag was to be flown at half-mast.
- Work to understand approaches used by other Local Authorities had not been undertaken, but this could be incorporated into the scoping report.

RESOLVED: That Officers bring a report to the next meeting of the Democracy and General Purposes Committee, setting out the options and recommendations for member's consideration and decision.

Voting: For – 7 Against – 1 Abstentions – 0

19. OUTSIDE BODIES 2019/20

The Democratic Services Officer outlined that the report summarised Outside Bodies within the remit of the Democracy and General Purposes

Committee. It was stated that some Councillors had time remaining on their terms of office, having previously been appointed as Council Representatives, while other Councillors had been automatically appointed for the 2019/20 municipal year. The following nominations had been received for Council Representative positions:

- Councillor Joy for the Maidstone Street Pastors Management Committee.
- Councillor W Hinder for the Relief in Need Charities.

The Democratic Services Officer explained that a process had been suggested to provide a consistent and transparent approach to reviewing the number of positions for Council Representatives on Outside Bodies. Furthermore, the Allington Millennium Green Trust had confirmed that the term of office for a Council Representative was for a period of four years. Appendix 1 to the report was therefore to be corrected to reflect that Councillor Daley's term of office was due to expire on 2 August 2019.

The Committee commented that the Allington Millennium Green Trust was located within Bridge Ward, and therefore Bridge Ward Members should be eligible for this position.

The Democratic and Electoral Services Manager highlighted that work had been undertaken to review information that the Council held relating to Outside Bodies. As part of this work, an improved process for monitoring Outside Body appointments had been introduced.

RESOLVED: That:

1. The current Council Representatives be noted.
2. Councillor Denise Joy be appointed as a Council Representative on the Maidstone Street Pastors Management Committee.
3. Councillor Wendy Hinder be appointed as a Council Representative on the Relief in Need Charities.
4. The principles for reviewing Outside Bodies that have had vacant positions for a period of two full municipal years, as outlined in paragraphs 2.8 and 2.9, be agreed.

Voting: Unanimous

20. DEMOCRATIC REPRESENTATION REVIEW

The Democratic and Electoral Services Manager stated that paragraph 2.3 of the report was to be amended to read:

"The next County Council election year is 2021."

The Democratic and Electoral Services Manager explained that the report proposed a scoping report be considered by the Democracy and General Purposes Committee in September 2019. Several factors had contributed to the need for a review, such as population changes and development in the Borough, while a motion to investigate Whole Council Elections had been approved at Council on 27 February 2019.

The Committee suggested that the review include an assessment of the number of Councillors required in each ward, to ensure that Councillors had balanced workloads, and that a "Councillor per population" ratio would help to inform calculations. Furthermore, it was stated that the public consultation results on four yearly elections, from December 2010, were to be considered during the review.

RESOLVED: That:

1. A Democratic Representation Review be agreed and timetabled into the Democracy and General Purposes work programme.
2. The review be carried out by the full committee, with the possibility of smaller 4-5 member, working groups reserved for specific issues in the future.
3. That the Democracy and General Purposes Committee agree to proceed the work on Whole Council Elections.
4. A consultation be carried out with Members to identify any further issues with electoral boundaries, or other similar matters, with the results used to inform a scoping report, for the next meeting of Democracy and General Purposes Committee.

Voting: Unanimous

21. AUDIT, GOVERNANCE AND STANDARDS COMMITTEE - SELECTION PROCESS FOR THE APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES

The Democratic and Electoral Services Manager said that Council had agreed that a selection process was required for selecting Parish Council Representatives on the Audit, Governance and Standards Committee in December 2018. This ensured that there was a consistent process for selecting representatives if the number of applications exceeded the number of vacancies.

In response to questions from the Committee, the Democratic and Electoral Services Manager replied that:

- The Democracy and General Purposes Committee appointed independent people to the Remuneration Panel, and therefore it was appropriate for the Committee to perform an independent selection process for Parish Council Representatives on the Audit, Governance and Standards Committee.

- The interview was to be conducted at a meeting of the Democracy and General Purposes Committee. Therefore, the quorum for the meeting was four Members, and the Chairman could use a casting vote if required.

RESOLVED: That

1. The Council be recommended to agree that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, the selection process outlined below be followed culminating in a recommendation being made to the Council:

*Completion of an expression of interest form by each candidate in support of their nomination; and
Interview by the Democracy and General Purposes Committee if appropriate.*

2. That to facilitate this process, the Council be recommended to agree the following changes to the Constitution:

Part 2 – Responsibility for Functions

Section 2.2.9 – Democracy and General Purposes Committee

FUNCTIONS	DELEGATION OF FUNCTIONS
6. To be responsible for the appointment of independent persons to the Independent Remuneration Panel for Councillors' Allowances.	N/A
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.	N/A
7. In the event of more than one candidate being nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, to consider	N/A

expressions of interest in support of the nominations, and make a recommendation to Council as to the person to be appointed. <i>Subsequent paragraphs to be renumbered</i>	
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Voting: Unanimous

22. DURATION OF MEETING

6.31 p.m. to 7.15 p.m.