

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY AND GENERAL PURPOSES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 22 JUNE 2022

Present: Councillor Cooper (Chairman) and
Councillors Bartlett, Mrs Blackmore, Cooke, English,
Harper, Joy and R Webb

Also Present: Councillor Munford (Visiting Member)

1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Perry and Rose.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Harper was present as a Substitute Member for Councillor Rose.

3. **ELECTION OF CHAIRMAN**

Councillor Cooper was elected Chairman for the Municipal Year 2022/23.

4. **ELECTION OF VICE-CHAIR**

Councillor Joy was elected Vice-Chair for the Municipal Year 2022/23.

5. **URGENT ITEMS**

There were no urgent items.

6. **NOTIFICATION OF VISITING MEMBERS**

It was noted that Councillor Munford was present as a Visiting Member and indicated that he wished to speak on Item17 – Community Governance Review - Timetable.

7. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

8. **DISCLOSURES OF LOBBYING**

Councillors Cooper and English stated that they had been lobbied on Item 16 – Pre-Review Constitution Changes.

9. 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.

10. MINUTES OF THE MEETING HELD ON 9 MARCH 2022

RESOLVED: That the Minutes of the meeting held on 9 March 2022 be approved as a correct record and signed.

11. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

12. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS (IF ANY)

There were no questions from Local Residents.

13. QUESTIONS FROM MEMBERS TO THE CHAIRMAN (IF ANY)

There were no questions from Members to the Chairman.

14. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

15. MEMBER TRAINING 2022/3 - DISCUSSION PAPER

The Head of Policy, Communications and Governance introduced the report setting out the planned training for the year, including training on the role of trustees and to support portfolio holders. The Committee were asked for feedback and input on anything they would like added to the training programme.

The Committee debated the merits of online versus in person provision for training and agreed that either format would be considered depending on what was required. The Committee also felt that the training programme needed to have flexibility in built for courses to be added during the year and that recordings of in person events should be investigated to supplement online recordings. The need for Members and parishes to understand the upcoming Community Governance Review was stressed and this was requested as an addition to the programme.

RESOLVED: That the approach to Member training for 2022/23 be noted and agreed that this includes a briefing on community governance reviews as well as ad hoc training as and when required by Members to ensure maximum flexibility, and this flexibility be maintained in the approach to training delivery using a hybrid model of online and in person sessions as appropriate.

16. PRE-REVIEW CONSTITUTION CHANGES

The Democratic and Electoral Services Manager introduced the report setting out two proposed changes to the constitution to be recommended to Council in July 2022. The aim was for these to be made before the formal 6 month review of the constitution as they were having implications now. The report also asked the committee to note the uses of the Monitoring Officer's delegation to amend the constitution, and to indicate whether they wished to continue to receive such a report and at what frequency.

The first recommended change was to Part A2, 7.6.2 to remove the requirement for a decision to have been before a Policy Advisory Committee before the report to the Executive (or Individual Member on the Executive) could be published. The Committee considered this change and requested that it be deferred.

The second recommended change was to amend part C2 8.2 to include the words 'where appropriate' such that if an item was inappropriate it did not need to be explicitly be set out on the agenda. The examples given related to questions from local residents at planning committee and licensing sub-committee hearings where other provisions were already in place. The Committee supported this change.

The Committee also requested that a third change be considered by Council, namely, to allow all Councillors who were not Members of a Committee to be available as substitutes for their own political groups, where they were not otherwise restricted from doing so. It was noted that in recent years two changes had occurred to the operation of Members and Substitute Members. Restrictions on cross committee memberships between Planning and Licensing Committee had been removed, and Group Leaders could now change the lists of Members and Substitute Members at any time by writing to the proper officer. By allowing all Members to be considered as substitutes it would remove an element of risk and the need for designated substitutes to be changed.

The Committee noted the use of Monitoring Officer's delegations and requested that it be a standing item on future agendas.

RESOLVED: That

1. The changes proposed in paragraph 2.4 of the report, to part A2 7.6.2, be deferred and considered at the next meeting of the Committee;
2. The changes proposed in paragraph 2.6 of the report, to part C2 8.2, be referred to full council to amend the constitution;
3. That Council be recommended to agree that Part C2, p134, 2.5.1 be amended to 'For each Committee any Member who is not a Member of that committee may act as a Substitute on that committee for a seat allocated to their political group.'; and

4. The Monitoring Officer report, on the use of the Monitoring Officer delegation on amending the constitution, continue as a standing item for each meeting.

17. COMMUNITY GOVERNANCE REVIEW - TIMETABLE

The Democratic and Electoral Services Manager presented the Community Governance Review Timetable. A Community Governance Review (CGR) differed significantly from a Local Government Boundary Review (LGBR) in that Maidstone Borough Council was the Principal Authority for the review and therefore, within the bounds of the objectives and legislation, set the timetable and method for the review.

The Community Governance Review needed to be completed within 12 months from the publication of the terms of reference and would need to be completed by November 2023 such that the electoral register could be published in December 2023 with the new polling districts in place.

It was stressed that consulting the community, including the public, parishes, and councillors was critical to a successful review and engagement had already started with the Kent Association of Local Councils. The difficulties in the timings and amount of on-going work, including the LGBR, CGR, Parliamentary boundary review, and Election Act 2022 implementation were emphasised.

RESOLVED: That the Community Governance Review timetable (set out in 2.9 of the report) be noted.

18. DURATION OF MEETING

6.30 p.m. to 7.53 p.m.