

DEMOCRACY AND GENERAL PURPOSES COMMITTEE MEETING

Date: Wednesday 27 March 2024
Time: 6.30 p.m. (or at the conclusion of any adjourned Cabinet meeting,
whichever is the later)
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Bartlett, Cooper (Chairman), Cox, English (Vice-Chairman),
Jeffery, Perry, Rose, M Thompson and Webb

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

<u>AGENDA</u>	<u>Page No.</u>
1. Apologies for Absence	
2. Notification of Substitute Members	
3. Urgent Items	
4. Notification of Visiting Members	
5. Disclosures by Members and Officers	
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 31 January 2024	1 - 4
9. Presentation of Petitions (if any)	
10. Question and Answer Session for Members of the Public	
11. Questions from Members to the Chairman (if any)	
12. Committee Work Programme	
13. Reports of Outside Bodies (if any)	
14. Member Training 2024/25 - Discussion Paper	5 - 10

Issued on Tuesday 19 March 2024

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on 25 March 2024). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 4 p.m. one clear working day before the meeting (i.e. by 4 p.m. on 25 March 2024). You will need to tell us which agenda item you wish to speak on.

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

To find out more about the work of the Committee, please visit the [Council's Website](#).

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY AND GENERAL PURPOSES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 31 JANUARY 2024

Attendees:

Committee Members:	Councillors Cooper (Chairman), Cox, English, Forecast, Garten, Jeffery, M Thompson, Webb and D Wilkinson
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60. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bartlett, Perry and Rose.

61. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members present were:

- Councillor Forecast for Councillor Bartlett
- Councillor Garten for Councillor Perry
- Councillor D Wilkinson for Councillor Rose

62. URGENT ITEMS

There were no urgent items.

63. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

64. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

65. DISCLOSURES OF LOBBYING

Councillors Cooper and English stated that they had been lobbied on Item 14 – Policy Advisory Committee and Overview and Scrutiny Arrangements, Governance Review 2023/24 and Item 15 – Amendments to the Constitution.

66. EXEMPT ITEMS

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

67. MINUTES OF THE MEETING HELD ON 20 NOVEMBER 2023

RESOLVED: That the Minutes of the meeting held on 20 November 2023 be approved as a correct record and signed.

68. PRESENTATION OF PETITIONS

There were no petitions.

69. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

70. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members.

71. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

72. REPORTS OF OUTSIDE BODIES

There were no reports of outside bodies.

73. POLICY ADVISORY COMMITTEE AND OVERVIEW AND SCRUTINY ARRANGEMENTS, GOVERNANCE REVIEW 2023/24

The Director of Strategy, Insight and Governance introduced the report and outlined the three options for Policy Advisory Committee and Overview and Scrutiny Arrangements following the workshop held and the previous Committee meeting. These included:

- Model B (Cabinet plus Policy Advisory Scrutiny Committees), which had 11 votes at the workshop;
- Model E (Cabinet plus Cabinet Advisory Committees and 1 Overview and Scrutiny Committee) which had 4 votes at the workshop; and
- Model A (Current Model – up to 4 Policy Advisory Committees (PACs) plus 1 Overview and Scrutiny Committee (OSC) which had 4 votes at the workshop.

It was advised that changes to the current system would need to be agreed by the Full Council and would require changes to the constitution.

The Committee had also included in their review of the governance arrangements consideration of a new constitution. It was advised that, if an easier-to-use version of the constitution was required, this would need to have input from Members and be presented to the Committee before a recommendation could be made to Council.

Some Members expressed that Model B, which had the most votes at the workshop, would provide a stronger framework for Member engagement and would be an improvement on the existing model. The model could be adopted before the May 2024 elections. Overall, it was agreed that the current model should be retained as it worked well, and that it would be detrimental to introduce significant changes to the governance model before an election. It was noted that

the incoming Members could look to change the model in the future if this was the preferred option. However, it was requested that the PACs be reduced from four to three to make better use of time and resources.

Concerns were raised that elements of the current constitution, such as reports from outside bodies, were not being properly utilised and not outlined in enough detail. It was requested that officers produce an amendment for the constitution for the next meeting as an additional recommendation.

RESOLVED: That

1. No change be made to the Policy Advisory Committee and Overview and Scrutiny arrangements; and
2. The existing Constitution remain.

74. AMENDMENTS TO THE CONSTITUTION

The Director of Strategy, Insight and Governance introduced the report and outlined that there was a list of minor amendments to be implemented using the Monitoring Officer's delegation, and eight other proposals for consideration by the Committee. Specific attention was drawn to:

- Change 2 – Motions of Notice (Council), which had two options for amendment and would allow the Mayor to use discretion to deal with motions at Council;
- Change 6 – Visiting Members, which concerned the right of Visiting Members to attend meetings moving into Part II proceedings, with additional wording suggested to allow the most senior officer present to advise the Chairman in the absence of the Monitoring Officer.

The Committee considered each of the other proposals individually:

1. Cancellation of Meetings – Agreed;
2. Motions on Notice (Council) – The Democratic and Electoral Services Manager clarified that the changes proposed would allow motions to be dealt with at Council without referral to Cabinet or a Policy Advisory Committee, which it cannot currently do. In response to a query on option B, he stated that the proposer could not be advised on how the motion would be determined, as this was for the Council to decide. The Committee agreed that Option B was suitable.
3. Petition Scheme – Agreed;
4. Members as Substitutes on Committees – Agreed;
5. Notice of Meetings and Business to be discussed – Agreed;
6. Visiting Members – amendment to Rule 7.3.7 to read: on the advice of the Monitoring Officer or, *in their absence, the most senior officer present at the meeting*, Agreed;

7. Protocol for receiving Overview and Scrutiny Committee Reports - Agreed; and
8. Protocol on Honorary Alderman – Several Members were hesitant to include ‘exceptional circumstances’ as it could be misinterpreted and should be evident that it is not taken lightly. The Democratic and Electoral Services Manager advised that there was no clear legal position on Honorary Aldermen being appointed posthumously, but the wording would allow flexibility. The Committee agreed to recommend the change, as it would prevent the Council from acting against its own policy.

RESOLVED: That

1. The use of the Monitoring Officer’s delegation to amend the Constitution as outlined in Appendix 1 to the report, be noted; and
2. Council be recommended to approve the amendments as detailed in Appendix 1 to the report to:
 - a. Part C1 (Rules of Procedure), Rule 2.5 (Cancellation of Meetings);
 - b. Part C1 (Rules of Procedure), Rule 12.9 (Motions of Notice) in accordance with Option B;
 - c. Part C1 (Council Procedure Rules), Appendix A: The Council’s Petition Scheme;
 - d. Remove the unnumbered paragraph following Part C2 (Committee Procedure Rules), Rule 2.5.3;
 - e. Part C2 (Committee Procedure Rules), Rule 5 (Notice of Meetings and Business to be discussed);
 - f. Part C2 (Committee Procedure Rules), Rule 7.3.7 to read:

‘on the advice of the Monitoring Officer or, in their absence, the most senior officer present at the meeting’;
 - g. Part C2 (Committee Procedure Rules), Paragraph 13.3; and
 - h. Part E3 (Protocol on Honorary Alderman), Paragraph 2.4.

75. DURATION OF MEETING

6.30 p.m. to 7.32 p.m.

**DEMOCRACY AND GENERAL
PURPOSES COMMITTEE**

27 March 2024

Member Training 2024/25 Discussion Paper

Final Decision-Maker	Democracy and General Purposes Committee
Lead Director	Angela Woodhouse, Director of Strategy, Insight and Governance
Lead Officer and Report Author	Angela Woodhouse, Director of Strategy, Insight and Governance
Classification	Public
Wards affected	N/A

Executive Summary

This report provides a summary of Member training and briefings for 2023/24 and the proposed training activities for 2024/25 for discussion and input from this Committee.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

To note the approach to Member training for 2024/25 and agree any additional training to be included in the programme.

Timetable

Meeting	Date
Democracy and General Purposes Committee	27 March 2024

Member Training 2024/25 Discussion Paper

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council’s overall achievement of its aims as set out in the body of the report.</p>	Director of Strategy, Insight and Governance
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The training and briefing sessions will support the achievement of the cross-cutting objectives.</p>	Director of Strategy, Insight and Governance
Risk Management	Already covered in the risk section	Director of Strategy, Insight and Governance
Financial	The proposals set out in the recommendation are all within already approved £9k Member Training budget and so need no new funding for implementation.	Section 151 Officer

Staffing	We will deliver the recommendations with our current staffing.	Director of Strategy, Insight and Governance
Legal	There are no legal implications. However, under Section 3 of the Local Government Act 1999 (as amended) the Council as a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. The Learning and Development Charter and this report assist in demonstrating best value and compliance with the statutory duty.	Director of Strategy, Insight and Governance
Privacy and Data Protection	There are no privacy and data protection implications.	Director of Strategy, Insight and Governance
Equalities	No implications	Equalities & Communities Officer
Public Health	No implications	Public Health Officer
Crime and Disorder	No implications	Director of Strategy, Insight and Governance
Procurement	Any training requiring procured will follow procurement and financial procedure rules.	Director of Strategy, Insight and Governance
Biodiversity and Climate Change	Training for Members on biodiversity and climate change has been included as part of the programme.	Director of Strategy, Insight and Governance

2. INTRODUCTION AND BACKGROUND

2.1 The Council has in place a Member Development Charter agreed by the Democracy Committee in September 2018.

2.2 The Charter sets out the following criteria for Member Development:

- There is a clear commitment to councillor development and support
- The council has a strategic approach to councillor learning and development
- Learning and development is effective in building capacity

2.3 As we are have out elections in May 2024 with the possibility of a larger cohort of new councillors, Members were surveyed for their input into the induction and support that would be helpful for new Councillors, as a result we will be undertaking several actions:

- Providing a who's who guide of key officers and services, making this available in digital form
- Providing an officer buddy from the Wider Leadership Team
- Including training on committee meetings and procedures to enable participation as part of induction
- Training on questions and recommendations
- Tour of key places
- Creating a new Member page with guidance, advice and support including:
 - Local Government Association guides for new councillors
 - Key dates for training and meetings
 - Links to the constitution
 - Links to Strategies and Policies
 - Links to community and other local information

2.4

Training and Briefings for Members in 2023/24

2.5 Over 20 training and briefing sessions were held for Members in 2023/24, carbon literacy training for Members was included in the programme for the first time with two sessions run for flexibility and to increase attendance with one on a week day and the other on a Saturday. Training was also held on the Nolan principles which was well received by those who attended.

2.6 Planning and Licensing Committees set their own training programme that members must complete to participate on the committees. Eight sessions were held to deliver planning training as agreed and identified by the Planning Committee. Three Licensing Committee training sessions were held for members of the Committee.

2.7 A number of briefing sessions were held covering topics including:

- Cabinet and Scrutiny Governance Models
- Budget Briefings
- Audit Governance and Standards
- Community Governance Review
- Town Centre Briefing

3. AVAILABLE OPTIONS

3.1 For 2024/25 the following training is proposed

- Induction for Councillors:

8 May 2024@18:30 – Introduction to the Council, governance model and who’s who and meet and greet with Wider Leadership Team

15 May 2024@18:30 –Committee Basics, Interests, Procedures, Roles and responsibilities

- Overview and Scrutiny skills series covering chairing, questioning, recommendations and review skills – throughout the year
- Chairman’s Training – June/July
- Nolan Principles – June/July
- Follow up session on Committee Procedures and Governance in September
- Support for Cabinet Members based on their portfolios through external training, conferences and internal briefings including Media Training
- Carbon Literacy Training

Planning and Licensing Training will be organised by those committees respectively, lead officers are on notice for the need for early training if there is a significant change to committee membership.

3.2 Several briefings will be scheduled by topic throughout the year as we have previously with input from the Executive and Corporate Leadership Team to ensure Members remained informed of Council activity and strategic issues for example briefings on the budget.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 In line with the Member Development Charter, Members are asked to put forward suggestions for training.

4.2 In previous years training has been held on:

- Constitution and procedure rules for meetings
- Code of conduct and interests
- Chairing skills

- Social media and media training
- Member rights
- Carbon Literacy Training

4.3 The Committee is asked to identify any additional training they would like to be included in this year's programme.

5. RISK

5.1 Training and development of Members will strengthen the council's governance arrangements and mitigate risk through ensuring effective decision making.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 Licensing and Planning Committees will be approving their own training programmes as regulatory Committees. The purpose of this report is for Democracy and General Purposes Committee to identify any training they believe would be beneficial for Members.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 New suggestions put forward and agreed by this Committee will be included in the programme. If the suggestions prove to require expenditure beyond the Member Training Budget a report will be brought back to this Committee to prioritise training. In previous years the budget has been underspent.

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None

**DEMOCRACY AND GENERAL
PURPOSES COMMITTEE**

27 March 2024

Members' Access to Information – Annual Review

Final Decision-Maker	Democracy and General Purposes Committee
Lead Director	Angela Woodhouse, Director of Strategy, Insight and Governance
Lead Officer and Report Author	Angela Woodhouse, Director of Strategy, Insight and Governance
Classification	Public
Wards affected	All

Executive Summary

This report provides the annual review required by the Proper Officer on the functioning of the access to information procedure rules in respect of Members' Access to information, including the number of instances where requests were declined and the rationale for such decisions.

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

To note the annual review of Members' Access to Information.

Timetable

Meeting	Date
Democracy and General Purposes Committee	27 March 2024

Members' Access to Information – Annual Review

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Appropriate application of the access to information to procedure rules supports the Council's priorities through effective and transparent decision making.</p>	Director of Strategy, Insight and Governance
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>Appropriate application of the access to information to procedure rules supports the Council's priorities through effective and transparent decision making.</p>	Director of Strategy, Insight and Governance
Risk Management	Failure to apply the access to information procedure rules appropriately could open the council to risk in terms of decision making both reputationally and financially	Director of Strategy, Insight and Governance
Financial	Failure to apply the access to information procedure rules in the Constitution appropriately could open the council to risk in terms of decision making both reputationally and financially	Director of Strategy, Insight and Governance
Staffing	Report for noting no implications	Director of Strategy, Insight and Governance

Legal	Part VA of the Local Government Act 1972 provides the legislative basis for Members access to information. For Council's operating Executive arrangements equivalent provisions are set down in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. This report demonstrates how the Council meets the legislative requirements.	
Privacy and Data Protection	This report deals with the application of the access to information procedure rules. The public interest has been applied as part of the decision making process for assessing whether reports and/or their appendices are to be taken in part II.	Director of Strategy, Insight and Governance
Equalities	The report is for noting and contains no recommendations that would propose a change in service, therefore no equalities impact assessment will be required.	Equalities & Communities Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Director of Strategy, Insight and Governance
Crime and Disorder	No implications	Director of Strategy, Insight and Governance
Procurement	No implications	Director of Strategy, Insight and Governance
Biodiversity and Climate Change	No implications	Director of Strategy, Insight and Governance

2. INTRODUCTION AND BACKGROUND

- 2.1 The constitution requires an annual report by the Proper Officer on the functioning of the access to information procedure rules in respect of Members' Access to information, including the number of instances where requests were declined and the rationale for such decisions.

Cabinet Part II Papers

- 2.2 Attached at Appendix A is a summary of the decisions made by the Cabinet and how many of those decisions were reports that were entirely Part II and exempt and how many had an exempt Appendix referred to as Part IIA:
- Out of 52 decisions, 6 had Part II appendices
 - There was 1 decision report that was entirely in Part II.
 - All Part II appendices and the Part II report were exempt under paragraph 3 – Information relating to financial or business affairs

By comparison Cabinet in 2022/23 had no reports that were entirely in Part II and out of 66 decisions made 16 had Part II appendices with all decisions made in public.

The requirement to wherever possible structure reports so at least part of the report is public with exempt information as an appendix has been achieved this year. The one case where this was not possible, advice and guidance was sought from the proper officer and it was identified that no meaningful information could be placed in a public report so the whole report was treated as a Part II item.

Number of Requests by Members

- 2.3 As Proper Officer I have not received any requests by Members for access to information this year. I believe Chairmen have exercised their right to allow visiting Members to stay for the consideration of Part II matters.

Other Committees

- 2.4 In respect of other meetings of the Council and its Committees no requests to access information in Part II have been made by Members.

Application of Access to Information Procedure Rules

- 2.5 The Access to Information Procedure rules have been complied with from the evidence I have seen and reports from the Democratic Services Team. Decisions have been given proper notice in the forward plan and those executive decisions where exempt information is likely to be included have been publicised with 28 days' notice unless urgency has been applied. Agendas and notices have all been published at least five clear days before a meeting is held unless urgency has been applied. At the last meeting of Democracy and General Purposes Committee clarity was added to visiting Members staying for part II items at the discretion of the Chairman.

3. AVAILABLE OPTIONS

- 3.1 The Committee note the report of the Proper Officer in accordance with the constitution. As Proper Officer I am not recommending any change to the procedure rules.
- 3.2 The Committee could decide to review the application of the rules and recommend changes, any changes to the constitution would have to be within the parameters of what is legally possible and would need to be approved by Council.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 To note the report

5. RISK

5.2. No risk has been identified in terms of the application of the procedure rules so far this year. Failure to apply the access to information procedure rules appropriately could open the council to risk in terms of decision making both reputationally and financially.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 No feedback has been requested or received regarding this process.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 No further steps are required.

8. REPORT APPENDICES

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

- Appendix A: Summary of Cabinet Part II and Part IIA decisions made
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9. BACKGROUND PAPERS

None

Cabinet Decisions – May 2023 to March 2024 (expected).

II – Part II Issue & IIA – Part II Appendix/ces

TOTAL CABINET DECISIONS: 52

Decision Maker	Month	Decisions relating to references	Decisions referred to Council	Decisions (public papers only)	Decisions (Part IIA)	Decisions (Part II)
Cabinet (Collectively)	June 2023	0	0	0	0	0
	July 2023	0	0	7	0	0
	September 2023	1	0	3	0	0
	October 2023	0	1	2	1	0
	November 2023	0	0	1	0	0
	December 2023	0	0	4	0	0
	January 2024	0	0	7	0	0
	February 2024	1	0	3	0	0
	March 2024 (expected)	0	0	6	2	0
TOTAL PER CATEGORY		1	1	33	3	0
TOTAL (collective Decisions)		38				

Decision Maker	Month	Decisions relating to references	Decisions referred to Council	Decisions (public papers only)	Decisions (Part IIA)	Decisions (Part II)
Leader of the Council	December 2023	0	0	1	0	0
	January 2024	0	0	1	0	0
TOTAL PER CATEGORY		0	0	2	0	0
TOTAL		2				

Decision Maker	Month	Decisions relating to references	Decisions referred to Council	Decisions (public papers only)	Decisions (Part IIA)	Decisions (Part II)
Cabinet Member for Planning and Infrastructure	May 2023	0	0	1	0	0
	June 2023	0	0	1	0	0
	July 2023	0	0	0	0	0
	September 2023	0	0	2	0	0
	October 2023	0	0	2	0	0
	November 2023	0	0	2	0	0
	December 2023	0	0	3	0	0
	January 2024	0	0	1	0	0
	February 2024	0	0	1	0	0
	March 2024 (expected)	0	0	1	0	1
TOTAL PER CATEGORY		0	0	14	0	1
TOTAL		15				

Decision Maker	Month	Decisions relating to references	Decisions referred to Council	Decisions (public papers only)	Decisions (Part IIA)	Decisions (Part II)
Cabinet Member for Environmental Services	November 2023	0	0	1	0	0
TOTAL		1				

Decision Maker	Month	Decisions relating to references	Decisions referred to Council	Decisions (public papers only)	Decisions (Part IIA)	Decisions (Part II)
	June 2023	0	0	0	2	0
Cabinet Member for Housing and Health	July 2023	0	0	2	0	0
	September 2023	0	0	1	0	0
	October 2023	0	0	2	1	0
TOTAL PER CATEGORY		0	0	5	3	0
TOTAL		8				

Decision Maker	Month	Decisions relating to references	Decisions referred to Council	Decisions (public papers only)	Decisions (Part IIA)	Decisions (Part II)
Cabinet Member for Community Arts and Leisure	September 2023	0	0	1	0	0
TOTAL		1				

Decision Maker	Month	Decisions relating to references	Decisions referred to Council	Decisions (public papers only)	Decisions (Part IIA)	Decisions (Part II)
Cabinet Member for Corporate Services	March 2023 (expected)	0	0	1	0	0
TOTAL		1				