

MAIDSTONE BOROUGH COUNCIL
COUNCIL
13 APRIL 2016
REPORT OF THE DEMOCRACY COMMITTEE HELD ON
17 MARCH 2016

CHANGES TO THE CONSTITUTION

1 Issue for Decision

The Council adopted the committee style of governance on 23 May 2015. It also adopted a new Constitution to support the committee system. It was envisaged by the Councillor Working Group for the New Constitution that there would be a review of the Constitution early in 2016. Paragraph 1.3.14 of the original report of the Councillor Working Group to Council dated 22 April 2014 stated, "It is proposed that the Democracy Committee review the operation and effectiveness of the new Constitution early in 2016, with a view to adopting and implementing appropriate changes in April/May 2016."

2 Recommendation Made

1. That all the changes and amendments to the Constitution shown in **Appendix A** to this report be agreed and implemented with effect from the Annual Meeting of the Council on 21 May 2016;
2. That the cycle of meetings for the Heritage, Culture and Leisure Committee increase to once a month with effect from the Annual Meeting of Council on 21 May 2016, and that the Chief Executive be given delegated authority to finalise the time and place of these meetings.

3 Reason for Recommendation

At its meeting on 28 January 2016 the Democracy Committee decided a review should be carried out focussing on procedural changes to the Constitution. It appointed a working group to consider the amendments and report back to the Committee.

The working group reported back to the Committee at its meeting on 17 March 2016.

The Committee proposed an amendment to the cycle of meetings of the Heritage, Culture and Leisure Committee to once a month with effect from the date of the annual meeting of Council.

Other proposed changes are listed in the table below:

Part	Para.	Change
1	1.6	Clarity regarding the role of the Leader of the Council
2.1	2	Addition of paragraph relating to committee meeting agenda items
2.1	2.3	Changes to the terms of reference of the Strategic Planning, Sustainability and Transportation Committee and the role of the Chairman of the Committee
2.1	2.6	Changes to the terms of reference of the Heritage, Culture and Leisure Committee and the role of the Chairman of the Committee
3.1	2	Addition of a new point 2 (i) referring to the rule on public speaking
3.1	3.2	Addition of wording providing clarity regarding Councillors putting items on Committee agendas
3.1	5	Addition of a sentence providing clarity regarding Visiting Members speaking at Committee meetings
3.1	11	Addition of a new paragraph 11 regarding lobbying
3.1	13	Amended paragraph 13.1 adding a sentence making provision for Group Leaders/Representatives to respond to public questions at meetings
3.1	15	Addition of a new paragraph 15 regarding public speaking at Council and Committee meetings

3.1	16	Addition of a new paragraph 16 making provision for third party contributions at Council and Committee meetings
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All proposed changes to the Constitution are shown as tracked changes in **Appendix A** attached to this report.

Where any subsequent changes require further minor amendments such as re-numbering of paragraphs this will not be required to come to Council. The Monitoring Officer has delegated authority to make changes to the Constitution which are necessitated by decisions taken by the Council; which remove inconsistency or ambiguity; which are minor; or to effect changes in the law.