

MAIDSTONE BOROUGH COUNCIL

COUNCIL

26 SEPTEMBER 2018

**REPORT OF THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE
HELD ON 30 JULY 2018**

**AUDIT, GOVERNANCE AND STANDARDS COMMITTEE – PARISH COUNCIL
REPRESENTATION**

Issue for Decision

The issue for decision is to regularise the situation regarding Parish Council representation on the Audit, Governance and Standards Committee and to address discrepancies within the Constitution.

Recommendation Made

That the revised wording (as detailed in Appendix 2) be agreed for incorporation into Part 2 (Responsibility for Functions) and Part 4 (Codes and Protocols) of the Constitution.

Reason for Recommendation

At its meeting held on 30 July 2018, the Audit, Governance and Standards Committee considered proposed changes to the Constitution to regularise the situation regarding Parish Council representation on the Committee and to address discrepancies within the document. A copy of the report to the Committee is attached as Appendix 1.

Members felt that the relationship between Parish Councils and the Borough Council is very important and that Parish Council representatives make a valuable contribution to the work of the Committee. It was pointed out that Parish Council representatives are appointed by the Council upon the nomination of the Maidstone Area Committee of the Kent Association of Local Councils (KALC), but not all Parish Councils in the Borough are members of KALC. It was suggested and agreed that, subject to the proposed changes being agreed by the Council, when seeking nominations for Parish Council representatives, the invitation should also be extended to any Parish Councils in the Borough that are not members of KALC.

The Committee agreed:

1. **To RECOMMEND to the Council:** That changes be made to the Constitution to:
 - Clarify that the Hearings Sub-Committee no longer exists and has been replaced by the Hearing Panel.

- Specify that the Hearing Panel consists of three voting elected Councillors drawn from the Audit, Governance and Standards Committee plus one non-voting Parish Councillor drawn from the Audit, Governance and Standards Committee when a Parish Councillor is the subject of a complaint.
 - Specify that the Audit, Governance and Standards Committee comprises nine Councillors plus two non-voting Parish Councillors appointed by the Council for a three year term of office.
2. That delegated authority be given to the Head of Mid-Kent Legal Partnership to formulate appropriate changes to the Constitution to effect the required changes and/or to reflect legislative requirements prior to Council approval.
 3. That subject to the proposed changes being agreed by the Council, when seeking nominations for Parish Council representatives, the invitation should also be extended to any Parish Councils in the Borough that are not members of KALC.

The Head of Mid-Kent Legal Partnership has provided revised wording (as detailed in Appendix 2) for incorporation into Part 2 (Responsibility for Functions) and Part 4 (Codes and Protocols) of the Constitution.

Alternatives Considered and Why Not Recommended

The alternative course of action is to do nothing, but this will not address the discrepancies within the Constitution or regularise the situation which has arisen regarding a Parish Council representative attending and participating in Audit, Governance and Standards Committee meetings.

Background Documents

None

Appendices

Appendix 1 – Report to the Audit, Governance and Standards Committee – 30 July 2018

Appendix 2 – Proposed Amendments to Parts 2 and 4 of the Constitution