

**MAIDSTONE BOROUGH COUNCIL**

**DEMOCRACY AND GENERAL PURPOSES COMMITTEE**

**29 JANUARY 2020**

**REFERENCE FROM COUNCIL**

**MOTION – MEMBERSHIP OF COMMITTEES**

At the meeting of the Council held on 18 December 2019, the following motion was moved by Councillor Perry, seconded by Councillor McKay:

*This motion seeks to amend the current Constitution to allow Members to be appointed to both the Licensing Committee and to the Planning Committee. It is recognised that these are statutory committees, which carry out quasi legal functions; but, there is not a legal requirement to prevent Members from serving on both Committees simultaneously and in fact many Councils do allow this to take place.*

*These Committees perform important statutory functions and it is essential from a democratic perspective that they are fully appointed and reflect as closely as possible the political make-up of the Council; having this self-imposed restriction makes this more difficult to achieve. It might be argued that there could be a possible conflict of interest but this can only be extremely rare and if it did occur could be easily managed.*

*Given the above the Council is asked to approve the following amendments to Part 2 of the Constitution:*

*In paragraph 2.2.5 under Planning Committee delete: (NB – Councillors and substitute members of Licensing Committee cannot be members of Planning Committee).*

*In paragraph 2.2.6 under Licensing Committee delete: (NB – Councillors and substitute members of Planning Committee cannot be members of Licensing Committee).*

In accordance with Council Procedure Rule 17.5, the motion, having been moved and seconded, was referred to the Democracy and General Purposes Committee.

A copy of the briefing note prepared by Officers to assist Members in their consideration of the motion is attached as Appendix A.

**RECOMMENDED: That the Committee consider the motion relating to the membership of the Planning and Licensing Committees.**