

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY AND GENERAL PURPOSES COMMITTEE

**MINUTES OF THE MEETING HELD ON WEDNESDAY 16
FEBRUARY 2022**

Present: Councillors Mrs Blackmore, Burton, Cooper, English, Hastie, McKay, Purle (Chairman), Russell and R Webb

Also Present: Councillor Harper

97. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Perry.

98. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Burton was present as a Substitute Member for Councillor Perry.

99. URGENT ITEMS

There were no urgent items.

100. NOTIFICATION OF VISITING MEMBERS

Councillor Harper was present as a Visiting Member for Item 14 – New Constitution: Consideration of Draft Sections Member Rights and Decision Making, and Item 16 – Local Government Boundary Review: New Ward Boundaries Principles.

101. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

102. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

103. 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.

104. MINUTES OF THE MEETING HELD ON 26 JANUARY 2022

RESOLVED: That the Minutes of the meeting held on 26 January 2022 be approved as a correct record and signed.

105. PRESENTATION OF PETITIONS

There were no petitions.

106. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There was one question from a member of the public.

Question from Mr Peter Coulling to the Chairman of the Democracy and General Purposes Committee:

'The Webcast facilities failed for your previous meeting and there is now no record of full questions, their answers and debate of the important agenda items 17 and 18. Apparently no report of the technical incident, its cause and resolution is to be prepared. Does this Committee feel that the current situation, with a reliance on YouTube rather than owned-facilities at a cost of circa £18K p.a., represents good practice for our democratically accountable Council?'

The Chairman responded to the question.

Mr Peter Coulling asked the following supplementary question:

'You, as Chairman of this Committee, reckon that it is reasonable that the residents of Maidstone have to rely upon a facility which you're not under contract with and you believe that represents good practice?'

The Chairman responded to the question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. To access the webcast, please use the link below:

<https://www.youtube.com/watch?v=ONxIF4OJCr4&t=1895s>

107. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

108. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

109. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

110. NEW CONSTITUTION: CONSIDERATION OF DRAFT SECTIONS MEMBER RIGHTS AND DECISION MAKING

The Head of Policy, Communications and Governance introduced the report and set out changes to the constitution which related to Member

rights, agenda items, questions and decision-making. Rules on access to information were being reviewed by the working group and would be presented at the meeting on 9 March, subject to agreement. The key decision definition was the same as it had been under the previous executive system.

The Legal Advisor explained that the disputes panel was initially suggested to review access to information requests. However, once the access to information rules were agreed by the working group, a disputes panel may no longer be required.

RESOLVED: That

1. The new draft Constitution sections relating to member rights, agenda items, questions and decision-making, as attached at Appendix A to the report, be agreed in principle;
2. The further amendments likely required to the document as the drafting process continues, be noted; and
3. All drafting be in accordance with legal requirements.

111. MEMBER TRAINING ON THE NEW GOVERNANCE ARRANGEMENTS

The Head of Policy, Communications and Governance introduced the report and explained the three proposed stages of training. A briefing on the new constitution would be delivered prior to consideration at full council, and then training would be provided on Executive and Scrutiny arrangements and Procedure Rules as part of the Member Induction, to which all Members would be invited. The third stage would be set out within the Member Development Programme for 2022/23 and would include training for key roles such as Chairing Skills and Overview and Scrutiny Skills. This would be presented to the Committee to agree at the beginning of the Municipal Year, and could be reviewed after six months.

In response to questions, the Head of Policy, Communications and Governance confirmed that the Democratic Services Team would be available to discuss any aspects of the new constitution with Members on an individual basis.

The Democratic and Electoral Services Manager added that Members could also contact the Democratic Services Team directly if they had any specific training requests throughout the year.

It was requested that officers collate questions and answers and make them available to all Members.

RESOLVED: That the three-stage approach to brief Councillors on the new constitution and embed the new governance model through the Member Development Programme, as set out in section 3, option 1 of the report, be approved, with the addition of:

- a) A drop-in session and an in-person training session on the new constitution;
- b) Availability of officers to answer questions of individual Members regarding the constitution and new governance model; and
- c) A 'FAQ' document to be produced from the questions that come forward to officers.

112. LOCAL GOVERNMENT BOUNDARY REVIEW - NEW WARD BOUNDARIES PRINCIPLES

The Democratic and Electoral Services Manager introduced the report and explained the base map which had been split along the defined urban boundary and along the river. There had been some input from individual Members but further engagement was sought through workshops. The principles used to create the new boundary proposals were outlined, and the final decision would be made by full Council on 13 April 2022.

In response to questions, the Democratic and Electoral Services Manager explained that the team was working closely with the software provider, and that if individual Members or groups requested specific areas to be mapped the team would facilitate this. The base map with the urban and rural boundaries had been created in line with the Local Government Boundary Commission for England's (LGBCE) advice on beginning a boundary review, and highlighted that this was a starting point and the boundaries were not fixed. The Community Governance Review which would address parish boundaries would begin in 2023. Members could provide boundary submissions for individual wards directly to the LGBCE, and this could include narrative in addition to maps. Although neighbourhood plans would not be evidence on their own, they could help to argue strong community identity and cohesion.

RESOLVED: That the principles set out in paragraph 2.4 of the report be agreed.

113. DURATION OF MEETING

6.30pm to 7.44pm.