

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 8 MARCH 2017

Present: Councillor Boughton (Chairman), and
Councillors Mrs Blackmore, Boughton, Ells, Fissenden,
Mrs Hinder, Joy, Lewins, Prendergast and Vizzard

56. APOLOGIES FOR ABSENCE

It was noted that apologies had been received from Councillors Newton, Revell and Mrs Ring.

57. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:-

Councillor Ells for Councillor Newton
Councillor Mrs Prendergast for Councillor Revell
Councillor Mrs Blackmore for Councillor Mrs Ring

58. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

59. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

60. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

61. EXEMPT ITEMS

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

62. MINUTES OF THE MEETING HELD ON 8 FEBRUARY 2017

RESOLVED: That the minutes of the meeting held on 8 February 2017 be approved as a correct record and signed.

63. REPORT OF THE HEAD OF LEGAL PARTNERSHIP AND MONITORING OFFICER - AMENDMENTS TO THE CONSTITUTION

The Head of Legal Partnership and Monitoring Officer presented a report on the Amendments to the Constitution.

The Committee noted the changes made to the Constitution as follows:-

- That under the Monitoring Officer's delegation minor amendments had been made to the Constitution to reflect the new management structure with the majority of the amendments relating to Part 2 of the Constitution, specifically the sections on 'Responsibility for Functions Relating to Officers' and the 'Proper Officer' Functions to ensure the right delegation sat with the correct member of the management team.
- That the Constitution had been amended to reflect the decisions made by Council with regards to the introduction of electronic voting and the changes in the process for the selection of the Mayor.
- That although the transference of delegated functions from one officer to another to reflect structural changes could be carried out under the Monitoring Officer's delegation, any new delegated function could only be agreed by Council. The following delegations had been requested by the respective Heads of Service as being necessary for them to carry out their role effectively:-

Head of Regeneration and Economic Development –

Responsibility for the implementation of the Council's Public Realm Design Guide and Public Arts Policy.

Head of Housing and Community Services – To liaise and negotiate with government bodies and their appointees, third parties and housing providers in order to promote the priorities identified in the Council's Housing Strategy.

- The review of officer delegations highlighted omissions in the functions and responsibilities of Heritage, Culture and Leisure Committee as there was no reference to Bereavement Services or to the Public Realm Design Guide and Public Arts Policy. As such it was recommended that Bereavement Services, the Public Realm Design Guide and Public Arts Policy be listed as part of the Performance Management functions of the Committee as shown at Appendix I to the report.

In response to a question from a Member the Interim Deputy Head of Legal Partnership advised that the proposed wording for a six month rule was from a model Constitution but she would check the previous Constitution to ensure it reflected what was stated before.

RESOLVED:

1. That the additional delegations to the Head of Regeneration and Economic Development and the Head of Housing and Community Services as set out in paragraph 2 of the report of the Interim Head of Legal Partnership and Monitoring Officer be agreed.
2. That the additional functions set out in paragraph 2.5 and Appendix 1 of the report of the Interim Head of Legal Partnership and Monitoring Officer be agreed and added to the Strategic Planning and Performance Management of Heritage Culture and Leisure Committee.
3. That the reinstatement of the six month rule as stated in the previous Constitution be agreed.
4. That the Committee Recommend to Council that it adopts all changes to the Constitution to take effect from the date of the annual meeting of Council.

Voting: For: 9 Against: 0 Abstentions: 0

Following the meeting the Interim Deputy Head of Legal Partnership advised the Committee that she had looked back at previous versions of the Constitution to ensure she had the correct wording. However, it appeared that there was no such provision in the Constitution. In the light of this misunderstanding, the Interim Deputy Head of Legal Partnership would bring a report to the next meeting of the Committee in July 2017 in order that the issue could be discussed again.

64. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - MEMBER TRAINING 2017-18

The Head of Policy and Communications presented the report on Member Training.

The Committee was asked to identify any professional development or training needs to be put forward for the Member Development Plan.

During the ensuing discussion the Committee identified the following training/development needs:-

- Pre-determination Guidance for all Members (not just Planning Committee)
- A tour of Maidstone House should be included as part of the New Member Induction Programme
- Guidance on Committee Procedural Rules incorporating a mock Committee meeting

- Speed Reading

The Committee also asked that the following issues could be taken into account:-

- That the Member Briefings/Workshops should be advertised to Members at least a month in advance.
- That the Briefings should include a variety of presentational tools to keep the audience stimulated.
- That Members should be given up to date staffing structures with contact telephone numbers.
- That Members should receive updates on the homelessness situation.
- That Member Briefings should be held on the impact of various rulings from central government.
- That Group Leaders should also be asked for their suggestions on Member Development.

The Committee noted that the suggestions would form part of a full report to the Committee in July.

RESOLVED: That Officers produce a full report to the Committee in July 2017 on how best to involve Councillors in next year's member training programme incorporating the suggestions made at the meeting.

Voting: For: 9 Against: 0 Abstentions: 0

65. DURATION OF MEETING

6.30 p.m. to 7 p.m.