

MAIDSTONE BOROUGH COUNCIL

Democracy Committee

MINUTES OF THE MEETING HELD ON WEDNESDAY 30 JANUARY 2019

Present: Councillors Mrs Wilson (Chairman), Cuming, Fissenden, Mrs Gooch, Joy, Lewins, Perry and Mrs Wilson

Also Present: Councillors McKay and Harper

56. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

- Councillor Boughton
- Councillor Blackmore
- Councillor Ring

57. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Cuming was present as a Substitute for Councillor Blackmore.

58. URGENT ITEMS

There were no urgent items.

59. NOTIFICATION OF VISITING MEMBERS

It was noted that the following Councillors were present as Visiting Members:

- Councillor McKay, who indicated that he wished to speak on Item 13. Committee Structure Review.
- Councillor Harper, who indicated that he wished to speak on Item 13. Committee Structure Review.

60. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

61. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

62. 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.

63. MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2018

RESOLVED: That the minutes of the meeting held on 14 November 2018 be approved as a correct record and signed.

64. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

65. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

66. COMMITTEE WORK PROGRAMME

The Committee commented that a Member Briefing, for all Councillors, prior to the Committee Structure Review being considered at Council on 10 April 2019 would be beneficial.

RESOLVED: That the Committee Work Programme be noted.

67. REPORTS OF OUTSIDE BODIES

The Committee thanked Councillor Round for the report.

RESOLVED: That the Headcorn Aerodrome Consultative Committee Report be noted.

Note: Councillor Fissenden arrived during consideration of this item.

68. COMMITTEE STRUCTURE REVIEW

Mr Sam Bailey, Democratic and Administration Services Manager, explained that the Committee Structure Review report assessed whether the original objective and principles of the committee system had been achieved. Desktop research, surveys and interviews had been undertaken, and a Working Group had met three times to lead on the review, design the survey and interview questions and interrogate research findings. The report included recommendations to enhance operational functionality and suggested a new committee structure. Mr Bailey emphasised that the committee names used within the suggested structure were working titles, and were to be finalised at the Working Group.

Councillors McKay and Harper spoke on this item.

The Committee commented that:

- A foreword was to be written by the Chairman, and circulated to the Committee prior to publication of the report, to ensure that the views of the Committee were incorporated.
- The "Summary of Suggested Recommendations" on pages 23 to 28 was to be moved to the end of the report. This ensured that the evidence base and findings were considered prior to the recommendations.
- Recommendation 6 on pages 24 and 42 was to be amended, as the Committee felt that imposing a new seating arrangement for the Democratic Services Officer and Legal Officer introduced unnecessary inflexibility. The Committee stated that current seating arrangements were often beneficial at meetings such as Planning Committee, and that a specific seating arrangement was not required if Chairmen clearly understood which Officer was responsible for providing advice on various matters. The recommendation was therefore to read:

"That the distinct roles and responsibilities of the Democratic Services Officer and Legal Officer at committee meetings be included in the Maidstone Borough Council Constitution, and that the Chairman is aware of who to go to for appropriate advice."

- Recommendation 9 on pages 25 and 45 was to be modified. Although the Committee recognised the cost and time benefits associated with the use of electronic agendas, it expressed a preference for paper agendas. The removal of the word "may" ensured that the right to retain paper copies was clear. The recommendation was adjusted to:

"That Maidstone Borough Council continues to move towards a 'paperlite' office approach for agendas and committee papers, although Members retain their right to have paper copies of agendas. Where required, Members should have ready access to appropriate technical support to enhance their ability to use electronic documents."

- The word "for" in Recommendation 15, on pages 27 and 51, was to be removed to resolve a grammatical issue, so that the recommendation was:

"That the scope of delegated authority, and the process for using this, is shared and reinforced with Members and Officers, to ensure consistency of understanding."

- The section regarding decision making models on pages 35 and 36 was to be revised, as the Committee observed that the analysis and diagrams relating to the speed of decision making was not a true reflection of decision making in a cabinet system.

- The final paragraph of the Case Study: Draft Sports and Playing Pitch Strategy on page 38 was to be adjusted. The Committee stated that the Draft Sports and Playing Pitch Strategy had benefitted from discussion at multiple committees. There were therefore instances when it was appropriate to use this approach. The paragraph was therefore adjusted to read:

“The Draft Sports and Playing Pitch Strategy was discussed at the Heritage, Culture and Leisure Committee, Strategic Planning, Sustainability and Transportation Committee and Policy and Resources Committee in 2018, as various aspects of the work fell within the remit of the different committees.

This shows that there is the potential to streamline decision making by designating a single point of decision making, and that committee Terms of Reference could be enhanced to ensure that this is minimised in future.”

- Recommendation 8 on page 25 and 44 was to be strengthened through the inclusion of specific quotes from *Knowles: On Local Authority Meetings* in the Constitution. The Committee commented that the recommendation was not considered strong enough to resolve the issue of items for noting. Mr Bailey advised that the relevant quotes were powerful and clear in meaning, and that these would be shared with the Working Group prior to publication.

The Committee considered the merits of various service committee structures. It was noted that while Options 3 and 4 had strengths, Option 2 represented the following benefits:

- The committees were aligned to priorities in the Strategic Plan.
- Economic Development was closely linked to other functions of the Prosperity, Place and Heritage Committee, such as tourism.
- The inclusion of “Environment” in the Homes, Communities and Environment Committee encompassed both green spaces and street scene, which had been separated in the current committee structure.
- The structure minimised the need for Officers, such as the Head of Environment and Public Realm, to attend multiple committees.
- The approach ensured that cost neutrality was maintained.

The Committee stated that Option 6 was an effective approach to the organisation of non-service committees. This option proposed that the functions of the Democracy Committee and Employment Committee were merged. It was noted that this merge resulted in the removal of the requirement for Group Leaders to sit on the Employment Committee.

Consequently, this option allocated the Appointment and Performance Sub-Committees to the Policy and Resources Committee. This widened the pool of Members who could participate on the sub-committees, and promoted the involvement of Group Leaders on the sub-committees, as they typically sat on the Policy and Resources Committee. This ensured that the new model retained an effective element of the current model.

The Committee thanked all Members and Officers involved in the work.

RESOLVED: That the Committee Structure Review report (attached as Appendix 1 to this report) is agreed, as amended.

Voting: Unanimous

69. DURATION OF MEETING

6.31 p.m. to 8.31 p.m.