

Council's Decision Making Process

The Council's Decision Making Process is one which starts with the full Council which is the sovereign body for the Authority and has primary responsibility for the decision making within the Council. Its main purposes are to appoint all of the Committees to which it delegates non executive functions as well as appointing the Leader, who then appoints a Cabinet who take responsibility for all executive functions set out when the Council's Constitution and in Legislation. In addition the Council is also responsible for adopting all the plans set out within the Council's policy framework and currently within the existing Constitution these are as follows: -

- Best Value Performance Plan
- Development Plan
- Sustainable Community Strategy
- Crime and Disorder Reduction Strategy
- Strategic Plan
- Housing Strategy
- Asset Management Plan

The Council is also responsible for setting the budget for the Authority and in particular the setting of the Council Tax.

Executive Functions

The Executive is formed of the Cabinet which consists of the Council Leader and the following five Cabinet Members: -

- Community Services
- Corporate Services
- Environment
- Leisure and Culture
- Regeneration

The Cabinet are responsible for all decision making allocated to them within the Terms of Reference set out within Part 3 of the Council Constitution as long as these decisions are within the policy framework and budget set by the Council. Any changes outside this area would need to seek approval of the Council. Anything not covered within the Terms of Reference of the Cabinet Members will be determined by the Leader of the Council or to the appropriate body or individual he so decides would make

such a decision. The Cabinet will meet and make decisions relating to all the matters delegated to him within the Constitution whilst individual Cabinet Members issue Records of Decisions setting out the record of the decision that they made on each of the individual matters put before them. Records of all the decisions made by Cabinet Members and the Cabinet are set out within the appropriate part of the website at http://www.digitalmaidstone.co.uk/your_council/council_cabinet_committees/cabinet/archives.aspx.

Non-Executive Functions

Council receive a number of non-executive functions to a number of different Committees: -

- Audit Committee - considers matters relating to audit and finance matters
- Maidstone Joint Transportation Board - this is a joint body with County Council Members to discuss Highways matters
- Planning Committee - considers planning applications
- Standards Committee - considers Standards of Members and matters relating to the Code of Conduct
- Licensing - considers all Licensing matters except licences relating to drinks and gambling
- Licensing Act 2003 – licensing relating to drinks and gambling
- General Purposes Group - considers all only non executive functions not allocated to other Committees
- Employment and Development Panel - considers personnel matters
- Appeals Committee - considers appeals from members of staff against dismissal or grievance hearings
- Joint Consultative Committee - meets with Trade Union to discuss issues raised by them
- Strategic Housing Advisory Committee - gives advice to the Cabinet Member on housing matters
- Local Development Document Advisory Group - matters relating to the local development document and advises the Cabinet Member or Cabinet thereon
- Investigating Committee - undertakes disciplinary procedures relating to Chief Officers of the Authority

- Planning Referrals Committee - considers matters referred to it by the Planning Committee

These Committees meet and minutes of these meetings will be produced.

Overview and Scrutiny Committees

The role of the Overview and Scrutiny Committee within the Authority is: -

- To review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions. This would include looking at decisions after they have been implemented.
- Make reports and/or recommendations to full Council and/or the executive for any other Committee in connection with the discharge of any functions.
- Consider any matter affecting the area of its inhabitants.
- Exercise its rights to call-in, for reconsideration, executive decisions not yet implemented by the Executive and any of its Committees or Officers.
- Its principal role is to undertake policy development and review existing policies and offer suggestions on how these matters can be improved and developed to the Executive and Councillors appropriate.

In addition, there is a duty on the Executive to consult Overview and Scrutiny Committees on all matters relating to the adoption of policy framework documents before the matter is referred to the Council for adoption.

Policies and Procedures Conducting Council Business

The Council Constitution which guides the Council in the conduct of its business includes all the following matters: -

- Procedural Standing Orders for the operation of the Council and its meetings.
- Code of Conduct for Members and Officers.
- Code on Member/Officer relationships.
- Local Code of Conduct for Councillors and Officers dealing with planning and licensing matters.
- Various procedural rules relating to the operation of the Council.