

DEMOCRACY COMMITTEE MEETING

Date: Wednesday 13 March 2019
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Mrs Blackmore, Boughton, Fissenden, Mrs Gooch (Vice-Chairman), Joy, Lewins, Perry, Mrs Ring and Mrs Wilson (Chairman)

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

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| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information. | |
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Issued on Tuesday 5 March 2019

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting (i.e. Monday 11th March 2019). If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

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 and Perry

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:

“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.

Agenda Item 13

MAIDSTONE BOROUGH COUNCIL

DEMOCRACY COMMITTEE

13 MARCH 2019

REFERENCE FROM COUNCIL

MOTION – FOUR YEARLY ELECTIONS

At the meeting of the Council held on 27 February 2019, the following motion was moved by Councillor Perry, seconded by Councillor Mrs Blackmore:

That the Officers be instructed to investigate the possibility of changing to four yearly elections, which would follow the practice of Kent County Council. This would include an analysis of the potential cost savings if this change were to be implemented. Officers will report their findings to the Democracy Committee in the first instance.

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

RECOMMENDED: That the Committee consider the motion relating to four yearly elections.

Democracy Committee

13 March 2019

Member Learning and Development Update

Final Decision-Maker	Democracy Committee
Lead Head of Service	Head of Policy, Communications and Governance
Lead Officer and Report Author	Ryan O'Connell, Democratic and Electoral Services Manager
Classification	Public
Wards affected	All

Executive Summary

This report updates the Committee on Member Learning and Development undertaken in 2018/19, and outlines plans for Learning and Development for 2019/20.

This report makes the following recommendations to Democracy Committee

That the Member Learning and Development Update be noted.

Timetable

Meeting	Date
Democracy Committee	13 March 2019

Member Learning and Development Update

1. INTRODUCTION AND BACKGROUND

- 1.1 At its meeting on 5 September 2018, the Democracy Committee resolved to agree the Maidstone Borough Council Learning and Development Charter. This charter set a framework so that the Council could assess progress against the aspirations within the charter. Over the year a wide variety of Learning and Development events have been undertaken, and feedback has been received on how to make improvements to Learning and Development in the new municipal year.

Learning and Development Activities Undertaken

- 1.2 There have been 30 member Learning and Development sessions that have occurred since the beginning of the municipal year. These sessions include member briefings as well as training sessions. Of these sessions, seven were training/induction sessions and 13 were member briefings. However some of the training sessions were repeated – for example there were 2 Planning training sessions and 3 Standards training sessions included in the total.
- 1.3 The three sessions with the highest attendance were all planning sessions – ‘Mandatory Planning Training’ (26 attendees), ‘The Development Process’ (21 attendees) and ‘Local Plan Review & CIL’ (20 attendees).
- 1.4 The three sessions that had the lowest attendance were ‘Standards Training’ (2 attendees), ‘Mandatory Licensing Training’ (2 attendees) and ‘Heather House Visit’ (4 Attendees).
- 1.5 In terms of member attendance, the members that attended the most L&D activities attended 20, 19 and 18 sessions. There were 8 members that had not attended any L&D sessions, and a further 9 that have only attended one L&D session this year.

Committee Structure Review

The Committee Structure Review made a number of recommendations and suggestions relating to Member Learning and Development:

- Roleplaying a Committee meeting so that functions and procedures were familiar
- A broad introduction to the functions, workings and governance at the Council
- A tour of the aspects of the Council that related to each Committee

- Public speaking training to improve upon confidence and the effectiveness of presentations and debates
- Training on the scheme of delegation and how delegation is exercised

1.6 These recommendations will be considered when devising the member induction procedures and learning and development plan for 2019/20.

Learning and Development in 2019/20

1.7 Following feedback from members about the frequency and accessibility of briefing sessions and learning and development events, some changes have been put in place for 2019/20.

1.8 The Calendar of meetings for 2019/20 was agreed at the Council meeting on 27 February 2019. The agreed Calendar of meetings now has two member briefing/training sessions per month programmed in to give sufficient notice to members and officers on when briefings will occur. It will also allow several shorter briefings to be combined, if there is a need, further reducing the time demand on briefings. This was made possible due to the reduction in frequency of Planning Committee meetings to a monthly cycle.

1.9 From 2019/20, in order to prevent clashes of briefings or overlap of topics, all member briefing sessions will come through Democratic Services.

1.10 The new webcasting system is due to go live in time for the new municipal year. This new system will use YouTube and will allow a private link to be sent to members so that those who cannot attend briefings will be able to watch live – with the possibility of interacting using the comments feature – and also to watch a private library of briefings after they have concluded. This should improve the accessibility of briefings, as well as ensuring that they are available after the meeting.

2. AVAILABLE OPTIONS

2.1 This report is for noting only.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

3.1 This report is for noting only and therefore there are no preferred options.

4. RISK

4.1 There is no risk to this report as it is only for noting.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Democracy Committee agreed a new Learning and Development Charter at its meeting on 5 September 2018. The Learning and Development events outlined demonstrate the Council’s ongoing commitment to Learning and Development for councillors.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 There are no next steps as the report is for noting only. However a further update on Learning and Development will be provided, including budgetary information, at the first meeting of this (or its successor) Committee in the new municipal year.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	There are no recommendations – this report is for noting. However improving member Learning and Development will help the Council to achieve all of its Strategic Priorities.	Democratic and Electoral Services Manager
Risk Management	This report is for noting and therefore there are no risk management implications.	Democratic and Electoral Services Manager
Financial	There are no financial implications. All Learning and Development activities have been carried out within the existing budget.	Democratic and Electoral Services Manager
Staffing	There are no staffing implications as the report is for noting.	Democratic and Electoral Services Manager
Legal	There are no legal implications. However, under Section 3 of the Local Government Act 1999 (as amended) the Council as a best value authority has a statutory duty to secure continuous improvement in the way in	Team Leader (Corporate Governance), MKLS

	which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. The Learning and Development Charter and this report assist in demonstrating best value and compliance with the statutory duty.	
Privacy and Data Protection	There are no privacy and data protection implications.	Democratic and Electoral Services Manager
Equalities	No implications.	Democratic and Electoral Services Manager
Public Health	No implications.	Democratic and Electoral Services Manager
Crime and Disorder	No implications.	Democratic and Electoral Services Manager
Procurement	No implications.	Democratic and Electoral Services Manager

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None

Agenda Item 15

Democracy Committee

13 March 2019

Planning Committee Terms of Reference

Final Decision-Maker	Council
Lead Head of Service/Lead Director	Angela Woodhouse Head of Policy, Communications and Governance
Lead Officer and Report Author	Ryan O'Connell, Democratic and Electoral Services Manager
Classification	Public
Wards affected	All

Executive Summary

This report outlines amendments to the Terms of Reference of Planning Committee, to ensure that best practice is followed in the administration of calling-in Planning Applications to the Committee.

This report makes the following recommendations to the Democracy Committee

That Council is recommended to approve the amendments to the Terms of Reference of Planning Committee in the Council's Constitution, attached as Appendix 1 to this report.

Timetable

Meeting	Date
Democracy Committee	13 March 2019
Council	10 April 2019

Planning Committee Terms of Reference

1. INTRODUCTION AND BACKGROUND

- 1.1 During the regular process of reviewing the Constitution, anomalies with the Terms of Reference of the Planning Committee, in relation to the call-in of Planning Applications, have been identified. These anomalies are not considered best practice, and rationalisation of the terms of reference is required.

Planning Committee Political Group Spokespersons

- 1.2 The current terms of reference for the Planning Committee allow Planning Committee Political Group Spokespersons ('Spokespersons') to call-in Planning Applications to Planning Committee.
- 1.3 This power, in effect, could be seen as giving a political route into the decision making of the Planning Committee and the Planning Committee should not be political due to its quasi judicial nature. Call-ins must be made by Members on relevant Planning Grounds, and not for political reasons. Although there is no suggestion that the call-ins made by spokespersons have been politically motivated, the perception of allowing a political route of calling in applications to Committee needs to be addressed even if the call-in power has not been exercised in this way.
- 1.4 Public perception is key to ensuring confidence in decision making. As political group spokespersons are members of the Committee there is an increased risk of negative public perception of Members retaining an open mind on the matter in front of them, where it has been called in by a member of the Committee.
- 1.5 It is unclear as to why this provision was added into the Constitution, although it has been suggested that it dates back to the pre-2000 Committee System of governance that was in place at Maidstone Borough Council where Spokespersons were appointed to each Committee.
- 1.6 The Planning Committee appoints Spokespersons at its first meeting of the year from the Political Groups represented on the Planning Committee. Under the Committee's current composition this means that members from the Independent Maidstone Group do not have a Spokesperson and are unable to exercise the call in procedure. Therefore the current arrangements are not equitable to all political parties represented on the Council.
- 1.7 Following a review of other District Councils, it was identified that Maidstone was unique in having this provision within its Constitution. Enquiries were sent via the Association of Democratic Services Officers to see whether any other authorities had a similar arrangement in place, and it was confirmed that none of the respondents had similar arrangements.

- 1.8 Compared to other District Councils, most either opened up the call-in procedure to all Council members, providing the reason for the call-in was a relevant planning consideration, or restricted the power of call-in to ward members or ward members affected by proposed development.
- 1.9 In order to remove this anomaly in the Constitution, it is proposed to remove the call-in powers of the Spokespersons and retain the right of Ward Members to call-in planning applications. The wording will be amended, however, to allow those ward members of affected wards to call-in applications as well.

Parish Council Call-ins

- 1.10 Alongside the amendment above, a further amendment is required to clarify the power of call-in for Parish Councils. Currently the Constitution states that a Planning Application can be called-in to Committee if it is 'contrary to the written view of any Parish Council and the Parish Council has requested that the application is determined by the Planning Committee'. The current wording could be interpreted as meaning that any Parish Council is able to call in any planning application in the Borough, providing they have made an objection and requested that the application be considered by Committee. This has not happened in practice, and there is no suggestion that Parish Councils are using their call in powers inappropriately. However it is important to ensure that the call-in power of Parish Councils reflect the arrangements made for Ward Members. Therefore the amendment outlined in Appendix 1 for this section of the Terms of Reference is also proposed.
- 1.11 In the current the terms of reference there is a risk that a planning application is called-into Planning Committee which is based on concerns which are not planning related or relate to issues which are within the purview of the statutory consultee over which the Council has little, if any, control. As such, discretion should be exercised in using this power and a planning application should only be called-in where, in the opinion of the Head of Planning and Development, there is a relevant planning issue which warrants consideration by the Planning Committee.

Amendments to the Constitution

- 1.12 Proposed amendments to the Constitution as a result of the changes outlined above can be found in Appendix 1 to this report.

2. AVAILABLE OPTIONS

- 2.1 The Committee could recommend that Council amend the Planning Committee Terms of Reference to remove reference to Planning Committee Political Group Spokespersons. This would eliminate an area that could lead to bad practice, and ensure that the arrangements for Planning Committee are in line with other similar District Councils. Amending the terms of reference in relation to the Parish Council call-in powers would ensure that there was parity between Ward Members, Parish Council powers to call-in applications. Furthermore, discretion should be exercised in calling-in a planning application and as such a planning application should only be

called-in where there is a relevant planning issue which warrants consideration by the Planning Committee

- 2.2 An alternative to restricting the right of call-in to Ward Members only would be to open up the call-in powers to all Members. There would be a risk that call-ins could increase if this happens.
- 2.3 The Committee could recommend that Council could do nothing, and not make amendments to the Planning Committee's terms of reference.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 The option outlined in paragraph 2.1 is the preferred option, as it ensures that the Council is working in line with best practice.

4. RISK

- 4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Consultation with the key Member stakeholders has been carried out prior to drafting these proposals.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 If the amendments to the Constitution are recommended by this Committee they will be considered by Council at its April meeting.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Accepting the recommendations will improve the Council's ability to achieve its corporate priorities through improving the Council's governance and reducing the risk of the challenge of Planning Committee decisions.	Democratic and Electoral Services Manager

Risk Management	See paragraph 4.1.	Democratic and Electoral Services Manager
Financial	There are no financial implications associated with this the recommendations in the report.	Director of Finance and Business Improvement
Staffing	No implications.	Democratic and Electoral Services Manager
Legal	Accepting the recommendations will improve the Council's governance and reduce the risk of challenge of Planning Committee decisions.	Democratic and Electoral Services Manager
Privacy and Data Protection	No implications.	Democratic and Electoral Services Manager
Equalities	No impact identified.	Equalities and Corporate Policy Officer
Public Health	No implications.	Democratic and Electoral Services Manager
Crime and Disorder	No implications.	Democratic and Electoral Services Manager
Procurement	No implications.	Democratic and Electoral Services Manager

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Proposed Amendments to Planning Committee's Terms of Reference

9. BACKGROUND PAPERS

None

2.2.1 PLANNING COMMITTEE

Membership: 13 Councillors

Purpose: To determine town and country planning and development control matters and associated issues

(NB - Councillors and substitute members of Licensing Committee cannot be members of Planning Committee.)

FUNCTIONS	DELEGATION OF FUNCTIONS
<p>Planning and Conservation - Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations [2001/2015] (the Functions Regulations) as amended from time to time including:</p> <ul style="list-style-type: none"> • Development Management and Enforcement • Rights of way • The protection of important hedgerows • The preservation of trees • Functions relating to public rights of way • Functions relating to High Hedges contained in Part 8 of the Anti-Social Behaviour Act 2003 • Town and village green matters • Commons registration and enforcement 	<p>The Chief Executive/Head of Planning and Development has delegated power to undertake all the functions relating to planning and conservation, except where the intended delegated decision on a planning or related application:</p> <p>(a) would be contrary to the written view of</p> <ul style="list-style-type: none"> i. the Ward Councillor of a Ward that the proposed development would impact; ii. the Parish Council of a Parish that the proposed development would impact; <p>PROVIDED that any such representation(s) received are, in the opinion of the Head of Planning and Development, based upon relevant planning considerations.</p> <p>The request for the</p>

	<p>application to be heard by Planning Committee must be made in writing to the Head of Planning and Development within a period of 21 days of the date of</p> <ul style="list-style-type: none">i. in the case of a Ward Councillor, the weekly list advising them of the application.ii. in the case of a Parish Council, the letter of consultation advising them of the application.
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	<p>(b) would be contrary to the written view of any statutory consultee in the planning process; or</p> <p>(c) would be contrary to the provisions of the Development Plan or any emerging development plan policies that have been adopted by the Council for Development Control purposes.</p> <p>(d) is made by: a Councillor; an Officer; or the Council itself.</p> <p>The Head of Planning and Development has delegated power to:-</p> <ul style="list-style-type: none">• undertake all functions relating to planning and enforcement;
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	<ul style="list-style-type: none"> • determine high hedges complaints and to take appropriate enforcement action, except in the following specific circumstances;- • Where the case relates to a hedge on Council land or complaints relate to Council Officers or Councillors; • Where trees within a hedge are protected by a Tree Preservation Order or are located within a Conservation Area and the Officer decision would be contrary to the views of Ward Members or the Parish Council; and • Exceptional cases where there are wider issues of a public nature or where there is a potential impact on the Council and/or its policies.
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DEMOCRACY COMMITTEE

13 MARCH 2019

COMMITTEE STRUCTURE REVIEW

Final Decision-Maker	Council
Lead Head of Service/Lead Director	Angela Woodhouse, Head of Policy, Communications and Governance
Lead Officer and Report Author	Sam Bailey, Democratic and Administration Services Manager Mike Nash, Democratic Services Officer
Classification	Public
Wards affected	All

Executive Summary

The Democracy Committee agreed the Draft Committee Structure Review Report, subject to amendment, on 30 January 2019. This report brings together the Final Committee Structure Review Report, Response to Recommendations and Draft Constitutional Changes, with a view to recommending the report and constitutional changes to Council. This will ensure that improvements to the committee structure, and ways of working, are implemented for the 2019/20 municipal year.

This report makes the following recommendations to Council:

That: Council be recommended to agree

1. The Committee Structure Review Report, attached as Appendix 1.
2. The Draft Constitutional Changes, attached as Appendix 3.

Timetable

Meeting	Date
Democracy Committee	13 March 2019
Council	10 April 2019

COMMITTEE STRUCTURE REVIEW

1. INTRODUCTION AND BACKGROUND

- 1.1 Maidstone Borough Council (MBC) adopted the committee system of governance in May 2015. Having resolved to change from a cabinet to a committee system, the Council cannot change to an alternative structure of governance for 5 years except by approval at a referendum. While the earliest a new model of governance could realistically be introduced following a resolution of Council is May 2020, the Council may adjust the current committee system at any point.
- 1.2 At its meeting on 14 March 2018, the Democracy Committee resolved to undertake a review of the current committees and ways of working, excluding the regulatory committees. A report was then brought to the Committee on 2 July 2018. This set out the proposed scope and timetable for the review.
- 1.3 Research was undertaken between September 2018 and February 2019. This consisted of surveys, interviews and desktop research. This research was designed to assess whether the original objectives and principles of the committee system had been met.

Objective

1. To achieve greater involvement and participation of all Members in decision making whilst avoiding a cumbersome bureaucratic structure that lacks direction and accountability.

Principles

1. To be cost neutral
 2. To increase Member participation in decision making
 3. To lead to more effective and efficient decision making
- 1.4 At its meeting on 30 January 2019, the Democracy Committee agreed the Draft Committee Structure Review Report, subject to amendment. The amendments have been reflected in Appendix 1. Through agreement of the draft report, the Committee supported the principle of implementing a new committee structure based on a combination of Option 2 and Option 6 in the draft report.
 - 1.5 In order to comprehensively assess the impact and implications of operational changes recommended in the report, Officers in Democratic Services and Legal Services have provided a response to the recommendations. These responses are attached as Appendix 2.
 - 1.6 In addition to the Response to Recommendations, changes to the Constitution are required to implement the recommendations of the Committee Structure Review Report. The proposed changes, which

contains adjusted Terms of Reference for committees within the scope of the review, are outlined in Appendix 3.

- 1.7 On 14 February 2019 the working group, consisting of Members and Substitute Members of the Democracy Committee, met for a fourth time. In this meeting, the amended Committee Structure Review Report was discussed, the Responses to Recommendations were shared, and the Draft Constitutional Changes were considered. Feedback was also provided on the proposed names for the new Committees. The committee names suggested by the Working Group have been reflected in Appendix 3 and are as follows:

Service Committees

- Policy and Resources Committee
- Communities, Housing and Environment Committee
- Strategic Planning and Infrastructure Committee
- Prosperity, Heritage and Leisure Committee

Other Committees

- Democracy and General Purposes Committee
- Maidstone Joint Transportation Board

The names and functions of Council and the regulatory committees remain unchanged as these were outside of the scope of the review.

- 1.8 The Officer response to Recommendation 10 states that “Including cross cutting issues at the beginning of the report could be confusing for the public, and would lead to the report template looking disjointed. Therefore examples of refreshed report templates have been produced to allow members to see what this recommendation will mean in practice.” Two report templates have been attached, as Appendices 4 and 5, to demonstrate how each option would look if implemented.
- 1.9 When compiling the Draft Constitutional Changes, an opportunity arose to enhance the clarity of wording regarding Visiting Members (Part 3.1, Section 5). This has been included in Appendix 3.

2. AVAILABLE OPTIONS

Option 1

- 2.1 The Committee could choose to recommend the report and constitutional changes to Council, as outlined in Appendices 1 and 3. This would ensure that operational changes and the new committee structure are implemented for the 2019/20 municipal year, and that the feedback shared by Members and Officers throughout the review has been used to improve the committee system.

Option 2

- 2.2 The Committee could choose to recommend the report and constitutional changes to Council, as outlined in Appendices 1 and 3, subject to amendment. In order for this to be considered by Council in April, and implemented in the new municipal year, these changes would need to be minor in scope.

Option 3

- 2.3 The Committee could choose not to make any recommendations to Council (do nothing). This is not recommended, as this report is the culmination of an extensive research and engagement process that has involved both Members and Officers. This course of action would mean that the issues raised by stakeholders throughout this project are not addressed, and no improvement is made to the committee system at Maidstone Borough Council.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 The preferred option is either Option 1 or Option 2. This will ensure that the Committee Structure Review Report and Draft Constitutional Changes are considered by Council, ready for implementation in the 2019/20 municipal year.

4. RISK

- 4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Consultation has taken place throughout the work, with Members and Officers inputting via surveys, interviews and participation at the working group. Further engagement will take place in the form of a Member Briefing prior to the Committee Structure Review being considered by Council.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Should the Committee Structure Review Report and the constitutional changes be recommended to Council, the following will take place:
- A briefing will be organised for all MBC Councillors.
 - Council will consider the report and constitutional changes on 10 April 2019.

- Any changes to the committee structure and Constitution will be implemented ready for the 2019/20 municipal year.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Accepting the recommendations will improve the Council's ability to achieve priorities and objectives described in the new Strategic Plan, as the governance structure will be tailored to align to these.	Democratic Services Officer
Risk Management	See Section 3.1.	Democratic Services Officer
Financial	The recommended option can be delivered within existing budgets.	Director of Finance and Business Improvement
Staffing	The recommendations will be delivered with current staffing.	Democratic Services Officer
Legal	The Committee system of Governance is one of the permitted forms of governance, under Part 1A, section 9B of the Local Government Act 2000 (LGA 2000). Having resolved to adopt the committee system, the Council cannot change to a Cabinet form of governance within 5 years (Section 9KC(4) of the LGA 2000). However, it is appropriate during that time to make amendments to the way the committee system operates to ensure improvements in its operation and in the decision making process.	Team Leader (Corporate Governance), MKLS
Privacy and Data Protection	Accepting the recommendations will not increase the volume of data held by the Council.	Data Protection Officer
Equalities	No detrimental impact identified as a result of this review Should option 2 for the report template be taken forward, the	Equalities and Corporate Policy Officer

	consideration of cross cutting issues which includes equalities would be raised within the organisation.	
Public Health	N/A	Democratic Services Officer
Crime and Disorder	N/A	Democratic Services Officer
Procurement	N/A	Democratic Services Officer

8. REPORT APPENDICES

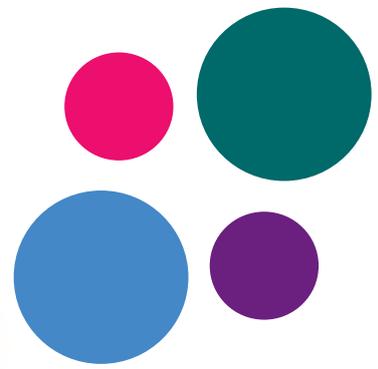
The following documents are to be published with this report and form part of the report:

- Appendix 1: Committee Structure Review Report
- Appendix 2: Response to Recommendations
- Appendix 3: Draft Constitutional Changes
- Appendix 4: Report Template Option 1 (Cross-Cutting Issues Moved)
- Appendix 5: Report Template Option 2 (Cross-Cutting Issues Not Moved)

9. BACKGROUND PAPERS

None

Maidstone Borough Council
**Committee Structure
Review**



In March 2018, the Democracy Committee decided to undertake a review of the committee system at Maidstone Borough Council. The decision was both sensible and well-timed, as the review coincided with the completion of the third full year of the Council operating this system of governance. The review therefore provided an opportunity to take stock of the journey that the Council has been on since the introduction of the committee system, and encouraged us to reflect on how we could improve our current ways of working.

In producing this report, we have attempted to understand whether the committee system achieved the original principle and objectives set when the structure was introduced. Furthermore, we have worked closely with Councillors and Officers to hear their views on what has worked well and what not so well, which has enabled us to identify parts of the process that could be improved.

On behalf of the Democracy Committee, I would like to thank all those who gave their time to contribute to the review. The experiences and comments that were shared have been insightful and valuable, and have enhanced the work throughout. Thanks are also due to the Councillors who formed the interview panel and working group and to the officers for the desktop exercises and evidence gathering without which no review would be complete.

I hope you will agree that the subsequent recommendations are acceptable, and that these will help to 'sharpen up' and improve our committee system.

**Councillor Fran Wilson,
Chairman of the Democracy Committee**

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Maidstone Borough Council (MBC) adopted the committee system of governance in May 2015 under provisions in the Localism Act 2011. Having resolved to change from a cabinet to a committee system, the Council cannot change to an alternative structure of governance for 5 years except by approval at a referendum. The earliest a new model of governance could realistically be introduced is May 2020, however, the Council may adjust the current committee system prior to this.

In March 2018, the Democracy Committee decided to undertake a review to consider the effectiveness of the committee structure and whether it fulfils the original objectives and principles agreed when the system was changed. Initial lines of enquiry included the decommissioning of the Democracy Committee and the creation of an Economic Development Committee. At its meeting on 14 March 2018, the Democracy Committee commented that a wider review of committees should take place, considering committee size, responsibilities and the overall number of committees. Consequently, the Democracy Committee resolved:

“That a review be carried out into the functions and terms of reference of all the Committees, excluding the Regulatory Committees.”

– Democracy Committee, 14 March 2018

To assess whether the committee structure had achieved the original objectives and principles set.

Objective	To achieve greater involvement and participation of all Members in decision making whilst avoiding a cumbersome bureaucratic structure that lacks direction and accountability.
Principles	<ul style="list-style-type: none"> To be cost neutral To increase Member participation in decision making To lead to more effective and efficient decision making

Research to be undertaken:

- Review of the Terms of Reference of all non-regulatory committees to identify if they are effective, any confusion and whether they could be improved.
- Consultation with other Councils who have also changed governance arrangements.
- Desktop analysis of the financial cost of the structure using the information from the original review for comparison.
- Review of the number of meetings and decisions taken by committees applying the objective and principles.
- Detailed look at a sample of decisions from committees.
- Interviews with Chairmen and Vice-Chairmen of committees, and Group Leaders, since the structure inception.
- Consultation with Officers and Members on whether the current structure meets the objectives and principles set.

The timetable for the review:

July to December 2018	Evidence gathering and research
January 2019	Report to Democracy Committee
March 2019	Draft Terms of Reference and Draft Constitutional Changes
April 2019	Recommendations to Full Council
May 2019	Implementation of changes

Evidence was gathered using a variety of quantitative and qualitative approaches:

1. Desktop Research

- A comparison of MBC and other Local Authorities operating a committee system.
- An evaluation of constitutional and procedural trends at MBC.
- An assessment of financial and budgetary aspects of the committee system at MBC
- Further investigative work, regarding decision making trends at MBC, arising from interview feedback.

2. Online Survey

- An online survey was circulated to Members and Officers at MBC

3. Confidential Member and Officer Interviews

- 6 individual interviews
- 6 group interviews

Unless stated otherwise, all quotes included in this report are drawn from the confidential interviews.

A Working Group, consisting of Members and Substitute Members of the Democracy Committee, met on three occasions between September 2018 and December 2018. The Working Group has led the Committee Structure Review including conducting a range of interviews, considering evidence and making recommendations.

Direct consultation with other Local Authorities was not undertaken, as the working group decided that site visits were not necessary. A review of the number of meetings and decisions taken by committees applying the objective and principles has been incorporated in the qualitative analysis, due to the subjective nature of the criteria.

A COMPARISON OF LOCAL AUTHORITIES

Desktop research showed that, when considering the allocation of committee functions, MBC had commonalities and disparities with other Local Authorities. Of the 44 Local Authorities operating a committee system, a sample of four were analysed alongside Maidstone Borough Council. These authorities were:

- Basildon Borough Council
- Canterbury City Council
- Great Yarmouth Borough Council
- Tandridge District Council

Compared to the sample, MBC operated a relatively streamlined number of service committees.

Local Authority	Number of Service Committees
Basildon Borough Council	8
Tandridge District Council	5
Maidstone Borough Council	4
Great Yarmouth Borough Council	4
Canterbury City Council	3

A key commonality across the Local Authorities was the inclusion of a Policy and Resources Committee. Although the name for this committee varied across Local Authorities, the Terms of Reference were comparable, with each Local Authority having in place a 'parent committee' with responsibility for taking decisions which spanned other service committees. Most interviewees stated that the Policy and Resources Committee needed to maintain this overarching functionality in order for the system to function effectively.

“There is a view of Policy and Resources as having an overarching role, which it should have, because it needs to look at policy and resources across the Council. If we are to maintain a degree of strategic direction then this shouldn't be watered down.”

Two authorities, Basildon Borough Council and Great Yarmouth Borough Council, operated an Economic Development Committee. This was in contrast to MBC, where this function was within the remit of the Policy and Resources Committee. Both Basildon Borough Council and Great Yarmouth Borough Council grouped other issues alongside Economic Development, which may be worth exploring when considering the terms of reference for the committees going forward.

Local Authority	Committee	Function
Basildon Borough Council	Economic Development and Growth Committee	<ul style="list-style-type: none"> • Economic Development and Skills • Education
Great Yarmouth Borough Council	Economic Development Committee	<ul style="list-style-type: none"> • Arts and Cultural Strategy • Concessionary Pricing Strategy • Museums and Heritage Strategy • Economic Growth Strategy

A further disparity was the use of an Overview and Scrutiny Committee at Tandridge District Council. This Committee was responsible for two types of scrutiny; the review of decisions and “calling upon representatives of outside organisations to present information about services which have a significant impact upon local residents”. The Committee also incorporated an audit function, and met as the Crime and Disorder Committee as required. These functions were undertaken within various committees at MBC, such as the Policy and Resources Committee (Decision Review), Audit, Governance and Standards Committee (Audit) and Communities, Housing and Environment Committee (Crime and Disorder Committee).

The final key difference was apparent when comparing MBC to Canterbury City Council. Canterbury City Council included an Urgency Sub-Committee for each of the service committees. This function was encompassed by a single Urgency Committee at MBC, whereas Basildon Borough Council utilised an Urgent Decision and Staffing Sub-Committee. Tandridge District Council and Great Yarmouth Borough Council both had provision in the constitution for the Chief Executive and other Chief Officers to make urgent decisions in consultation with Group Leaders or the Leader of the Council.

Financial Research

An analysis of the costs associated with the provision of the Member Support and Democratic Services functions. The cost of providing the service is made up from budgets that include member allowances, member training, webcasting, printing and postage as well as staff salaries for Democratic Services Officers (and the team manager).

Spend on Member Support and Democratic Services Salaries	
Year	Spend
2014/15	531,380
2015/16	490,039
2016/17	466,738
2017/18	498,338

Whilst this is not the only definition of 'cost neutrality', this was a definition that was easy to test through data the Council already held.

It is important to note, however, that whilst there has been a reduction in the budget, many of the cost savings would have also been made under the Cabinet system. For example, the member printing budget has been reduced significantly due to careful management of printed agendas and the promotion of use of electronic agendas. There have also been a number of staffing changes over the years that the Committee system has been in place, which has meant that spend has decreased overall. It is likely that the reduction in spend outlined would have happened under either form of governance.

When the costs were estimated before moving over to a Committee system, an assumption was made that a Finance Officer and Legal Officer would be required to attend every Committee meeting, as this was the practice at Cabinet meetings previously. This has not turned out to be necessary, with many service Committee meetings not requiring attendance from these Officers. This has meant that less Officer time than was originally anticipated is required for attendance at these meetings.

Committee Membership Size

Survey results revealed that the majority of respondents considered the current committee membership sizes to be correct. During interviews, Members tended to state a preference for larger committees, as it was believed this would improve participation in decision making. It was recognised, however, that it could be challenging for political groups to fill the current committee memberships. An increased committee size, therefore, may not necessarily lead to participation from a wider pool of Members. Officers also suggested that an increased committee membership did not guarantee better decision making. Instead, it was felt that this sometimes resulted in unnecessarily prolonged debates.

“We have a situation where there are not enough spaces for all Councillors who wish to be involved.”

“The more Members that are on a committee, the longer decisions take, and the quality of debate is not improved.”

In terms of the Policy and Resources Committee, there was a balance between those who wished for the committee to remain at its current size and those who did not feel that the committee warranted a larger membership. It was stated during interviews, however, that the larger membership improved the probability of all political groups represented on the Council being represented on the Policy and Resources Committee. This was considered to be appropriate when considering the oversight function of the Committee.

Finally, most interviewees stated that it was desirable for committee memberships to be an odd number, to avoid potential disproportionate use of the Chairman’s casting vote. This would also ensure that a Chairman can be appointed at the beginning of the municipal year, as this removes the potential situation of a deadlock due to two candidates having an equal number of votes.

“You need an odd number of members, as otherwise the system doesn’t work.”

- 1. RECOMMENDED:** That committee memberships are an odd number. All service committee memberships therefore remain at 9 Members, with the exception of the Policy and Resources Committee which remains at 15 Members.

Political Proportionality of Committee Membership

The issue of political proportionality was raised during interviews. It was broadly agreed across those who discussed the matter that all committees should be politically proportionate. This matter was also considered by the Democracy Committee on 14 November 2018. The issue affected the current arrangements for Urgency Committee and Employment Committee, as all other committees were configured in line with political proportionality. At its meeting on 14 November 2018, the Democracy Committee commented that:

“balance and representativeness were key considerations, as it was necessary for Committees to appropriately represent the public.”
– Democracy Committee, 14 November 2018

Sections 15 and 16 of the Local Government and Housing Act 1989, and the Local Government Committee and Political Group Regulations 1990, state that the Council must allocate seats on committees and other prescribed bodies so as to give effect to the political balance rules. The Council can only depart from these rules if it is agreed at Full Council, provided no member votes against the proposal. It was explained at interview that if a single Councillor opposed the recommended allocation, then an alternative allocation would need to be agreed that was politically proportionate across all Committees. In reality, this would need to be prepared before the meeting, with a separate negotiation occurring to this allocation at the same time as the allocation that didn't apply the proportionality rules. This introduces unnecessary complexity to the negotiations that are required when preparing a proposed allocation of seats, and incentivises those parties that are advantaged by the politically balanced allocation to vote against the allocation that is not politically balanced.

2. RECOMMENDED: That all committees are politically proportionate.

Member Agenda Item Requests

The survey demonstrated that 56% of Member respondents had requested an agenda item. According to the survey, the majority of requests (71%) were then discussed at committee, while 14% were resolved without needing to be put on a committee agenda. For Members who had not requested an agenda item, the most common reason was that they did not need to (82%). Desktop research showed that there were instances of Councillors requesting agenda items throughout the last four municipal years. It was not possible, however, to consistently identify these requests, as the naming convention for agenda item requests was typically identical to a standard agenda item. Equally, agenda item requests did not always feature as an agenda item, as the issues were resolved outside of committee. It was consequently difficult to identify the proportion of agenda item requests that were discussed at committee. The implementation of a tracking system and naming convention for agenda item requests would therefore ensure that these can be traced, and if necessary, followed up to ensure that all have been dealt with appropriately.

“There is no traceability and agenda item requests don’t get onto the Work Programme unless it is challenged in committee.”

- 3. RECOMMENDED:** That a consistent process for tracking and naming agenda items via Member requests is implemented.

Visiting Members

Survey results showed that all respondents understood how to speak as a Visiting Member at committee and were confident using this constitutional provision. An expansion of the role of Visiting Members was suggested during interview, in order to encourage participation in debate. One suggestion was to offer Visiting Members opportunities to speak during debate, however, the Constitution states that Visiting Members may do this already with the Chairman’s consent. It was also suggested that Visiting Members could sit alongside Committee Members in a non-voting capacity. This had practical implications, however, as it could lead to confusion during votes if a non-voting member was erroneously counted as a voter. Current practice with regards to Visiting Members is that the Members sit in the gallery until invited to speak, whereby they approach the Speakers Table. Furthermore, the Constitution states that at the Planning Committee, Visiting Members should sit away from the body of the Committee. This ensures that there is no confusion between Committee Members and Visiting Members. Due to current suitability of arrangements with regards to Visiting Members, as outlined above, no recommendations have been made to adjust the current process for Visiting Members.

Member Involvement in Scrutiny of Key Topics

Following Member participation and engagement in the Committee Structure Review, positive feedback was shared regarding the value of the approach. While the ability to undertake scrutiny-style work is available, this is not commonly used. There is a resourcing implication for undertaking such work, and therefore the outcome and scope would need to be clearly defined at the beginning of the work. Nonetheless, if there is benefit in undertaking an exercise, and the current staffing capacity can accommodate the work, then this should be considered.

- 4. RECOMMENDED:** That the ability to undertake reviews is promoted in order to examine key topics and promote Member engagement.

Speed of Decision Making

A commonly held view was that the committee system did not allow for quick and flexible decision making. 56% of survey respondents stated that they believed this to be the case, while Members and Officers varied in their opinions during interview. In order to assess whether this is an issue with perception or functionality, three areas were explored. Firstly, a comparison of the theoretical timeframes for a decision within a cabinet and committee system is outlined. This is followed by an assessment of the number of decision referrals that took place under the cabinet system, compared to the committee system. Finally, a case study of two commonly mentioned topics; CCTV and the Draft Sports and Playing Pitch Strategy demonstrate the different journey of reports through the system that have been considered on multiple occasions.

“A weaker part of the committee system is the speed in which decisions are made.”

“There is no evidence of decision making being delayed, as there is always an opportunity to take something to a committee soon.”

“Officers have generally got stuff in front of Councillors for decisions well.”

Comparison of Theoretical Models

An assessment of the theoretical Cabinet and Committee models demonstrates the various timeframes associated with decision making. Within the Leader and Cabinet system of governance there are a number of ways in which the system can be configured. This can range from the Cabinet only being able to take decisions as a Committee, with no individual member decision making (as exercised at Dartford Borough Council) to a system where decision making is delegated widely to individual Cabinet Members (as was previously exercised by Maidstone Borough Council). Decisions taken by Cabinet are split between key and non key decisions. Non key decisions could, in theory, be taken relatively quickly. However a report is still required to be drafted by an Officer that outlines the various options available for the Cabinet Member, reasons for recommendations and an outline of the various implications of the decisions. These decisions were not subject to the usual ‘5 clear days’ publication rule that would apply to key decisions or decisions by Committee.

Key decisions were defined in the pre-Committee system Maidstone Borough Council Constitution as executive decisions that were likely to:

- Result in the local authority incurring expenditure which is, or the making of savings which are, equal to the value of £250,000 or more; or
- Be significant in terms of its effects on communities living or working in an area comprising one or more wards in the area of the local authority.

Key decisions required publication on the forward plan. In practice, at Maidstone, this forward plan was published for a four month period as it was relatively simple to plan for key decisions. Requirements in the Local Government Act 2000 state that the minimum period a key decision is required to be published on the forward plan is 28 days.

In terms of the Committee system, there is no requirement to distinguish between key and non key decisions. All decisions by all Committees must be published on an agenda providing 5 clear days notice. This is less flexible than a Cabinet Member non-key decision, but there is no requirement for publication for 28 days in advance for a key decision.

However in practice, both systems have urgency arrangements in place to ensure that if an urgent decision is required that either cannot be published for the required 28 days in advance on a notice of meetings, or cannot be published on a Committee Agenda for 5 clear days in advance, both forms of governance can take this decision. All that is required is a legitimate reason that is agreed by the Committee.

On balance, non-key cabinet member decisions could be taken more quickly and flexibly than under the Committee system. However the decision making model for Cabinet Key Decisions requires the decision to be published for longer than the 5 clear days required for an equivalent decision under the Committee system.

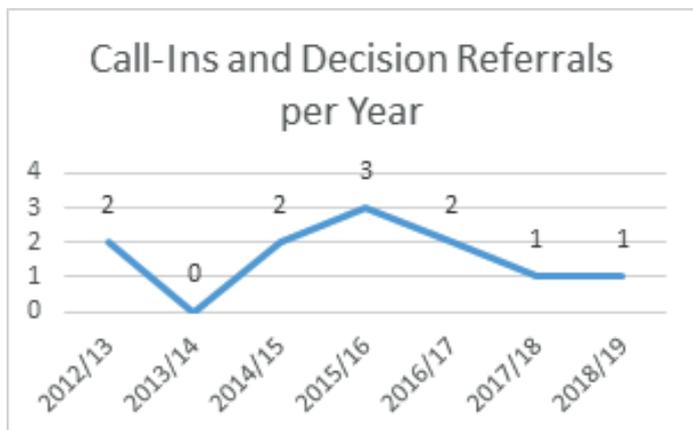
Decision Referrals

Survey results showed that 72% of Member respondents understood how to request a review of a service committee decision. This was the weakest result for questions that assessed Member's understanding of committee procedures. The Decision Referral process was referred to as Call-In under the Cabinet system. Previously, Overview and Scrutiny committees would use Call-Ins to request that Cabinet reconsiders a decision. In the Committee system, this functionality has been included within the remit of the Policy and Resources Committee. The key change is that the Policy and Resources Committee makes a decision on a topic, even if it was not responsible for the original decision. Interview feedback highlighted that decision referrals impact upon the speed of decision making, as the same topic was considered twice. It was stated, however, that it was important to make the right decision rather than a quick decision.

“Speed and efficiency are not the same thing.”

Desktop research showed that the number of decision referrals peaked in 2015/16 when the committee system was introduced (Figure 4). Since 2015/16, the number of decision referrals has returned to a level that was comparable to the cabinet system. The outcome of decision referrals since 2015/16, where only one original decision was fully endorsed, shows that this had been used at appropriate times and in an efficient manner. Furthermore, the Members who signed Decision Referral Forms were often not Members of the original decision making committee. This demonstrates wider participation in decision making for particularly contentious topics. These trends evidence a maturing system that has become more efficient over time. The process appears to work effectively, however, there is a need to ensure that the decision referral process is included in training for Members to ensure the mechanism is widely understood and continues to be used effectively.

Figure 4 – Call-Ins and Decision Referrals per Year



Note: 2018/19 is not a full year.

Case Studies: CCTV and Draft Sports and Playing Pitch Strategy

Despite the evidence demonstrating that the Cabinet and Committee system were comparable in terms of the speed of decision making, it was a commonly held view across the survey and interview feedback that the Committee system was considered slower, and this should not be discarded. CCTV Provision and the Draft Sports and Playing Pitch Strategy were often referenced to demonstrate how the committee system had led to delays in decision making. An assessment of the decision making trends for service committee agenda items in 2017/18, which were not standing items or items for solely for noting, revealed that there were very few items where a decision was not made by the committee. In the case of the Review of Parish Services Scheme (CHE Committee, 14 November 2017), this was deferred to allow for further engagement to take place at a scheduled meeting. The Maidstone Community Lottery (CHE Committee, 20 June 2017), was the only example in the municipal year where the recommendations were wholly refused. It is therefore believed that the perception of the committee system as a slower decision making model arose primarily from issues experienced by the CCTV Provision and Draft Sports and Playing Pitch Strategy items. These have been explored to ensure that lessons can be learned from these two instances.

CASE STUDY: CCTV

CCTV Provision has been discussed on multiple occasions at the Communities, Housing and Environment Committee since 2016. This topic was discussed numerous times at the same committee as additional reports were requested. This resulted in incremental changes being made to the CCTV provision.

Alternative approaches to this could include the use of a briefing to share information that was submitted as a report, or to use the Crime and Disorder Committee as a means to scrutinise CCTV provision prior to a decision being made. These approaches would have assisted with decision making, while promoting participation from a wider audience.

CASE STUDY: DRAFT SPORTS AND PLAYING PITCH STRATEGY

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.

Committee Terms of Reference

Building on from the findings of the Draft Sports and Playing Pitch Strategy case study, an assessment of MBC committee Terms of Reference indicated that there was potential for improvement. This view was reinforced through the survey and interview process. The survey asked respondents whether Terms of Reference overlapped. This question was answered by 29 respondents, with 76% stating that they did overlap. In addition to this, interviewees suggested that the clarity of committee purpose needed to be enhanced. Furthermore, committees also needed to be defined as the final decision maker for relevant topics. Anomalous subjects within the remit of a committee also required explanation. An example of this was the Crematorium currently being within the remit of the Heritage, Culture and Leisure Committee. Finally, it was stated that clarity regarding committee budgets, and when it was appropriate to request additional funding from the Policy and Resources Committee, would minimise unnecessary references between service committees.

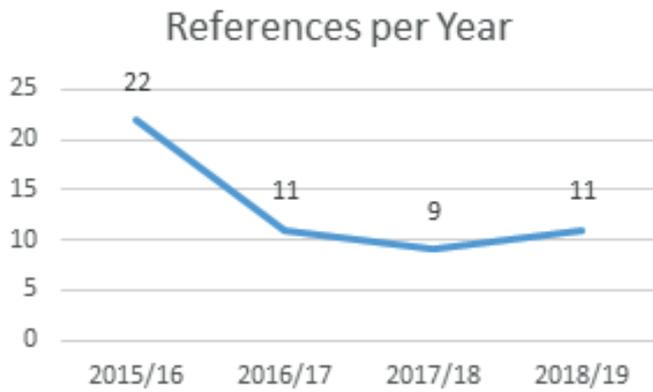
“There always will be overlap in Terms of Reference, but minimising this would help to speed up decision making.”

5. **RECOMMENDED:** That service committee Terms of Reference include:
 - a. The Strategic Plan objectives that are the focus of the committee.
 - b. Specific examples of other appropriate key issues that are within the remit of the committee.
 - c. Explanation that all service committees are required to make decisions that fall within their given budget.

References between Committees

Interviewees stated that references between committees resulted in slower decision making and also caused confusion as to which committee “owned” the topic. The Draft Sports and Playing Pitch Strategy was an example of this, as it was considered at three service committees. In addition to this, it was stated that if references were made, some topics were considered by a disproportionate number of committees compared to the status of the work. Desktop research showed that the number of references between committees has halved since the committee system was first implemented (Figure 5). The reduced number references therefore evidenced improvement in the efficiency of decision making. Continued monitoring of this trend by Democratic Services would ensure for early identification of any issues. Remedial action could then be undertaken to resolve issues as appropriate.

Figure 5 – The Number of References Made Between Committees Each Year



Note: 2018/19 is not a full year.

“When committees refer across to other committees, such as the Sports Strategy, nobody seems to know who is owning this.”

“Things slow down when a committee makes a reference to another committee.”

“Not every committee should have a say, as the Members of the committee are representatives of the Council.”

Frequency and Number of Committee Meetings

The majority of survey respondents stated that there were the right number of committees (59%), however, a significant proportion (36%) stated that there were too many committees. The majority of respondents also stated that committees met at the right frequency (76%). There were, however, polarised views when comparing Member and Officer responses to these questions. Officers were more likely to say that there were too many committees and that they met too frequently, while the majority of Members stated that the current number of committees was appropriate. This discussion arose at interview, where it was broadly established that a reduction in the number of committees was preferable, as this would streamline decision making and ensure for greater efficiency. It was suggested that there could also be a reduction in the frequency of meetings, depending on the overall number of committees and the respective workload of each committee.

“In terms of reducing the number of committees, that’s a positive thing too.”

Process for Considering Issues that Span Multiple Committees

The survey did not specifically target the issue of cross-cutting topics, however, this was raised in the free text comments. Respondents stated that there was not a suitable protocol to deal with issues that spanned more than one committee, and that this tended to lead to issues jumping between multiple committees. During interviews, there were a number of suggestions for improving this process, however, these had the following limitations:

Approach	Drawbacks
Joint-Committees	<ul style="list-style-type: none"> Political proportionality is calculated across all committees. By forming a joint-committee, there is a risk that the joint-committee could disproportionately represent groups.
Sub-Committees	<ul style="list-style-type: none"> Sub-committees represent the same issues with regards to political proportionality as joint-committees. Sub-Committees tend to work more effectively when they are set up at the beginning of a municipal year, and this would not be feasible when considering that cross-cutting topics arise throughout the course of the year. There is consistent guidance stating that it is not good practice to set up sub-committees unless such a course is unavoidable.

Currently, the constitution states that the Policy and Resources Committee is the decision making Committee for cross-cutting issues. This approach could be supplemented by relevant Chairmen having discussions at the quarterly Chairmen and Vice-Chairmen meetings to identify pertinent items. If items were identified, Chairmen could informally agree to consider the item at a single committee, be it Policy and Resources or another appropriate service committee. This process could be enhanced to ensure that the Members of both committees have the opportunity to interrogate, contribute to and debate the appropriate reports prior to the committee meeting. All Members would then have the opportunity to participate at the decision making committee meeting, either as a Committee Member or Visiting Member.

“Quarterly meetings of Chairs and Vice-Chairs are now in a good rhythm. This helps with forward planning and identifying common interests.”

Chairmanship

Survey results showed that for the majority of committees, more than three out of four respondents felt they were effectively chaired. Free text responses indicated that effective chairmanship was dependent on a number of factors, however, various aspects were identified that could be improved to support Chairmen in their role. These were discussed in further detail during interviews.

Interviewees stated that at committee meetings, Chairmen needed to promote good quality debate. This meant that superfluous discussions needed to be shut down, and that a consistent approach to the order of debate needed to be established. On the whole, Members stated a preference for speaking in the order that they raised their hand, rather than starting at one side of the chamber and moving clockwise or anti-clockwise around the room. Furthermore, it was stated that when a procedural issue was raised, Chairmen were often presented with advice from both the Democratic Services Officer and Legal Representative. A mechanism for consistency and clarity on what advice each Officer provided therefore needed to be established.

“Chairmen need to control the meeting, inasmuch as ensuring that everyone gives their point of view while also knowing when to close down members who are waffling”.

It was commonly recognised during interviews that the effectiveness of a committee was intrinsically linked to good chairmanship. In order to promote effective chairmanship, it was asserted that all Members should be encouraged to consider becoming a Chairman, as this would broaden the pool of prospective candidates. Furthermore, it should be clearly established that this role was a facilitation function, and did not draw comparison with the role of Cabinet Members in the previous governance structure.

- 6. RECOMMENDED:** That the distinct roles and responsibilities of the Committee Clerk 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.

Chairman Involvement during the Report Cycle

Survey results revealed that more than half of respondents considered Agenda Setting and Chairman's Briefing meetings to be effective and helpful, although Members viewed these more positively than Officers. Interviewees stated that Chairmen and Vice-Chairmen played an important role in ensuring that Officer reports considered all available options and did not contain deficiencies that would hinder decision making. In order to achieve this, it was crucial for Officers to ensure that Chairmen and Vice-Chairmen were fully informed throughout the report cycle. It was suggested that the approach to Agenda Setting and Chairman's Briefings could be improved, with the desired outcomes and objectives of Agenda Setting and Chairman's Briefing meetings being shared. This would focus discussions, reduce the duration of meetings and introduce a level of consistency for committee preparation.

“Chairmen need to work closely with Officers, as Members and Officers are a team.”

- 7. RECOMMENDED:** That a clear, consistent and disciplined approach is used for Agenda Setting and Chairman's Briefing meetings:
- The duration of these meetings should be minimised.
 - The focus of Agenda Setting is to ensure that the Work Programme reflects all of the topics that are to be considered by the Committee, and that each monthly meeting has an appropriately sized agenda.
 - The Chairman's Briefing is used to ensure that any issues with reports are raised with Officers in advance of the meeting, that Chairmen and Vice-Chairmen have the opportunity to clarify issues raised in the reports and that any potential legislative or procedural issues are identified and planned for.

Items for Noting

A commonly discussed theme during interviews was the frequency of items for noting on committee agendas which compromised the ability of the committee to allocate time to important decisions. This led to an additional area of desktop research, which aimed to understand this trend.

“Items for noting are debated, and then a decision item goes straight through.”

Guidance within *Knowles: On Local Authority Meetings* states that agenda items “should not ordinarily be used merely to inform. i.e. items for noting: and the items placed before the committee should be those that unavoidably demand the committee/cabinet's consideration”.

An assessment of agenda items for noting since the introduction of the committee system was undertaken. Items that included recommendations solely for the committee to note the report were evaluated to determine if the service committees had made an alternative resolution. Some reports, such as performance and budget monitoring updates, often only require noting. These were submitted to each service committee on a quarterly basis, and were included in the analysis. Standing items that required noting, such as the Committee Work Programme, were excluded.

“If a paper is for noting, then the Chairman should check it's been read, ask if there are any questions – and if there are none, then it is noted and moved on.”

Since the introduction of the committee system, the Strategic Planning, Sustainability and Transportation Committee had the highest average number of items to note per year (15), compared to the Communities, Housing and Environment Committee (8.5), Heritage, Culture and Leisure Committee (7.25) and Policy and Resources Committee (4.75). This could be a result of the Committee requesting update reports more regularly, or updates on the same topic being submitted multiple times throughout the course of the year. To reduce the number of items for noting, alternative approaches could be used to update Committees, such as briefing notes. This approach could be encouraged by the Committee when forming a resolution, as it could request that an update be provided without stipulating the method in which this is delivered. Officers and Members would then have the ability to decide on the most appropriate way to deliver updates to the

Committee without being required to bring the update as a Committee report.

When committees received 5 or more items for noting in a municipal year, the majority of these reports were simply noted. The exception to this was the Heritage, Culture and Leisure Committee in 2018/19, where 75% (6) noting items had an additional or changed resolution. Further exploration of this anomaly revealed that some Members of the Committee felt that they had not been engaged by Officers ahead of the report, and therefore the report recommendations were not sufficient. This established two trends; that Officers should not treat committees as a 'rubber stamping' mechanism for reports that were within their remit and that inappropriate submission of noting reports led to a higher demand on Officer time, as further actions arose from the committee resolutions.

It was suggested at interview that agendas should be front loaded with items for noting, so that these could be effectively resolved prior to debate on items for decisions. While it is good practice to shape an agenda to ensure for good quality of debate, stipulating where noting items should be considered introduces inflexibility. Where possible, these items should be considered early, however, there may be a need to consider a noting item at an alternative point on the agenda.

8. RECOMMENDED: That guidance be included in the Maidstone Borough Council Constitution to ensure that only appropriate reports for noting are submitted to service committees.

Reports & Agenda Distribution

Survey and interview comments reinforced the view that reports must be read prior to the committee meeting in order to ensure for effective decision making. Members and Officers, however, differed in their opinions regarding the current timescales and approach to report writing and agenda distribution. Members stated that the time to consider a report ahead of decision making was not always sufficient, particularly when urgent items or urgent updates were published. This issue was exacerbated by a reduction in posted hard copy agenda packs to Members. Officers explained that in order to build in additional time for Members to read reports, they would need to commence report writing far in advance of the meeting, and information may not be readily available at this stage. While MBC was compliant with the legal obligation to publish agendas five clear working days before a committee, both Members and Officers stated that the introduction of paperless agendas was a positive step in promoting speed and cost efficiencies. It was recognised, however, that this approach may not be appropriate for everyone and that technical support would need to be available to ensure for the success of a paperless approach.

“It is important to ensure members have enough time to read papers and check information with officers who have written the report.”

“I am a digital convert. It does work.”

9. **RECOMMENDED:** 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.

Report Format and Information

Survey results showed that respondents felt that there was the right amount of information contained in reports to enable decision making. The Joint Transportation Board was the only committee where an equal proportion of respondents felt that there was the right amount of information (44%) and not enough information (44%). On the other hand, the Planning Committee had the highest proportion of respondents who stated that there was not enough information available (19%).

At interview, a number of changes to the reporting style were discussed. Firstly, it was stated that clarity regarding the purpose of each report could be improved. Although report recommendations demonstrate the desired outcome of a report, it was felt that by clearly including whether a report was for ‘Noting’, ‘Discussion’ or ‘Decision’, this would help those who read the reports. It was suggested that colour coded paper could support this, with a different colour being used for noting items, however, this would have a significant impact on printing costs and may not be an economically viable solution.

Secondly, the location of the ‘Cross Cutting Issues and Implications’ section was debated. At interview, a number of Members stated that including this section towards the front of reports would be beneficial in order to provide context to the report, while Officers predominantly believed that it provided an effective summary at the end of the report. As reports are designed to inform Member decision making, this relocation is suggested. It was agreed across Members and Officers that this section would need to be reshaped to reflect the new Strategic Plan, and careful consideration would need to be given to ensure that the information presented in the matrix did not lead to the detail of the report being skipped.

“You should have risks earlier in the report, so that Members can be informed of what they are deciding, and the risks associated with this, ahead of reading the information.”

“The idea of putting implications at the end is that Members have the opportunity to consider the background and key issues. If the considerations were pushed to the beginning, it may stop things being put into context because the background had not yet been considered.”

To support the relocation of the Cross Cutting Issues and Implications section, a common approach to completing this matrix during report writing would also be beneficial. This would ensure that these issues are considered consistently. Operational examples demonstrate that this is not currently completed in a consistent manner, which results in reports being submitted for publication that do not clearly demonstrate that they have been reviewed by all appropriate Officers.

Thirdly, it was agreed that reports should be as concise as possible. This could be achieved by using appendices more effectively, with the report providing a high level summary of the issues at hand and referencing specific details in the appendix. Furthermore, the use of visuals and diagrams may help to reduce report size, improve upon understanding and subsequently lead to better decision making.

“Moving towards a more visual approach and away from typical lengthy report writing may be beneficial.”

Finally, it was stated that legislative requirements could be made clearer in reports to assist the committee. This would need to provide a summary of the legal requirements that were pertinent to the decision, and also clearly state that these matters were not to be debated, as they could not be changed. This could also be mentioned during the Officer presentation at the beginning of the item to ensure for clarity of understanding. This would ensure that unnecessary debate around unchangeable procedures or requirements are minimised.

“Legal and regulatory obligations need to be presented clearly in a report, and clearly stated, as this is vital information to know, even if it isn’t up for debate.”

10. RECOMMENDED: That report styles are altered to:

- Clearly demonstrate the purpose of the report on the front cover, as part of the Executive Summary.
- Include the Cross-Cutting Issues and Implications section at the front of reports.
- Align the Cross-Cutting Issues and Implications section to the new Strategic Plan objectives
- Ensure that sections of legislation relevant to a decision are clearly demonstrated.
- Ensure that, where appropriate, the length of covering reports are minimised through increased use of visuals and/or appendices.

11. RECOMMENDED: That a consistent approach to completing the Cross Cutting Issues and Implications section of reports is promoted: Building on the guidance contained in the committee report templates, the information and sign off columns should be fully completed by the report author, either with relevant information or “N/A” where appropriate. This information, along with the sign off column should then be updated or edited by appropriate Officers when the report is circulated for review.

Officer Presentations at Committee

At interview, it was acknowledged that Officer presentations at committees could be improved. It was stated that presentations should assume that the reports have been read, and therefore only provide a summary of key issues. Furthermore, it was suggested that presentations could be pre-recorded and made available prior to committee meetings. While this would ensure that the presentation was focussed, this approach does have limitations. This would lead to increased demand on Officer time, as they would have to dedicate time to pre-recording their presentation. It would also require a technological solution to ensure that this presentation was available to the public, so that everyone had access to the information. Finally, it may lead to Members seeing the presentation twice if they viewed it online, as it would need to be played at committee to ensure that everyone had seen it. This feedback, however, highlighted that other approaches, such as displaying visuals on the TV screens, would enhance presentations in some instances, and that Officers should not feel restricted to an oral presentation at committee.

“Introductions given by Officers are unnecessarily long sometimes.”

12. RECOMMENDED: That any medium for sharing information with the committee, which adds value to the written report, should be considered by Officers e.g. the use of video or presentations.

Resolving Issues Outside of Committee

During interviews, it was commented that committee efficiency was hindered when issues were raised for the first time at the public meeting. These issues could range from disputing the content of reports, to procedural issues or moving motions that were not well worded. In the case of moving motions, if these were not worded effectively to provide clear direction, this had a further impact on the Officer's ability to implement a decision. It was acknowledged that these situations were unavoidable in some cases, however, they could be reduced through engagement with Officers prior to committee meetings. Furthermore, if issues did arise, Chairmen should be confident to use adjournments and deferments where appropriate, in order to effectively resolve a matter.

“The worst thing, as a Chairman, is when someone comes up with something at committee and it sends everyone in a different direction on the night, and it’s difficult to bring everyone back together.”

“Too often, Members turn up at meetings and ask questions that should have been raised before the meeting.”

“This could help Officers to consider it ahead of the meeting, or avoid embarrassment for Members if they are wrong. This should not be confrontational.”

13. RECOMMENDED: That Members are encouraged to approach Officers, via the Democratic Services Team, in advance of committee meetings to resolve queries regarding report contents, to fully form the wording of possible motions, or to seek advice on Disclosable Pecuniary Interests (DPIs) and Other Significant Interests (OSIs).

Delegated Authority

The survey showed that less than half of respondents agreed that the scheme of delegation to Officers was appropriate (47%), with no significant difference in the response levels between Officers and Members. At interview, it was revealed that a common issue was the lack of clarity and transparency regarding the scope of decisions taken under delegated authority. There were disparate views between Members and Officers, with Members stating that while Officers had delegated authority for good reason, they needed to be aware of when this should not be used. Often, sensitive issues were best dealt with alongside Members at committee. A preference was also stated by Members for decisions to be weighted more heavily towards committees. Officers, on the other hand, stated that they felt they were doing their job by using delegated authority, and that they should be trusted to make decisions if they had the authority to do so. If used appropriately, this helped with the speed and efficiency of decision making. It would appear, therefore, that transparency could be improved, as this would ensure that Officers can continue to use delegated authority appropriately, while this would also allow Members to have greater insight into the decisions being made. To support this, guidance could be shared to ensure that Members and Officers alike have a common understanding of delegated authority and when it is to be used. Work is currently being undertaken to produce a framework, outlining the recording and publishing of Officer decisions, in line with the Openness of Local Government Bodies Relations 2014. This work is due to be concluded and the process in place for the start of the 2019/20 municipal year.

“A very regular dialogue about roles of Officers and Members takes place, and there are many occasions where the system of delegation is questioned.”

“Openness and transparency is important.”

Furthermore, it was explained that delegated authority was approved by Full Council each year, through the Council adopting the Constitution, and therefore any changes to delegations needed to be clearly understood at the point of approval. In 2018, a document containing tracked changes, outlining how the Constitution and Scheme of Delegation had been amended following previous resolutions of Council, was not provided to Full Council at the annual meeting, and the issue of transparency was raised at the meeting.

In previous years when amendments to the Constitution were made, resolutions outlining the changes required in general terms, and then a final resolution mandating the amending of the Constitution accordingly were passed. The Monitoring Officer would then effect these changes under delegation. However, a new approach has been trialled recently, whereby the proposed changes to the Constitution are drafted using tracked changes and recommended to Council for adoption. This has improved transparency in what members are approving and provides a clear audit trail of the changes made. To enhance transparency further, it is suggested that a separate resolution is agreed at the annual Council meeting, which specifically approves the scheme of delegation to Officers, along with a reference as to where the scheme of delegation can be found in the Constitution.

To further support this key issue, it would be helpful to understand how MBC compares to other Local Authorities when considering delegated authority. This would help to demonstrate whether the issues raised were a result of an anomalous scheme of delegation at MBC. If MBC was comparable to other Local Authorities, then it would suggest that further training could be provided to ensure that clarity of the current system is improved.

- 14. RECOMMENDED:** That a record of officer decisions made under delegated authority be introduced and frequently shared with Members.
- 15. RECOMMENDED:** 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.
- 16. RECOMMENDED:** That Full Council is presented with a “tracked changes” document outlining adjustments to the Constitution and the scheme of delegation when it is requested to approve changes.
- 17. RECOMMENDED:** That a comparison of delegated authority across other Local Authorities using the committee system is undertaken.

Member Briefings and Information Sharing

Interview responses showed that Member Briefings were considered an effective way of sharing information, however, they needed to be disciplined in order to ensure they had maximum impact. It was stated that briefings should be limited to the discussion of a single complex topic, or a combination of interrelated, less complex, topics. Furthermore, these opportunities needed to ensure that strategic topics were discussed, rather than covering the minutiae of topics. It was highlighted that it was often the same Members who attended Member Briefings. Although there was limited flexibility in terms of the timing of these briefings, by ensuring that Member Briefings were considered to be increasingly focussed and valuable, this may support an improved attendance from Members.

“Writing a report for noting is a waste of time, a briefing session is far more powerful and engaging.”

Information could also be shared with Members relating to the committee work programmes, to ensure that all Members are able to easily access information relevant to their interests. This is currently achieved through the monthly Member Bulletin, and is circulated to all Members at the beginning of each month. To improve the accessibility of this information, it was suggested that this information could also be included in the Weekly Notice of Meetings.

18. RECOMMENDED: That, where appropriate, alternative approaches such as briefings, are used to provide updates in order to minimise the number of reports that are submitted to committees.

Training

Building on the Learning and Development Charter, adopted by the Democracy Committee at its meeting on 5th September 2018, it was acknowledged that there was potential to improve upon the current training offer for Members. Officers would also benefit from training, however, this was not covered by the charter. Feedback suggested that combined Member-Officer training would be valuable, however, it was recognised that certain topics would not be relevant to all. While the upskilling of both Members and Officers was crucial, it was stated that a key outcome from all training needed to be an increased level of confidence for those who participated in the training.

The training that could be provided to Members and Officers was:

- Role playing a committee so that the functions and procedures were familiar. This could potentially be done as part of the snap committees at the beginning of the municipal year.
- Procedural training, such as forming or amending motions at committee.
- A broad introduction to the functions, workings and governance of the Council.
- A tour of the aspects of the Council that related to each committee.
- Public speaking training to improve upon confidence and the effectiveness of presentations and debates.

“Scenario based training would help.”

“We can often get lost in procedures, and more training would help to avoid this.”

Suggestions for Officer training centred largely on report writing and presentations at committee. A current rolling programme of report writing training is in place, and it was agreed that this has led to improved reports. This could be expanded to ensure that all Officers have access to the training.

Suggestions for Member training focussed largely on the induction of new Members, and outlined a number of areas that could be considered:

- An introduction to expectations for Members, such as involvement and behaviour at committee.
- Mentoring and buddying schemes.
- Procedural guidance, to build on the aforementioned role playing training.

“On the job training is best.”

“Members ought to feel free to talk to their colleagues, regardless of parties.”

To support the above training, written guidance could also be developed. Suggestions included advice on how to conduct oneself at committee and a document providing key phrases that could be used in meetings to ensure that all Members could confidently contribute to debates or resolution wording. Furthermore, at the first meeting of each municipal year, Committee Members could be provided with a brief information sheet that outlines the purpose of the committee they sit on, services relevant to the specific committee and other relevant information that would assist in decision making throughout the year.

The formation of a training programme is outside of the scope of the Committee Structure Review, but it is to be considered as a separate project.

Review of the Constitution

Feedback from Members and Officers indicated that in order to support the training given to Members and Officers, work could be undertaken to simplify the Constitution and produce a concise, 'easy-read' version with clear page and section numbering. Further development could include a gap-analysis of the current content, and the correction of inconsistencies and duplication. The delegated authorities currently within the Constitution could also be reviewed in light of a comparison between MBC and other Local Authorities to ensure for consistency of understanding. This work has commenced and the findings of the Constitution Review will be presented to the Democracy Committee.

“Avoid information overload and put it in an easily accessible format.”

Suggested Alternative Options

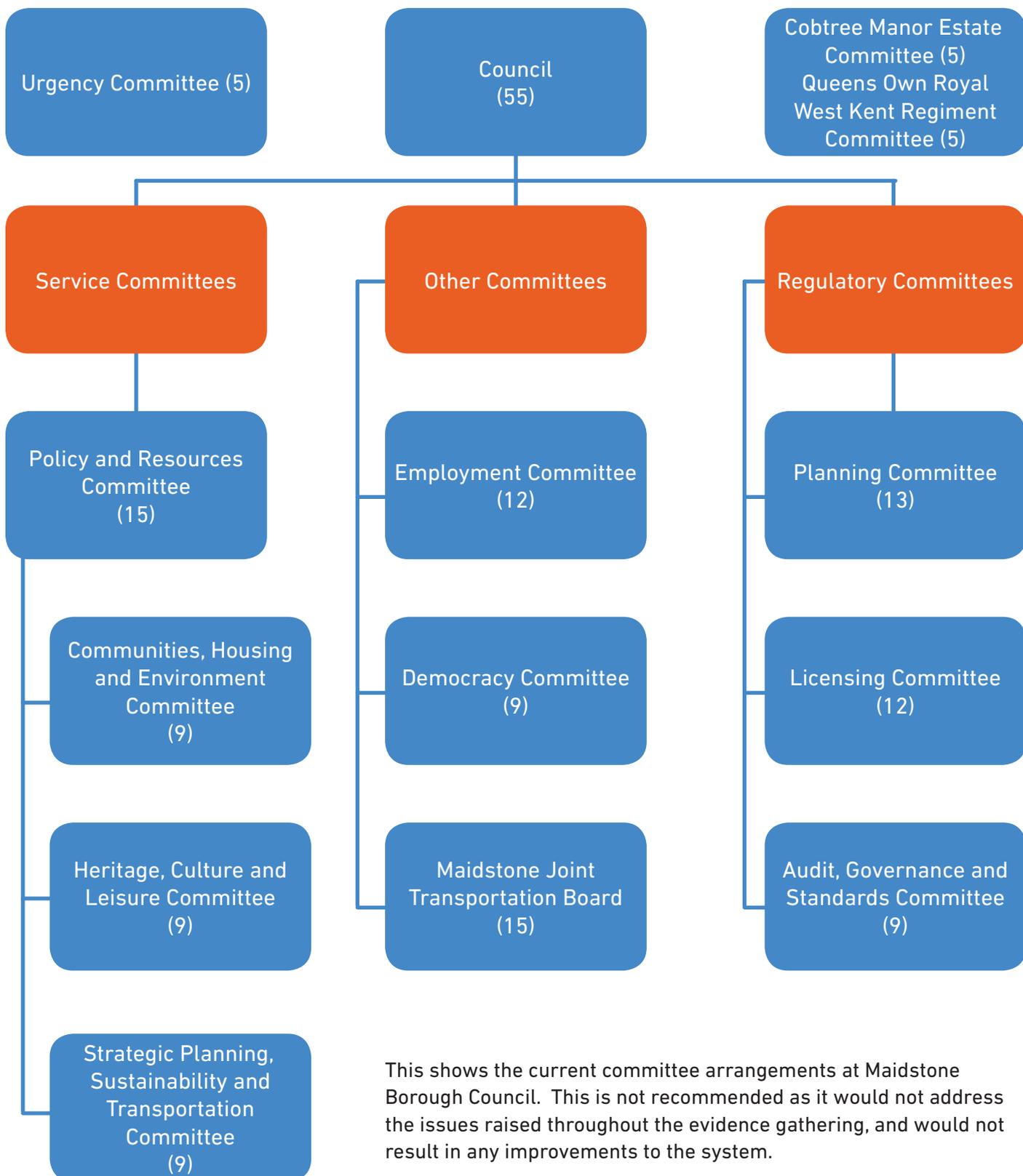
A variety of thematic approaches were suggested for refreshing the committee system. These have not been modelled as there are significant challenges with the implementation of these options. The options, with positive and negative considerations, are outlined below.

Option	Positive Aspects	Negative Aspects
Aligning Committees to the Roles of Heads of Service	<ul style="list-style-type: none"> • Clarity of committee purpose • Consistency of Officer attendance. • Reduced duplication of committee functions. 	<ul style="list-style-type: none"> • This would not be sustainable if there was a change in organisational structure or frequent turnover of roles. • Decision making would suffer if there was a vacancy for a prolonged period of time.
Aligning Committees to Key Services	<ul style="list-style-type: none"> • Clarity of committee purpose • Consistency of Officer attendance. • Reduced duplication of committee functions. 	<ul style="list-style-type: none"> • The definition of 'Key Services' is subjective • To achieve a Committee structure based on the 'Key Services' that does not increase the number of Committees (and therefore costs), services would need to be grouped together • This could lead to Committees with a lack of focus and even more overlap in their terms of reference
Aligning Committees to Common Skillsets	<ul style="list-style-type: none"> • Committees would take decisions on matters that require common approaches. 	<ul style="list-style-type: none"> • A more sustainable and applicable approach would be to align Committee Membership based on the functions of the committee. • Skillsets change every year, depending on elections and the experience gained by Councillors. This may mean that Committees would need to change every year
Merging Economic Development and Housing Functions	<ul style="list-style-type: none"> • Increased exposure for Economic Development would ensure that it is given an appropriate level of focus. 	<ul style="list-style-type: none"> • This would create an imbalanced workload across service committees. • When considering Head of Service responsibilities, there are clearer synergies between Economic Development and the current functions of the Heritage, Culture and Leisure Committee than housing.
Merging Economic Development and Strategic Spatial Planning	<ul style="list-style-type: none"> • Increased exposure for Economic Development would ensure that it is given an appropriate level of focus. 	<ul style="list-style-type: none"> • The workload of the current SPST Committee is high and it was not considered appropriate to expand this further.

Using the collated evidence, various committee structure options have been developed. These options consider the arrangements for service committees and other committees independently. The options are then amalgamated to create a final 'full' structure. The names of committees are suggestions only, and are designed to transparently reflect the purpose of each committee. The suggested committee membership size is included in brackets.

A 'Do Nothing' option has been outlined below, for context.

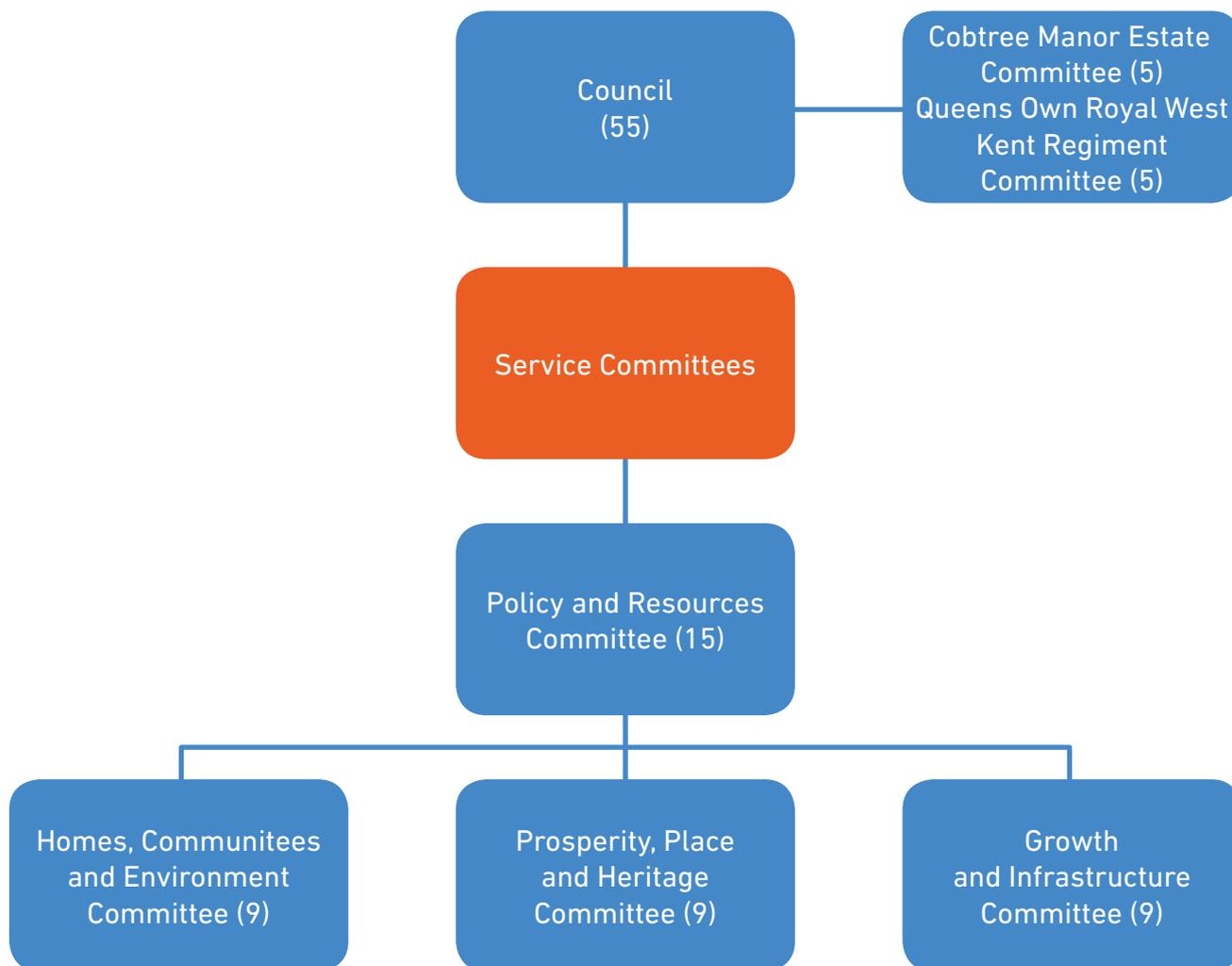
Option 1 – Do Nothing



This shows the current committee arrangements at Maidstone Borough Council. This is not recommended as it would not address the issues raised throughout the evidence gathering, and would not result in any improvements to the system.

Service Committees

Option 2 – Adjustments to the Current Committees



“These would need to be multi-disciplinary, and the focus should be on outcomes rather than on shaping it to the teams who are working on stuff.”

This option would see the current service committees adjusted. Amendments would be made to Terms of Reference to reflect the objectives and priorities in the new Strategic Plan, to ensure that committees are focussed on outcomes rather than activity. The Urgency Committee would be decommissioned, as an urgent meeting of the Policy and Resources Committee would perform the same function. This urgent decision functionality was considered in detail at the Democracy Committee on 14 November 2018, whereby the Committee commented that a quorate urgent Committee meeting was a sensible alternative to the Urgency Committee.

“The focus needs to be on the purpose, rather than the activity.”

An adjustment to committee names would ensure that previous perceptions of committees are not carried into the new governance model, and would also help to establish the strategic priorities that each committee is responsible for.

Introduction

The current functions are retained excluding Economic Development which moves to Prosperity, Place and Heritage Committee. The functionality to consider any topics that cannot be assigned to a single committee is included specifically in the Terms of Reference.

Strategic Plan Objective/s

- Responsible for oversight of progress against the whole Strategic Plan and overarching matters

Functions

- To make recommendations to Council on budget and policy matters;
- To provide strategic direction to the operation of the Council, determining policies in areas within its terms of reference and any cross cutting policies that impact on other Committee areas;
- To make decisions regarding land and property including acquisition (by agreement or compulsorily), disposal, appropriation and development with the exception of the declaration of Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and the final decision on the disposal of Open Space (unless delegated to officers or within the remit of another Committee);
- Retain a strategic overview of risk management;
- Be responsible for all policy matters not otherwise allocated to any other Committee and to determine any disputes or differences between Committees; and
- To determine planning applications referred to it by the Head of Planning and Development.

Policies that are reserved for P&R are People Strategy and Workforce Plan, Medium Term Financial Strategy, Communication and Engagement Strategy, Corporate Improvement Plan, Information Management Strategy, Risk Management Strategy including Counter Fraud, Commissioning Strategy, Asset Management Strategy, Council Accommodation Strategy and Emergency and Resilience Planning.

This Committee would remain responsible for corporate services (including Shared Services) which would include Revenues and Benefits, Property and Procurement, Corporate Finance, ICT, Legal Services and Policy, Communications and Governance.

Introduction

Formerly the Communities, Housing and Environment Committee, this would be responsible for the Strategic Plan objectives 'Homes and Communities' and 'Safe, Clean and Green'. This would include parks, green spaces and biodiversity in the remit of the Housing, Communities and Environment Committee. Furthermore, responsibility for the crematorium and cemetery would be transferred to the committee.

Strategic Plan Objective/s

- **Homes and Communities**
 - A diverse range of community activities is encouraged
 - Existing housing is safe, desirable and promotes good health and well-being
 - Homelessness and rough sleeping are prevented
 - Community facilities and services in the right place at the right time to support communities
- **Safe, Clean and Green**
 - People feel safe and are safe
 - A Borough that is recognised as clean and well cared for by everyone
 - An environmentally attractive and sustainable Borough
 - Everyone has access to high quality parks and green spaces

Functions

This Committee will be responsible for setting the Council's policy around key issues in relation to Housing, Communities and Environment including the Housing Allocations Policy, Waste Management Strategy, Recycling Strategy, Crime and Disorder Reduction Strategy, Community Safety Strategy, Housing Strategy, the Parish Charter, Licensing Strategy and Policies, Street Scene and Environmental Strategy, Parks and Open Spaces 10 year Plan and Renewable Energy Strategy. The Committee would retain the function of meeting as the Council's Statutory Crime and Disorder Committee twice yearly. Key services this Committee would be responsible for would include Waste Collection, Street Scene, Environmental Enforcement, Housing Services, Parks and Open Spaces (to declare Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and to take the final decision on disposal), Environmental Health, Licensing, Community Safety and Bereavement Services. Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

Introduction

Formerly the Heritage, Culture and Leisure Committee, this would be responsible for the Strategic Plan objective 'A Thriving Place'. This would mean that parks, green spaces, the crematorium and cemetery are removed from the remit of the current committee Terms of Reference, with Economic Development included. Museums would be retained as part of the committee, as these are linked to tourism and economic development.

"I can see the synergies in aligning Economic Development to Heritage, Culture and Leisure [...] it is well known that arts and heritage are good regenerators."

Strategic Plan Objective/s

- A Thriving Place
 - A vibrant leisure and culture offer, enjoyed by residents and attractive to visitors
 - Our town and village centres are fit for the future
 - Skills levels and earning potential of our residents are raised
 - Local commercial and inward investment is increased

Functions

This Committee will be responsible for setting the Council's policy around key issues in relation to Heritage, Culture, Leisure, Sport and Economic Development. Some key areas of responsibility will be oversight and monitoring of the contracts for the Leisure Centre and Hazlitt Theatre, as well as the long term plans for the Museum. Responsibilities around Economic Development will include setting, reviewing and monitoring the Council's Economic Development Strategy and considering any key Economic Development projects that require Council funding. The Committee will also have responsibility for Maidstone Market. Key strategies and policies this Committee would be responsible for will include the Economic Development Strategy, Commercialisation Strategy, Festivals and Events Policy, Tourism Destination Management Plan, and Museums 20 year Development Plan. Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

Introduction

Formerly the Strategic Planning, Sustainability and Transportation Committee, this would be responsible for the Strategic Plan objective 'Embracing Growth and Enabling Infrastructure'.

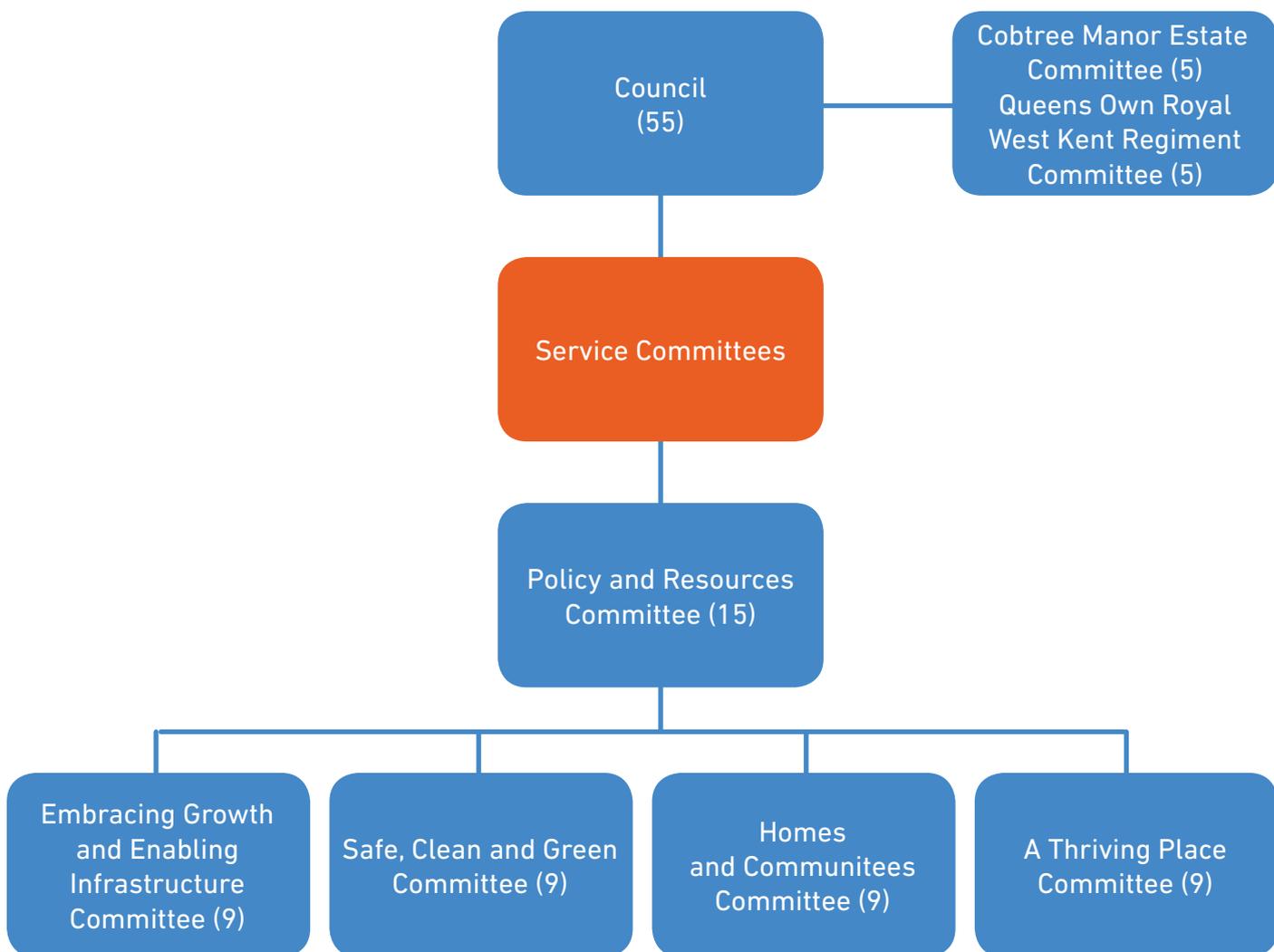
Strategic Plan Objective/s

- Embracing Growth and Enabling Infrastructure
 - The Council leads master planning and invests in new places which are well designed
 - Key employment sites are delivered
 - Housing need is met including affordable housing
 - Sufficient infrastructure is planned to meet the demands of growth

Functions

This Committee will be responsible for developing the Council's policies, including Planning Policies, to help the Council achieve its Strategic Objective in this area. Some of these policies will be required to be referred to full Council for approval, for example policies that will become part of the Development Plan, but the Committee will take the lead role in developing and setting the direction of these policies prior to submission to Full Council for approval. The Committee will be responsible for services that relate to this strategic objective including Development Management, Planning Enforcement, Parking Services, Building Control and Planning Policy. Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

This is the preferred option for service committees, as it ensures that the priorities of the new Strategic Plan are covered efficiently. Furthermore, it does not require significant additional resource to implement or service. This supports both the efficiency and cost-neutrality aspects of the original committee system principles.



“Our committees should be focused around the 4 strategic outcomes.”

The strategic objectives of the Council, and the implementation of these in a consensual way, is the key thing to look at.”

This option would see all current service committees, except for the Policy and Resources Committee, decommissioned. Four new service committees would be created to reflect the objectives in the new Strategic Plan. The Urgency Committee would be removed as an urgent meeting of the Policy and Resources Committee would perform the same function. This urgent decision functionality was considered in detail at the Democracy Committee on 14 November 2018, whereby the Committee commented that a quorate urgent Committee meeting was a sensible alternative to the Urgency Committee.

Introduction

The current functions are retained excluding Economic Development which moves to A Thriving Place Committee. The functionality to consider any topics that cannot be assigned to a single committee is included specifically within the Terms of Reference.

Strategic Plan Objective/s

- Responsible for oversight of progress against the whole Strategic Plan and overarching matters

Functions

- To make recommendations to Council on budget and policy matters;
- To provide strategic direction to the operation of the Council, determining policies in areas within its terms of reference and any cross cutting policies that impact on other Committee areas;
- To make decisions regarding land and property including acquisition (by agreement or compulsorily), disposal, appropriation and development with the exception of the declaration of Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and the final decision on the disposal of Open Space (unless delegated to officers or within the remit of another Committee);
- Retain a strategic overview of risk management;
- Be responsible for all policy matters not otherwise allocated to any other Committee and to determine any disputes or differences between Committees; and
- To determine planning applications referred to it by the Head of Planning and Development.

Policies that are reserved for P&R are People Strategy and Workforce Plan, Medium Term Financial Strategy, Communication and Engagement Strategy, Corporate Improvement Plan, Information Management Strategy, Risk Management Strategy including Counter Fraud, Commissioning Strategy, Asset Management Strategy, Council Accommodation Strategy and Emergency and Resilience Planning.

This Committee would remain responsible for corporate services (including Shared Services) which would include Revenues and Benefits, Property and Procurement, Corporate Finance, ICT, Legal Services and Policy, Communications and Governance.

Introduction

This committee would be responsible for policy matters relating to the Strategic Plan Objective 'Embracing Growth and Enabling Infrastructure'.

Strategic Plan Objective/s

- Embracing Growth and Enabling Infrastructure
 - The Council leads master planning and invests in new places which are well designed
 - Key employment sites are delivered
 - Housing need is met including affordable housing
 - Sufficient infrastructure is planned to meet the demands of growth

Functions

This Committee will be responsible for developing the Council's policies, including Planning Policies, to help the Council achieve its Strategic Objective in this area. Some of these policies will be required to be referred to full Council for approval, for example policies that will become part of the Development Plan, but the Committee will take the lead role in developing and setting the direction of these policies prior to submission to Full Council for approval. The Committee will be responsible for services that relate to this strategic objective including Development Management, Planning Enforcement, Parking Services, Building Control and Planning Policy. Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

Introduction

This committee would be responsible for policy matters relating to the Strategic Plan Objective 'Safe, Clean and Green'.

Strategic Plan Objective/s

- Safe, Clean and Green
 - People feel safe and are safe
 - A Borough that is recognised as clean and well cared for by everyone
 - An environmentally attractive and sustainable Borough
 - Everyone has access to high quality parks and green spaces

Functions

This Committee would be responsible for setting the Council's policies such as the Waste Management Strategy, Recycling Strategy, Street Scene and Environmental Strategy, Parks and Open Spaces 10 year Plan and Renewable Energy Strategy. The Committee would perform the statutory function of the Crime and Disorder Committee twice yearly. Key services in this Committee would include Waste Collection, Street Scene, Environmental Enforcement, Parks and Open Spaces (to declare Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and to take the final decision on disposal), Environmental Health, Community Safety and Bereavement Services (including the Crematorium and Cemetery). Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

Introduction

This committee would be responsible for policy matters relating to the Strategic Plan Objective 'Homes and Communities'.

Strategic Plan Objective/s

- Homes and Communities
 - A diverse range of community activities is encouraged
 - Existing housing is safe, desirable and promotes good health and well-being
 - Homelessness and rough sleeping are prevented
 - Community facilities and services in the right place at the right time to support communities

Functions

This Committee would be responsible for setting the Council's policies such as the Housing Allocations Policy, Crime and Disorder Reduction Strategy, Community Safety Strategy, Housing Strategy, the Parish Charter and Licensing Strategies and Policies. Key services this Committee would be responsible for would include Housing Services and Licensing and Community Safety. Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

Introduction

This committee would be responsible for policy matters relating to the Strategic Plan Objective 'A Thriving Place'.

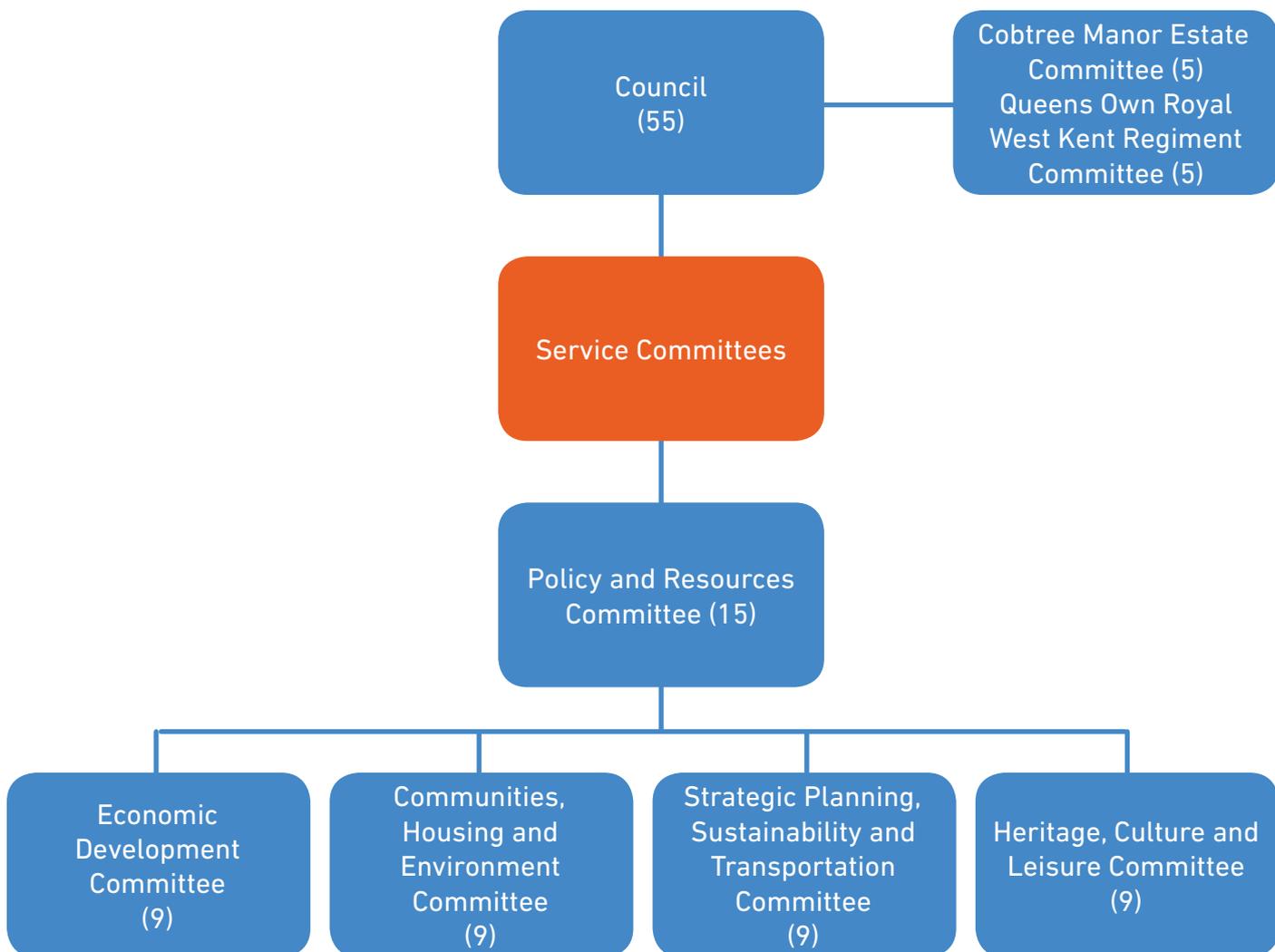
Strategic Plan Objective/s

- A Thriving Place
 - A vibrant leisure and culture offer, enjoyed by residents and attractive to visitors
 - Our town and village centres are fit for the future
 - Skills levels and earning potential of our residents are raised
 - Local commercial and inward investment is increased

Functions

This Committee will be responsible for setting the Council's policy around key issues in relation to Heritage, Culture, Leisure, Sport and Economic Development. Some key areas of responsibility will be oversight and monitoring of the contracts for the Leisure Centre and Hazlitt Theatre, as well as the long term plans for the Museum. Responsibilities around Economic Development will include setting, reviewing and monitoring the Council's Economic Development Strategy and considering any key Economic Development projects that require Council funding. The Committee will also have responsibility for Maidstone Market. Key strategies and policies this Committee would be responsible for will include the Economic Development Strategy, Commercialisation Strategy, Festivals and Events Policy, Tourism Destination Management Plan, and Museums 20 year Development Plan. Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

This option is not recommended as although it would focus committees on outcomes, , and align each committee to a single objective in the Strategic Plan, it does have a number of drawbacks. Firstly, it would require the creation of an extra service committee. This contradicts interview feedback, which stated that a reduction in the number of committees was preferential. The required resource to service an additional committee also represents a significant risk to the delivery of this model, as the streamlining of other committees would not balance the capacity to deliver the model. This would mean that cost neutrality may not be achieved. Furthermore, there would be substantial investment in the re-writing of the Constitution, which would be required each time the Strategic Plan is refreshed or renewed. Consequently, despite the advantages this model presents, it is not considered to be a sustainable approach.



“Economic development in its broadest sense is the most important, fundamental driving force of the wellbeing of the borough. It needs to have its own committee.”

“because Economic Development currently sits with Policy and Resources, it doesn’t get enough air time.”

This option would see the current committee system maintained, with a separate Economic Development Committee created to perform functions currently within the remit of the Policy and Resources Committee. This urgent decision functionality was considered in detail at the Democracy Committee on 14 November 2018, whereby the Committee commented that a quorate urgent Committee meeting was a sensible alternative to the Urgency Committee.

Introduction

The current functions are retained excluding Economic Development which moves to the Economic Development Committee. The functionality to consider any topics that cannot be assigned to a single committee is included specifically in the Terms of Reference.

Strategic Plan Objective/s

- Responsible for oversight of progress against the whole Strategic Plan and overarching matters

Functions

- To make recommendations to Council on budget and policy matters;
- To provide strategic direction to the operation of the Council, determining policies in areas within its terms of reference and any cross cutting policies that impact on other Committee areas;
- To make decisions regarding land and property including acquisition (by agreement or compulsorily), disposal, appropriation and development with the exception of the declaration of Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and the final decision on the disposal of Open Space (unless delegated to officers or within the remit of another Committee);
- Retain a strategic overview of risk management;
- Be responsible for all policy matters not otherwise allocated to any other Committee and to determine any disputes or differences between Committees; and
- To determine planning applications referred to it by the Head of Planning and Development.

Policies that are reserved for P&R are People Strategy and Workforce Plan, Medium Term Financial Strategy, Communication and Engagement Strategy, Corporate Improvement Plan, Information Management Strategy, Risk Management Strategy including Counter Fraud, Commissioning Strategy, Asset Management Strategy, Council Accommodation Strategy and Emergency and Resilience Planning.

This Committee would remain responsible for corporate services (including Shared Services) which would include Revenues and Benefits, Property and Procurement, Corporate Finance, ICT, Legal Services and Policy, Communications and Governance.

Introduction

This new committee would be responsible solely for Economic Development matters.

Strategic Plan Objective/s

- A Thriving Place
 - Skills levels and earning potential of our residents are raised
 - Local commercial and inward investment is increased

Functions

This committee would be responsible for the Council's Economic Development Strategy and considering any key Economic Development projects that require Council funding. Key strategies and policies this Committee would be responsible for will include the Economic Development Strategy and Commercialisation Strategy. Additionally, the Committee will be responsible for strategic performance, budget related staffing matters and budget monitoring for its area, in addition to submitting budget estimates and capital programmes within its area to P&R Committee with a view to P&R Committee submitting the budget to Council.

Introduction

This committee would remain unchanged.

Strategic Plan Objective/s

- **Homes and Communities**
 - Existing housing is safe, desirable and promotes good health and well-being
 - Homelessness and rough sleeping are prevented
 - Community facilities and services in the right place at the right time to support communities
- **Safe, Clean and Green**
 - People feel safe and are safe
 - A Borough that is recognised as clean and well cared for by everyone
 - An environmentally attractive and sustainable Borough

Functions

The functions of the committee would remain unchanged.

Introduction

This committee would remain unchanged.

Strategic Plan Objective/s

- • Embracing Growth and Enabling Infrastructure
 - The Council leads master planning and invests in new places which are well designed
 - Key employment sites are delivered
 - Housing need is met including affordable housing
 - Sufficient infrastructure is planned to meet the demands of growth
- • A Thriving Place
 - Our town and village centres are fit for the future

Functions

The functions of the committee would remain unchanged.

Introduction

This committee would remain unchanged.

Strategic Plan Objective/s

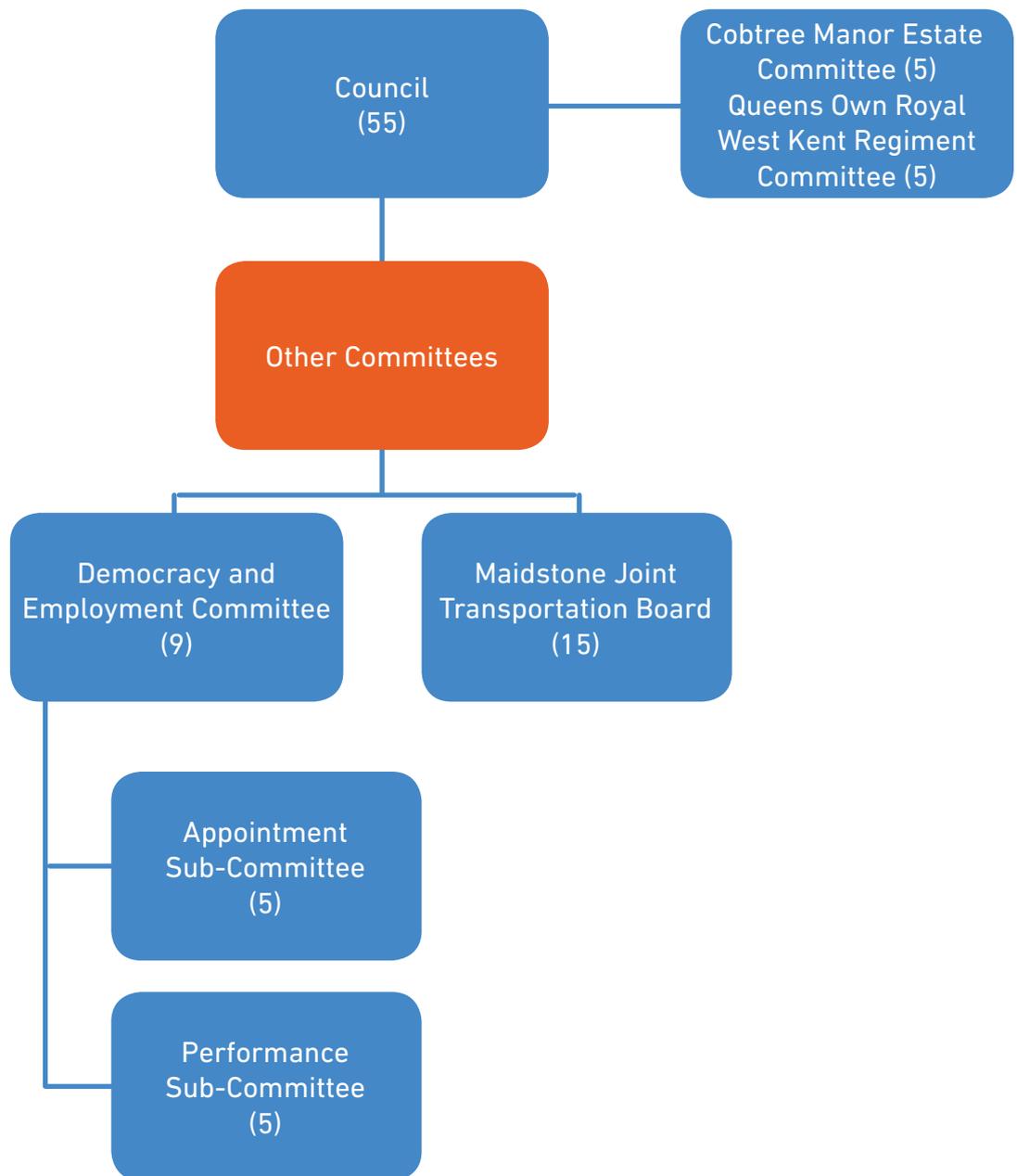
- Homes and Communities
 - A diverse range of community activities is encouraged
- Safe, Clean and Green
 - Everyone has access to high quality parks and green spaces
- A Thriving Place
 - A vibrant leisure and culture offer, enjoyed by residents and attractive to visitors
 - Our town and village centres are fit for the future

Functions

The functions of the committee would remain unchanged.

This option is not recommended as the creation of an Economic Development Committee would not create a balanced workload across the service committees. Furthermore, lines of accountability for Officers would be unclear, with Officers required to attend multiple committees in order to fully represent their portfolio of work. The creation of an additional committee would mean that cost neutrality is jeopardised, while this arrangement creates a lack of clarity regarding which committee is responsible for Strategic Plan objectives.

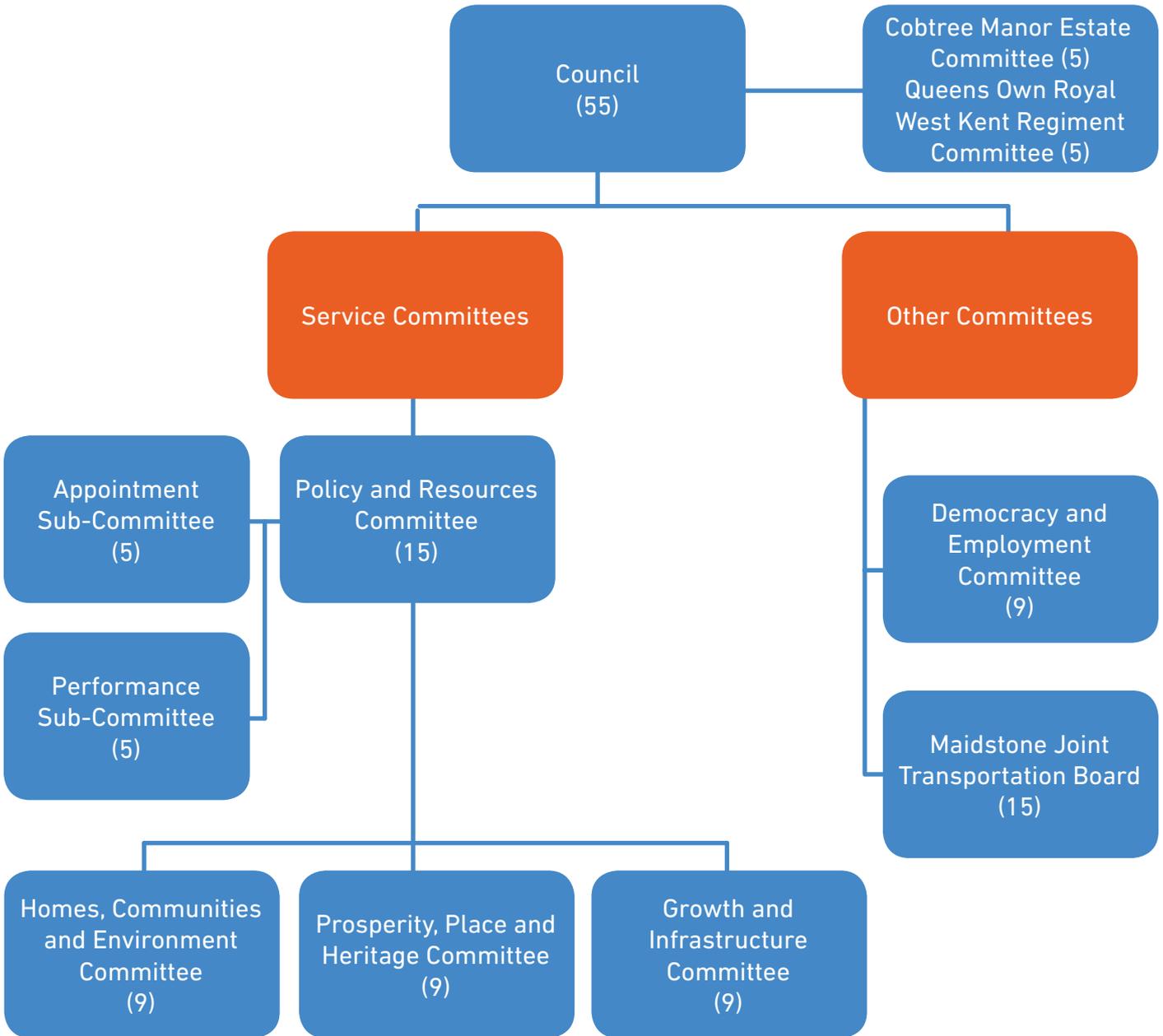
Option 5 – Democracy and Employment Committee with Sub-Committees



This option would see the functions of the Democracy Committee and Employment Committee merged. It was suggested that this could be called a General Purposes Group, however, it was felt that naming this as the Democracy and Employment Committee allowed for greater transparency regarding the function of the Committee. The Democracy and Employment Committee would then form sub-committees to perform the functions that currently fall within the remit of the Employment Committee sub-committees. This allows for the streamlining of committees, in line with the feedback received, and also ensures that the Democracy and Employment Committee has a healthy workload throughout the municipal year.

“The work should be called something different, although the function should continue.”

“A General Purposes Group that looks at the internal functions of the Council.”



This option would see the Democracy Committee and Employment Committee merged. The current sub-committees of the Employment Committee would then be included under the remit of the Policy and Resources Committee as the Appointment Sub-Committee and Performance Sub-Committee. This has the same advantages as Option 4, however, it promotes the participation of a wider group of members due to the membership size of the Policy and Resources Committee. This also allows for Group Leaders to participate in the sub-committees, as they are typically members of the Policy and Resources Committee.

The Maidstone Joint Transportation Board is included in the above structures. As this board is subject to an agreed Memorandum of Understanding, signed by both Kent County Council and MBC, any changes to the board will need to be agreed by both authorities.

CONCLUSION

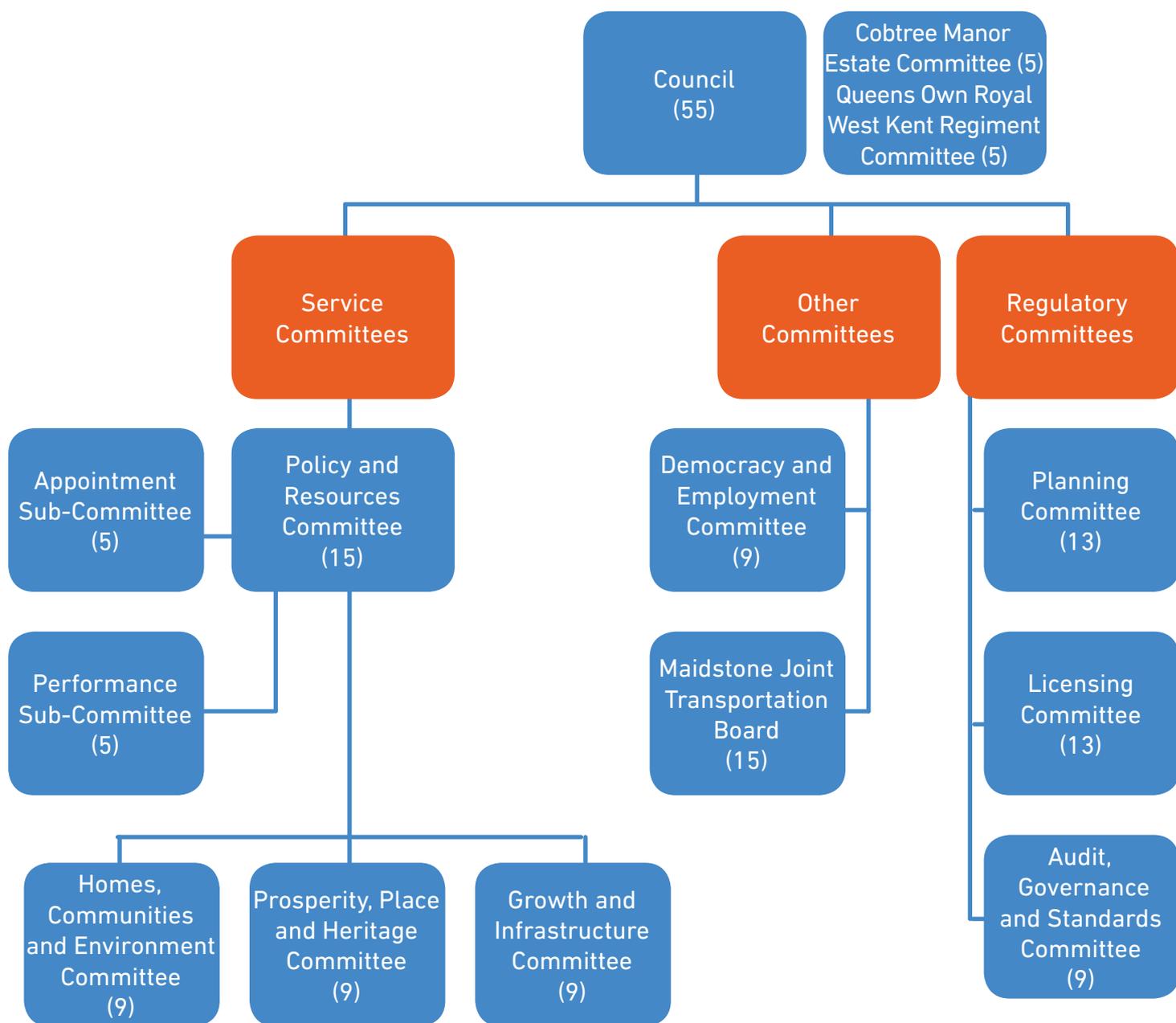
In conclusion, the objective and principles of the original committee system have been met in many cases. The evidence demonstrates that the implementation of the committee system has resulted in greater Member engagement in decision making, while cost neutrality has also been achieved. While opportunities for participation have improved, there have been varied opinions regarding whether this has improved the quality of decisions made. Equally, it has been raised that these opportunities have not always been taken up or fully understood. The Working Group therefore spent much time on this aspect, with the resultant recommendations attempting to address this issue. When considering the effectiveness and efficiency of decision making, and ensuring that the structure is not cumbersome or bureaucratic, elements of the system could be developed. To address this, the number of committees could be reduced, the Constitution could be developed to provide clarity regarding the remit of each committee and a programme of training could be explored to promote a consistent understanding of the system.

To improve decision making processes, a number of adjustments could be made to the committee structure. The structure outlined in Option 2 represents the recommended way to streamline service committee decision making, as this aligns decision making to the new Strategic Plan objectives and minimises the overlap of functions. This also maintains cost neutrality. Furthermore, efficiencies could be achieved through the amalgamation of the Democracy Committee and Employment Committee and the decommissioning of the Urgency Committee. The preferred option for this would be Option 6, as this has the benefits of streamlining committees while also providing an appropriate way to include Group Leaders on the Appointment and Performance Groups.

The suggested model eradicates many of the issues that were raised regarding overlap of Terms of Reference and committee responsibilities. There is one aspect of decision making, however, that could not be allocated to a single committee in any of the options. The Strategic Plan objective Embracing Growth and Enabling Infrastructure contains "The Council leads master planning and invests in new places which are well designed." There is a distinction between master planning where MBC owns, or has an interest in, the property and the formation of broader spatial policy to encourage development and investment in infrastructure. It is important that the Council's role as the planning authority, and its other roles, are kept separate. It is entirely appropriate for the Growth and Infrastructure Committee to be responsible for spatial policy, however, the Policy and Resources Committee should be responsible for master planning where the property is owned by the Council. This will be clarified when the committee Terms of Reference are drafted, with further conversations to take place to ensure that potential nuances are understood and that the process for these are clearly defined.

This would mean that the recommended overall structure would appear as below (Figure 6).

Figure 6 – Final Suggested Governance Model



19. RECOMMENDED: That a new structure for committees is introduced based on a combination of the service committees and other committees outlined in Options 2 and 6.

	Recommendation	Rationale	Page Number
		Participation	
1	That committee memberships are an odd number. All service committee memberships therefore remain at 9 Members, with the exception of the Policy and Resources Committee which remains at 15 Members.	<ul style="list-style-type: none"> An odd number of Members avoids potential disproportionate use of the Chairman's casting vote. Disparate views between Members and Officers showed the strengths and weaknesses of increasing or decreasing membership size. Retaining the current membership sizes promotes participation without prolonging committee debates. Policy and Resources Committee requires a larger membership as this improves the probability of all political groups represented on the Council being represented on the committee. This is appropriate considering the oversight function of the committee. 	9
2	That all committees are politically proportionate.	<ul style="list-style-type: none"> This view was shared widely during interview feedback, and would ensure that all committees were subject to the same proportionality rules. Furthermore, the views expressed by the Democracy Committee on this topic have been taken into account. 	10
3	That a consistent process for tracking and naming agenda items via Member requests is implemented.	<ul style="list-style-type: none"> The introduction of a tracking system will provide transparency for both Members and Officers. This would also ensure that the number of requests made, and the outcome of these requests, can be easily determined. A naming convention for agenda item requests would ensure these are easily recognisable on committee agendas. 	11
4	That the ability to undertake reviews is promoted in order to examine key topics and promote Member engagement.	<ul style="list-style-type: none"> Following positive feedback regarding Member engagement in the Committee Structure Review, the Chairman and Vice-Chairman of the Democracy Committee requested that the ability to undertake reviews is promoted to ensure that future topics can be considered in a similar manner. This would help to address the feeling of disengagement that has been shared by Members, while also allowing for detailed analysis of key issues. While this approach is available to use currently, there is a resourcing implication, as it would be reliant on Democratic Services to facilitate the process. The resource implication and desired outcome would therefore need to be fully scoped at the beginning of the exercise. 	11

Effective and Efficient Decision Making

5	<p>That service committee Terms of Reference include:</p> <ol style="list-style-type: none"> a. The Strategic Plan objectives that are the focus of the committee. b. Specific examples of other appropriate key issues that are within the remit of the committee. c. Explanation that all service committees are required to make decisions that fall within their given budget. 	<ul style="list-style-type: none"> • Each service committee is clearly aligned to the objective/s in the new Strategic Plan. Including this in the Terms of Reference would provide direction for Officers regarding the appropriate forum for topics to be debated and resolved. This will reduce instances of reports being considered at multiple committees, a negative aspect of the current system that was identified by Members and Officers. 	14
6	<p>That the distinct roles and responsibilities of the Committee Clerk 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.</p>	<ul style="list-style-type: none"> • It was stated that there was a lack of clarity regarding 'who does what' at committee, which can lead to Chairmen being given incompatible advice. By ensuring that each Officer was responsible for providing advice on specific topics, this would help to provide consistency to Chairmen and therefore promote effective decision making at committee. 	17
7	<p>That a clear, consistent and disciplined approach is used for Agenda Setting and Chairman's Briefing meetings:</p> <ul style="list-style-type: none"> • The duration of these meetings should be minimised. • The focus of Agenda Setting is to ensure that the Work Programme reflects all of the topics that are to be considered by the Committee, and that each monthly meeting has an appropriately sized agenda. • The Chairman's Briefing is used to ensure that any issues with reports are raised with Officers in advance of the meeting, that Chairmen and Vice-Chairmen have the opportunity to clarify issues raised in the reports and that any potential legislative or procedural issues are identified and planned for. 	<ul style="list-style-type: none"> • It was accepted that Agenda Setting and Chairman's Briefings were helpful for Members and Officers, however, common feedback indicated that it was a time consuming process for Officers, particularly for those involved in more than one committee. • Agenda Setting and Chairman's Briefing meetings are not currently conducted consistently across all committees. Providing a clear purpose, and guidance regarding duration, ensures that these will be conducted more efficiently. 	18
8	<p>That guidance be included in the Maidstone Borough Council Constitution to ensure that only appropriate reports for noting are submitted to service committees.</p>	<ul style="list-style-type: none"> • The volume of items for noting was a consistent source of feedback, with concerns that this was often not necessary. There is best practice guidance available that can be incorporated into the Constitution, which states that the number of noting items should be minimised. 	19

9	<p>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.</p>	<ul style="list-style-type: none"> • A paperless approach to distributing committee agendas would ensure that all Members are able to access agendas and urgent updates on the day these are published. • Paperless approaches lead to significant cost savings, due to reduced printing & postage requirements. • The functionality of electronic agendas does not differ from that of a paper agenda, as it is possible to annotate reports, tab pages etc. in a similar manner. Furthermore, electronic agendas allow users to search for key information quickly during committee meetings. 	20
10	<p>That report styles are altered to:</p> <ul style="list-style-type: none"> • Clearly demonstrate the purpose of the report on the front cover, as part of the Executive Summary. • Include the Cross-Cutting Issues and Implications section at the front of reports • Align the Cross-Cutting Issues and Implications section to the new Strategic Plan objectives • Ensure that sections of legislation relevant to a decision are clearly demonstrated. • Ensure that, where appropriate, the length of covering reports are minimised through increased use of visuals and/or appendices. 	<ul style="list-style-type: none"> • Feedback showed that the purpose of the report should be clearly stated on the front page of reports to assist with the reading of reports and preparation for committee. • Feedback indicated that the Cross Cutting Issues and Implications section needed to reflect the new Strategic Plan objectives, and that this should be moved to the front of the report to provide contextual information for Members when they read the full report. • Legislative requirements needed to be understood by Members when making decisions, however, it also needed to be clear that this information was not debatable as it was unchangeable. This could also be mentioned during Officer presentations. • Feedback showed that the lengths of covering reports could be significantly reduced. By diversifying the way that information is presented, it would make it more accessible and digestible to the target audience. 	21
11	<p>That a consistent approach to completing the Cross Cutting Issues and Implications section of reports is promoted: Building on the guidance contained in the committee report templates, the information and sign off columns should be fully completed by the report author, either with relevant information or "N/A" where appropriate. This information, along with the sign off column should then be updated or edited by appropriate Officers when the report is circulated for review.</p>	<ul style="list-style-type: none"> • Currently, this section is completed inconsistently, as Officers are not clear on who has responsibility for this. This results in reports being submitted for publication that do not clearly demonstrate that they have been reviewed by all appropriate Officers. 	21
12	<p>That any medium for sharing information with the committee, which adds value to the written report, should be considered by Officers e.g. the use of video or presentations.</p>	<ul style="list-style-type: none"> • Feedback suggested that this was an area that could be significantly improved, and that the diversification of how information was presented would improve information sharing. 	22

13	That Members are encouraged to approach Officers, via the Democratic Services Team, in advance of committee meetings to resolve queries regarding report contents, to fully form the wording of possible motions, or to seek advice on Disclosable Pecuniary Interests (DPIs) and Other Significant Interests (OSIs).	<ul style="list-style-type: none"> Feedback from both Members and Officers showed that there are instances where issues with reports, motions, DPIs and OSIs were first raised at committee. The early resolution of issues would ensure for improved efficiency of decision making. 	23
14	That a record of officer decisions made under delegated authority be introduced and frequently shared with Members.	<ul style="list-style-type: none"> Feedback stated that delegated authority was not as transparent as it could be, and that a record of Officer decisions would support a common understanding of this. This has previously been identified by the Democratic Services Team, and work is underway on this issue. This will be completed in 2019. This record will be published on the Council website. 	24
15	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.	<ul style="list-style-type: none"> Feedback from Members and Officers suggested that although delegation could be improved, the issues centred on a misunderstanding of the current arrangements, rather than a deficiency in the arrangements. Officers should be encouraged to engage with appropriate Members if they require clarification regarding the contentiousness of an item, and whether it would be appropriate to take it to committee. 	24
16	That Full Council is presented with a "tracked changes" document outlining adjustments to the Constitution and the scheme of delegation when it is requested to approve changes.	<ul style="list-style-type: none"> This approach improves transparency and provides a clear audit trail of the changes made. 	24
17	That a comparison of delegated authority across other Local Authorities using the committee system is undertaken.	<ul style="list-style-type: none"> This would ensure that delegated authority is consistent with practice elsewhere and reflects best practice. 	24
18	That, where appropriate, alternative approaches such as briefings, are used to provide updates in order to minimise the number of reports that are submitted to committees.	<ul style="list-style-type: none"> The quantity of items on committee agendas could be reduced if information was shared outside of committee meetings. This would have a positive impact on the efficiency of the committee meeting, and allow appropriate topics to be explored fully at committee. 	25

Committee Structure

19	<p>That a new structure for committees is introduced based on a combination of the service committees and other committees outlined in Options 2 and 6.</p>	<ul style="list-style-type: none"> • This provides a clear remit for each service committee. Distinct alignment to Strategic Plan objectives ensures for minimal overlap in Terms of Reference, which was commonly referred to during interviews. • Through removal of the Urgency Committee, and combining the Democracy Committee and Employment Committee to create the Democracy and Employment Committee, decision making is streamlined. This also ensures for greater cost efficiency by minimising the number of committee meetings required each municipal year. • By assigning the Appointment and Performance Sub-Committees to the Policy and Resources Committee, this promotes the opportunity for Group Leaders to be involved in the appointment and appraisal process for Corporate Leadership Team, as Group Leaders are typically represented on the Policy and Resources Committee. 	50
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Committee Structure Review – Response to Recommendations

85

	Recommendation	Response from	Response
			Participation
1	That committee memberships are an odd number. All service committee memberships therefore remain at 9 Members, with the exception of the Policy and Resources Committee which remains at 15 Members.	Legal Services	No further comments.
2	That all committees are politically proportionate.	Legal Services	This is fine and meets with the requirements of the Local Government and Housing Act 1989 which states that, in a Committee system, all committees should be politically balanced unless the council agrees otherwise.
3	That a consistent process for tracking and naming agenda items via Member requests is implemented.	Democratic Services	This will be easy to implement, by ensuring the fact it was a member request and who had requested it remains in the title of the agenda item/s.
4	That the ability to undertake reviews is promoted in order to examine key topics and promote Member engagement.	Democratic Services	This can be covered in the Committee inductions following the Snap Committees in May. Work could be undertaken to further promote this through the Member Bulletin.

Effective and Efficient Decision Making			
5	<p>That service committee Terms of Reference include:</p> <ul style="list-style-type: none"> a. The Strategic Plan objectives that are the focus of the committee. b. Specific examples of other appropriate key issues that are within the remit of the committee. c. Explanation that all service committees are required to make decisions that fall within their given budget. 	<p>Legal Services</p>	<p>These recommendations have been worked into the amended terms of reference which have been submitted with the draft constitutional changes.</p>
6	<p>That the distinct roles and responsibilities of the Committee Clerk 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.</p>	<p>Legal Services and Democratic Services</p>	<p>This has been added into the Constitution at Part 1, Section 1.4. See Appendix 3: Draft Constitutional Changes.</p>

7	<p>That a clear, consistent and disciplined approach is used for Agenda Setting and Chairman's Briefing meetings:</p> <ul style="list-style-type: none">• The duration of these meetings should be minimised.• The focus of Agenda Setting is to ensure that the Work Programme reflects all of the topics that are to be considered by the Committee, and that each monthly meeting has an appropriately sized agenda.• The Chairman's Briefing is used to ensure that any issues with reports are raised with Officers in advance of the meeting, that Chairmen and Vice-Chairmen have the opportunity to clarify issues raised in the reports and that any potential legislative or procedural issues are identified and planned for.	Democratic Services	This guidance can be issued to Chairmen during their Committee inductions, following the Snap Committees in May.
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Appendix 2: Response to Recommendations

8	That guidance be included in the Maidstone Borough Council Constitution to ensure that only appropriate reports for noting are submitted to service committees.	Legal Services and Democratic Services	Guidance from <i>Knowles on Local Authority Meetings</i> has now been incorporated into the Councils Constitution under Part 3.1, Section 3.2. See Appendix 3: Draft Constitutional Changes. This provides a reference point for members and officers to refer to in order to provide challenge when a report for noting is proposed.
9	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.	Democratic Services	<p>A new modern.gov app will be launched in time for the election in May, this will provide the same platform across all devices for members (and officers) to use.</p> <p>Further promotion of the use of modern.gov will take place following elections in May, as there are likely to be a number of new members.</p> <p>A programme of training will be required to ensure members are able to use the new app on their devices (or Council owned devices).</p>

10	<p>That report styles are altered to:</p> <ul style="list-style-type: none"> Clearly demonstrate the purpose of the report on the front cover, as part of the Executive Summary. Include the Cross-Cutting Issues and Implications section at the front of reports Align the Cross-Cutting Issues and Implications section to the new Strategic Plan objectives Ensure that sections of legislation relevant to a decision are clearly demonstrated. Ensure that, where appropriate, the length of covering reports are minimised through increased use of visuals and/or appendices. 	<p>Legal Services and Democratic Services</p>	<p>Much of this can be picked up through re- running training courses for Officers on report writing. However format changes may be more problematic. Including cross cutting issues at the beginning of the report could be confusing for the public, and would lead to the report template looking disjointed. Therefore, some examples of refreshed report templates have been produced to allow members to see what this recommendation will mean in practice.</p> <p>Amending the report template to include the new Strategic Plan objectives, including within the cross cutting implications section, will be undertaken in time for the new municipal year when the new Strategic Plan comes into effect.</p>
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Appendix 2: Response to Recommendations

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11	That a consistent approach to completing the Cross Cutting Issues and Implications section of reports is promoted: Building on the guidance contained in the committee report templates, the information and sign off columns should be fully completed by the report author, either with relevant information or “N/A” where appropriate. This information, along with the sign off column should then be updated or edited by appropriate Officers when the report is circulated for review.	Democratic Services	This guidance is already provided on the report template, but can be reinforced through officer training sessions on writing and presenting reports at Committee meetings.
12	That any medium for sharing information with the committee, which adds value to the written report, should be considered by Officers e.g. the use of video or presentations.	Democratic Services	This approach will be promoted during Chairman’s briefings, agenda setting meetings and during training sessions delivered on how to present reports at Committee meetings.

Appendix 2: Response to Recommendations

13	That Members are encouraged to approach Officers, via the Democratic Services Team, in advance of committee meetings to resolve queries regarding report contents, to fully form the wording of possible motions, or to seek advice on Disclosable Pecuniary Interests (DPIs) and Other Significant Interests (OSIs).	Legal Services and Democratic Services	We would encourage all members to approach either Democratic Services for general queries about procedure and/or report contents or Legal Services about the issue of disclosure of interests as soon as possible before a committee meeting. This will ensure that any questions can be clarified for members in good time for the meeting itself. It is sometimes difficult for officers to give a fully briefed answer when asked questions “on the spot” a committee meeting, particularly if the issue is complex.
14	That a record of officer decisions made under delegated authority be introduced and frequently shared with Members.	Democratic Services	A process for recording Officer decisions, compliant with the Openness of Local Government Bodies Regulations 2014 is in the process of being implemented and is due to be made live for the new municipal year. Information will be sent out to members in advance of the launch of the new process. Members will be updated before the process is made live.
15	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.	Legal Services	Delegations are set out in the Constitution, but this can be unfamiliar territory for new members and some officers. This can be picked up through training and guidance and can be added as an item in the induction training for new members.
16	That Full Council is presented with a “tracked changes” document outlining adjustments to the Constitution and the scheme of delegation when it is requested to approve changes.	Democratic Services	This already takes place, through a change in the way in which changes to the Constitution are now presented to Council for approval. Further details on where to find the Scheme of Delegation/Constitution will be provided at Annual Council Meeting Agendas, when members are asked to agree the Constitution and Scheme of Delegation.

Appendix 2: Response to Recommendations

17	That a comparison of delegated authority across other Local Authorities using the committee system is undertaken.	Democratic Services	This can be carried out as a separate exercise to the review and the results shared with members.
18	That, where appropriate, alternative approaches such as briefings, are used to provide updates in order to minimise the number of reports that are submitted to committees.	Democratic Services	Guidance will be issued to Heads of Service, and Democratic Services Officers will provide challenge to ensure that briefings take place instead of reports (if necessary). Next year, specific member briefing dates will be agreed in the calendar of meetings in advance, to provide more structure and advanced notice of briefings.
Committee Structure			
19	That a new structure for committees is introduced based on a combination of the service committees and other committees outlined in Options 2 and 6.	Legal Services and Democratic Services	Please see separate document outlining the proposed amendments to the Constitution.

CONSTITUTION OF THE COUNCIL

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- 1.1 Purpose
- 1.2 What is in the Constitution?
- 1.3 How the Council works
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- 1.6 Leader of the Council
- 1.7 Role of the Mayor
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- 1.10 Committees
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- 1.13 Working with Partners
- 1.14 Review and Revision of the Constitution

Part 2 Responsibility for Functions

Functions of Full Council

Committees of the Council:

- Policy and Resources Committee
- ~~Urgency Committee~~
- ~~Strategic Planning, Sustainability and Transportation Committee~~: Strategic Planning and Infrastructure Committee
 - ~~Local Plan Sub-Committee~~
- Communities, Housing and Environment Committee
- ~~Heritage Culture and Leisure Committee~~ Prosperity, Heritage and Leisure Committee
- Planning Committee
- Licensing Committee:
 - Licensing Sub-Committee
- ~~Employment Committee~~
- Audit, Governance and Standards Committee
- ~~Democracy Committee~~ Democracy and General Purposes Committee
- Joint Independent Remuneration Panel
- Kent Joint Waste Management Committee
- Joint Transportation Board
- Council Committees as Corporate Trustee For Charities
 - Cobtree Manor Estate Charity Committee
 - The Queens Own Royal West Kent Regiment Museum Trust Committee

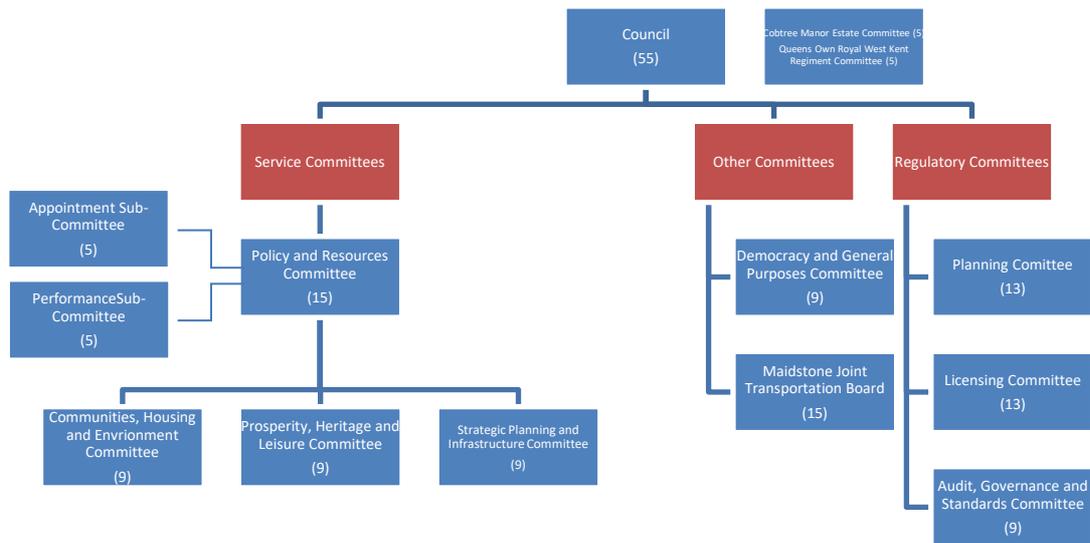
Responsibility for Functions Relating To Officers:

- Chief Executive
 - Director of Finance and Business Improvement (Section 151 Officer)
 - Director of Regeneration and Place
- Director of Finance and Business Improvement (Section 151 Officer)
 - Head of Finance

Councillors must follow the Councillors' Code of Conduct and the Protocol on Councillor/Officer Relations both of which are set out in Part 4 of this Constitution, to ensure high standards of conduct in the way they undertake their duties. The Audit, Governance and Standards Committee trains and advises them on the Code of Conduct. The Code and procedures for dealing with complaints that there has been a breach of the Code also apply to Parish Councillors.

1.1. How Decisions are Made

Decisions relating to certain functions must be taken by the full Council and cannot be delegated; these are listed in Part 2. The Council delegates most of the decision-making to a range of Committees and Sub-Committees as follows:-



Committees and Sub-Committees of the Council are required to be constituted to reflect the political representation on the Council, in accordance with principles contained in the Local Government and Housing Act 1989. Seats on Committees are therefore allocated between political groups in the same proportion as the groups are represented on the Council and this is known as 'political balance'. Political Group Leaders are responsible for nominating Councillors from their Groups to the seats allocated.

The Council's calendar of meetings can be accessed here:

<http://services.maidstone.gov.uk/meetings/mgCalendarMonthView.aspx?GL=1&bcr=1> Meetings will generally be open to the public to attend except where 'exempt' or confidential matters are being discussed (see the Access to Information Procedure Rules in Part Three for what amounts to 'exempt' and confidential information).

Public notice is given of the time and place of all meetings, usually five clear working days in advance, with details of the items on the agenda. These are posted on the Council's website unless the details of the reports are not for publication (because they contain "exempt" or confidential information) and may be accessed here:

<http://www.maidstone.gov.uk/council/meetings,-minutes-and-agendas>

Officers of the Council may also take decisions (see the staff structure below at 1.11). Some services are delivered jointly with other Councils in shared services arrangements (see 1.12 below and Part Two for details of how different functions are exercised).

A number of Officers are present at Committee meetings, each with different responsibilities. The Committee Clerk produces a record of the meeting, and is expected to provide procedural advice. The Monitoring Officer, or his/her Legal colleague, is normally required to provide legal advice on issues that arise. Directors and Heads of Service attend Committee meetings to provide advice and a strategic view on the topics being considered, while other Officers may be invited to attend to present a report on a specific topic that they specialise in.

1.2. Rights of Members of the Public

People have a number of rights in their dealings with the Council. These are set out in more detail below. Some of these are legal rights, whilst others depend on the Council's own processes. Where members of the public use specific Council services, they have additional rights which are not covered in this Constitution. People have the right to:

- Vote at elections if they are registered;
- Stand for election as a Councillor, subject to eligibility;

- Contact their local Councillor about any matters of concern to them;

1.3. Committees

The Committee system consists of a number of service based committees taking decisions under their terms of reference agreed by the full Council and set out in Part Two. Individual Councillors do not have the power to make decisions.

The main Service Committees are:

- **Policy and Resources Committee**

Considers the Council's budget and strategic plan, economic development and corporate matters such as risk management.

- ~~Strategic Planning, Sustainability and Transport Committee~~ **Strategic Planning and Infrastructure Committee**

Considers the Local Plan, development management policies and transport matters including parking and park and ride.

- **Communities, Housing and Environment Committee**

Develops the housing strategy, waste and recycling strategy responsible for community development, and strategies regarding parks and green spaces. Acts as the Council's Crime and Disorder Committee, where any Councillor may place crime and disorder matters on the agenda for the meeting (through what is known as the "Councillor Call for Action").

- ~~Heritage, Culture and Leisure Committee~~ **Prosperity, Heritage and Leisure Committee**

Considers matters regarding the Council's ~~parks and open spaces, events, the leisure offer, and culture and heritage services~~ and economic development.

In addition to formulating and reviewing relevant policies and strategies the Committees will undertake high level performance monitoring and review to evaluate whether the expected outcomes are being achieved in accordance with the Council's Strategic Plan.

In addition there are Committees that deal with **Licensing; Planning; Audit, Governance and Standards; Democracy and General Purposes; Urgent Matters; Employment** and other regulatory matters.

The Chairman of a Committee has the following powers and duties:-

- Responsibility for the proper conduct of meetings;
- A power to exercise a second (casting) vote in the event of an equality of votes on any matter;

1.7. Review and Revision of the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution periodically and report to the Democracy and General Purposes Committee as appropriate. The Monitoring Officer has delegated authority to make changes to the Constitution which are necessitated by decisions taken by the Council; which remove inconsistency or ambiguity; which are minor; or to effect changes in the law.

Substantial or significant changes to the Constitution will only be approved by the full Council and this may be on the recommendation of the Democracy and General Purposes Committee or other appropriate Committee.

For further information on how the Council operates please go to www.maidstone.gov.uk or contact the Democratic Services Team at committeeservices@maidstone.gov.uk or on tel: 01622 602000

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2. RESPONSIBILITY FOR FUNCTIONS

2.1 FUNCTIONS OF FULL COUNCIL

This part of the Constitution explains who takes decisions and sets out the responsibilities of the Council, Committees, Sub-Committees and Panels as well as the Scheme of Delegation to Officers.

Some functions can only be carried out by the Council. Other functions may be carried out by the Council or may be discharged through Committees or Sub-Committees (except where a function is expressly reserved to the Council for decision). In addition the Council may delegate decision making to Officers; to Joint Committees/Boards; to other authorities; or officers of other authorities.

Appointments to Committees are made at the Annual Council Meeting or, when a vacancy occurs, at the next available meeting of the Council. Appointments to outside bodies may be made by the Democracy [and General Purposes](#) Committee.

COUNCIL

- (1) All those functions as defined by the Local Authorities (Committee System) (England) Regulations 2012 and other legislation that the Council is unable to delegate including:-
- Adopting a Councillors' Allowance Scheme and amending the same, including the Mayor's and Chairman's allowances having considered the report of an Independent Remuneration Panel.
 - Making a request for single Councillor electoral wards to the Local Government Boundary Commission.
 - A resolution to change the Council's scheme for elections.
 - Making an order giving effect to the recommendations made in a Community Governance Review and other Parish Council functions that are not otherwise delegated.
 - Making or revoking or amending the following policies, plans and strategies:-
 - Crime and Disorder Reduction Strategy.
 - Licensing Authority Policy Statement including any Cumulative Impact Policies.
 - Local Development Framework - Plans and alterations which together comprise the Development Plan and Development Plan Documents.
 - Sustainable Community Strategy.

<p>Strategic Planning and Performance Management – to oversee the development, review and implementation of the Council’s:</p> <p>People strategy and workforce plan;</p> <p>Medium Term Financial Strategy to include, though not exclusively, Capital Investment Strategy, Council tax support scheme, business rates and income generation;</p> <p>Communication and Engagement Strategy;</p> <p>Corporate Improvement Plan;</p> <p>Information Management Strategy;</p> <p>Risk Management Strategy including Counter Fraud;</p> <p>Commissioning Strategy;</p> <p>Asset Management Strategy including assets of community value;</p>	<p>Head of Human Resources Shared Service</p> <p>Director of Finance and Business Improvement</p> <p>Head of Policy and Communications</p> <p>Head of Policy and Communications</p> <p>Head of Policy and Communications</p> <p>Chief Executive/Head of Audit Partnership</p> <p>Director of Finance and Business Improvement</p> <p>Director of Finance and Business Improvement</p>
<p>Council Accommodation Strategy;</p> <p>Emergency and Resilience Planning;</p> <p>Economic Development Strategy;</p> <p>Commercialisation Strategy;</p> <p>Information and communications technology (ICT);</p> <p>Council tax, business services and housing benefits;</p>	<p>Director of Regeneration and Place</p> <p>Director of Regeneration and Place</p> <p>Head of Regeneration and Economic Development</p> <p>Head of Regeneration and Economic Development</p> <p>Head of IT Shared Services</p> <p>Director of Finance and Business Improvement</p>

<p>Making compulsory purchase orders on planning grounds and/or recommending to Council the making of compulsory purchase orders.</p> <p>To be responsible for the Health and Safety Strategy and to review the Annual Report from the Corporate Health and Safety Committee with the report going to full Council for information purposes</p> <p><u>a) To consider the applications received for the posts of Chief Executive and Directors and to compile a short list for interview and subsequently to interview and make appointments (in the case of the Chief Executive any appointment is subject to confirmation by the full Council).</u></p> <p><u>b) To review annually the performance of the Chief Executive and Directors, to agree targets for the coming financial year, and agree any corrective action which may be required relating to the previous financial year.</u></p> <p><u>c) To act as an investigatory Committee in disciplinary matters for protected officers</u></p> <p><u>d) To act as a hearings panel as appropriate except any decision to dismiss the Head of Paid Service, Chief Finance Officer or Monitoring Officer which must be approved by Council.</u></p> <p><u>e) To hear and determine appeals against decisions taken by the Chief Executive under the disciplinary or capability procedures or to hear grievances raised against the Chief Executive under the grievance procedure.</u></p>	<p>Head of Revenues and Benefits Shared Services</p> <p>Director of Regeneration and Place</p> <p>Chief Executive</p> <p><u>Panel, as required from time to time</u></p> <p><u>Panel comprising 5 Councillors (to include the Group Leaders of the 5 largest parties)</u></p> <p><u>Panel comprising 3 Councillors. For the three statutory protected officers</u></p> <p><u>Panel of 3 plus up to two Independent Persons</u></p> <p><u>Sub Committee comprising 3 Councillors</u></p>
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ROLE OF THE CHAIRMAN OF POLICY AND RESOURCES

- Be a figurehead for the Council

- To foster close links with the business community and develop partnerships to achieve outcomes identified in the Economic Development and Regeneration Strategy
- To foster close links and develop partnerships with skills and education providers to achieve outcomes identified in the Economic Development Strategy
- To take responsibility for relationships with funders including KCC and the Heritage Lottery fund, service delivery partners including the Chamber of Commerce, Federation of small businesses, Locate in Kent, education and skills providers, voluntary and community groups.

~~2.2.2 URGENCY COMMITTEE~~

~~**Membership:** Leaders of the five largest Groups represented on the Council. Quorum 3.~~

~~**Purpose:** To take any urgent Policy and Resources Committee or Council decisions (that may be delegated by the Council, where above the level of delegation to Officers) in between scheduled meetings and where the decision needs to be taken before the next meeting in order to protect the Council's interests.~~

FUNCTIONS	DELEGATION OF FUNCTIONS
All decision making where in the opinion of the Chief Executive (having consulted the Chief Finance Officer and the Monitoring Officer) the Council's interests require that Councillors take a decision urgently; including virement decisions and decisions to expend money from contingencies and balances that are not otherwise delegated.	Any decision that may be made by Council or the Policy and Resources Committee in between scheduled ordinary meetings may be further sub-delegated as considered appropriate.

~~2.2.32.2 STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE~~ STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

Membership: 9 Councillors

Purpose: To be responsible for planning, sustainability, district highways and car parking functions and transportation.

Strategic Plan Objective: "Embracing Growth and Enabling Infrastructure"

- The Council leads master planning and invests in new places which are well designed
- Key employment sites are delivered

- [Housing need is met including affordable housing](#)
- [Sufficient infrastructure is planned to meet the demands of growth](#)

FUNCTIONS	DELEGATION OF FUNCTIONS
To take the lead in ensuring that the Council delivers its strategic objectives for planning, sustainability and transportation	N/A
To pass a resolution that Schedule 2 to the Noise and Nuisance Act 1993 should apply in the authority's area	N/A
To submit to Policy and Resources (P&R) Committee all revenue estimates and capital programmes within the remit of the Committee with a view to P&R determining the budget for submission to Council	
To be responsible for all strategic budget related staffing matters within the Committee's remit	
To appoint Members to the outside bodies assigned to the Committee and listed at Part 5 Schedule 2 of the Constitution and to receive annual reports from the appointed outside body representative.	
<p>Strategic Planning and Performance Management – to oversee the development, review and implementation of the Council's:</p>	
<p>Development Plan, including the Maidstone Borough Local Plan and Neighbourhood Plans (subject to approval by Council); Spatial planning documents such as supplementary planning documents and planning policy advice notes; Master Plans and development briefs; The Infrastructure Delivery Plan and The Community Infrastructure Levy (subject to approval by Council).</p>	<p>Head of Planning and Development</p>
<p>Development Management, Enforcement, Building Control.</p>	<p>Head of Planning and Development</p>
<p>Car Parking Plans and Strategy</p>	<p>Director of Regeneration and Place</p>
<p>Air Quality Management Strategy, smoke free</p>	<p>Director of</p>

ROLE OF THE CHAIRMAN OF ~~STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORT~~ STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

- Working with others in building a vision for the Council and Community
- To represent the Council on all partnerships relevant to the Committee
- To take the lead role in this Committee of fostering close links with key stakeholders including Parish Councils, the Developers Forum, English Heritage and transport interest groups.
- To take the lead role within this Committee for responsibility for relationships with funders including Kent County Council and Highways England.
- To chair the Joint Transportation Board with Kent County Council in alternate years and be Vice Chairman in others.

~~2.2.4 LOCAL PLAN SUB COMMITTEE~~

~~Membership: 5 Councillors~~

~~Responsible for Spatial Planning Strategy including the local plan and other Spatial Planning documents including Development Plan documents, Development Management policies and Development briefs (subject to approval by Council and the Strategic Planning, Sustainability and Transportation Committee).~~

2.2.52.2.3 COMMUNITIES, HOUSING AND

ENVIRONMENT COMMITTEE Membership: 9

Councillors

Purpose: To take the lead within the Council for ensuring that the Council delivers its strategic objectives with regard to Communities, Housing and the Environment; to ensure inclusive and productive community engagement, Public Health, licensing, housing, other community services and to be the Council's Crime and Disorder Committee. Furthermore, this Committee is responsible for parks, green spaces, biodiversity, the crematorium and cemetery.

Strategic Plan Objective: Homes and Communities

- A diverse range of community activities is encouraged
- Existing housing is safe, desirable and promotes good health and well-being
- Homelessness and rough sleeping are prevented
- Community facilities and services in the right place at the right time to support communities

Strategic Plan Objective: Safe, Clean and Green

- People feel safe and are safe
- A Borough that is recognised as clean and well cared for by everyone
- An environmentally attractive and sustainable Borough
- Everyone has access to high quality parks and green spaces

FUNCTIONS	DELEGATION OF FUNCTIONS
To take the lead within the Council for ensuring that the Council delivers its strategic objectives with regard to Communities, Housing Public Health and the Environment	N/A
To take the lead within the Council in ensuring that the Council achieves inclusiveness and productive community engagement	N/A
To act as the Council’s Crime and Disorder Committee under section 19 Police and Justice Act 2006 and to meet at least once per annum in this capacity.	N/A
To submit to Policy and Resources (P&R) Committee all revenue estimates and capital programmes within the remit of the Committee with a view to P&R determining the budget for submission to Council	N/A
To be responsible for all strategic budget related staffing matters within this Committee’s Remit	N/A
To appoint Members to the outside bodies assigned to the Committee and listed at Part 5 Schedule 2 of the Constitution and to receive annual reports from the appointed outside body representative.	N/A

<p>Licensing Strategy and Policies (including making recommendations to Council)</p>	
<p>Public Conveniences</p>	<p>Head of Environment and Public Realm</p>
<p>Street Scene and Environmental Strategy (to include Clean Neighbourhood Enforcement, monitoring.</p>	<p>Director of Regeneration and Place/Head of Environment & Public Realm</p>
<p>Enforcement of Air Quality Policies</p>	<p>Head of Housing and Community Services</p>
<p>Renewable Energy Strategy</p>	<p>Director of Regeneration and Place</p>
<p>Contaminated Land Strategy</p>	<p>Head of Housing & Community Services</p>
<p>Community Safety in consultation with the Safer Maidstone Partnership; reviewing the exercise of crime and disorder functions by responsible authorities (Police and Crime Commissioner, Chief Constable, probation, health etc) and to make reports and recommendations with regard to the discharge of those functions – NB any Councillor may refer such a matter to this Committee.</p>	<p>Head of Housing and Community Services</p>
<p><u>Parks and Open Spaces 10 Year Plan including play areas and allotments</u></p>	<p><u>Head of Regeneration and Economic Development</u></p>
<p><u>To declare Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and to take the final decision on disposal.</u></p>	<p><u>N/A</u></p>
<p><u>Bereavement Services – Vinters Park Crematorium and Maidstone Cemetery</u></p>	<p><u>Head of Environment and Public Realm</u></p>

ROLE OF THE CHAIRMAN OF COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

- Taking the lead within this Committee of working with others in

undertaken in accordance with the agreed Kent Protocols for NHS Overview and Scrutiny from time to time.)

- To take the lead on this Committee for ensuring good relationships with funders including Kent County Council and Waste & Resources Action Programme (WRAP), service delivery partners including contractors, voluntary sector and community groups.

2.2.62.2.4 ~~HERITAGE CULTURE AND~~

LEISURE PROSPERITY, HERITAGE AND

LEISURE COMMITTEE Membership: 9

Councillors

Purpose: To promote Maidstone as a decent place to live by providing opportunities for engagement in cultural and leisure pursuits, developing a sense of place and ensuring that everyone, no matter who they are, or where they live, has access to quality open space, sports and leisure facilities

Strategic Plan Objective: A Thriving Place

- A vibrant leisure and culture offer, enjoyed by residents and attractive to visitors
- Our town and village centres are fit for the future
- Skills levels and earning potential of our residents are raised
- Local commercial and inward investment is increased

FUNCTIONS	DELEGATION OF FUNCTIONS
To take the lead within the Council for ensuring that the Council delivers its strategic objectives with respect to Maidstone as a decent place to live by providing opportunities for engagement in cultural and leisure pursuits, developing a sense of place and ensuring that everyone, no matter who they are, or where they live, has access to quality open space, sports and leisure facilities	N/A
To take the lead in ensuring that Maidstone’s Heritage and Culture together with its leisure facilities play a key role in regeneration and in improving and sustaining the Borough’s economic development and health and wellbeing	N/A
To submit to Policy and Resources Committee all revenue estimates and capital programmes within the remit of the Committee with a view to P&R Committee determining the budget for	N/A

submission to Council

To be responsible for all strategic budget related staffing matters within the Committee's remit

N/A

~~To declare Open Space surplus to requirements for the purposes of advertising and disposing of open space under Section 123 of the Local Government Act 1972 or any other similar enactment and to take the final decision on disposal.~~

~~N/A~~

<p>To appoint Members to the outside bodies assigned to the Committee and listed at Part 5 Schedule 2 of the Constitution and to receive annual reports from the appointed outside body representative.</p> <p>Strategic Planning and Performance Management – to oversee the development, review and implementation of the Council’s:</p>	<p>N/A</p>
<p>Parks and Open Spaces 10-Year Plan including play areas and allotments</p> <p>Festivals and Events Policy including the Hazlitt Theatre and Arts Centre contract.</p> <p>Tourism Destination Management Plan</p> <p>Maidstone Culture and Leisure Business Plan</p> <p>Museums 20 year development plan</p> <p>Maidstone Market</p> <p>Public Realm Design Guide and Public Arts Policy</p> <p>Bereavement Services—Vinters Park Crematorium and Maidstone Cemetery</p> <p><u>Economic Development Strategy</u></p>	<p>Head of Regeneration and Economic Development</p> <p>Head of Regeneration and Economic Development</p> <p>Head of Environment and Public Realm.</p> <p><u>Head of Regeneration and Economic Development</u></p>

ROLE OF THE CHAIRMAN OF HERITAGE, CULTURE AND LEISURE COMMITTEE

- To take the lead on this Committee on working with others in building a vision for the Council and community

2.2.10 EMPLOYMENT COMMITTEE

Membership: ~~12 Councillors~~ (to include the Group Leaders of the five largest groups)

Purpose: ~~To deal with employment and staffing matters unless otherwise delegated~~

FUNCTIONS	DELEGATION OF FUNCTIONS
a) To consider the applications received for the posts of Chief Executive and Directors and to compile a short list for interview and subsequently to interview and make appointments (in the case of the Chief Executive any appointment is subject to confirmation by the full Council).	Panel, as required from time to time
b) To review annually the performance of the Chief Executive and Directors, to agree targets for the coming financial year, and agree any corrective action which may be required relating to the previous financial year.	Panel comprising 5 Councillors (to include the Group Leaders of the 5 largest parties)
c) Power to determine terms and conditions on which staff hold office (including procedures for re-organisations and for their severance and dismissal) and all other matters concerning terms and conditions of service.	Head of Human Resources Shared Service
d) To act as an investigatory Committee in disciplinary matters for protected officers	Panel comprising 3 Councillors.
e) To act as a hearings panel as appropriate except any decision to dismiss the Head of Paid Service, Chief Finance Officer or Monitoring Officer which must be approved by Council.	For the three statutory protected officers Panel of 3 plus up to two Independent Persons
f) To hear and determine appeals against decisions taken by the Chief Executive under the disciplinary or capability procedures or to hear grievances raised against the Chief Executive under the grievance procedure.	Sub-Committee comprising 3 Councillors
g) Pensions and superannuation matters related to terms and conditions	Head of Human Resources Shared Service
h) To appoint Members to the outside bodies	N/A

~~assigned to the Committee and listed at Part 5-
Schedule 2 of the Constitution and to receive
annual reports from the appointed outside body
representative.~~

<p>Joint Consultative Committee A consultative forum for views to be expressed between both parties on the Committee regarding the following issues relating to the employment of staff by the Council but excluding individual cases: — Health and Safety Issues at Works — Changes in Staff Structures — Terms of Conditions of Employment Such views are referred to the appropriate Council Decision Making Body.</p>	<p>An advisory sub-Committee comprising 4 Members of the Authority and 4 Trade Union Representatives (3 representatives from UNISON, 1 representative from UNITE)</p>
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~~2.2.1~~ **2.2.8** **AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

Membership: 9 Councillors

(plus 2 non-voting Parish Councillors appointed by the Council for a three year term of office)

Purpose: The promotion and maintenance of high standards of Councillor and Officer conduct within the Council; adoption and reviewing the Council's Annual Governance Statement; independent assurance of the adequacy of the financial and risk management framework and the associated control environment, independent review of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process, including:

FUNCTIONS	DELEGATION OF FUNCTIONS
To consider the Head of Internal Audit Partnership's annual report and opinion, and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.	Report may go to Policy and Resources with a reference from this Committee to ensure that the Council satisfactorily addresses all of the issues.
To consider reports dealing with the management and performance of Internal Audit Services, including consideration and endorsement of the Strategic Internal Audit Plan and any report on agreed recommendations not implemented within a reasonable timescale; and the Internal Audit Charter?	As above.
To consider the External Auditor's Annual Audit Letter, relevant reports, and any other report or recommendation to those charged with	As above.

<p>governance; and ensure that the Council has satisfactorily addressed all issues raised. To comment on the scope and depth of external audit work and to ensure it gives value for money.</p>	
<p>To review and approve the annual statement of accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Policy and Resources Committee or Council.</p>	<p>The summary balance sheet will be reported to Policy and Resources Committee as part of its Budgetary Control/Budget Strategy arrangements.</p>
<p>Consider and review the effectiveness of the Treasury Management Strategy, Investment Strategy, Medium Term Financial Strategy, Annual Report and Mid-Year review and make recommendations to the Policy and Resources Committee and Council.</p>	
<p>Recommend and monitor the effectiveness of the Council's Counter-Fraud and Corruption Strategy.</p>	<p>Policy and Resources Committee to approve Head of Audit Partnership to monitor effectiveness</p>

Governance

<p>To maintain a financial overview of the operation of Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.</p>	<p>The Monitoring Officer will deal with the detail of any proposed minor changes, but significant recommendations for change will be made to the Democracy <u>and</u> <u>General Purposes</u> Committee (then Council)</p>
<p>In conjunction with Policy and Resources Committee to monitor the effective development and operation of risk management and corporate governance in the Council to ensure that strategically the risk management and corporate governance arrangements protect the Council.</p>	<p>Head of Audit Partnership/ Director of Finance and Business Improvement</p>
<p>To monitor Council policies on 'Raising Concerns at Work' (Whistleblowing') and the</p>	<p>Head of Audit Partnership</p>

'Anti-fraud and corruption' strategy.	
To oversee the production of the authority's Annual Governance Statement and to agree its adoption.	Head of Policy, Communications and Governance
The Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice and high standards of ethics and probity. This Committee will receive the annual review of the Local Code of Corporate Governance and may make recommendations to Policy and Resources Committee for proposed amendments, as necessary.	Head of Policy, Communications and Governance
To consider whether safeguards are in place to secure the Council's compliance with its own and other published standards and controls.	Directors and Heads of Service

Standards

FUNCTIONS	DELEGATION OF FUNCTIONS
(a) The promotion and maintenance of high standards of conduct within the Council.	N/A
(b) To advise the Council on the adoption or revision of its Codes of Conduct.	N/A
(c) To monitor and advise the Council about the operation of its Codes of Conduct in the light of best practice, and changes in the law, including in relation to gifts and hospitality and the declaration of interests.	N/A
(d) Assistance to Councillors, Parish Councillors and co-opted members of the authority to observe the Code of Conduct.	N/A
(e) To ensure that all Councillors have access to training in Governance, Audit and the Councillor Code of Conduct; that this training is actively promoted; and that Councillors are aware of the standards expected under the Councils Codes and Protocols.	Democracy <u>and</u> <u>General Purposes</u> Committee to oversee Councillor training

<p>(f) To deal with complaints that Councillors of the Borough Council and Parish Councils may have broken the Councillor Code of Conduct.</p>	<p>Monitoring Officer in consultation with an Independent Person, through informal resolution where possible.</p>
<p>(g) Following a formal investigation and where the Monitoring Officer’s investigation concludes that there has been a breach of the Code of Conduct a hearing into the matter will be undertaken.</p> <p>See the procedure at 4.2 of this Constitution for dealing with complaints that a Councillor has breached the Code of Conduct.</p>	<p>Hearings Panel comprising 3 Councillors (plus 1 non-voting Parish Councillor when a Parish Councillor is the subject of the complaint) Drawn from the Audit, Governance and Standards Committee</p>
<p>(h) Advice on the effectiveness of the above procedures and any proposed changes.</p>	<p>Democracy <u>and General Purposes</u> Committee and Monitoring Officer</p>
<p>(i) Grant of dispensations to Councillors with disclosable pecuniary interests and other significant interests, in accordance with the provisions of the Localism Act 2011.</p>	<p>Monitoring Officer</p>

2.2.12.2.9 DEMOCRACY AND

GENERAL PURPOSES

COMMITTEE Membership:

9 Councillors

Purpose: To be responsible for Councillor training and development; to determine matters relating to elections, electoral registration; and other democratic services responsibilities and functions, including reviewing this constitution on a regular basis. To deal with employment and staffing matters unless otherwise delegated.

FUNCTIONS	DELEGATION OF FUNCTIONS
<p>1. To recommend to the Council the appointment of an Electoral Registration Officer and Returning Officer.</p>	<p>N/A</p>
<p>2. To consider any matters relating to electoral registration, elections or electoral boundaries which have not been delegated to the Electoral Registration Officer or</p>	<p>Electoral Registration Officer or Returning Officer.</p>

<p>4. To appoint Council nominees to seminars as appropriate.</p>	<p>N/A</p>
<p>5. To appoint Members to the outside bodies assigned to the Committee and listed at Part 5 Schedule 2 of the Constitution and to receive annual reports from the appointed outside body representative.</p>	
<p>6. To be responsible for the appointment of independent persons to the Independent Remuneration Panel for Councillors' Allowances.</p>	<p>N/A</p>
<p>7. Consider applications from persons wishing to act as Independent Persons in connection with Councillor and Statutory Officer conduct; and for the Independent Remuneration Panel and make recommendations to Council to appoint such persons.</p>	<p>N/A</p>
<p>8. To advise Councillors and the Head of Human Resources Shared Service on Councillor development priorities where appropriate.</p>	<p>Head of Policy, Communications and Governance</p>
<p>9. To regularly review the Constitution in conjunction with the Monitoring Officer and recommend proposed changes, where significant, to the Council.</p>	<p>The Monitoring Officer may make changes to the Constitution which are necessitated by decisions which remove inconsistency or ambiguity; which are minor; or to effect changes in the law.</p>
<p>10. The determination of an appeal against any decision made by or on behalf of the authority where there is a statutory appeals procedure and no other panel or Sub-Committee is appropriate elsewhere under this Part of the Constitution.</p>	<p>Panel of 3 Councillors</p>
<p><u>a) _____ Power to determine terms and conditions on which staff hold office (including procedures for re-organisations and for their severance and dismissal) and all other matters concerning terms and conditions of service.</u></p>	<p><u>Head of Human Resources Shared Service</u></p>

<p><u>b) Pensions and superannuation matters related to terms and conditions</u></p> <p><u>c) To appoint Members to the outside bodies assigned to the Committee and listed at Part 5 Schedule 2 of the Constitution and to receive annual reports from the appointed outside body representative.</u></p> <p><u>Joint Consultative Committee</u> <u>A consultative forum for views to be expressed between both parties on the Committee regarding the following issues relating to the employment of staff by the Council but excluding individual cases:</u> <u>- Health and Safety Issues at Works</u> <u>- Changes in Staff Structures</u> <u>- Terms of Conditions of Employment</u> <u>Such views are referred to the appropriate Council Decision Making Body.</u></p>	<p><u>Head of Human Resources Shared Service</u></p> <p>N/A</p>
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2.2.13 2.2.10 ~~JOINT~~-INDEPENDENT REMUNERATION PANEL

Membership: Three independent people, one representative each of the following:

- Kent Invicta Chamber of Commerce;
- South East Employers;
- Community, selected by the Democracy and General Purposes Committee following a written application process and interview.

The JTB will generally meet four times a year on dates and at times and venues to be specified by the Council in accordance with the normal arrangements in consultation with KCC.

The quorum for a meeting shall be four comprising at least two voting members present from each of KCC and the Council.

In alternate years a Member of KCC (who is a member of the JTB) will chair the JTB and a Council Member (who is a member of the JTB) will be Vice-Chairman of the JTB and then a Member of the Council will chair the JTB and a KCC Member will be Vice-Chairman of the JTB and so on following on the arrangements which existed in the year before this agreement came into force.

The ~~Strategic Planning Sustainability and Transport Committee~~Strategic Planning and Infrastructure Committee will be the lead body on behalf of the Council.

2.2.16**2.2.13 COUNCIL COMMITTEES AS CORPORATE TRUSTEE FOR CHARITIES Cobtree Manor Estate Charity Committee**

Membership: 5 Councillors appointed by the Council as Corporate Trustee. Quorum of this Committee is 3

Terms of Reference

To be responsible for all matters relating to the Registered Charity Number 283617 known as the Cobtree Manor, and the land known as Cobtree Manor Estate, Sandling, Maidstone, Kent, held by the Council as Trustee under a 999 year lease (with the exception of daily management of the Charity which will be undertaken by the Director of Finance and Business Improvement).

The Queen's Own Royal West Kent Regiment Museum Trust Committee

Membership: 5 Councillors appointed by the Council as Corporate Trustee. Quorum of this Committee is 3

Terms of Reference

To be responsible for all matters relating to the Registered Charity Number 1083570 known as The Queen's Own Royal West Kent Regiment Museum Trust (with the exception of daily management of the Charity and reporting to the Prince of Wales' Royal Regiment representative, which will be undertaken by the Director of Finance and Business Improvement and the Museums and Heritage Manager).

ensuring that the decision is reasonable and proportionate in the circumstances of the case and particularly having regard to the Council's fiduciary duties; duty of best value; equalities duties; human rights impact if any; and other relevant statutory duties (i.e. biodiversity, public health, climate change and crime and disorder reduction).

- b) The lawfulness of the decision in terms of statutory powers and compliance with relevant procedural rules and other legal or procedural requirements.
- c) Acting for a Proper purpose, consistent with the Council's purposes and vision.
- d) Following financial and contract procedure rules, information and advice.
- e) Ensuring high standards of integrity and probity.

Where an Officer considers it appropriate, the Officer shall be entitled to refer matters for decision to a more Senior Officer or to the appropriate Councillor body.

All Directors and Heads of Service shall be responsible for health and safety at work within their area of responsibility.

Action in Response to a Major Emergency:

The most senior officer of the authority present will have the authority to approve any expenditure in expediting the Council's response to a major emergency affecting the Borough where it is not possible to refer the matter for decision to a more senior officer of the Council, in consultation with the Leader of the Council, or the Policy and Resources Committee ~~of the Urgency Committee.~~

2.3.1 CHIEF EXECUTIVE

The Chief Executive has direct responsibility for the provision of the following services together with those separately listed which are undertaken in the Sections of his/her Department or other Directorates. The Chief Executive may undertake any decision in respect of these services as required.

1. The provision of policy advice to the Council, Committees and Sub-Committees, ensuring that they receive such guidance and advice as will enable them to use the Council's resources to the best advantage in the development of its strategies and policies. Specifically to ensure that the Council has advice on the establishment and structure needed to carry out efficiently the work of the Council.

At an Extraordinary meeting of the Council there may be a presentation of petitions and/or a question and answer session but all petitions, deputations or questions must relate to a matter to be discussed at that meeting.

Each committee sets its own agenda, through its Chairman and Vice-Chairman. Any Councillor may put an item on a committee agenda for consideration, via the Committee Chairman and Democratic Services Team, subject to that matter being relevant to the Committee's terms of reference. The Chairman of a committee, after consulting the Vice Chairman, shall place the requested item on the next available committee agenda unless in the view of the Chairman, having consulted the Head of Legal Partnership and Head of Policy and Communications as necessary, the matter is defamatory, offensive or frivolous. The Councillor must attend the meeting, speak on the item put forward and make clear what outcome s/he is seeking. The Councillor's report and background papers will be published with the agenda under the Access to Information Rules. Following receipt of the Councillor's report, the Committee will decide whether to take the matter further and request an officer's report on the item.

Each Committee Chairman is responsible for ensuring that only appropriate items for noting are included in the Committee agenda. Knowles: On Local Authority Meetings states that committees "should not ordinarily be used merely to inform, i.e. items for noting; and the items placed before the committee should be those that unavoidably demand the committee/cabinet's consideration". Any items for noting "should therefore be limited to those that are strictly necessary, to ensure that members can focus on strategic issues".

4. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

4.1 Allocation

As well as allocating seats on Committees, the Council will allocate seats for substitute Members in accordance with 4.2 below. As well as allocating seats on Sub-Committees, Committees will allocate seats in the same manner for Substitute Members.

4.2 Number

For each Committee, the Council will appoint up to six substitutes for each political group. For each Sub-Committee, Committees will appoint five substitutes for each political group.

No Councillor will be able to serve on the Planning Committee, Policy & Resources Committee acting as the Planning Referral body and Licensing Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to the Committee as specified by the Committee. This training should be completed to an agreed level according to an agreed programme within an agreed time period set by the Committee and must be refreshed annually. If the specified training has not been completed by the due date, the Councillor will cease to be a Member/Substitute Member of the Committee until the training has been completed.

4.3 Powers and duties

Substitute Members will have all the powers and duties of any ordinary Member of the Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

4.4 Substitution

Substitute Members may attend meetings in that capacity only:

- (a) if the substitution is notified when the first item is called on the agenda;
- (b) if the full Member arrives after the substitution has been made, s/he will forthwith resume his/her membership of the Committee or Sub-Committee and the substitute Member will forthwith cease to be a Member of the Committee and have the rights of a visiting Member for the remainder of the meeting;
- (c) if the full Member leaves before the conclusion of the meeting a substitution can be made if it has been notified at the first item called on the Committee agenda.

5. VISITING MEMBERS

Any Councillor may attend any meeting of a Committee or Sub-Committee of which s/he is not a Member to speak on particular items provided s/he states his/her intention when the first item is called on each agenda. No other Councillor except for those on the committee may attend and/or speak on employment aspects of the Democracy and General Purposes Committee, or panels and sub-committees of the Policy and Resources Committee relating to employment functions, except for: the Employment Committee (and any of its panels or sub-committees); Licensing Committee/Sub-Committee hearings; the Hearings Sub-Committee of the Audit, Governance and Standards Committee (when it is considering allegations of misconduct); or any other panel hearing or appeal. Visiting Members speak after the officer introduction on an item, but before the general debate. Having spoken, the Councillor will not participate further unless the Chairman agrees, or it is on a motion that the Councillor moved at Council.

6. TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the proper officer and notified in the summons.

7. NOTICE OF AND SUMMONS TO MEETINGS

The proper officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting (or if a meeting of a Committee or Sub-Committee is called at shorter notice, as soon as the meeting is called), the proper officer will publish on the Council's website and send a summons signed by him/her electronically to every Member of the Council (or on request by post or by leaving it at their usual place of residence/other address). The summons

will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available. Where not all of the reports are available with the summons they will be posted on the Council's website as soon as they become available and e-mailed or posted to Councillors.

The Chief Executive may call an urgent special meeting of any Committee if, in their opinion (having consulted the Chief Finance Officer and Monitoring Officer), the Council's interests require Councillors take a decision urgently.

8. CHAIRING THE MEETING

- (a) The Mayor or in his/her absence the Deputy Mayor will preside at meetings of the Council;
- (b) if both the Mayor and the Deputy Mayor are absent, the Councillors present at the meeting will choose another Councillor to preside.
- (c) any power or duty of the Mayor to conduct a meeting including exercising a second or casting vote, may be exercised by the Councillor presiding at the meeting;
- (d) if the Mayor or Deputy Mayor arrive after the start of the meeting the Councillor then presiding will vacate the chair and the Mayor or Deputy Mayor will take the chair.
- (e) The ruling of the Mayor as to the application of these rules shall be final unless challenged by a Councillor who gains the support of two thirds of those Councillors present and voting.

9. QUORUM

The quorum of a meeting will be one quarter of the whole number of Councillors provided that the quorum of a Committee is not less than four Councillors, ~~other than the Urgency Committee which is not less than three Councillors, and~~ ~~the~~ The quorum of a Sub-Committee is not less than two Councillors (although some Panels and Sub-Committees may have a quorum of three). The quorum of the Cobtree Manor Estate Committee and the Queens Own Royal West Kent Regiment Committee shall be three Councillors.

10. DURATION OF MEETING

- (a) Each unfinished meeting will adjourn at 10.30 pm unless a majority of Councillors present vote to extend the meeting to 11.00 pm at which time the meeting will stand adjourned;
- (b) The time and date of the continuation of the adjourned meeting will be decided by a majority of those Councillors present, or if no decision is reached, by the proper officer in consultation with the Mayor and group leaders/political group spokesmen, and it should normally take place within 10 working days of the meeting.

28.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared and may adjourn the meeting and/or re-convene elsewhere.

29 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

29.1 Suspension

All of these Council Rules of Procedure except Rules 21.5, 21.6, 22.2 and 25.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Councillors are present and the majority present approve. Suspension can only be for the duration of the meeting.

29.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, unless already on the agenda and shall be referred to the Democracy and General Purposes Committee for consideration in advance of the next ordinary Council meeting.

30 PROVISIONS RELATING TO PLANNING COMMITTEE

30.1 Public speaking at Planning Committee meetings (Amended 2.8.06)

- (a) If a planning application is to be determined by the Planning Committee and a speaker wishes to address the Committee in respect of that application s/he must give notice of that request to the proper officer (the Head of Policy and Communications) by 4 p.m. on the working day before the relevant meeting.
- (b) The following speakers will be allowed to address the Committee for each planning application or enforcement matter (except exempt reports) in the following order.

Parished Areas

- An Objector } A petitioner, or a representative of a Residents' Association/ Amenity Group, or an individual objector. A representative of the } Where a representative of the Parish appropriate Parish } Council does not register to speak a Councils } concerned resident may speak with the Chairman's discretion.
- *The applicant or his/her representative } The applicant or his/her representative (including a supporter), or a petitioner, or a representative of a Residents' Association/ Amenity Group.

Agreed Council Budget Heads

No	Description		Committee
1.	Alcohol Entertainment & Taxi Licensing	5EN	Communities, Housing and Environment
2.	Animal & Public Health	5EN	Communities, Housing and Environment
3.	Balances	7BL	Balances
4.	Building Control	6PT	Strategic Planning, Sustainability and Transport Strategic Planning and Infrastructure
5.	Capital Grants & Contributions	3CS	Policy & Resources
6.	Cemetery, Cremation & Mortuary Services	5EN	Heritage, Culture and Leisure Communities, Housing and Environment
7.	Community Development	2CL	Communities, Housing and Environment
8.	Community Safety	2CL	Communities, Housing and Environment
9.	Corporate Management	1LD	Policy & Resources
10	Corporate Support Services	3CS	Policy & Resources
11	Culture and Heritage	4EC	Prosperity, Heritage and Leisure Heritage, Culture and Leisure
12	Democratic Representation & Management	3CS	Policy & Resources
13	Development Control	6PT	Strategic Planning, Sustainability and Transport
14	Economic Development	4EC	Prosperity, Heritage and Leisure Policy & Resources
15	Elections	3CS	Policy & Resources
16	Emergency Planning	3CS	Policy & Resources
17	Environment Safety & Routine Maintenance	6PT	Strategic Planning, Sustainability and Transport Strategic Planning and Infrastructure
18	Environmental Health and Protection	5EN	Communities, Housing and Environment
19	Environmental Services	5EN	Communities, Housing and Environment
20	External Interest Payable	3CS	Policy & Resources
21	Flood Defence & Land Drainage	5EN	Communities, Housing and Environment
22	General Grants, Bequests & Donations	2CL	Communities, Housing and Environment
23	Health & Safety	5EN	Communities, Housing and Environment
24	Housing Benefit	3CS	Policy & Resources
25	Housing General fund	2CL	Communities, Housing and Environment
26	Interest & Investment Income	3CS	Policy & Resources
27	Local Land Charges	6PT	Strategic Planning, Sustainability and Transport Strategic Planning and Infrastructure
28	Local Tax Collection	3CS	Policy & Resources
29	Noise and Pest Control	5EN	Communities, Housing and Environment
30	Non-Distributed Costs	3CS	Policy & Resources
31	Open Spaces	2CL	Heritage, Culture and Leisure Communities, Housing and Environment
32	Parking Services	6PT	Planning, Sustainability and Transportation Strategic Planning and Infrastructure
33	Pensions Fund Management	3CS	Policy & Resources
34	Planning Policy	6PT	Strategic Planning, Sustainability and Transport Strategic Planning and Infrastructure

35	Precepts & Levies	3CS	Policy & Resources
36	Public Conveniences	5EN	Communities, Housing and Environment
37	Public Health	2CL	Communities, Housing and Environment
38	Public Transport	6PT	Planning, Sustainability and Transportation <u>Strategic Planning and Infrastructure</u>
39	Recreation & Sport	2CL	Prosperity, Heritage and Leisure <u>Heritage, Culture and Leisure</u>
40	Street Cleansing	5EN	Communities, Housing and Environment
41	Tourism	4EC	Prosperity, Heritage and Leisure <u>Heritage, Culture and Leisure</u>
42	Travellers sites	2CL	Communities, Housing and Environment
43	Waste and Recycling Collection	5EN	Communities, Housing and Environment
	Appropriation Account		Policy & Resources
	Pensions Fund Appropriation		Policy & Resources
	Council Tax Requirement		Policy & Resources
	Business Rates		Policy & Resources

form will include a note to this effect.

- (ii) A Councillor shall not solicit for any person any Council appointment or give a written testimonial of a candidate's ability, experience or character for an application for appointment with the Council.

2. Recruitment of Head of Paid Service and Directors

Where the Council proposes to appoint a Head of Paid Service or Director and it is not proposed that the appointment be made exclusively from among the existing officers, the Council will:

- (a) Draw up a statement specifying:
 - (i) The duties of the officer concerned; and
 - (ii) Any qualifications or qualities to be sought in the person to be appointed;
- (b) Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) Make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

3. Appointment or Dismissal of Head of Paid Service, or Dismissal of the Chief Finance Officer or Monitoring Officer

- (a) The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a Panel appointed by the Employment Policy and Resources Committee. The authority must approve the appointment before an offer of appointment is made to that person.
- (b) If a complaint of misconduct is received about the Chief Executive, Chief Finance Officer or Monitoring Officer, the complaint will be dealt with in accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- (c) The dismissal of any of the Head of Paid Service, the Chief Finance Officer or Monitoring Officer may only be made by the Council following consideration and recommendation by an advisory Panel drawn from the Employment Policy and Resources Committee, to include at least one, preferably two, Independent Persons appointed under section 28(7) of the Localism Act 2011. (Note: At least two Independent Persons must be invited to the Panel and if the Council does not have more than one Independent Person, the Panel should invite

appropriate.) The Council must appoint to the Panel such relevant independent persons who have accepted an invitation, in accordance with the following priority order:

- (i) an independent person who has been appointed by the authority and who is a local government elector;
 - (ii) any other independent person who has been appointed by the authority;
 - (iii) an independent person who has been appointed by another authority or authorities.
- (d) Before taking a vote at a Council meeting on whether or not to approve such a dismissal, the authority must take into account, in particular—
- (a) any advice, views or recommendations of the Panel;
 - (b) the conclusions of any investigation into the proposed dismissal; and
 - (c) any representations from the relevant officer.
- (e) The authority must approve the dismissal before notice of dismissal is given to that person.

4. Appointment of Directors

Appointment of Directors is the responsibility of the [Employment Policy and Resources](#) Committee.

5. Other appointments

- (a) **Officers below Director level.** Appointment of officers below Director level will be delegated to the Chief Executive or his/her nominee, and may not be made by Councillors. Discipline of Chief Officers other than the Statutory Officers above is also the responsibility of the Chief Executive.
- (b) **Political assistants.** No appointment will be made to any post allocated to a political group until each of the groups which qualify for one has been allocated a post. No allocation of a post will be made to a political group which does not qualify for one. Only one post will be allocated to any political group.

6. Disciplinary Action

Councillors will not be involved in any disciplinary action nor dismissal against any officer (other than the Statutory Officers mentioned above) except where such involvement is necessary for any investigation or inquiry into alleged misconduct. However, the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Councillors in respect of disciplinary action or capability from decisions made by the Chief Executive or the involvement of Councillors in consultation with the Chief Executive in relation to disciplinary matters.

The Code sets out definitions of Disclosable Pecuniary Interest (DPI) (which must be registered under the Localism Act – it being a criminal offence not to do so) and Other Significant Interests (OSI) which must be registered/disclosed under the Council’s Code:

Where a Councillor considers s/he has a DPI or OSI in a matter, s/he must always declare it, *not participate or vote on the matter and must withdraw from the room when the matter is discussed.*

If the Council allows members of the public to address meetings, then a Councillor with an OSI may attend a meeting to make such representations, but must leave the room immediately after making those representations. If a Councillor wishes to take advantage of this, they should seek guidance from the Monitoring Officer.

Translated to a Councillor’s involvement in planning issues, the interests test will require a Councillor to abstain from involvement in any issue the outcome of which might advantage, or disadvantage the personal interests of the Councillor, his/her family, friends or employer (other than the limited right to attend meetings to make representations and then leave).

In certain circumstances a Councillor with a DPI or OSI may seek a dispensation to participate, notwithstanding their interest, from the Monitoring Officer.

The Prosperity, Heritage and Leisure Policy and Resources Committee is responsible for economic development. Councillors on that Committee may be members of the authority’s Planning Committee or other decision-making body for planning matters. There may be occasions when such Councillors will wish to press for a particular development which they regard as beneficial to the development of the area. *Should those Councillors be able to vote on any planning application relating to that development?*

The appropriate action is not clear cut, and may depend on the particulars of the case. However, the general advice would be that a Councillor in such circumstances may well be so committed to a particular development as the result of undertaking the responsibilities of furthering the development of the area, that he or she may well not be able to demonstrate that they are able to take account of counter arguments before a final decision is reached. Indeed, a Councillor may be seen as the chief advocate on behalf of the authority for the development in question. In such circumstances, the appropriate approach is likely to be that the Councillor is able to speak in favour of the development but should not vote on the relevant application, (unless the Councillor has conducted high-profile, active lobbying for a particular outcome, in which case s/he should not participate in the debate nor vote on the application.)

SCHEDULE 1

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable, and the amounts of those allowances:-

<u>POST</u>	<u>SPECIAL RESPONSIBILITY ALLOWANCE</u> (w.e.f 19.5.18)
Leader/Chairman of Policy & Resources Committee	£19,610.52
Chairman of Strategic Planning and Infrastructure Strategic Planning, Sustainability and Transport Committee (40% of Leader's Allowance)	£7843.80
Chairman of Communities, Housing and Environment Committee (40% of Leader's Allowance)	£7843.80
Chairman of Prosperity, Heritage and Leisure Heritage, Culture and Leisure Committee (40% of Leader's Allowance)	£7843.80
Chairman of Planning Committee (40% of Leader's Allowance)	£7843.80
Chairman of Audit, Governance and Standards Committee (20% of Leader's Allowance)	£3921.90
Chairman of Licensing Committee (20% of Leader's Allowance)	£3921.90
Group Leader's Allowance (based on the actual per Member composition of each party) (excluding the Leader's party)	£394.74per Member
Co-opted Members of Audit, Governance and Standards Committee	£344.40
Independent Person	£735.42
Chairman of Licensing Panel Hearings	£80.12 per session
Licensing Panel Hearing Members	£60.35 per session

SCHEDULE 2

LIST OF OUTSIDE BODIES

Appointed by Policy and Resources Committee

1. Kent and Medway Civilian-Military Partnership Board – *Chairman automatically appointed or Chairman can delegate to another member*
2. Local Government Association General Assembly – *to appoint non-voting member (Leader automatically appointed as voting member)*
3. One Maidstone – *to appoint one Member*
4. Rochester Bridge Trust
5. Upper Medway Internal Drainage Board

Appointed by ~~Strategic Planning Sustainability and Transportation~~ Strategic Planning and Infrastructure Committee

6. Kent Downs AONB Joint Advisory Committee
7. Kent Community Railway Partnership
8. Maidstone Cycling Forum
9. Medway Valley Line Steering Group
10. Parking and Traffic Regulations Outside London Adjudication Joint Committee ("PATROLAJC")
11. South East Rail Passenger Group

Appointed by Communities Housing and Environment Committee

12. Action with Communities in Rural Kent
13. Age UK
14. Citizens Advice Bureau
15. Cutbush and Corrall Charity
16. KCC Health Overview & Scrutiny – *Chairman automatically appointed or Chairman can delegate to another member*
17. Maidstone Mediation Scheme
18. Relate West and Mid Kent
19. Vinters Valley Park Trust – *appoint a Ward Member*

Appointed by ~~Prosperity, Heritage and Leisure~~ Heritage Culture and Leisure Committee

20. Brenchley Charity- *Chairman and Vice Chairman automatically appointed in addition to two nominative trustees*
21. Collis Millennium Green Trust – *one High Street Ward Member*
22. Maidstone Area Arts Partnership
23. Maidstone/Beauvais Twinning Association
24. Maidstone Sea Cadets

Appointed by Democracy and
Employment Committee

25. South East Employers

~~Appointed by Democracy Committee~~

26. Allington Millennium Green Trust – *Allington Ward Member*
27. Headcorn Aerodrome Consultative Committee – *Headcorn Ward Member*
28. Howard de Walden Centre – *East and North Ward Members*
29. Hayle Park Nature Reserve – *South Ward Member*
30. Maidstone Street Pastors Management Committee – *High Street Ward Member*
31. Relief in Need Charities
32. Kent and Medway Police and Crime Panel – *Leader automatically appointed or Leader to delegate to another member*
33. Kent and Medway Economic Partnership – *Leader automatically appointed or Leader to delegate to another member*
34. West Kent Improvement Board– *Leader automatically appointed or Leader to delegate to another member*

[COMMITTEE]

[Meeting date here]

Report title here

Final Decision-Maker	[COMMITTEE]
Lead Head of Service	
Lead Officer and Report Author	
Classification	Public/Private
Wards affected	

Executive Summary

Provide a short, one paragraph summary of the report

Purpose of Report

[Decision/Discussion/Noting]

This report makes the following recommendations to this Committee:

- 1.
- 2.
- 3.

Timetable

Meeting	Date
Committee (please state)	
Council (delete as appropriate)	

Report title here

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Delete text in italics once read: Report authors must consider the implications of the recommendations in the report for each of these issues. Where no implications have been identified, this should be stated. It is the report author’s responsibility to ensure that the draft report is read and signed off by relevant officers prior to being considered by management or members. Relevant officers need to be given adequate time to do this. The relevant officers are:

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Issue	Implications	Sign-off
Impact on Corporate Priorities	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> • <i>Embracing Growth and Enabling Infrastructure</i> • <i>Safe, Clean and Green</i> • <i>Homes and Communities</i> • <i>A Thriving Place</i> 	[Head of Service or Manager]
Risk Management		[Head of Service or Manager]
Financial		[Section 151 Officer & Finance Team]
Staffing		[Head of Service]
Legal		[Legal Team]
Privacy and Data Protection		[Legal Team]

Equalities		[Policy & Information Manager]
Crime and Disorder		[Head of Service or Manager]
Procurement		[Head of Service & Section 151 Officer]
Cross Cutting Objectives	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> • <i>Heritage is Respected</i> • <i>Health Inequalities are Addressed and Reduced</i> • <i>Deprivation and Social Mobility is Improved</i> • <i>Biodiveristy and Environmental Sustainability is respected</i> 	[Head of Service or Manager]

2. INTRODUCTION AND BACKGROUND

1.1 Introduce and establish the context for the report, outline the background issues, and explain what has changed to necessitate the action recommended in the report.

1.2

3. AVAILABLE OPTIONS

3.1 Outline the options available for responding to the situation described in Section 1. Wherever possible this should include at least three options, one of which should be the 'do nothing' option. For each of these options, provide a brief analysis of advantages and disadvantages, together with a summary of why each option except that described in more detail in the next section is not recommended. Where there are no alternative options to the one discussed in the next section, for example because the report is essentially for information rather than decision, this section should be deleted.

3.2

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 Describe the option being recommended in detail, clarifying what will be involved and what outcomes are expected. This section should also explain why this is the best of the options considered in the previous section.

Un-numbered subheadings

4.2 This section can be broken up by using un-numbered subheadings.

4.3

5. RISK

5.1 Assess if within the council's risk appetite and any mitigating actions proposed if needed.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 Summarise any consultation which has been undertaken or which is planned to inform the development of the proposal described in the previous section. Detailed consultation results should be provided in an appendix where relevant. This section can also be used to summarise viewpoints expressed in committees as the report goes through the sign-off process, where these have not been accommodated through changes to the report.

6.2

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 Provide a brief summary of the action which will need to be taken once the recommendations have been agreed to put them into effect, including how they will be communicated. Where the report is for information only, this section may be deleted.

7.2

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: [Title]
 - Appendix 2: [Title]
-

9. BACKGROUND PAPERS

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[COMMITTEE]

[Meeting date here]

Report title here

Final Decision-Maker	[COMMITTEE]
Lead Head of Service	
Lead Officer and Report Author	
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Appendix 5: Report Option 2 (Cross-Cutting Issues Not Moved)

	<ul style="list-style-type: none"> • <i>A Thriving Place</i> 	
Risk Management		[Head of Service or Manager]
Financial		[Section 151 Officer & Finance Team]
Staffing		[Head of Service]
Legal		[Legal Team]
Privacy and Data Protection		[Legal Team]
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