
GENERAL PURPOSES COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 14 March 2018 from 5.00pm - 6.28pm.

PRESENT: Councillors Mike Baldock, Bowles (Chairman), Mike Cosgrove, Adrian Crowther, Duncan Dewar-Whalley, Alan Horton and Gerry Lewin (Vice-Chairman).

OFFICERS PRESENT: Katherine Bescoby, Donna Price and Nick Vickers.

APOLOGIES: Councillors Harrison and Mike Whiting.

536 CONSTITUTION REVIEW (CONTINUED)

The Chairman welcomed Members to the second part of the meeting. He drew attention to the emergency evacuation procedure, and asked Members if they had any interests to declare (there were none).

(E) Council Procedure Rules

The Committee discussed the items on the working paper, and agreed a number of recommendations to go forward to full Council.

Procedure Rule 3 – Scrutiny Update

Members considered that this item should remain, subject to the addition of the following words “Council is asked to note the Cabinet decision”.

Procedure Rule 14 – Questions by Members, and Public Participation Rules re Public Speaking

Members debated the current deadlines and whether there was sufficient time for answer to be prepared and agreed by the Cabinet Member, whilst recognising the need for questions to be relevant. The deadline for public questions was also discussed, as was whether questions by Members and the public should be considered at the Budget Council meeting.

Members agreed to recommend the following changes to the current system:

(1) That the deadline for Member questions should be brought forward by two working days, i.e. 4.30pm on the Monday the week before the meeting. (Councillor Mike Baldock asked for his vote against this to be recorded).

(2) That the deadline for public questions should be brought forward by two working days, i.e. 4.30pm on the Wednesday before the meeting. (Councillor Mike Baldock asked for his vote against this to be recorded).

(3) That the procedure for public questions should mirror the arrangements for Member questions, i.e. a three minute time limit (for each supplementary question and answer) and a maximum time limit of 30 minutes for the item. (Councillor Mike Baldock asked for his vote against the proposal for a maximum time limit of 30 minutes to be recorded).

Procedure Rule 18 - Leader's Statement

Members considered whether there should be a time limit at the Budget Council meeting but following discussion, they were happy with the current arrangements (i.e. no time limit).

Procedure Rule 19 - Voting

Members agreed to recommend that Council Procedure Rule 18 – Voting, should be updated to reflect that Members must be present in the room for the discussion in order to be able to vote at meetings of the Planning Committee, Licensing Sub-Committee, and Standards Sub-Committee meetings.

Disclosure of Lobbying

Members considered that this was not necessary, and so the current wording of the Agenda Front re disclosure of interests should remain unchanged.

(F) Matters referred by the Appointments Sub-Committee/Council

The Interim Deputy Head of Legal Partnership confirmed that track changes showed the proposed changes, and answered Members' questions.

There was much discussion on the document, during which it was confirmed that reference to 'chief officer' should be removed from the document; that the referencing in section 2(3) to 1(a) – (c) should refer to section 2(1)(a) – (c); and that the spelling of the word 'permanent' in section 2(3) would be corrected.

In respect of section 2(3), Members asked that the last sentence should be updated to include 'and Leaders' to reflect that where the role involved was a shared service, the Head of Paid Service should have regard to comments received from the Chief Executives and Leaders of the other partner authorities.

In respect of section 2.2, the reference to the Head of Paid Service should be removed and replaced with Directors; and the heading should be changed to refer to Directors, Chief Financial Officer and Monitoring Officer.

In respect of section 2.3(c), the first two paragraphs of that section should be removed.

In respect of section 2.3(a), Members asked that the membership of the Panel should include the relevant Cabinet Member.

There was much discussion regarding the arrangements regarding 'acting up', 'interim appointments' and the process for making an interim appointment

permanent. The Interim Deputy Head of Legal Partnership advised that there had been a competitive process prior to the interim appointments being made. Members asked Officers to review the document to ensure that there was a competitive process at the end of the interim appointment, which had Member involvement.

Members also referred to wording throughout the document that referred to “where no well-founded objection has been made by any Member of the Cabinet” and suggested that this should be removed.

There was discussion around the appointment process for the Monitoring Officer and the Data Protection Officer, and how these roles could be undertaken. It was agreed that the Monitoring Officer role appointment should include the Appointments Sub-Committee and that the Data Protection Officer appointment should follow the procedure set out in section 2.3(c).

(G) Code of Conduct Complaint Assessment Criteria

The Interim Deputy Head of Legal Partnership answered Members’ questions regarding the Independent Person(s) and the appointment process; and the need for this criteria to be incorporated into the Constitution; and agreed to change reference to ‘we’ to the Monitoring Officer.

Recommended:

(1) That the working paper be updated to reflect proposed changes to Procedure Rules, as set out in the above Minute, for submission to Council on 21 March 2018.

(2) That the working papers on Matters referred by the Appointments Committee/Council be updated, as set out in the above Minute, for submission to Council on 21 March 2018.

(3) That the Code of Conduct Complaint Assessment Criteria be submitted to Council on 21 March 2018.

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel