
GENERAL PURPOSES COMMITTEE

MINUTES of the Meeting held in the Committee Room - Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Tuesday, 25 September 2018 from 5.00 - 5.55 pm.

PRESENT: Councillors Duncan Dewar-Whalley, Alan Horton, Gerry Lewin (Vice-Chairman, in the Chair) and Mike Whiting.

OFFICERS PRESENT: Keith Alabaster, Katherine Bescoby, Andrew Jeffers, Donna Price and Mark Radford.

APOLOGIES: Councillors Mike Baldock, Bowles, Mike Cosgrove and Harrison.

233 EMERGENCY EVACUATION PROCEDURE

The Chairman outlined the emergency evacuation procedure.

234 MINUTES

The Minutes of the Meeting held on 8 March 2018 and 14 March 2018 (Minute Nos. 532 – 535 and 536) were taken as read, approved and signed by the Vice-Chairman-in-the-Chair as a correct record.

235 DECLARATIONS OF INTEREST

No interests were declared.

PART A MINUTES FOR RECOMMENDATION TO COUNCIL

236 DELEGATION OF FUNCTIONS UNDER CRIMINAL JUSTICE AND POLICE ACT 2001

The Committee considered the report of the Resilience and Licensing Manager, which asked the Council to delegate authority to officers to exercise powers under Sections 19 – 28 of the Criminal Justice and Police Act 2001, with all powers of prosecution and court litigation reserved to the Head of Mid Kent Legal Services Partnership.

The Vice-Chairman-in-the-Chair moved and Councillor Mike Whiting seconded the recommendations in the report.

In response to questions, the Monitoring Officer explained that Managers could delegate additional officers to exercise delegated authority, subject to this being recorded, and it was agreed that the report would be updated to reflect this, prior to submission to Council. A typographical error at 3.2 would also be corrected, and the last sentence at 3.6 would be re-drafted to make it less convoluted.

Recommended:

(1) That authority be given to the Resilience and Licensing Manager to exercise all powers under Sections 19 – 28 of the Criminal Justice and Police

Act 2001, with all powers of prosecution and court litigation reserved to the Head of Mid Kent Services Legal Partnership.

(2) That the scheme of officer delegations in the constitution be amended accordingly.

237 PLANNING COMMITTEE PROCEDURE NOTES

The Committee considered the report of the Development Manager which presented an updated version of the Planning Procedure Notes. In introducing the report, the Development Manager explained that the intention of the updated Notes was to clarify the procedures and to make sure they were understandable to all attending Planning Committee meetings. He also referred to the recent advice from the Local Government Ombudsman on the recording of planning decisions.

Attention was drawn to the comments received from Councillor Mike Baldock, which Members discussed together with the updated Procedure Notes.

In respect of the suggestion for the Procedure Notes to be included in the ongoing Scrutiny Committee review, Members did not consider that this was necessary as it was outside the remit of their current review.

In respect of the suggestion to update Paragraph 8, Members agreed that the word 'should' would be changed to 'must', and that the sentence should be redrafted to read 'The Chairman will remind the meeting that Members must remain.....' as there was already reference to declaration of interests elsewhere in the document.

In respect of the feedback regarding Paragraph 11, there was a discussion regarding the ability of Ward Members to speak at Planning Committee Meetings (and vote if they were Members of the Committee) and the Monitoring Officer clarified the rules regarding declaration of interests, predetermination and predisposition. It was confirmed that all Members, regardless of whether they sat on the Planning Committee, should leave the meeting if they had a disclosable pecuniary interest.

The Committee also discussed whether County Councillors should be entitled to speak at Planning Committee meetings, and it was agreed that if they wished to speak then they could register to speak as a supporter or objector in the same way as members of the public had an opportunity to do. No changes were required to the document to reflect this.

The Development Manager also asked the Committee to update the wording at paragraph 22 to reinstate some of the text in the original document ((b) and (c)) which had been omitted from the updated version. Members were in agreement with this.

Members also considered that the wording of paragraph 21b(ii), third sentence, should be updated to make it clearer that the Chairman should propose a short adjournment to draft reasons for refusal, rather than this being optional. This would make the procedure clearer to those attending the meeting.

During the debate, suggestions were made regarding the seating arrangements for the Planning Committee Members, which was a matter for Group Leaders to consider, and whether a laminated copy of the Procedure Notes could be provided for members of the public at Planning Committee meetings.

The Vice-Chairman-in-the-Chair suggested that it would be useful in the report to Council for 'track changes' to be used so that it was clear to Members what changes were being proposed to the existing Procedure Note. (Post meeting note – as the document had also been re-ordered and reformatted to make it clearer, the original version would be attached as an appendix to the report to Council).

Recommended:

(1) That the Planning Committee Procedure Notes as set-out in Part 4.12 of the Constitution be updated to reflect the discussion at this meeting, prior to submission to Council.

(2) That the wording in the constitution be updated to reflect the new revised Procedure Notes.

238 REVIEW OF POLLING DISTRICTS AND PLACES

The Committee considered the report of the Democratic and Electoral Services Manager which advised that in preparation for the elections in May 2019, a review of polling districts and places had been undertaken. Attention was drawn to Appendix I of the report which set-out details of polling districts and places where changes had been suggested. Councillor Mike Baldock's comments were circulated to Members.

In respect of the Borden and Grove Park Ward, Members considered the suggestion that had been made to set up a new polling district for voters in the New Zealand Estate, Sittingbourne. In response to a question, the Electoral Services Officer advised that the cost of hiring a mobile venue would be around £5,000 - £5,500 which also included the cost of a generator. After further consideration, Members considered that given that electors in that area had voted at Grove Park School since 2015, the current arrangements should continue.

There was also discussion regarding the arrangements for voting where Parish and Borough elections were held on the same day.

The Vice-Chairman-in-the-Chair proposed that there should be 84 polling districts (i.e. to agree the additional polling districts set out in Appendix I with the exception of a new polling district in the Borden and Grove Park ward) and this was seconded by Councillor Duncan Dewar-Whalley.

Recommended:

(1) That the Council be advised that the Committee considered Appendix I and recommends that the Council agrees changes to the current polling districts and places so that there are 84 polling districts, with voters in the New Zealand Estate, Sittingbourne, continuing to vote at Grove Park School.

(2) That the arrangements for voting as set out in Appendix II of the report be noted which will continue for the May 2019 elections.

Chairman

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