

AGENDA

GENERAL PURPOSES COMMITTEE MEETING

Date: Wednesday, 12 June 2019

Time: 5.00pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Mike Baldock (Vice-Chairman), Mike Dendor, Harrison, Alan Horton, Denise Knights, Richard Palmer, Roger Truelove (Chairman), Mike Whiting and Corrie Woodford.

Quorum = 3

Pages

1. Emergency Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Minutes

To approve the Minutes of the Meeting held on 25 September 2018 (Minute Nos. 233 - 238) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

PART A REPORT FOR RECOMMENDATION TO COUNCIL

5. Constitution Changes

5 - 8

Issued on Tuesday, 4 June 2019

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of this Committee, please visit www.swale.gov.uk

Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

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| General Purposes Committee | |
| Meeting Date | 12 June 2019 |
| Report Title | Amendments to the Constitution |
| Cabinet Member | Cllr Roger Truelove |
| SMT Lead | David Clifford, Monitoring Officer |
| Head of Service | Patricia Narebor, Head of Legal Partnership |
| Lead Officer | Estelle Culligan, Principal Solicitor |
| Key Decision | No |
| Classification | Open |
| Recommendations | <p>1 To recommend to Council that it amends the Constitution as follows:</p> <p>1.1 To amend the Council Procedure Rules section 14, Member Questions, in accordance with the changes set out in Appendix 2, subject to the decision of the Committee about time allowed for Member Questions.</p> <p>1.2 To amend the Council Procedure Rules section 18, Leader’s Statement, in accordance with the changes set out in Appendix 4, subject to the decision of the Committee about time allowed for the Leader’s Statement.</p> <p>1.3 To amend the Public Participation Rules, section 5, Planning Committee, in accordance with the changes set out in Appendix 6</p> |

1 Purpose of Report and Executive Summary

- 1.1 This report sets out proposed minor amendments to the procedures under the Council Procedure Rules and the Public Participation Rules.

2 Background

- 2.1 The Leader and Cabinet have expressed a desire for more openness and public involvement in Council procedures. This report sets out proposals to amend the Council Procedure Rules relating to the Leader’s Statement and Member Questions and a proposal to amend the Public Participation Rules relating to the speaking rights of towns and parishes on planning applications.

2.2 Questions from Members

- 2.3 The current procedures are set out in Paragraph 14 of the Council Procedure Rules in the Constitution and are attached at Appendix 1.

2.4 It is proposed that the previous practice of tabling written questions and written answers is changed so that all questions are given orally and answered orally, i.e. not only the supplemental questions. The current total time allowed for questions and answers is 30 minutes, with no time limit per question for the first question and answer (which is currently written and tabled), but with a 3 minute limit for a supplementary question and answer. It is proposed to retain this limit for supplementary questions, but the Committee is asked to consider whether the overall time limit of 30 minutes should be extended, perhaps to 45 minutes, in view of the time that will be needed for original questions to be asked and answered. The proposed changes are shown as tracked changes in the attached Appendix 2.

2.5 The Leader's Statement

2.6 The current procedure for the Leader's statement is set out at section 18 of the Council Procedure Rules and can be seen at Appendix 3. It is proposed that the procedure is changed as follows: The Leader's statement will not be tabled but will be given orally. The leaders of all groups not represented on Cabinet may make statements in response to the Leader's statement, to which the Leader will have a right of reply. There is currently no time limit for the Leader's statement or responses. The Committee is asked to consider whether to impose any time limits, for example to limit the opposition leader(s) to perhaps seven minutes each and the Leader in response to perhaps five minutes. The proposed changes are shown as tracked changes in the attached Appendix 4.

2.7 Public Participation Rules

2.8 The rules relating to speaking rights at Planning Committee are set out at section 5 of the Public Participation Rules and can be found in Appendix 5. Currently, only a representative of the parish council of the ward in which the application is situated, is allowed to speak at committee. It is proposed to amend the rules to allow additional speaking rights to any parishes who feel that they are affected by the application. The proposed changes are shown as tracked changes in the attached Appendix 6.

3 Alternative Options

3.1 The Committee could decide to keep the existing rules as they are. There are no alternative proposals except those recommended in this report.

4 Consultation Undertaken or Proposed

4.1 The proposed amendments have been requested by the Leader and Cabinet. There has been no further consultation. If the recommendations are approved, the report will be considered by Council, in order to amend the Constitution.

5 Implications

- 5.1 The recommendations simply amend the procedure rules in fairly minor ways. There are unlikely to be any wider implications.

6 Appendices

- 6.1 Appendix 1 Current Council Procedure Rules section 14
- Appendix 2 Proposed amended Council Procedure Rules section 14
- Appendix 3 Current Council Procedure Rules section 18
- Appendix 4 Proposed amended Council Procedure Rules section 18
- Appendix 5 Current Public Participation Rules section 5
- Appendix 6 Proposed amended Public Participation Rules section 5.

7 Background Papers

- 8.1 None

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