



## AGENDA

### GENERAL PURPOSES COMMITTEE MEETING

Date: Wednesday, 12 May 2021

Time: 5.00 pm

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

Membership:

Councillors Mike Baldock (Vice-Chairman), Angela Harrison, Ken Ingleton, Denise Knights, Ben J Martin, David Simmons, Roger Truelove (Chairman), Mike Whiting and Corrie Woodford.

Quorum = 3

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Pages

#### Information about this meeting

\*Members of the press and public may follow the proceedings of this meeting live via a weblink which will be published on the Swale Borough Council website.

Link to meeting: to be added

1. Apologies for Absence and Confirmation of Substitutes
2. 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 meeting 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.

3. Constitutional Amendments: Cabinet Advisory Committees (Report to follow)

## **Issued on Tuesday, 4 May 2021**

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

<b>General Purposes Committee</b>	
<b>Meeting Date</b>	12 May 2021
<b>Report Title</b>	<b>Constitution amends: Cabinet advisory committees</b>
<b>Cabinet Member</b>	Cllr Mike Baldock Deputy Leader and Cabinet Member for Planning
<b>SMT Lead</b>	David Clifford, as Monitoring Officer
<b>Head of Service</b>	
<b>Lead Officer</b>	
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	General purposes committee is asked to:  1. Endorse the changes to Part 3.2.1 of the council's constitution as set out in the report, and recommend these to full council for adoption.

## 1 Purpose of Report and Executive Summary

- 1.1 This report recommends changes to the council's committee structure to give effect to the recommendations made by the policy development and review committee (PDRC) with regard to the establishment of cabinet advisory committees.
- 1.2 The report recommends the deletion of the section of Part 3.2.1 of the constitution dealing with the PDRC, and its replacement with a new section covering three new advisory committees.

## 2 Background

- 2.1 Objective 4.1 of the council's corporate plan is to 'Review the council's constitution to diffuse decision-making power more widely among elected members and improve the transparency, responsiveness and public accountability of that decision-making'.
- 2.2 A good start on this objective was made with the introduction of area committees for the 2020/21 civic year. During the winter of 2020/21, the cabinet requested the policy development and review committee to consider how the introduction of a system of cabinet advisory could best be made to work.
- 2.3 The committee formed a working group which produced a report, the recommendations of which were agreed by the committee and subsequently by

the cabinet member. These recommendations are all reflected in the proposal below.

### **3 Proposals**

- 3.1 In order to give effect to the PDRC recommendations, it is proposed to delete from the table which comprises Part 3.2.1 of the constitution (Responsibility for Functions – Committees) the row dealing with the PDRC, and to replace it with a new row covering the cabinet advisory committees as follows.

#### Committee

*Cabinet Advisory Committees (three committees)*

#### Membership

*15 Members on each committee. Members may sit on more than one advisory committee. Membership not to include Cabinet Members. Deputy Cabinet Members may sit on the advisory committees, but not the one covering the portfolio area for which s/he is a Deputy Cabinet Member. Deputy Cabinet Members may not be chairmen of the advisory committees.*

#### Functions

*Three committees, with separate remits based on Cabinet portfolio responsibilities. Minor amendments by the Leader to Cabinet portfolio responsibilities will automatically be reflected in consequential amendments to the committees' remits. Cabinet portfolios to be divided between committees as follows:*

- *Community with Economy and Property*
- *Finance with Housing (also covering corporate and cross-portfolio matters)*
- *Environment with Health and Wellbeing*

*Within their remits, the committees will give initial consideration to matters expected to be the subject of formal decisions by the Cabinet or a Cabinet Member and make recommendations to the Cabinet Member about such matters.*

*The committees will generally consider matters referred to them by Cabinet Members, but may take the initiative to consider any matter listed on the forward plan which falls within their remit.*

*When requested to do so by a Cabinet Member, the committees may conduct research or otherwise gather information in order to assist with the development of policies, strategies, procedures and initiatives.*

*The committees will receive concise written updates from cabinet members on current issues and matters of interest within their portfolios. The committees may invite Cabinet Members and officers to attend meetings to ensure that the committee is kept up to date on developments within the portfolio. However, the committees are not scrutiny committees and their remit does not include holding Cabinet Members or officers to account.*

Delegation of function

Not applicable.

## 4 Alternative Options

- 4.1 With some exceptions, it is for the council to determine the number, size and remit of its committees. The options to retain the current PDRC arrangement or to move away from any form of consultative committee are therefore both valid. However, the PDRC recommendation is that the model proposed above will work best in broadening the number of elected members who are involved in executive decision-making, in furtherance of the relevant corporate-plan objective.

## 5 Consultation Undertaken or Proposed

- 5.1 The introduction of cabinet advisory committees is largely an internal matter for the council and no external consultation has been undertaken or is proposed regarding this report.

## 6 Implications

Issue	Implications
Corporate Plan	The proposal furthers the implementation of the council's fourth corporate-plan priority, 'Renewing local democracy and making the council fit for the future'.
Financial, Resource and Property	There is a slight increase in the number of meetings which the Democratic Services team will need to service, but when this is offset by the reduction in PDRC meetings, the net additionality, assuming each advisory committee meets quarterly, is six meetings per year. The team is confident that this can be managed within existing resources.
Legal, Statutory and Procurement	With some exceptions, it is for the council to determine the number, size and remit of its committees. The Local Government and Housing Act 1989 requires the council to allocate seats on all non-executive committees to political groups in a way which is broadly proportionate to the number of that group's seats on the council as a whole. The cabinet advisory committees will be politically balanced in this way.
Crime and Disorder	No specific implications identified at this stage.
Environment and Climate/Ecological Emergency	No specific implications identified at this stage.
Health and Wellbeing	No specific implications identified at this stage.

Safeguarding of Children, Young People and Vulnerable Adults	No specific implications identified at this stage.
Risk Management and Health and Safety	No specific implications identified at this stage.
Equality and Diversity	No specific implications identified at this stage.
Privacy and Data Protection	No specific implications identified at this stage.

**7 Appendices**

7.1 There are no appendices.

**8 Background Papers**

8.1 The PDRC report and recommendations can be accessed [here](#).