
GENERAL PURPOSES COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent ME10 3HT on Wednesday, 12 January 2022 from 5.30 pm - 6.33 pm.

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

OFFICERS PRESENT: David Clifford, Philippa Davies, Lisa Fillery, Jo Millard and Larissa Reed.

ALSO IN ATTENDANCE: Councillors Cameron Beart, Lloyd Bowen (remotely), Councillor Monique Bonney (remotely), Steve Davey (remotely), Alan Horton, Elliott Jayes (remotely), Pete Neal (remotely), Richard Palmer, Ken Rowles (remotely) and Ghlin Whelan (remotely).

515 EMERGENCY EVACUATION PROCEDURE

The Chairman outlined the emergency evacuation procedure.

516 MINUTES

The Minutes of the Meeting held on 12 May 2021 (Minute Nos. 632 – 633) were taken as read, approved and signed by the Chairman as a correct record.

517 DECLARATIONS OF INTEREST

The Monitoring Officer confirmed that it was not necessary for two Members of the Committee who rented property in the Borough, to declare an interest in respect of Item 6 on the Agenda.

518 CONSTITUTIONAL AMENDMENTS: DELEGATIONS TO THE CHIEF EXECUTIVE

The Deputy Leader introduced the report which proposed that the Chief Executive be delegated to take decisions in emergencies or other circumstances which made it impractical for the Council, Cabinet or a committee to meet. He proposed the recommendation which was seconded by Councillor Ben J Martin.

In the discussion that followed, Members raised points including:

- The delegation was not necessary as the Covid-19 Pandemic was starting to rescind;
- it put officers in a difficult position;
- how would a decision be scrutinised by Members?;
- sought clarification on the wording in the delegation in relation to Part A reports;

- this was not the best solution;
- if agreed, the delegation should be time-limited as the Council would be moving to the Committee System in May 2022;
- the Emergency Committee should be re-named;
- sought clarification on how a decision was ratified by the Council;
- considered the pandemic was coming to an end and the delegation should have been agreed earlier;
- who considered what an emergency was?;
- Full Council should have met instead of the Emergency Committee;
- what did 'any other circumstances' refer to?; and
- many had to work in a Covid-safe community as were unable to work from home and Full Council should have met as scheduled.

In response, the Chief Executive reminded Members that the temporary Coronavirus Regulations allowing remote decision-making meetings to take place had expired and she said that the delegation allowed for a decision to be taken, not ratified. The Deputy Leader said if the Emergency Committee could meet, the delegation would not be necessary. He added that the Constitution was currently under review and that a Part A decision could not be delegated to an officer.

The Chairman explained that the decision to cancel Full Council was made in the early stages of the present wave of the Covid-19 Pandemic and it was the Mayor's decision. He said the Emergency Committee met when Full Council could not and holding Full Council with the numbers required to be in attendance was high risk. He added that deaths from Covid-19 were continuing and the decision was made because of health and safety concerns of officers and Members.

A Member said that at the time the report was prepared in early December 2021 when the new variant was spreading, it was a good idea but the situation had since moved on. He said that decisions should be made by Councillors.

In the debate that followed, Members made further points including:

- Could hold Full Council in a larger, more suitable venue;
- there were other ways to allow decision-making;
- supported a time-limited change;
- it was a good tool to have if needed;
- there was no certainty that further variants might cause more disruption;
- an Emergency Committee meeting might not be quorate if Members were isolating;
- did not usually support delegations but this was necessary;
- an emergency was not just about Covid-19, there were other emergencies such as extreme weather; and
- clarification on the wording in the recommendation.

Councillor David Simmons proposed and Councillor Mike Whiting seconded an amendment to the recommendations that it be time-limited and include reference that the delegation only to be used if the Emergency Committee could not meet. On being put to the vote, the amendment was lost.

Members then voted on the substantive proposal which was agreed.

Recommended:

That the Emergency Committee is asked to:

(1) Agree to add the delegation in paragraph 3.1 of the report to the list of the Chief Executive's delegations.

519 CONSTITUTIONAL AMENDMENTS: CONSEQUENTIAL CHANGES TO OFFICER DELEGATIONS FOLLOWING MANAGEMENT RESTRUCTURE

The Deputy Leader introduced the report and said that updates were necessary to reflect the staffing structure. He proposed the recommendations which were seconded by Councillor Ben J Martin.

In the debate that followed the Monitoring Officer and the Chief Executive responded to a Member's request for clarification on what 'further minor amendments' at recommendation (2) would include and on whether updating job titles as described at paragraph 3.2 in the report had employment legislation repercussions. A Member commented that the proposal was pragmatic, and officers should be trusted in knowing when a change needed to be considered by the General Purposes Committee.

The Deputy Leader proposed an amendment to recommendation (2), which was seconded by Councillor Mike Whiting:

"Give delegated authority to the monitoring officer in consultation with the Leader, Cabinet Member or Committee Chairman....."

On being put to the vote the amendment was agreed.

Members then voted on the amended recommendations which were agreed.

Recommended:

Emergency committee is asked to:

(1) Agree the updates and other changes to the officer scheme of delegation as set out in Appendix I of the report.

(2) Give delegated authority to the monitoring officer in consultation with the Leader, Cabinet Member or Committee Chairman, to make further minor amends to the officer scheme of delegation in consequence of the management restructure, for example to update job titles.

(3) Agree the further new and amended delegations set out in the table in paragraph 3.3 of the report.

Chairman

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