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GENERAL PURPOSES COMMITTEE

22 DECEMBER 2010

A meeting of the General Purposes Committee will be held at **11.00 am on Wednesday, 22 December 2010** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Taylor (Chairman); Councillors: Crotty (Vice-Chairman), Clark, Mrs Dark, Goodwin, Mrs Hart, Wells and Mrs Wiltshire

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

Apologies for absence have been received from Councillor Mrs Hart; Councillor Poole will be present as a substitute.

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest. Members are advised to consider the extract from the Standard Board Code of Conduct for Members, which forms part of the Declaration of Interest Form at the back of this Agenda. If a Member declares an interest, they should complete that Form and hand it to the Officer clerking the meeting.

3. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 2)

To approve the Minutes of the meeting of the General Purposes Committee held on 8 June 2010, copy attached.

4. **EXCLUSION OF PRESS AND PUBLIC** (Pages 3 - 4)

5. **THANET DISTRICT COUNCIL TERMS & CONDITIONS OF EMPLOYMENT (PEOPLE MANAGEMENT POLICIES)** (Pages 5 - 254)

Declaration of Interest form - back of agenda

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Agenda Item 3

GENERAL PURPOSES COMMITTEE

Minutes of the meeting held on 8 June 2010 at 5.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Mike Taylor (Chairman); Councillors Crotty, Mrs Aldred, C Hart, Goodwin, Mrs S Hart and Wells

7. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs Dark and Mrs Wiltshire. Councillor C. Hart substituted Councillor Mrs Dark.

8. ELECTION OF CHAIRMAN

Councillor Wells proposed the nomination of Councillor Taylor for the Chairmanship of the Committee.

Councillor Goodwin seconded the nomination.

Members **Resolved** that Councillor Taylor be the Chairman of the General Purposes Committee.

Councillor Taylor then took over the Chair and asked for nominations for the Vice-Chairman of the committee.

9. ELECTION OF VICE CHAIRMAN

Councillor Wells nominated Councillor Crotty for the post of Vice-Chairman of the General Purposes Committee.

Councillor Goodwin seconded the nomination.

Members **Resolved** that Councillor Crotty be the Vice-Chairman of the General Purposes Committee.

Members expressed the view that the 5.00 pm starting time for the committee meeting was too early and inconvenient for some of the Members who have work commitments.

10. DECLARATIONS OF INTEREST

There were no declarations of interest.

11. EXCLUSION OF PUBLIC AND PRESS

Committee Members deliberated on the issue to exclude members of the public and press during the consideration of the item on the appointment of the Shared Services Director.

Members **Resolved** that the public and press be excluded from the meeting on agenda item 4 as it contains exempt information as defined in Paragraph 4 of Schedule 12A of the Local Government Act 1972 (as amended).

12. **APPOINTMENT OF THE SHARED SERVICES DIRECTOR**

Members of the Committee considered the report of the Head of Legal and Democratic Services regarding the appointment of the Shared Services Director.

Members **Resolved** the following:

- 7.1 That Donna Reed be appointed as the Director of Shared Services on Thanet Pay Grade TG 12 +
- 7.2 That the Chief Executive be authorised to determine the commencing salary scale point for the post.

Meeting concluded : 5.38 pm

Exclusion of Public and Press

To: **General Purposes – 22 December 2010**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **All wards**

Summary: This report seeks the Committee's approval to exclude the public and press from the meeting on agenda item 5 as it contains exempt information as defined in Paragraph 4 of Schedule 12A of the Local Government Act 1972 (as amended).

For Decision

1.0 Introduction

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential or exempt information would be disclosed.

Exempt information – discretion to exclude public

Subject to Article 6 of the Human Rights Act 1998 (right to a fair trial) the public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Meaning of confidential information

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

2.0 Exempt information

The full rules are set out in Part V and Schedule 12A Local Government Act 1972 (as Amended) and the Relevant Authorities (Standards Committees) Regulations 2001.

3.0 Reason for Exempt Item

The report author has classified Agenda Item 5 as disclosing exempt information under Paragraphs 4 of Schedule 12A of the Local Government Act 1972 (as amended) thereby excluding the press and public from the meeting whilst this item is debated.

4.0 Corporate Implications

4.1 Financial

There are no direct financial implications.

4.2 Legal

As per Schedule 12A of the Local Government Act 1972 (as amended)

4.3 Corporate

None

4.4 Equity and Equalities

There are no specific equity and equality considerations that need to be addressed in this report.

5.0 Recommendation

That the public and press be excluded from the meeting on agenda item 5 as it contains exempt information as defined in Paragraph 4 of Schedule 12A of the Local Government Act 1972 (as amended).

6.0 Decision Making Process

This Committee must agree the recommendation if the press and public are to be excluded.

Contact Officer:	Glenn Back, Democratic and Scrutiny Manager
Reporting to:	Harvey Patterson, Head of Legal & Democratic Services and Monitoring Officer

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager
Legal	Harvey Patterson, Head of Legal and Democratic Services & Monitoring Officer

Agenda Item 5

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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of the Local Government Act 1972.

Agenda Item 5 Annex 1

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Agenda Item 5 Annex 2

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Agenda Item 5 Annex 5

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Agenda Item 5 Annex 6

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By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 5 Annex 7

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THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a personal interest?

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- a) An interest you must **register**.
- b) An interest that is not on your register, but where the well-being or financial position or you, members of your family (spouse; partner; parents; in laws; step/children; nieces and nephews), or people with whom you have a close association (friends; colleagues; business associates and social contacts that can be friendly and unfriendly) is likely to be affected by the business of your authority more than it would affect the majority of:
 - Inhabitants of the ward or electoral division affected by the decision (in the case of the authorities with electoral divisions or wards.)
 - Inhabitants of the authority's area (in all other cases)

These two categories of personal interests are explained in this section. If you declare a personal interest you can remain in the meeting, speak and vote on the matter, unless your personal interest is also a prejudicial interest.

Effect of having a personal interest in a matter

You must declare that you have a personal interest, **and the nature of that interest**, before the matter is discussed or as soon as it becomes apparent to you except in limited circumstances. Even if your interest is on the register of interests, you must declare it in the meetings where matters relating to that interest are discussed, unless an exemption applies.

When an exemption may be applied

An exemption applies where your interest arises solely from your Membership of, or position of control or management on:

1. Any other body to which you were appointed or nominated by the authority.
2. Any other body exercising functions of a public nature (e.g. another local authority)

Is my personal interest also a prejudicial interest?

Your personal interest will also be a **prejudicial interest** in a matter if all of the following conditions are met:

- a) The matter does not fall within one of the **exempt categories** of decisions
- b) The matter affects **your financial interests** or relates to a **licensing or regulatory matter**.
- c) A member of public, who knows the relevant facts, would **reasonably think your personal interest is so significant** that it is likely to prejudice your judgement of the public interest.

What action do I take if I have a prejudicial interest?

- a) If you have a **prejudicial interest** in a matter being discussed at a meeting, you must declare that you have a prejudicial interest as the nature of that interest becomes apparent to you.
- b) You should then leave the room, **unless members of the public are allowed to make representations, give evidence or answer questions about the matter**, by statutory right or otherwise. If that is case, you can also attend the meeting for that purpose.
- c) However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe the vote on the matter.

d) In addition you must not seek to **improperly influence** a decision in which you have a prejudicial interest.

This rule is similar to your general obligation not to use your position as a Member improperly to your or someone else's advantage or disadvantage.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services Manager well in advance of the meeting.

DECLARATION OF PERSONAL AND, PERSONAL AND PREJUDICIAL INTERESTS

MEETING

DATE..... **AGENDA ITEM**

IS YOUR INTEREST:

PERSONAL

PERSONAL AND PREJUDICIAL

NATURE OF INTEREST:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Committee Clerk when you are asked to declare any interests.

