

CONSTITUTIONAL REVIEW WORKING PARTY

Minutes of the meeting held on 28 July 2011 at 9.30 am in the Austen Room, Council Offices, Cecil Street, Margate, Kent.

Present: Mr Robin Hills (Chairman); Councillors K Gregory, Hayton, Nicholson, Watkins and Wright

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Mr Hinchley.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

On the proposal of Councillor Gregory, seconded by Mr Hills, the minutes of the meeting of the Working Party held on 23 March 2011 were approved and signed by the Chairman.

DESPATCH OF AGENDA REPORTS

Mr Hills expressed concern at the report for Agenda Item No. 4 not having been received by him in the post until 3.00 pm the previous day. He asked that, in future, all reports were sent out with the agendas in accordance with the access to information rules.

Other members of the Working Party concurred with those sentiments.

4. MEMBER ROLE DESCRIPTIONS

It was AGREED TO RECOMMEND that the following amendments be made to the Role descriptions as set out in Annex 1 to the report:

- a) **(Section No. 1) Ward Councillor – Duties and responsibilities** (On the proposal of Councillor Gregory, seconded by Councillor Nicholson:

Para (v): remove the words, “and impartially”, between “representations fairly” and “to deal with individual casework”, to read:

“To respond to constituent’s enquiries and representations fairly; to deal with individual casework and act as advocate in resolving constituents’ particular concerns or grievances”.

Para (x): replace the words, “to find” with “to consider finding”, to read:

“When unable to attend a meeting of Committee or other body to which they have been appointed a member, to consider finding a suitable substitute for the meeting and advise the Democratic Support section of the substitution.”

- b) **(Section No. 2) Chairman of a Committee**

Casting Vote

Para (vii): add the words, “second or”, to read:

“To use the Chairman’s second or casting vote as and when appropriate”.

Agenda-setting Responsibility

On the proposal of Councillor Nicholson, seconded by Councillor Hayton:

Insert new **Para (iii)**, as follows:

“To agree the agenda in consultation with the relevant officers”

and number existing Paras (iii) to (ix) to **(iv) to (x)** accordingly.

c) (Section No. 5) Chairman of Standards Committee

Remove the following words from **Para (vi)**:

“To attend the Annual Conference of Standards Committees at least once during their term of office and”, to read:

“To attend the Kent and Medway Independent Standards Committee.”

d) (Section No. 11) Leader of the Council

Purpose of Role

Para (i): remove the word, “political”, between the words “direction and” and “leadership”, to read:

“To provide strategic direction and leadership to the Council and lead in its relations with government, other public bodies, partner organisations and the media”.

Duties and responsibilities

Para (vii): remove the word, “political” between the words, “to act as the” and “spokesperson”, to read:

“To positively promote the Council and the District in the media and to act as the spokesperson for the Council”.

e) (Section No. 13) Leader of the majority and majority opposition group

Insert new Para (ii)

“To ensure effective corporate governance including working with other groups to achieve, where possible, cross-party co-operation and to promote the highest standards of probity”

and number existing **Paras (ii) to (vii)**, (iii) to (viii) accordingly.

f) Insert new Section on Chairman of Constitutional Review Working Party (Harvey Patterson, Monitoring Officer to draft wording).

On the proposal of Councillor Gregory, seconded by Councillor Hayton, it was AGREED TO RECOMMEND TO STANDARDS COMMITTEE the introduction of Member Role Descriptions as set out at Annex 1 to the report, and as amended in accordance with recommendations set out at (a) to (f) above.

Harvey Patterson, Monitoring Officer, undertook to bring back a report incorporating the changes recommended by the Working Party.

5. TIMING OF MEETINGS

Reference was made to the unsuitability of day-time meetings to Members who worked during the day.

It was AGREED TO RECOMMEND TO STANDARDS COMMITTEE:

1. that the Constitutional Review Working Party be added as "Ad Hoc" to the list of committees at Para 2.1 of the report;
2. that all meetings of Committees listed at Para 2.1 should normally commence at 7.00 pm, with the exception of "Ad Hoc" meetings and Licensing Board meetings, the latter of which should continue to be held at 10.00 am.

The view was expressed that the Mill Lane Car Park should be open when there are evening meetings.

6. LEADER'S REPORT

Reference was made to the merits of enabling Ward Councillors to raise points in relation to issues affecting their wards.

On the proposal of Councillor Nicholson, seconded by Councillor Gregory, it was AGREED TO RECOMMEND TO STANDARDS COMMITTEE that Council Procedure Rule 2.2 be amended to allow:

1. The Leader of the Council, the Leader of the Opposition and the Leader of any other Political Group to appoint substitutes to speak on their behalf;
2. Other Members to make comments and ask questions on the Leader's Report, subject to the total time (including existing time slots) being limited to 30 minutes.

7. SCHEME OF OFFICER DELEGATIONS

This item was withdrawn, on request by the Monitoring Officer, who apologised that his report was not ready for this meeting.

Meeting concluded : 11.15 am