



Date: 13 June 2019  
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## **CONSTITUTIONAL REVIEW WORKING PARTY**

**21 JUNE 2019**

A meeting of the Constitutional Review Working Party will be held at **2.00 pm on Friday, 21 June 2019** in the Council Chamber, Cecil Street, Margate, Kent.

### **Membership:**

Independent Members: Dr Jonathan Sexton (Chairman);

Councillors: Dennis, Hopkinson, Stevens and Tomlinson

## **A G E N D A**

Item  
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)

3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 6)

To approve the Minutes of the Constitutional Review Working Party meeting held on 22<sup>nd</sup> January 2019 copy attached.

4. **STANDING ORDERS IN RELATION TO STAFF**

Report to follow.

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## Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

## Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or  
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
  - exercises functions of a public nature; or
  - is directed to charitable purposes; or
  - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

### **Gifts, Benefits and Hospitality**

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

### **What if I am unsure?**

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

If you need to declare an interest then please complete the declaration of [interest form](#).

# Public Document Pack Agenda Item 3

## CONSTITUTIONAL REVIEW WORKING PARTY

Minutes of the meeting held on 22 January 2019 at 3.00 pm in Austen Room, Cecil Street, Margate, Kent.

**Present:** Dr Jonathan Sexton (Independent Chairman); Mrs Janet Bacon (Independent Vice Chairman)

Councillors: Campbell, Dixon, Tomlinson and Wright

**In Attendance:** Councillor Messenger

### 106. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Dennis.

### 107. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 108. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor Tomlinson seconded and it was agreed that the minutes of the Constitutional Review Working Party held on 14 August 2018 be approved and signed by the Chairman.

### 109. MANDATORY TRAINING

Nick Hughes, Committee Services Manager presented the report.

Members asked questions and it was noted:

- Many Members had thought that it was already compulsory for them to have regular training before sitting on quasi-judicial committees.
- Regular training reinforced sound decision making by Members.

Councillor Messenger spoke under council procedure rule 20.1.

It was proposed by Councillor Campbell, seconded by Councillor Tomlinson and AGREED:

“To recommend to Standards Committee that the below is added to article 8 of the Council’s constitution:

‘No member or substitute member of the General Purposes Committee, Planning Committee or the Licensing Board will be allowed to take their seat on the committee unless they have received relevant, appropriate, up-to-date training.

In relation to Planning Committee this is attending at least one session run by the Council’s Planning team every six months. In relation to Licensing Board this is attending at least one training session run by the Council’s Licensing team every six months. In relation to the General Purposes Committee this is attending at least one training session run by the Council’s Monitoring Officer at least every six months.”

The recommendations would be considered at the Standards Committee on 12 February 2019.

Meeting concluded : 3.25pm