

CONSTITUTIONAL REVIEW COMMITTEE

Minutes of the meeting held on 24 June 2024 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.

Present: Mr Peter Tucker (Chair); Councillors Austin, Britcher, W Scobie, Crittenden, D Green, Pugh, Currie, Edwards and Fellows

In Attendance: Councillor Yates.

1. APOLOGIES FOR ABSENCE

There are apologies for absence from Councillors Everitt and Garner. Councillor Yates substituted for Councillor Everitt.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

The Chair proposed, Councillor Austin seconded, and Councillors agreed the minutes of the meeting of Constitutional Review Committee on 28 May 2024 subject to the following amendments:

“There was a discussion about relationships between Officers and Councillors, which highlighted an imbalance between them, both in respect of support available to Councillors and in respect of sanctions if Councillors do not abide by the Code of Conduct. The discussion highlighted heavy Officer workloads and their effect on response times to Councillor queries, along with an inherited culture that often failed to recognise Councillors' important role and thus did not prioritise their information needs. Members of the Committee noted that this culture was something that both Councillors and Officers are working hard to move away from.”

4. AMENDMENTS COUNCIL PROCEDURE RULES REGARDING FREQUENCY OF QUESTIONS

Nick Hughes, Committee Services Manager, presented the report on amendments to council procedure rule regarding frequency of questions making the following key points:

- This item had been to the committee before, going to full Council and then being referred back to the Constitutional Review Committee for further consideration.
- There were two options given in the report for Councillors to consider.
- Option 1 - is to simply re-submit the same recommendation that were previously considered by Council namely:

“To amend paragraph 13.5 of Part 4, Rules of Procedure in the Council's constitution to read:

“The Chief Executive will reject a question if it:.....

is substantially the same as a question which has been validly received or put at a meeting of the Council in the past six months by either a Councillor or a member of the public;

To amend paragraph 14.6 of Part 4, Rules of Procedure in the Council's constitution to read:

“A question shall not be:.....

substantially the same as a question which has been validly received put at a meeting of the Council in the past six months by either a Councillor or a member of the public;

- Option 2 - a change could be made to allow the relevant Cabinet Member to amalgamate their answers. This would allow for the public to continue to ask any questions they like (within the existing rules), but only one answer given.
- These options were designed to prevent Councillors and members of the public from submitting the same question in a period of 6 months.

During the discussion of the item it was noted that:

- Option 1 was considered restrictive to back bench councillors.
- Support for the second option was given, this would ensure that supplementary questions were still allowed.
- Incidents whereby similar questions had been asked were isolated.
- Amalgamating answers was a better way forward.
- A 6 month period was considered too long, things could change within this period.
- The council should encourage members of the public to take part in council meetings and also attend these meetings.

It was proposed by Councillor Yates, seconded by Councillor Austin that an amended version be put to council namely:

“ Amalgamated Answers to Questions When very similar questions on the same subject are received by Democratic Services for the same meeting, a Cabinet Member may amalgamate the answers and so provide a single answer to multiple questions. Before doing so the Cabinet Member should seek the approval of the Chief Executive to do so. If multiple questions are asked and none of the members of the public attend the meeting, cabinet members, at their discretion, have the right to read out the answer to that question.”

It was proposed by Councillor Crittenden, seconded by Councillor Pugh and members agreed on option 2 with the amendment: that the Constitutional Review Committee recommend to Council that a new paragraph 13.8 be added to the constitution:

“ Amalgamated Answers to Questions When very similar questions on the same subject are received by Democratic Services for the same meeting, a Cabinet Member may amalgamate the answers and so provide a single answer to multiple questions. Before doing so the Cabinet Member should seek the approval of the Chief Executive to do so. If multiple questions are asked and none of the members of the public attend the meeting, cabinet members, at their discretion, have the right to read out the answer to that question.”

5. MINUTING OF VOTING

Nick Hughes, Committee Services Manager, presented the report on minuting of voting making the following key points:

- The report set out how the council currently minuted recorded votes.
- There had been a request to include the number of councillors that vote for and against a motion, without being counted as a recorded vote.
- The constitution did not explicitly state what is defined as a recorded vote.
- The recommendation was that the committee should consider the report, and decided whether the constitution be amended so that a note would be taken for a number of votes for and against each motion. It was emphasized that this would be distinct from a recorded vote.

During the discussion of the item it was noted that:

- Certain votes at full council were by law, and this was necessary to be taken as a recorded vote.
- Questioning was raised whether the council was looking into introducing electronic voting systems. It was considered a sensible idea to reconsider the minuting of voting once the council had obtained electronic voting systems.
- It was noted that it may be useful for members of the public to know how councillors were voting on controversial topics.
- There is added time pressure on counting votes.
- It would be a positive step for the council to show greater transparency, this could be achieved through the minuting of voting.

Members noted that it was a good idea to wait until the council had obtained electronic voting systems and to then revisit the issue of minuting of voting.

Councillor Crittenden proposed, Councillor Pugh seconded and members agreed to not amend the constitution to take note of the number of votes taken for each motion. This could be reconsidered at a later date when the council was looking into electronic voting systems.

6. CONSTITUTIONAL REVIEW COMMITTEE WORK PROGRAMME

Nick Hughes, Committee Services Manager, led the discussion on the Constitutional Review Work Committee Programme making the following key points:

- At present during the meeting, the September meeting would include motions, joint leader of political groups and speech lengths including chairs discretion.
- There were meetings scheduled in for November 2024 and February 2025 which would feed into council meetings scheduled for October 2024 and March 2025.

During the discussion of the item it was noted that:

- Councillors wanted to discuss the timing of questions being limited to 30 minutes, and potentials of extending this.
- Additionally, the length of council meetings themselves were important to examine.
- It was noted that Councillors on the panel wanted to look into the time limit of all functions of the council, inclusive of questions, motions and petitions, in the September Constitutional Review meeting.
- It was agreed that within the September meeting, the panel would look at an all encompassing report on the length of each parts of the council meeting, joint leaders political groups and speech lengths.

It was proposed by Councillor Scobie, seconded by Councillor Crittenden and Councillors agreed that within the September meeting, the committee would look at an all encompassing report on the length of each parts of the council meeting, joint leaders political groups and speech lengths.

Meeting concluded : 8.20 pm