

CONSTITUTIONAL REVIEW WORKING PARTY

Minutes of the meeting held on 13 March 2014 at 10.00 am in Council Chamber, Cecil Street, Margate, Kent.

Present: Dr Jonathan Sexton (Chairman) (Independent Member of the Standards Committee); Mrs Janet Bacon (Independent Member of the Standards Committee); and Councillors: Hayton, Nicholson, Watkins & Wright

In Attendance: Councillor King

22. APOLOGIES FOR ABSENCE

There were no apologies for absence.

23. MINUTES OF PREVIOUS MEETING

On the proposal of Councillor Watkins, seconded by Councillor Hayton, it was AGREED that the minutes of the meeting of the Constitutional Review Working Party held on 30 October 2013 be approved and signed by the Chairman.

24. DECLARATION OF INTERESTS

There were no declarations of interest.

25. SOCIAL MEDIA GUIDANCE FOR COUNCILLORS

It was proposed by Councillor Nicholson, seconded by Councillor Hayton and AGREED TO RECOMMEND to Standards Committee that the Social Media guidance for Councillors, as attached as Annex 1 to the report, be approved.

26. CIPFA CODE OF PRACTICE ON TREASURY MANAGEMENT

It was AGREED TO RECOMMEND to Standards Committee:

1. That the clauses as set out in Annex 1 to the report be approved;
2. That the consequential changes to the responsibilities of the Section 151 Officer in relation to Treasury Management, as set out at Annex 2 to the report, be approved.

27. RECORDED VOTES AT BUDGET MEETINGS OF THE COUNCIL - TO AMEND COUNCIL PROCEDURE RULE NO. 21

On the proposal of Councillor Nicholson, seconded by Councillor Watkins, it was AGREED TO RECOMMEND to Standards Committee that the recommendation as set out at paragraph 3.1 of the report be adopted, namely:

“THAT Council Procedure Rule 21 be amended as follows:

1. ***New Council Procedure Rule 21.6:***

“21.6 Recorded votes at Council budget decision meetings

A recorded vote will be required at a meeting of the Council on motions, amendments or substantive motions relating to the approval of the budget or setting of council tax, whereby there shall be recorded in the minutes the names of the Members who cast a vote for the motion/ amendment or against the motion/amendment or who abstained from voting. As this is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 2001, it cannot be suspended under Council Procedure Rule 29.1”, and

2. Amended Council Procedure Rule 21.3

“21.3 Show of hands

Unless a recorded vote is demanded under Rule 21.4 or required under Rule 21.6, the Chairman will take the vote by show of hands (and a count if requested), or by means of an electronic voting system, or if there is no dissent, by the affirmation of the meeting.”

Electronic Voting

The question of whether to re-introduce electronic voting in the Council Chamber was raised by a Member. Some Members expressed the view that electronic voting was not ideal because members of the public would not be able to see how individual Members had voted. Glenn Back, Democratic Services & Scrutiny Manager, advised that the electronic voting component of the recently installed recording system could display how each Member voted.

It was NOTED that this was a matter that could be considered as part of the induction process following the 2015 district elections.

28. BUSINESS CONSIDERED AT BUDGET-SETTING MEETINGS - TO REVIEW COUNCIL PROCEDURE RULE 2.0

On the proposal of Councillor Watkins, seconded by Councillor Hayton, it was AGREED TO RECOMMEND to Standards Committee:

1. THAT Option 1, as set out in the recommendation at paragraph 5.1.1 of the report be adopted, namely:

“Exclude from the budget-setting meeting agendas all items that do not relate to the budget, with the exception of the essential items of apologies for absence, minutes of previous meeting and declarations of interests, subject to a qualification similar to that used by Norfolk council as follows:

- *subject to the Chairman having discretion to accept additional items; but only in exceptional or urgent circumstances.”*

2. THAT the suggested amendment to Council Procedure Rule 2.0 relating to Option 1, as set out at Annex 1 to the report, be approved.

29. TO REVIEW APPOINTMENT OF SUBSTITUTES TO ATTEND MEETINGS

Upon the report being discussed, a Member expressed the view that as the Planning Committee was ‘apolitical’ in nature, it should not matter from which political group a substitute to attend meetings of that committee is selected.

However, it was also suggested that as political balance rules applied to the Planning Committee and the political composition of the pool of substitutes mirrored that of the Committee, it seemed consistent that a substitute appointed to attend a meeting should be from the same political group as the committee member appointing them.

It was proposed by Councillor Nicholson and seconded by Councillor Watkins:

“THAT the Working Party RECOMMENDS to Standards Committee that Council Procedure Rule 5 and Clause 9 of the Protocol for the Guidance of Planning Committee Members and Officers be amended, as indicated at Annexes 1 and 2 to the report, respectively.”

Upon being put to the vote, this motion was declared CARRIED.

30. REGISTERS OF INTERESTS AND GIFTS AND HOSPITALITY FOR OFFICERS - TO AMEND FINANCIAL PROCEDURE RULES TO REFLECT CURRENT PRACTICE

It was proposed by Councillor Nicholson, seconded by Councillor Hayton and AGREED TO RECOMMEND to Standards Committee:

“THAT the amendments as set out at Annex 1 to the report be approved.”

The following previous practices were referred to by Members and it was NOTED that these could be subject to further consideration at a future meeting of the Working Party:

1. that of circulating updates of the constitution to Members at full council meetings;
2. that of referring up to full council any planning applications which represented a departure from Thanet Local Plan.

Meeting concluded : 10.55 am