

## CANTERBURY CITY COUNCIL

### GOVERNANCE COMMITTEE

**Minutes of a meeting held on Wednesday, 3rd April, 2019  
at 9.30 am in The Guildhall, St Peter's Place, Westgate, Canterbury**

**Present:** Councillor S Cook (Chairman)  
Councillor Todd  
Councillor N Baker  
Councillor Eden-Green  
Councillor Fisher  
Councillor R Jones  
Councillor A Taylor  
Councillor Westgate  
Councillor B Baker (In place of Councillor Fitter-Harding)

**In attendance** Councillor Baldock

**Officers:** Matthew Archer - Head of Corporate Governance  
Colin Carmichael - Chief Executive  
Michaela Hupe - Principal Solicitor - Contract and  
Procurement  
Maria Short - Democratic Services Officer

(\*present for part of the meeting)

#### 770 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Fitter-Harding.

#### 771 **SUBSTITUTE COUNCILLORS**

Councillor B Baker was present as a substitute for Councillor Fitter-Harding.

#### 772 **DECLARATIONS OF INTERESTS BY MEMBERS OR OFFICERS**

Several members of the committee were on the working group.

#### 773 **PUBLIC PARTICIPATION**

There was one member of the public registered to speak to item 7 who would be heard prior to the consideration of that item.

#### 774 **MINUTES OF MEETING MONDAY, 2 JULY 2018 OF GOVERNANCE COMMITTEE**

The minutes were agreed as a true record.

## 775 REVIEW OF THE COUNCIL'S COMMITTEE SYSTEM

The Head of Corporate Governance introduced the report which reviewed how the committee system had operated in practice in the four years since it was introduced at the beginning of the council term.

The Committee discussed the report, where necessary the Head of Corporate Governance gave points of clarification. Points including the following were made:

1. Though the review of the councillors scheme of allowances should be undertaken by an independent panel, an increase to the overall councilor allowance would not be welcomed by Councillors. It was confirmed that there was a requirement for the review to be undertaken by an independent panel and for the council to acknowledge the results of the review, however the council could choose whether or not to accept an increase.
2. The committee system had been considered to be successful.
3. The recommendation to increase the threshold for the Regeneration and Property Committee was welcomed by members due to the inflation of property prices.
4. There had been an increase in public participation due to attendance at the committees, through consultation processes, participation at the area forums, social media, petitions and generous public speaking at the council's committee meetings.
5. Concerns were raised regarding the abolition of the Urgency Sub-Committees, however it was confirmed that the sub-committees had never convened during the council term and that they created issues with the political balance of committees which led to seats being allocated to political parties which were never used.

The officer recommendations were proposed and seconded and when put to a vote agreed.

The options set out in the report were as follows:

- i. To accept or reject the recommendations set out in the report.
- ii. In addition, to add any additional recommendations that it wishes to make to Council.

**RECOMMENDED (to Full Council):** That this council commends this committee structure to its successor council and agrees to the following:

1. Continuation of the three service committees outlined in the report, based on the terms of reference set out in the Constitution.
2. To raise the financial threshold applied to the Regeneration and Property Committee for property disposals from £400,000 to £1 million.
3. That the Urgency Sub-Committees be abolished and, where it is not possible to convene a special meeting of the committee, that the Chief Executive use his powers to make all urgent decisions.
4. That the East Kent Independent Remuneration Panel is asked to review the councillors scheme of allowances during the first year of the new council.

**Reason for decision:** The present council's term of office ends in May 2019 and would be an appropriate time to reflect on the governance arrangements to inform any amendments to the Constitution and/or advice to the new council.

Record of the vote:

For the proposal: Councillors B Baker, N Baker, S Cook, Eden-Green, Fisher, R Jones, A Taylor, Todd and Westgate (9)

Against the proposal: none

Abstained from voting: none

## 776 **REVIEW OF AREA FORUM ARRANGEMENTS**

(Councillor Baldock spoke prior to the consideration of this item)

The Head of Corporate Governance introduced the report which reviewed the pilot arrangements for the Forums introduced in September 2018, following the community governance review.

The working group had made recommendations about changes to the area forums. These recommendations were intended to improve the public participation and publicity of the forums.

The Committee discussed the report, and where necessary the Head of Corporate Governance gave points of clarification. Points including the following were made:

1. The request for an increase to the frequency of the forum meetings would not be without cost in terms of finance, resource and time, although additional meetings can be requested and must be agreed by the Chairman of the Forum and the Chief Executive, with each request being considered on its own merit.
2. The 'meet and greet' session would require Councillors to arrive at 6.30pm in order for it to be a success. To facilitate this, the meet and greet start time would be publicised on the agenda and via the Communications Team.
3. Concerns were raised that the forum recommendations should be considered appropriately and that if the committee chose to go against the recommendation of the forum, a committee member or officer should provide an explanation to the forum. It was confirmed that, where recommendations were made by a Forum, the full minute of that recommendation would be included in the report to committees and the full committee minute would be included within the monitoring sheet of the Forum. This would hopefully to avoid repetition of debates, and the need for a formal report to the Forum to explain why a recommendation had been refused.
4. A request was made that a question and answer session be reinstated to the forums should they be requested by the Chairman and that the questions be answered only by councillors to alleviate the concerns raised regarding fairness to officers. It was recommended by officers that a question and answer session could be requested but it was advised against prescribing this in the terms of reference for the forums to maintain flexibility of an informal meeting style, however guidance would be available to officers and could be incorporated into the forum handouts at the meetings.
5. A member of the Committee highlighted that the ward councillors for Herne & Broomfield and Reculver were invited to attend both the Herne Bay and Rural forums. Although it was understood that certain areas of these wards were considered to be rural rather than urban, it was confirmed that this would be a

matter for the next council to consider and in all cases councillors could attend other forums where they felt necessary.

The working group recommendations were proposed, seconded and when put to a vote agreed that the working group recommendations, with the exception of the question and answer session recommendations, be recommended to Full Council.

**RECOMMENDED (to Full Council):** That the terms of reference set out in the report be incorporated into the constitution for 2019/20, along with the working group recommendations, with the exception of the question and answer session recommendations where the committee requested that guidance be made available to officers that points A1 and A2 within the forum terms of reference shall encompass a reasonable question and answer session between the public and councillors only if the forum wishes to do so.

**Reason for decision:** To improve community engagement, better local democracy and provide more effective and convenient delivery of local services.

Record of the vote:

For the proposal: Councillors B Baker, N Baker, S Cook, Eden-Green, Fisher, R Jones, A Taylor and Westgate (8)

Against the proposal: none

Abstained from voting: Councillor Todd (1)

## 777 **REVIEW OF OUTSIDE BODIES**

The Head of Corporate Governance introduced the report which set out the conclusions and recommendations of the outside bodies review which had been overseen by the community governance working group.

The Committee discussed the report, where necessary the Head of Corporate Governance gave points of clarification. Points including the following were made:

1. Members welcomed the outcome of the review due to the confidential information being disclosed at meetings of certain outside bodies which would prevent them from participating in certain items at committee meetings.
2. Concerns were raised that the connection between the council and outside bodies would be lost if the council did not appoint members to the outside bodies where the council owned the buildings the outside bodies, however it was confirmed that there would be nothing to preclude the outside bodies from appointing council members as trustees and there would still be a connection to the council.
3. It was highlighted to members that certain outside bodies did not want councillors as trustees, as it could prefer to have a councillor, who is independent of the body, present to represent them at a committee where they would be unable to do so if they were a trustee.
4. By allowing outside bodies to make their own appointments, the councillors are then able to participate in meetings more often than if they were appointed to a body by the council as a trustee.

The officer recommendations were proposed, seconded and when put to a vote agreed that the recommendations within the report be referred to Full Council for consideration and adoption.

**RECOMMENDED (to Full Council):** That the following recommendations be adopted.

1. That council appointments to outside bodies are made only when the criteria outlined in the report applies.
2. That councillors continue to be representatives on other outside bodies on a voluntary basis.
3. That where possible councillor appointments will be that of 'observer', or where appropriate committee member, and not a position of Trustee or equivalent management role. Officers will work with outside bodies over the coming months to review their constitutional requirements to rationalise the number requiring a trustee.
4. That the Chief Executive will appoint a liaison officer for the councillor to work with, if the organisation and issues warrant it.
5. That the length of term for all appointments be for a minimum period of two years and a maximum of eight, after which it will only be extended if no other nominees are put forward.
6. That no further non-councillor appointments are made once the existing appointees stand down from their roles or there is a reduction in the number of council appointees.
7. That no more than one formal appointment is made to an outside body. The outside body can make additional appointments directly with councillors on a voluntary basis.

**Reason for decision:** The recommendations contained within the report are designed to eliminate risks to the council and its representatives for the reasons outlined in the report.

Record of the vote:

For the proposal: Councillors B Baker, N Baker, S Cook, Fisher, R Jones, A Taylor, Todd and Westgate (8)

Against the proposal: none

Abstained from voting: Councillor Eden-Green (1)

## 778 REVISIONS TO THE CONSTITUTION

The Head of Corporate Governance introduced the report which detailed the proposed amendments following the restructure and proposed additions to the Constitution, which, if approved, would come into effect at the end of April.

The Committee discussed the report, where necessary the Head of Corporate Governance gave points of clarification. Points including the following were made:

1. Members felt that appointing the Chairmen and Vice-Chairmen at the annual Full Council meeting (option B) would be preferable to the current arrangements and the committee could appoint a new Chairman if need be.
2. The appointment of the Decision Review Committee Chairman should be included in the report to Full Council.

3. One member of the committee felt that the current arrangements (option A) would be the better option for continuity purposes.
4. Members enquired as to whether the existing Chairmen would be able to continue in their role to the first Committee meeting of the new cycle, so that the election of Chairmen at the annual meeting would only happen post-election.
5. An amendment was requested to option B to allow the first annual Full Council meeting of a new term to appoint the Chairmen and Vice-Chairmen of the committees and that the appointments remain for the council term. Officers would be delegated to investigate this amendment request.

The officer recommendations were proposed, seconded and when put to a vote agreed that the recommendations within the report be referred to Full Council for acceptance.

The options set out in the report were as follows:

1. To accept the changes recommended in full or in part. The changes recommended are intended to keep the constitution up to date and to allow the smooth operation of some newly adopted policies or other existing practices.
2. To reject the proposed amendments. A rejection of all of the proposals would result in the retention of some out of date information and slowing down the council's ability to implement its own policies.
3. To defer the proposed amendments for further consideration. The changes proposed are intended to facilitate the smooth running of council business a deferral will delay this.

**RECOMMENDED (to Full Council):** That the proposed revisions to the Constitution set out in the report be accepted and that option B on page 49 of the agenda be adopted as the method for appointing the Chairmen and Vice-Chairmen of the committees.

**Reason for decision:** The changes proposed were intended to facilitate the smooth running of council business by bringing the constitution up to date with policy or other changes.

Record of the vote:

For the proposal: Councillors B Baker, N Baker, S Cook, Eden-Green, Fisher, R Jones, A Taylor, Todd and Westgate (9)

Against the proposal: none

Abstained from voting: none

## 779 **ANY OTHER URGENT BUSINESS TO BE DEALT WITH IN PUBLIC**

There was no other urgent business to be dealt with in public, however the Chairman wanted to acknowledge that the committee system had worked well over the last four years and that this was due to the efforts of the Democratic Services Team with the work they did to facilitate the committee meetings. The Committee members were in agreement with this and thanked the Democratic Services Team for their work.

780 **EXCLUSION OF THE PRESS AND PUBLIC**

781 **ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF EITHER SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH**

There was no other urgent business which fell under the exempt provisions of either Schedule 12A of the Local Government Act 1972 or the Freedom of Information Act 2000 or both.

There being no other business the meeting closed at 11.50 am