



# Agenda

Meeting: **Governance Working Group**  
Date: **5 November 2019**  
Time: **11.00 am**  
Place: **Boulogne Room - Civic Centre Folkestone**

To: Councillors Connor McConville, Ian Meyers, David Monk, Tim Prater and Lesley Whybrow

Andrew Campbell – Local Government Association  
David Kitson – Bevan Brittan

Officers: Susan Priest, Amandeep Khroud, Peter Wignall, Jemma West, Paul Butler.

**THIS MEETING IS PRIVATE AND NOT OPEN TO MEMBERS OF THE PUBLIC.**

1. **Apologies for absence**
2. **Declarations of interest**
3. **Terms of reference and introductions**
4. **A Cabinet or Committee Model of Governance - Options for Folkestone and Hythe District Council**

To receive a presentation from Andrew Campbell, Local Government Association.

**Queries about the agenda? Need a different format?**

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[www.folkestone-hythe.gov.uk](http://www.folkestone-hythe.gov.uk)

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## **Declarations of Interest**

### **Disclosable Pecuniary Interest (DPI)**

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

### **Other Significant Interest (OSI)**

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

### **Voluntary Announcement of Other Interests (VAOI)**

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

#### **Note to the Code:**

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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## **Review of Governance arrangements Working Group**

### **1. Scope & Objective**

The Working Group will consider the issues of moving to a committee system, or an alternative system, as per the council resolution dated 25 September 2019 (minute 43.2) below:

*That this Council believes that all Councillors should have the ability to participate fully in decision-making and that a range of governance options are available. This council believes that a cross party working group of all group leaders should be set up to consider the issues of moving to a committee system, or an alternative system, at the earliest opportunity reporting back to council*

### **2. Membership**

Five members (The Group Leader from each political group – ie Councillors McConville, Monk, Meyers, Prater and Whybrow).

The group will be facilitated and chaired by an independent party.

The group will be supported by the Head of Paid Service, Monitoring Officer and Democratic Services Manager.

### **3. Authority**

The Working Group is advisory and has no decision making powers. Their recommendations will be reported to Full Council.

### **4. Accountability**

The Working Group shall report to Full Council as appropriate.

### **5. Methods of working**

Members of the Working Group are expected to work co-operatively and come to conclusions that are agreed by the group.

Formal votes should therefore be rare with decision of the Working Group taken by general consent.

### **6. Meetings**

The access to information procedure rules in the constitution do not apply. However members should receive any papers for the meetings in sufficient time for them to prepare for the meeting. There is a presumption that papers will be distributed electronically.

Proper records of the deliberations of the Working Group will be kept.

Three members of the Working Group must be present for the meeting to proceed.

**7. Frequency of Meetings**

The frequency of meetings will be informed by the need to have the Working Group consider issues.

**8. Confidentially**

Those present will keep the discussions of the Working Group confidential unless the Working Group decides otherwise. The relationship between the Working Group and the media should follow the council's communications protocol at all times.

**9. Freedom of information /Environmental Information Regulations**

The papers and notes/minutes of a Working Group will be the subject of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and will be documents that the public may have unless an exemption or exception applies.

**10. Interests**

Councillors should treat the Working Group as a formal meeting of the council for the purpose of the declarations of any interests and withdrawal from the meeting.