

Constitution Working Group

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| Held at: | Zoom – Remote Meeting |
| Date | Tuesday, 26 March 2024 |
| Present | Councillors Jim Martin, Tim Prater and Paul Thomas |
| Apologies for Absence | Councillor Mrs Jennifer Hollingsbee |
| Officers Present: | Ellen Joyce (Democratic Services Trainee), Amandeep Khroud (Assistant Director), Sue Lewis (Committee Services Officer) and Susan Priest (Chief Executive) |
| Others Present: | David Kitson (Bevan Brittan) |

5. **Declarations of interest**

There were no declarations of interest at the meeting.

6. **Minutes**

The minutes of the meeting held on 22 February 2024 were agreed as a true record of the meeting.

7. **Presentation from Bevan Brittan**

David Kitson opened the presentation by outlining a range of focal points for the proposed Chair and Vice Chair roles of committees. Points included the responsibility of taking the lead on suggested areas within the scope of the committee, annual reports, a conduit through which committee interfaces with outside bodies, agenda setting/planning and acting as a point of contact for senior officers and third parties.

David advised he would share more detail on the role descriptions with the members of the Working Group after the meeting, which would include more detail on the roles and responsibilities they would cover. The role descriptions would provide greater understanding, consistency in approach and clarity.

Members of the Working Group made points including the following:

Constitution Working Group - 26 March 2024

- That the encouragement of public involvement, included in the current Constitution as part of members' roles, should also be included within these new roles and responsibilities.
- That the links between outside bodies and committees should be improved going forward.
- There needs to be a feedback mechanism for outside bodies or committees, and reporting back to committee where action has taken place.
- An annual report to Full Council was welcomed, and that there should be an update given to each committee from the Chair or Vice Chair outlining relevant actions taken, as appropriate.

David agreed there should be a mechanism for feedback and would incorporate that.

It was agreed that:

- The annual reports would take headline items to Full Council, with the potential for these to be agreed at the committee prior to taking to Full Council.
- There would be a standing agenda item on committees to have an update from the Chair at each meeting.
- There would be feedback to the relevant committees from members of that committee sitting on any Outside Bodies.

David continued the presentation outlining committees and their Chair and Vice Chair roles.

The first committee to be outlined was Strategy and Resource Committee (S&R). The Chief Executive explained the reasoning behind the naming of the committee. Members of the Working Group agreed the naming and structure of the Strategy and Resource Committee and sub committees.

Members sought clarification on chairs not sitting on bodies that report into the committee, and recognised the potential and or actual conflict that could create.

The second committee to be outlined was the Communities and Environment Committee (C&E). David raised with members the options for Folkestone Parks and Pleasure Ground Charity (FPPG) and if that should sit as a sub committee of C&E or as part of the Shareholder Committee which sits as a sub committee of S&R.

Members of the Working Group raised the following points:

- Clarification on how the charity would work as an elected committee.
- The possibility of papers being taken to the main committee (S&R or C&E) rather than sitting as a separate sub committee.

David explained the legalities surrounding charities and that the constitution would word any delegation of FPPG to a committee of Council as the corporate body to act on the Charity's behalf. David also advised that depending on any legalities, which he would look into, FPPG could report to the main S&R or C&E committee rather than as a sub committee.

Members of the Working Group agreed the following:

- That FPPG would sit within the main Communities & Environment Committee and that the delegation is made clear within the constitution.
- Members agreed the C&E Chair would lead on Communities and Vice Chair would lead on Environment.

The third committee structure to be outlined and explained was that of the Planning & Licensing Regulatory Committee(s).

David explained the two options available and how they fit with the needs of the Licensing Act 2003.

Members of the Working Group agreed the first option that was presented to them which laid out the option for a streamlined version most closely aligned with the current workings of council in this regard. Members reported that the current arrangements are valued and work well. Members also requested that the constitution stated the membership principles remained largely the same and politically on those committees.

The fourth committee structure to be presented was that of Audit & Governance.

Members of the Working Group agreed the structure.

David then opened a discussion with members regarding the appointments to Outside Bodies.

Members of the Working Group raised the following points:

- That a review of the numerous outside bodies is undertaken and reported back to the Working Group for further discussion.
- That consideration is given to how information from Outside Bodies is fed back to the council.
- That appointments be made by full council or delegated to the relevant committee, depending on the nature of the appointment, and made clear in the constitution.

Following discussion around the points raised members also agreed the following:

- That where committees appoint outside body memberships, feedback from those appointees would go to that committee.

Constitution Working Group - 26 March 2024

- Terms of reference for relevant outside bodies was necessary.

David finally then presented a revised timetable that proposed upcoming events surrounding the move to the committee structure.

Members of the Working Group confirmed the timetable and agreed the forward plan.

Members requested more up to date diagrams of how the structure will look and updates to share with members. It was also agreed that members on existing Outside Bodies would be asked for their feedback on role, relevance and impact.

The Chief Executive agreed that officers will draft an update for members and would look into the possibility of a separate update to be presented to Audit and Governance Committee in advance of them formally considering a revised constitution.