

KENT COUNTY COUNCIL

SELECTION AND MEMBER SERVICES COMMITTEE

MINUTES of a meeting of the Selection and Member Services Committee held Online on Wednesday, 30 September 2020.

PRESENT: Mr B J Sweetland (Chairman), Mr R H Bird (Substitute for Mrs T Dean, MBE), Mr M C Dance, Mr D Farrell, Mr R W Gough, Mr Eric Hotson, Mr G Lymer and Mr C Simkins

ALSO PRESENT: Mr G Cooke, Mr R A Marsh and Mr P J Oakford

IN ATTENDANCE: Mr B Watts (General Counsel), Mr T Godfrey (Scrutiny Research Officer) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

18. Minutes - 29 July 2020

(Item 3)

RESOLVED that the Minutes of the meeting held on 29 July 2020 are correctly recorded and that they be signed by the Chairman.

19. Council Meetings Update - Presentation by General Counsel

(Item 4)

(1) The General Counsel gave a presentation which can be found on the electronic agenda for this meeting.

(2) The General Counsel said that the operating environment was not currently stable; that KCC was bound by statutory requirements and health and safety obligations; that any future physical meetings (including hybrid) needed to comply with all of the statutory rules around the conduct of meetings; that resources (including staffing resources) were necessitating decisions on priorities; and that KCC was able to run meetings virtually with resources being directed accordingly to ensure their safe and lawful conduct. The current statutory arrangements for virtual meetings are due to expire in May 2021.

(3) The General Counsel then informed the Committee that Home to School Transport Appeals were taking place in conformity with parents' wishes. They were able to choose whether to have them considered at face-to-face or Virtual hearings. The option of having them considered as a written exercise was also available. Those Panel Members who wished to meet in the same venue in order to consider Virtual Appeals were also able to do so in the Hilton Hotel in Maidstone. This venue had been risk assessed. The risk assessment for County Hall had indicated that holding such meetings there would be problematic.

(3) The Government had very recently published guidance that anyone who was able to work from home should do so. It had also declined to relax the regulations currently in force.

(4) The General Counsel then informed the Committee that consultations with other Local Authorities had established that the vast majority were holding Virtual meetings using Microsoft Teams and Live Events. Some were using other technologies to do so. None of them were planning to hold physical in the immediate future.

(5) The General Counsel recommended that formal meetings should continue to be held virtually until the end of the current year and that arrangements for early 2021 should be considered by the Committee in early December 2020. He added that he was in the process of preparing the Annual Governance Statement and would not be able to give a positive assurance if physical meetings were to be held during this period.

(6) The General Counsel offered to prepare a report which would consider in detail the possibility of holding informal meetings involving small groups of Members. This would include possible small meetings during the budget-setting period in January and February 2021.

(7) The General Counsel said that his next report to the Committee would include arrangements for the Local Government elections in May 2021. He replied to Members' remarks on this matter by saying that it was currently intended to hold the counts on the Friday after the elections had taken place. Health and Safety arrangements for the count would be set in accordance with government and Electoral Commission guidance. He would also report to the next meeting of the Committee on suggested arrangements for the induction of new Members.

(8) RESOLVED that:-

- (a) the report be noted together with the General Counsel's intended future reports; and
- (b) formal meetings continue to be held virtually until the end of the current year with arrangements for early 2021 being considered by the Committee in early December 2020.

20. Oral Update on Future of Selection and Member Services Committee

(Item 5)

(1) The General Counsel said that he intended to report to the next two meetings on Member Induction; Member Training and Development; GDPR issues; major changes to Planning Legislation; the ICT offer to Members; and Guidance and Rules for Member Grants.

(2) The General Counsel also raised an issue regarding the preparations for the new Council which will be elected in May 2021, subject to any changes advised by Government. The General Counsel suggested that it was important for Members to look carefully at those arrangements both in terms of the induction of incoming Members but also the wellbeing and departure of outgoing Members given the COVID-19 pandemic.

(3) RESOLVED that the report be noted.

21. KCC Combined Member Grant

(Item 6)

(1) The General Counsel introduced the report which invited the Committee to comment on and consider two Combined Member Grant applications. These were firstly for the Whitstable Castle Trust in the Whitstable East and Herne Bay West Division and, secondly a County-wide application for the Battle of Britain Memorial Trust County.

(2) The General Counsel informed the Committee that the usual procedure for dealing with Member Grants could not be followed in respect of the Battle of Britain Memorial Trust because those Cabinet Members who would have been in a position to grant approval had all stated that they intended to make a contribution. As the Constitution was silent on the question of how to proceed under those circumstances, the logical Forum for a discussion of this application was the Selection and Member Services Committee. He confirmed that he was entirely content that it was appropriate for the Committee to make the decision.

(3) Mr R A Marsh was present and expressed his thanks to all Members of the Council who intended to contribute to the Battle of Britain Memorial Trust.

(4) On being put to the vote, the recommendations of the General Counsel were carried by 7 votes to 0 with 1 Abstention.

(5) RESOLVED that approval be given to the Combined Member Grant applications for:-

(a) The Whitstable Castle Trust; and

(b) the County-wide application for The Battle of Britain Memorial Trust.

22. Statutory and Proper Officers: Data Protection Officer

(Item 7)

(1) The General Counsel briefly introduced the report which asked the Committee to recommend formally recording the position of the General Counsel as Data Protection Officer for Kent County Council in the Constitution.

(2) RESOLVED that the proposed changes to the Constitution be recommended for approval to the County Council.