



## To the Members of the Borough Council

Dear Sir/Madam

You are hereby summoned to attend the Annual Meeting of the Ashford Borough Council to be held in the Council Chamber, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL on Thursday the 28<sup>th</sup> May 2015 at 7.00 pm when the following business is proposed to be transacted.

Yours faithfully

T W Mortimer  
Head of Legal and Democratic Services

### Agenda

Page  
Nos.

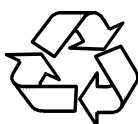
1. Election of Mayor
2. Declaration of Acceptance of Office by the Mayor
3. Appointment of Mayor's Chaplain
4. Vote of thanks by the Mayor for her Election
5. Vote of thanks to the Retiring Mayor and Mayoress
6. Response by the Retiring Mayor
7. Election and Appointment of Deputy Mayor
8. Declaration of Acceptance of Office by the Deputy Mayor
9. Apologies for Absence
10. Declarations of Interest
11. To consider the Minutes of the Meeting of the Council on the 16<sup>th</sup> April 2015 2-10
12. To receive any announcements from the Mayor
13. Election of the Leader of the Council for a Four Year Term

14. To note the names and number of Members to be appointed by the Leader to the Cabinet
15. To note the name of the Deputy Leader of the Council appointed by the Leader
16. To consider the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 21<sup>st</sup> May 2015 (to follow)
17. Presentation of Service Certificates by the Mayor to former Members of the Council

KRF/VS  
20<sup>th</sup> May 2015

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**Declarations of Interest (see also “Advice to Members” below)**

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- a. Membership of outside bodies that have made representations on agenda items, or
- b. Where a Member knows a person involved, but does not have a close association with that person, or
- c. Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: 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].

**Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/240134/Openness\\_and\\_transparency\\_on\\_personal\\_interests.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, with revisions adopted on 17.10.13, and a copy can be found in the Constitution at <http://www.ashford.gov.uk/part-5---codes-and-protocols>
- (c) If any Councillor has any doubt about the existence or nature of any DPI or OSI which he/she may have in any item on this agenda, he/she should seek advice from the Head of Legal and Democratic Services and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

# Ashford Borough Council

Minutes of a Meeting of the Ashford Borough Council held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **16<sup>th</sup> April 2015**.

## Present:

His Worshipful the Mayor, Cllr. J S Link (Chairman);

Cllrs. Apps, Bartlett, Bell, Mrs Bell, Bennett, Mrs Blanford, Britcher, Burgess, Chilton, Clark, Clarkson, Cloughton, Clokie, Davey, Davidson, Davison, Mrs Dyer, Feacey, Galpin, Heyes, Hicks, Hodgkinson, Howard, Mrs Hutchinson, Marriott, Miss Martin, Mrs Martin, Michael, Mortimer, Ovenden, Robey, Shorter, Smith, Taylor, Wedgbury.

## Apologies:

Cllrs. Aaby, Buchanan, Mrs Heyes.

## Also Present:

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning & Development, Head of Cultural & Project Services, Head of Community & Housing, Head of Finance, Senior Commercial Development Manager, Principal Solicitor for Property & Projects, Senior Member Services and Scrutiny Support Officer.

Prior to the commencement of the meeting the Reverend Eileen Harrop said prayers.

## 421 Exempt or Confidential Items

The Mayor asked whether any items should be dealt with in private because of the likely disclosure of exempt or confidential information. The Head of Legal and Democratic Services advised that there was one item on the agenda for this meeting within these categories, item E1. He confirmed that there was also an exempt appendix to a further report which was subject to a recommendation from Cabinet and if Members wished to discuss that item there would be a need to pass the resolution to exclude the press and public.

## 422 Declarations of Interest

Councillor	Interest	Minute No.
Shorter	Made a Voluntary announcement as a Director of Kent Play Clubs (Kingsnorth).	426
	and	
	Made a Voluntary Announcement as a Director of the 'A Better Choice' Building Control Company.	426

## **423 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of the Council held on the 19<sup>th</sup> February 2015 be approved and confirmed as a correct record.**

## **424 Announcements**

### **(a) Last Meeting of the Present Council**

The Mayor said he wanted to take the opportunity to thank those Members who were not seeking re-election for the work they had undertaken over the years. The list of those not standing was: - Councillors Adley, Clark, Claughton, Davidson, Davison, French, Hodgkinson, Mrs Hutchinson, Marriott, Robey, Taylor and Yeo. He said he would also like to wish good luck to those Members who were standing for re-election.

### **(b) The Leader**

The Leader said that this was the last address he would give during this four year term and he was grateful to all Councillors from all parties for their contributions to the achievements made over the last four years. He was particularly grateful to the Group Leaders as he felt they had worked well together and in harmony, which he thought bode well for the citizens of this Borough. For some colleagues this would be their final meeting and for others but a brief interlude before they hopefully resumed their public service. Whilst he believed it was customary at this time to reflect on achievements, it was also a time to remember absent colleagues and a time to bid farewell to those who were not standing again. For those hoping to be returned he said it was a time to look to the bright and challenging future for Ashford.

Turning to some of the Council's collective achievements over the past four years, he said that 2011/12 saw: - the sensitive restoration of St Mary's Church in to a multi-use arts centre; the completion of the landmark footbridge over the M20; the completion of the new Victoria Way; major expansions of the Tesco's and Sainsbury's superstores; and the opening of the Bupa Care Home at the Drovers Roundabout. 2012/13 saw:- preparation for the introduction of the Council's new recycling arrangements; an approach from the owners of the Designer Outlet to greatly expand their retail offer which would soon be coming to the Planning Committee; and the re-location of Jasmin Vardimon's artistic operation to Ashford. 2013/14 had seen: - the setting up of two Limited Companies – the Building Control and Property Companies; the introduction of the new recycling service which had seen Ashford move from the bottom to the top 10% in the UK and become the most improved District in the country; the opening of the John Lewis at Home store; and Dunelm Mill move to Ashford. In the last year, 2014/15, the Leader advised that the Council had purchased International House and he was happy to tell Members that whilst a full progress report was in preparation, it would show just how successful this purchase had been for the people of Ashford. Hadlow College had taken over the educational provision and £9.8m of funding had been secured for the new college in Ashford. Workmen were now on site and work on the college would start in earnest in the next few weeks. This past year had also seen: - approval of the

Chilmington Green planning application; the 40<sup>th</sup> Anniversary of Ashford Borough Council and the 50<sup>th</sup> Anniversary of the twinning arrangements. The Council had also received grant approval for: - the nearly £20m (full cost £70m) needed to fund the full Junction 10A of the M20 which all preferred to the partial junction; over £10m for the partial dualling of the A28 (full cost £19.5m); £2m for signalling at Ashford International Station (full cost £4m); and significant affordable housing grants. This year had witnessed the long awaited opening of the Willesborough Dykes cycle path, works well underway at Conningbrook Country Park with a planned opening this summer, Commercial Quarter public realm works underway and progressing and the Tourism Review identifying a thriving visitor economy and a well performing tourism service.

As they approached the end of this Council term and looked to the future, the Leader said it was important to advise that the Council was in extremely good shape. It had a sound financial structure as evidenced by its auditors, good reserves and un-committed money from New Homes Bonus had been left for the new Administration, a Council Tax freeze for three of the last four years of this Administration and a committed freeze for the first year of the new Administration. This all meant that Ashford's remained the lowest Council Tax in Kent and one of the lowest in the country. The Council's services, far from being adversely affected, had actually improved. Recycling had been a huge success and the introduction of T-CAT had helped improve the town centre and the wider area. This had been because of all Members working together. The results of an independent survey showed that Ashford was the best location for business in Kent and the Council had a positive attitude towards business itself. Being named the 38<sup>th</sup> best place in the UK to live was very pleasing and it echoed what residents had already told the Council in the independent public survey, carried out at the request of the Overview & Scrutiny Committee, that the Borough was a desirable place to live. Ashford had actually been named in the top 50 places to live list in four of the last five years. He considered it was therefore no surprise that the Borough was attracting large scale investment with more in the economic growth pipeline. The Leader said that the value of tourism in the Borough should never be underestimated. It currently provided in excess of 3600 jobs and contributed millions of pounds to Kent's economy. This had been reinforced by Ashford being given the opportunity to host the United Kingdom Annual Tourism Symposium in June. On top of all this Eurostar had announced that services would be expanded from May to include daily trains to Marseille and Lyon. This meant that France's three largest cities would all be within easy reach by rail, thus re-enforcing the view that Ashford was the UK's international town.

The Leader said that he also wished to announce that after a great deal of commercially sensitive work the Council was now in a position, subject to Council approval, to become actively involved in the town centre revitalisation to ensure that positive things actually happened and that empty shops were filled once again. He said he hoped all would agree that these were important times for the Borough and everyone should 'keep their eye on the ball' and not become too distracted during the next 14 important working days leading up to the elections on the 7<sup>th</sup> of May. He concluded by wishing everyone well for the future.

**(c) The Deputy Leader**

The Deputy Leader, Councillor Claughton, gave a light hearted address as his final statement as a Member of the Council. He said in the immortal words of Monty Python – ‘now for something completely different!’

Councillor Claughton said that if a week was a long time in politics, as a famous pipe smoking PM had previously said, then 22 years in Local Government seemed to have gone faster than it had taken to try and find a solution to Operation Stack – or maybe not! He said it would not be a perambulating journey down memory lane as he would like to finish while the flora was still verdant and before the fauna retreated to their respective habitats ready for winter hibernation. Yet looking round he did feel a sense of nostalgia, with recollections of debates and Members past and present and thoughts about certain Members present.

He said his first foray in to the hurly burly of Council life was in this very Council Chamber over the vexed question of something called Park & Ride. Two decades on and the Ride remained well and truly parked! However, CTRL was not built in a day and like Stuart Barton’s unbridled admiration for the Borough Council and its doings, one still lived in hopes! He said he recalled a Councillor of foreign extraction whose sole preoccupation was trying to find as many misspelt words and incorrect apostrophes in the plethora of reports that came before his watchful gaze. He served but one term. Councillor Claughton said he also remembered well one particular Full Council meeting when, for reasons that escaped him, they had got on to the subject of BSE, or as it was affectionately known Mad Cow Disease. After one particularly boring bovine had spoken, the then Leader, one Councillor Hugh Blake, a military man to his blanched belt and braces, became very irate, rose to his feet and as if on the parade ground barked “CJD is very serious and we should not be making policy on the hoof!” With that the assembled ensemble burst in to fits of uncontrollable giggles, much to the chagrin of Colonel Blake who failed to understand what had generated so much whimsy amongst the ‘silly moos’ present. Even a ribald remark from a backbencher telling him to “pull the udder one” failed to have the necessary effect as Hugh’s hue became ever more crimson. This also brought to mind another former Leader, thankfully still very much with us, Paul Clokie, who he wanted to take the opportunity to wish the very best of good health in the years to come.

Councillor Claughton said that the number of Members he had seen come and go in various overt and covert guises was far too many to count on his abacus, but what he did know, and could say without fear of contradiction, was that whilst on occasion politics had intervened and the whips had been seen cajoling Members with the nicest possible form of torture, overall, by and large and to the greatest extent, this Council had always tried to work together for the betterment of the Borough, which was, or should be, quintessentially why they were all there. He said that in looking back it would be remiss not to thank all the Officers he had rubbed shoulders, and occasionally more abrasive parts with, especially Member Services who’s service to Members remained exemplary, along with his community cohort Michelle (ma belle) and his Health & Wellbeing team Sheila, Belinda and Christina – a delight. He had also seen no less than five Chief Executives, none more astute than their present incumbent, a man not only of ability and integrity but one who possessed that most essential requisite, a sense of humour – an officer and a gentleman.

It had been frequently said that “he was going to miss all this” and Councillor Claughton said it would be churlish to say that he wouldn’t because he would, but what would he miss precisely? The involvement of course, but also the little things. The would miss the infectious laughter of Linda Stringer, the mild, gentle, almost sotto voce like tones of Harold Apps, the fragrant charm of Jill Hutchinson, the well-tailored Robert and the newly stationed Jeremy ‘Choo-Choo’ Adby. He would miss Messrs Davison and Davidson. The former reviled (sorry revered!) in the leafy fleshpots of Hamstreet and whose comments were always forthright and A1 (or should that be A1) and the latter, our very own strapping Jock Bob McDavidson, who during his long tenure seemed to have been ‘very concerned’ about pretty well everything and anything, much to his enduring credit. Then there was the splendidly coiffured Brendan Chilton, who was apparently thinking of dying his barnet auburn, as he had ambitions to be the next Red Ed, not Balls, no it was absolutely true! He would miss his fellow music and cricket loving aficionado Bernard Heyes, the man who was to Parish Councils what Eric Pickles was to hang gliding and he would miss the erudite, tall in the saddle Councillor Galpin who, by his initials alone, proved he was a real thoroughbred and one of the very few Councillors who had been on the same level as himself, height wise. He would miss the Member to his rear, perhaps he should rephrase that, the Councillor sitting behind him Jim Wedgbury, who in his retirement did not slide down poles any more, but continued to delight in constantly driving people up them! Last, but never least, he would miss the gentleman sitting on his left hand, and if he did sit on your hand you would jolly well know all about it, our Leader. Now while not as infamous as his televisual namesake, and one who preferred tub thumping to the human variety, he said that their Clarkson nevertheless remained in Top Gear, rarely applied the brakes and never missed an opportunity to talk up and promote Ashford, a quality that ensured a strong and well led Council.

Councillor Claughton concluded by saying it had been an honour and a privilege to serve the people of this Borough. He had not always got it right, had on occasion been caught by the Neil Shorter and Tracey Kerlys, and had certainly learnt a good deal about human nature. However now, as he rung down his own particular curtain and rode off into the Ashfordian sunset he hoped, if nothing else, like Sir Peter Teazle in The Rivals, he could say with all deference that “I leave me character behind me”.

#### **(d) International House**

The Portfolio Holder for Town Centre Focus & Commercial Property said that he would like to give a brief provisional update on the management and outturn of International House. He knew the matter had received a large amount of attention from Overview & Scrutiny and Audit and he had previously given an undertaking that following the first year of owning International House a report would come forward. Since completing the purchase of International House in April 2014 the Council had undertaken work to maximise the return that this asset provided. This included securing vacant possession of and completing the refurbishment of the first floor and thereby creating 5300 square foot of additional office space which would achieve circa £84,000 per annum in additional rent. Terms had already been agreed for the letting of a large part of this space. A reconfiguration of the office accommodation on the second and third floors had resulted in the creation of an additional 730 square foot of office space, creating an additional rental income of £11,000 per annum. He advised that save for the available space on the first floor, referred to above, there was currently only one void in the whole of the two office blocks (Suite 1, 3<sup>rd</sup> Floor –



totalling 474 square feet). The available space was being actively marketed with local agents. A revised property management strategy had resulted in provisional savings which reduced the budgeted expenditure by £25,000 for the next financial period – 2015/16. There had been a requirement to manage a number of voids in the opening financial period, partly as a result of the works being carried out on the first floor, but the impact of this had to a large part been mitigated by pro-active treasury management. The outturn for the coming financial period (2015/16) was in line with the February 2014 forecast of £870,000 (a net income of circa 11% - a return on the cost of International House not the entire Commercial Quarter site now being developed). He concluded by advising that a report would be going to the first Cabinet meeting of the new administration in June which would show the actual outturn for the first year of full ownership. This was an interim brief as promised.

## **425 Cabinet – 12<sup>th</sup> March 2015**

The report of the Head of Legal and Democratic Services, which had been tabled, clarified the procedure for consideration of the Cabinet minutes.

Councillor Bartlett referred to Minute No. 401 – Proposed Purchase of a Long Leasehold Interest of Store 1 (Occupied by Wilko Retail Ltd), Park Mall, and said that he would like to ask questions on this report that would require the meeting to go into exempt session as they referred to the confidential appendix to the report. He therefore asked if this minute could be deferred to the exempt session along with Minute No. 406 – Park Mall Regeneration Proposals which had already been proposed. This was agreed by the mover and seconder of the minutes.

### **Resolved:**

- That (i) the Minutes of the Meeting of the Cabinet held on the 12<sup>th</sup> March 2015 be received and noted with the exception of Minute Nos. 397, 398, 401 and 406.**
- (ii) Minute Nos. 397 and 398 be approved and adopted.**
- (iii) Minute Nos. 401 and 406 be deferred and considered later in the meeting.**

## **426 Audit Committee – 3<sup>rd</sup> March 2015**

Whilst moving the Minutes, Councillor Clokie said he would like to say publicly how much he had enjoyed being on the Council over the last 17 years and how much he appreciated the support he had received from both Officers and colleague Members. He said he wanted to take the opportunity to say that now rather than regret not having the opportunity to say it in the future.

### **Resolved:**

**That the Minutes of the Meeting of the Audit Committee held on the 3<sup>rd</sup> March 2015 be approved and adopted.**

## 427 Standards Committee – 19<sup>th</sup> March 2015

Resolved:

That the Minutes of the Meeting of the Standards Committee held on the 19<sup>th</sup> March 2015 be received and noted.

## 428 Exclusion of the Public

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following items as it is likely that in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to the appropriate paragraph of Part 1 of Schedule 12A to the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Minute No.	Agenda Item Heading	Relevant Paragraph of Schedule 12A
430 and 433	Proposed Purchase of a Long Leasehold Interest of Store 1 (Occupied by Wilko Retail Ltd), Park Mall	3
431 and 433	Park Mall Regeneration Proposals	3

## 429 Committee of the Whole Council

The Leader of the Council proposed that “General Procedure Rule 12 (r) be applied and the meeting become a Committee of the Council”.

This was seconded, put to the vote and carried.

Resolved:

That the meeting become a Committee of the Council in accordance with General Procedure Rule 12 (r).

## 430 Proposed Purchase of a Long Leasehold Interest of Store 1 (Occupied by Wilko Retail Ltd), Park Mall

This report had previously been considered at the Cabinet on 12<sup>th</sup> March 2015, Minute No. 401/3/15 refers, and the Cabinet had made four recommendations to Council. Approval of these recommendations had been deferred to the closed part of this meeting to allow for Members to ask questions on the confidential appendix.

**Recommended:**

**That the recommendations detailed in Minute No. 401/3/15 of the Cabinet on 12<sup>th</sup> March 2015 be approved and adopted.**

### **431 Park Mall Regeneration Proposals**

This report had previously been considered at the Cabinet on 12<sup>th</sup> March 2015, Minute No. 406/3/15 refers. A series of questions had been tabled by a Member and a full list of those questions and the answers had been attached to the exempt report on the agenda for this meeting. An additional paper updating on the regeneration proposals and the due diligence process had also been tabled at the meeting for Members attention. This tabled paper also included an amendment to recommendation (i). The Mayor gave Members a few minutes to read that paper.

**Recommended:**

**That the recommendations detailed in Minute No. 406/3/15 of the Cabinet on 12<sup>th</sup> March 2015 be approved and adopted, subject to recommendation (i) being amended as set out in the exempt tabled paper.**

### **432 Meeting of the Council**

The Leader of the Council moved that "General Procedure Rule 12 (s) be applied and the Meeting of the Council be resumed".

This was seconded, put to the vote and carried.

**Resolved:**

**That the meeting of the Council be now resumed.**

### **433 Minutes of the Committee of the Whole Council**

The Leader of the Council proposed that the recommendations of the Committee of the Whole Council as contained in Minute Nos. 430 and 431 be approved and adopted.

In accordance with Procedure Rule 15.4 Councillor Wedgbury asked that recorded votes be taken on the recommendations of the Committee of the Council.

This was supported by at least six other Members (i.e. a total of at least seven) who showed their support by standing.

A recorded vote was then taken on Minute No. 430 and the Members voted as follows: -

For: Councillors Apps, Bartlett, Mrs Bell, Bell, Bennett, Mrs Blanford, Britcher, Burgess, Chilton, Clark, Clarkson, Claughton, Clokie, Davey, Davidson, Mrs Dyer, Feacey, Galpin, Heyes, Hicks, Hodgkinson, Howard, Mrs Hutchinson, Link, Miss Martin, Mrs Martin, Michael, Mortimer, Ovenden, Robey, Shorter, Taylor, Wedgbury.

Votes For 33

Against: Councillors Davison, Marriott, Smith.

Votes Against 3

Abstentions: None.

Abstentions 0

A recorded vote was then taken on Minute No. 431 and the Members voted as follows: -

For: Councillors Apps, Bartlett, Mrs Bell, Bell, Bennett, Mrs Blanford, Britcher, Burgess, Chilton, Clark, Clarkson, Claughton, Clokie, Davey, Davidson, Mrs Dyer, Feacey, Galpin, Heyes, Hicks, Hodgkinson, Howard, Mrs Hutchinson, Link, Miss Martin, Mrs Martin, Michael, Mortimer, Ovenden, Robey, Shorter, Taylor, Wedgbury.

Votes For 33

Against: Councillors Davison, Marriott, Smith.

Votes Against 3

Abstentions: None.

Abstentions 0

**Resolved:**

**That the recommendations of the Committee of the Whole Council as contained in Minute Nos. 430 and 431 be approved and adopted.**

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(DS)

MINS:

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## Selection & Constitutional Review Committee

Minutes of a Meeting of the Selection & Constitutional Review Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **21<sup>st</sup> May 2015**

### Present:

Cllr. Clarkson (Chairman);  
Cllr. Bell (Vice-Chairman);  
Cllrs. Mrs Bell, Bennett, Mrs Blanford, Burgess, Chilton, Galpin, Koowaree, Ovenden, Powell.

In accordance with Procedure Rule 1.2 (iii) Councillor Mrs Bell attended as Substitute Member for Councillor Sims.

### Apology:

Cllr. Sims.

### Also Present:

Cllrs. Clokie, Heyes, Hicks, Krause, Link, Miss Martin, Michael, Smith.

Senior Member Services & Scrutiny Support Officer.

## 439 Election of Chairman

### Resolved:

**That Councillor Clarkson be elected as Chairman of the Committee for the 2015/16 Municipal Year.**

## 440 Election of Vice-Chairman

### Resolved:

**That Councillor Bell be elected as Vice-Chairman of the Committee for the 2015/16 Municipal Year.**

## 441 Declarations of Interest

Councillor	Interest	Minute No.
Smith	Made a 'Voluntary Announcement' as he was a Management Trustee of the SWAN Centre Site Management Committee.	445

## **442 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 11<sup>th</sup> February 2015 be approved and confirmed as a correct record.**

## **443 Background and Principles of Political Balance and Administrative Structure**

The report of the Head of Legal & Democratic Services presented the Political Balance for the Authority and sought to agree a number of other constitutional matters which needed to be recommended to the Annual Meeting of the Council on the 28<sup>th</sup> May 2015. The agreed Political Balance is contained at Appendix A to these Minutes.

The Senior Member Services & Scrutiny Support Officer directed Members attention to the tabled papers which included: - some minor changes and additions to the report following further discussions with the Leader; some consequential amendments to the recommendations; an additional recommendation (xii) detailing the Leaders intended Cabinet Portfolio Holders and Lead Members; and a revised Appendix B to the report reflecting Committee Membership and the proposed Chairmen and Vice-Chairmen.

The Chairman ran through the membership of Committees, Groups and Forums one by one. With input from Members, the membership for 2015/16 was completed including the nominations for Chairmen and Vice-Chairmen. This is contained at Appendix B to these Minutes.

### **Recommended:**

**That (i) the Political Balance of the Authority as contained at Appendix A to these Minutes be adopted, subject to the Council agreeing that the requirements of the Political Balance Regulations be not applied to the Membership of the Joint Transportation Board, Appeals Panels, Standards Committee and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.**

**(ii) the following Committees be constituted for the Municipal Year as detailed in Part 3 of the Constitution:**

**Audit  
Overview and Scrutiny  
Planning  
Selection and Constitutional Review  
Licensing and Health and Safety  
Appointments  
Appeals**

**Standards**

**Joint Arrangements – Joint Transportation Board**

**NB: Details of Members appointed to Membership of each Committee etc by Group Leaders is shown at Appendix B to these Minutes. Note: This may be subject to amendments from Group Leaders.**

- (iii) the Council appoint the Chairmen and Vice-Chairmen for each Committee etc. as shown in Appendix B.**
- (iv) the scheme of Cabinet and Council delegations as set out in Part 3 of the Constitution be re-affirmed.**
- (v) the Transportation, Highways & Engineering Advisory Committee be disbanded with effect from the Annual Meeting to be held on the 28<sup>th</sup> May 2015 and a new Cabinet Task Group called “Public Transport Liaison Task Group” be established.**
- (vi) the Education & Vocational Skills Advisory Committee be disbanded with effect from the Annual Meeting to be held on the 28<sup>th</sup> May 2015.**
- (vii) the membership of the Overview & Scrutiny Committee be reduced from 16 to 12 Members with effect from the Annual Meeting to be held on the 28<sup>th</sup> May 2015.**
- (viii) the position on Task Groups as outlined within the report and tabled papers be noted and the changes in names of the various Task Groups/Forums as set out in Sections 7(b) and (c) of the report be approved.**
- (ix) the Leader of the Council’s intention to establish the Task Groups/Forums as set out in Section 7(d) of the report be noted.**
- (x) to enable the Conservative Group to receive their entitlement across all Committees they be allocated a further seat on the Planning Committee.**
- (xi) to enable the Labour Group to receive their entitlement across all Committees they be allocated a further seat on the Overview and Scrutiny Committee.**
- (xii) seats on the following Committees be allocated to the Members indicated: -**

**Licensing and Health & Safety Committee – Cllr Koowaree  
Selection & Constitutional Review Committee – Cllr Koowaree  
Appointments Committee – Cllr Murphy  
Appeals Committee – Cllr Koowaree**

- (xiii) the following wording be incorporated in the Constitution under Part 1 – Summary and Explanation and under Article 7 – Cabinet (Executive) Part 2 – “The Cabinet will be responsible for the formation of Cabinet approved Portfolio Task Groups, Cabinet Working Groups, Cabinet Steering Groups and Cabinet Forums. The Cabinet shall approve the Terms of Reference of such Groups and determine the membership and the appointment of the Chairman.”
- (xiv) subject to the current Leader of the Council being re-elected, his intention to appoint the following Cabinet Portfolio Holders and Lead Members be noted: -

Portfolio	Portfolio Holder (Cabinet Member)	Lead Member
Leader	Cllr Clarkson	N/A
Deputy Leader (Government Policy Interface & Democracy)	Cllr Bell	N/A
Culture, Leisure & Environment	Cllr Mrs Blanford	Cllr Webb
Information & Communications	Cllr Miss Martin	Cllr Krause
Highways, Wellbeing & Safety	Cllr Heyes	Cllr Bradford
Planning & Development	Cllr Bennett	Cllr Wedgbury
Town Centre Focus & Business Dynamics	Cllr Galpin	Cllr Barrett
Housing & Home Ownership	Cllr Clokie	Cllr Knowles
Finance, Budget & Resource Management	Cllr Shorter	Cllr Dehnel
Public Interaction & Borough Presentation	Cllr Mrs Bell	Cllr Pickering
Education & Work Skills	N/A	Cllr Hicks
ABC Romney Marsh	N/A	Cllr Burgess

#### 444 Updating the Council’s Constitution Regarding Planning Matters

The report proposed minor updates to the Council’s Constitution – firstly to the scheme of delegation and the terms of reference of the Planning Committee to enable the Council to respond to planning consultations including those for Nationally Significant Infrastructure Projects (NSIPs) within the required timeframes, and secondly to authorise the Monitoring Officer to update the Good Practice Protocol for Councillors dealing with Planning Matters. The Chairman advised that he had spoken to Legal Officers and requested that the new arrangements include a reference to liaising closely with the Portfolio Holder on such matters. Accordingly a paper had been tabled with additional wording to clarify that point



**Recommended:**

**That the proposed changes to the Council's Constitution as set out in paragraphs 15, 16 and 19 of the report and the tabled paper be endorsed.**

## **445 Representatives on Outside Bodies/Organisations**

The report of the Head of Legal & Democratic Services gave details of those organisations or outside bodies to which the Council appointed or nominated representatives, and the names of the Members of the Council and others who currently served in this capacity. Details of attendance by the Council's appointed representatives at meetings of the organisations during the past year (where known) and retirement dates were also shown. The covering report also provided additional information about current vacancies.

The Chairman advised that all of the appointments were currently the subject of a separate wider review in terms of effectiveness and benefit to the Council. The coming year would be used to assess all of the appointments, with a view to consolidating the somewhat lengthy list of organisations down to just those the Council had to or wanted to continue supporting. The Council could then inform the relevant organisations whether they would be re-appointing or not in time for May 2016.

During consideration of nominations to individual organisations, it was agreed that further information be sought on the basis for nominations to the River Stour Internal Drainage Board and the PATROL Joint Committee.

**Recommended:**

- That**
- (i) the names of the persons to be appointed or nominated as Members or Substitute Members (as the case may be) to the organisations listed in Appendix C to these Minutes be agreed.**
  - (ii) the Annual Meeting give further consideration to the nomination in respect of the Alzheimer's Society – Ashford & Shepway Branch.**

## **446 Annual Meeting – Order of Proceedings**

The Committee considered the Order of Proceedings for the Annual Meeting of the Council including the movers and seconders of the Mayor, Deputy Mayor and the vote of thanks to the retiring Mayor.

**Resolved:**

**That the Head of Legal & Democratic Services prepare the Order of Proceedings for the Annual Meeting of the Council on the basis of the advice of this Committee.**

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Queries concerning these Minutes? Please contact Danny Sheppard:  
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Agendas, Reports and Minutes are available on: [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)

**APPENDIX A**  
**(Minute No. 443/5/15 refers)**

**THE POLITICAL BALANCE CALCULATION**  
**FINAL ARRANGEMENTS**  
**MAY 2015**

**A All Committees to which balance applies**

	<b>Committee</b>	<b>Seats/Committee</b>		<b>Total Seats</b>
1 x 12	Overview and Scrutiny	12	=	12
1 x 16	Planning	16	=	16
1 x 13	Licensing and Health & Safety	13	=	13
1 x 12	Selection	12	=	12
1 x 8	Audit	8	=	8
1 x 5	Appointments	5	=	5
			<b>Total</b>	<u>66</u>

**B. Percentage of group in relation to total membership of the authority**

43 members =		%
34 Conservative	=	79.06976
4 Labour	=	9.30232
3 Ashford Independent	=	6.97674
<u>Note:</u> 1 Liberal Democrat	=	2.32558
1 UKIP	=	2.32558
		<u>99.99998</u>

**C.1 Allocation of Seats on Committees in proportion to Group strength**

<b>Committee</b>	<b>Con</b>	<b>Lab</b>	<b>AI</b>	<b>Allocated</b>	<b>Total</b>
1 x 12 O&S	9	2*	1		12
1 x 16 Planning	14*	1	1		16
1 x 12 Selection	9	1	1	1*	12
1 x 13 Licensing, Health & Safety	10	1	1	1*	13
1 x 8 Audit	6	1	1		8
1 x 5 Appointments	4	0	0	1*	5
<b>Totals</b>	<b>52 (52.186)</b>	<b>6 (6.139)</b>	<b>5 (4.604)</b>	<b>3</b>	<b>66</b>

\*Under the draft calculation all Groups had received their allocations on the Overview and Scrutiny, Planning, Licensing & Health & Safety, Selection and Constitutional Review and Appointments Committees. However, one seat remained to be allocated on each of them. The Conservative Group allocation of seats across all Committees is 52, however under the allocation they had only received 51 seats. The Leader of the Conservative Group expressed a wish that they be allocated the seat on the Planning Committee. The Labour Group allocation of seats across all Committees is 6, however under the allocation they had only received 5 seats. The Leader of the Labour Group expressed a wish that they be allocated the seat on the Overview and Scrutiny Committee.

Of the remaining 3 seats Group Leaders have recommended that Cllr. Koowaree be allocated seats on the Licensing & Health and Safety Committee and the Selection and Constitutional Review Committee and Cllr. Murphy allocated the seat on the Appointments Committee.

**C.2 Allocation of seats on all ordinary Committees to achieve overall proportionality**

**Political Group entitlement in relation to all seats: 66**

<b>Conservative</b>	<b>52.186046=</b>	<b>52</b>
<b>Labour</b>	<b>6.139534=</b>	<b>6</b>
<b>Ashford Independent</b>	<b>4.604651=</b>	<b>5</b>
		<b>63</b>
<b>1 Liberal Democrat</b>		
<b>1 UKIP</b>	<b>=</b>	<b>3</b>
		<b>66</b>
<b>Total</b>		<b>66</b>

**D. Committees etc. to which balance cannot apply or will not apply either as a direct result of joint arrangements or the Council agreeing, i.e. no**

**member votes against this arrangement, on each occasion the Council adopts a revised political balance for the Authority.**

*1 x 3	Appeals (3 Member Panels)	3 Members per meeting drawn on rota from a Panel of 15 Members (which does not meet as a Committee)	=	3
<sup>x</sup> 1 x 7	Joint Transportation Board	3 Members per meeting drawn on rota from a Panel of 13 Members (which does meet as a Committee so is itself balanced)	=	7
1 x 3	Licensing Sub-Committee (3 Member Panels)		=	3

\* Standards – broadly politically balanced as part of membership based on posts.

<sup>x</sup> Due to the Joint Arrangements and the manner in which seats are allocated by the Kent County Council, it is impossible to have an overall balanced allocation of seats.

Committee	Con	Lab	AI	Others	Total
<b>*1 x 15 Appeals</b>	<b>12</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>15</b>
<b><sup>x</sup>1 x 7 Joint Transportation</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>7</b>
<b>*Standards</b>	<b>5</b>	<b>Plus Chair, Vice-Chair O&amp;S plus one other group member</b>			<b>8</b>

**SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE**

**21<sup>ST</sup> MAY 2015**

**MEMBERSHIP OF COMMITTEES, GROUPS AND FORUMS,  
INCLUDING CHAIRMEN AND VICE-CHAIRMEN**

On the basis of the draft Political Balance Calculation agreed with Group Leaders the entitlement to seats is set out below.

The Committee may wish to propose the identity of the Chairman and Vice-Chairman of each Committee, for appointment in accordance with the Constitution, by the Full Council.

**Overview and Scrutiny Committee (12 Members)**

Members of the Cabinet may not be appointed to this Committee

<b>Conservative (9)</b>	<b>Labour (2)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Aby	Chilton (Ch)	Michael (VCh)		
Burgess	Farrell			
Feacey				
Howard				
Knowles				
Krause				
Link				
Sims				
Wedgbury				

**Audit Committee (8 Members)**

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Buchanan	Chilton	Smith		
Link (Ch)				
Powell				
Shorter				
Waters (VCh)				
White				

**Planning Committee (16 Members) (plus 1 ex officio)**

<b>Conservative (14)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Apps	Britcher	Ovenden		
Barrett				
Bennett				
Mrs Blanford				
Bradford				
Burgess (Ch)				
Clarkson (EO)				
Clokie				
Dehnel				
Galpin				
Heyes				
Link				
Powell				
Waters				
Wedgbury (VCh)				

**Selection & Constitutional Review Committee (12 Members)**

<b>Conservative (9)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>UKIP (0)</b>
Bell (VCh)	Chilton	Ovenden	Koowaree	
Mrs Bell				
Bennett				
Mrs Blanford				
Burgess				
Clarkson (Ch)				
Galpin				
Mrs Martin				
Shorter				

**Licensing and Health and Safety Committee (13 Members)**

Group Leaders are reminded of the importance of nominating Members who are available to attend day-time hearings of the Licensing Sub-Committee.

**Licensing training will be held on the 28<sup>th</sup> May 2015 at 9.30am. Group Leaders are asked to ensure that their nominees for this Committee attend if they have not attended a session in the past as this training is compulsory for anyone sitting on the Licensing and Health and Safety Committee.**

<b>Conservative (10)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>UKIP (0)</b>
_____	Britcher	Smith	Koowaree	
Bennett				
Bradford				
Feacey (Ch)				
Galpin (VCh)				
Mrs Heyes				
Miss Martin				
Pickering				
Shorter				
Sims				



**Appointments Committee (5 Members)**

<b>Conservative (4)</b>	<b>Labour (0)</b>	<b>Ashford Independent (0)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (1)</b>
Bell (VCh)	Chilton (invited non- voting)	Ovenden (invited non- voting)		Murphy
Clarkson (Ch)				
Clokie				
Powell				

**Appeals (15 Members – 3 Members to be drawn per meeting)**

Members should not be a Member of the Cabinet. Group Leaders are reminded of the importance of nominating Members who are available to attend day-time meetings.

<b>Conservative (12)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>UKIP (0)</b>
Apps	Hooker	Michael	Koowaree	
Barrett				
Bradford				
Mrs Heyes				
Hicks				
Knowles				
Krause				
Mrs Martin				
Pickering				
Sims				
Webb				
Wedgbury				

**Standards Committee (8 Members)**

Based on 5 Conservative Members plus the Chairman and Vice-Chairman of the Overview & Scrutiny Committee and a Member from a Group not otherwise represented.

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Mrs Bell (VCh)	Chilton	Michael		
Dehnel				
Feacey				
Hicks (Ch)				
Knowles				
Waters				

**Joint Transportation Board (7 Members)**

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (0)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Bartlett (Ch)	Hooker			
Burgess				
Feacey				
Heyes				
Mrs Martin				
Webb				

**Community Grants Panel (7 Members including the Portfolio Holder for Culture, Leisure & Environment)**

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (0)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Apps (VCh)	Hooker			
Bennett				
Mrs Blanford (PH)				
Link (Ch)				
Sims				
Webb				

**Joint Consultative Committee (6 Members) – At least one Member from each Group – the remainder from the administration.**

Membership is to include the Leader and/or appropriate Portfolio Holder.

<b>Conservative (4)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Burgess	Britcher	Smith		
Krause				
Miss Martin (Ch)				
Shorter				

**Parish & Urban Forum (6 Members) (plus 1 ex officio)**

Membership to include the Portfolio Holder and one Member from each Group

<b>Conservative (4)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Mrs Bell (Ch)	Farrell	Ovenden		
Bradford				
Clarkson (EO)				
Galpin				
Pickering				

**Member Training Panel (8 Members)**

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Adby	Chilton	Smith		
Hicks				
Krause (VCh)				
Link				
Miss Martin (Ch)				
Wedgbury				

**Local Government and Polling Districts Task Group (10 Members)**

<b>Conservative (8)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Barrett	Britcher	Michael		
Bell (Ch)				
Mrs Bell				
Clarkson (VCh)				
Clokie				
Dehnel				
Heyes				
Howard				

**Local Plan & Planning Policy Task Group (10 Members)**

<b>Conservative (8)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>UKIP (0)</b>
Bennett (VCh)	Chilton	Michael		
Mrs Blanford				
Clarkson (Ch)				
Clokie				
Galpin				
Heyes				
Shorter				
Wedgbury				

**APPENDIX C  
(Minute No. 445/5/15 refers)**

**ASHFORD BOROUGH COUNCIL**

**APPOINTMENT/NOMINATION TO OUTSIDE BODIES/ORGANISATIONS**

<b>NAME OF BODY</b>	<b>NEW REPRESENTATIVES/ NOMINEES</b>	<b>RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)</b>
Action With Communities in Rural Kent	Cllr. Burgess Substitute: Cllr Mrs Blanford	
Alzheimer's Society – Ashford and Shepway Branch	Cllr _____	
Ashford Almshouses & Parochial Charities	Cllr Krause Cllr Miss Martin	3 year period expiring 30/11/16
	Mr Cloughton Cllr Heyes	5 year period expiring 31/5/19
Ashford Choral Society	The Mayor – President	Ongoing
Ashford College Business Advisory Council	Lead Member for Education & Skills (Cllr Hicks)	Ongoing
Ashford Community Arts Trust	Portfolio Holder for Culture, Leisure & Environment	Ongoing
Ashford Community Safety Partnership	Portfolio Holder for Highways, Wellbeing & Safety	Ongoing
Ashford Federation of the Arts	Cllr Mrs Blanford	
Ashford Leisure Trust	Cllr Hicks	
Ashford Mediation Service – Management Committee	Cllr Krause Patron: The Mayor	Ongoing
Ashford Museum Committee	Cllr Adby	
Ashford Sure Start (Fifth Wave) Partnership	Cllr Chilton	
Ashford Winkle Club	The Mayor (Honorary Member)	Ongoing

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)
Ashford Youth Forum Trustees	Cllr Howard (Trustee) Cllr Chilton (Council Rep)	
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Britcher Cllr Clokie	
Dungeness Power Station Site Stakeholder Group	Cllr Burgess	
East Kent Hospitals University NHS Foundation Trust – Council of Governors	Cllr Miss Martin	3 year period expiring 28/2/2018
Elwick Club	Mayor & Mayoress (Honorary Members)	Ongoing
Headcorn Aerodrome Consultative Committee	Member from the Weald North Ward (Cllr Mrs Dyer)	Ongoing
High Weald (AONB) Joint Advisory Group	Cllr Pickering	
Home Improvement Agency Support Group	Cllr Britcher	
Home-Start, Ashford: Management Committee	Cllr Webb	
Kennington Parochial Charities (Two Nominative Trustees)	Cllr Buchanan Cllr Sims	Annual Meeting 2016 (4 year period) Annual Meeting 2016 (2 year period)
Kent County Playing Fields Association	Portfolio Holder for Culture, Leisure & Environment	Ongoing
Kent Downs (AONB) Joint Advisory Committee and Executive Committee	Cllr Dehnel	
Kent Downs and Marshes Leader Project	Cllr Burgess	
Kent Invicta Chamber – Economic Development Group	Cllr Galpin	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)
Local Government Association General Assembly	Cllr Galpin	
Marshlink Steering Group	Cllr Burgess	
Mid Kent Downs Steering Group	Cllr Mrs Blanford	
National Council on Inland Transport – Executive Committee	Cllr Burgess	
Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee	Cllr Apps	
PATROL – Joint Committee	Portfolio Holder for Highways, Wellbeing & Safety	Ongoing
River Stour Internal Drainage Board	Cllr Hicks Cllr Mrs M Martin Cllr Sims Cllr Smith <b>Clarification to be sought over 5<sup>th</sup> Member</b>	
Romney Marshes Area Internal Drainage Board	Cllr Burgess	
Sandyacres Trust	Cllr Michael	
Singleton Environment Centre Management Advisory Board	Cllr Barrett	Annual Meeting 2019 (4 year period)
South Ashford Youth Club – Management Committee	Cllr Howard	
South East Employers	Cllr Shorter	
SWAN Centre Site Management Committee	Cllr Smith	
Tenterden Folk Day Trust	Cllr Link	
Tenterden Leisure Centre Trust	Cllr Bennett	

<b>NAME OF BODY</b>	<b>NEW REPRESENTATIVES/ NOMINEES</b>	<b>RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)</b>
Tenterden Town Council – Tourism & Business Committee	Portfolio Holder for Public Interaction & Borough Presentation	Ongoing
Volunteering Ashford	Cllr Feacey	
Willesborough Windmill Trust Limited	Cllr Koowaree	
Wye Rural Museum Trust	Cllr Miss Martin	May 2016