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 11th May 2017

Present:

Cllr. Clarkson (Chairman);

Cllr. Bell (Vice-Chairman);

Cllrs. Bennett, Mrs Blanford, Burgess, Clokie, Galpin, Ovenden, Pickering, Shorter.

In accordance with Procedure Rule 1.2 (iii) Councillors Clokie and Pickering attended as Substitute Members for Councillors Mrs Bell and A Howard respectively.

Apologies:

Cllr. Mrs Bell, Bradford, A Howard.

Also Present:

Cllr. Smith.

Director of Law and Governance, Strategic Officer Lead for the Chilmington Management Organisation, Senior Member Services Officer.

398 Declarations of Interest

Councillor	Interest	Minute No.
Clarkson	Made a 'Voluntary Announcement' as he was a Director of the 'A Better Choice for Property Company'.	400
Shorter	Made a 'Voluntary Announcement' as he was a Director of Kent Play Clubs and the 'A Better Choice for Building Consultancy Company'.	400

399 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 9th March 2017 be approved and confirmed as a correct record.

400 Background and Principles of Political Balance and Administrative Structure

The Senior Member Services Officer introduced the report which 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 18th May 2017. The agreed Political Balance is contained at Appendix A to these Minutes. He also drew the Committee's attention to the tabled paper which included some additions to the report which had occurred following the publication of the Agenda.

The Chairman advised that with two by-elections happening in June, the political balance and the appointments proposed in the report were obviously subject to change.

The Chairman ran through the membership of Committees, Groups and Forums one by one. With input from Members, the membership for 2017/18 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, the Investigation and Disciplinary Committee (and its Panels) 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
Appointments
Appeals
Investigation and Disciplinary
Joint Arrangements – Joint Transportation Board
Licensing and Health and Safety
Overview and Scrutiny
Planning
Selection and Constitutional Review
Standards

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) seats on the following Committees be allocated to the Members indicated: -

Appointments Committee – Cllr Koowaree

- (iv) the revised Cabinet Member Portfolio Responsibilities as attached at Appendix C to the report and outlined in the tabled papers be received and noted.
- (v) the role of Deputy Portfolio Holders as outlined in Section 5 of the report and at Appendix D to the tabled papers be agreed, the appointments be approved and Part 2 Article 7.04 of the Constitution be amended as outlined in Section 6 of the report.
- (vi) the Lead Member Appointments for 2017/18 as set out in Section 7 of the report be approved.
- (vii) the changes in respect of Task Groups, Boards and Advisory Committees as outlined in Section 8 of the report be noted.

401 Chilmington Green Development – Appointment of Council Appointee Trust Director to the Board of the New Community Trust for Chilmington Green

The Strategic Officer Lead for the Chilmington Management Organisation introduced the report which advised that the work to create the planned new community stewardship organisation (a community trust and a requirement of the Section 106 Agreement) was now entering its next phase. This was likely to involve incorporation of a Company Trust at some point over Summer/Autumn 2017 with its Board then taking up direct responsibility for completing the set-up work in readiness to receive the first residents, currently planned for Spring 2018. The Trust would take responsibility for community open spaces, buildings, certain public realm and other facilities. The Borough, County and Parish Councils would continue to represent the community and provide a range of services covering the development area. He advised that the Trust's governance arrangement was made up of Developers' representatives, a range of local stakeholders, including the Council and residents who all may appoint Trustees to its board. The report explained the background and asked the Committee to consider a nomination from the Council to the Trust Board who may take up the position later in the year.

Due to his previous involvement with the development, and the Chilmington Green Community Management Organisation Partnership Working Group, the Committee nominated Councillor Shorter to take on this role. A Member, who had worked with him on the Partnership Working Group, said he would be an excellent appointment.

Recommended:

That Councillor Neil Shorter be nominated to the position of a Council appointee to the new Community Trust serving the Chilmington Green development.

402 Representatives on Outside Bodies/Organisations

The report of the Director of Law and Governance 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. The Senior Member Services Officer directed the Committee's attention to the tabled paper which included some additions/amendments to the schedule contained within the agenda papers. The Chairman advised that a separate review of the basis of all Council appointments had commenced and would be reported back to the Committee later in 2017. In short the review would analyse the position of any member appointed to Outside Bodies and whether a liaison role would be more appropriate than a Trustee of Director appointment for example. The review would also consider all of the appointments in terms of effectiveness and benefit to the Council.

Resolved:

That 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.

403 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.

That the Director of Law and Governance prepare the Order of Proceedings for

Resolved:

 the Annual Meeting of the Council on the basis of the advice of this Committee.				
D3				

Queries concerning these Minutes? Please contact Danny Sheppard: Telephone: 01233 330349 Email: danny.sheppard@ashford.gov.uk Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees

APPENDIX A (Minute No. 400/5/17 refers)

THE POLITICAL BALANCE CALCULATION MAY 2017

A All Committees to which balance applies

	Committee	Seats/Committee	То	tal Seats
1 x 12	Overview and Scrutiny	12	=	12
1 x 17	Planning	17	=	17
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
		Total		67

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

43 members =		%
35 Conservative 3 Ashford Independent 2 Labour 2 UKIP	= = = =	81.39534 6.97674 4.65116 4.65116
Note: 1 Liberal Democrat	=	2.32558
		99.99998

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

	Con	Al	Lab	UKIP	Allocated	Total
Committee						
1 x 12 O&S	10	1	1*	0*		12
1 x 17 Planning	14	1	1	1		17
1 x 12 Selection	10	1	0*	1*		12
1 x 13 Licensing,	10	1	1	1		13
Health & Safety						
1 x 8 Audit	7	1	0	0		8
1 x 5 Appointments	4	0	0	0	1**	5
Totals	55 (54.538)	5 (4.604)	3 (3.116)	3 (3.116)	1	67

- *Under the draft calculation for the Overview and Scrutiny Committee and the Selection and Constitutional Review Committee there is one seat to be allocated to each to either the Labour or the UKIP Group. Following discussion the respective Group Leaders have agreed that the Labour Group will take the seat on the Overview and Scrutiny Committee and the UKIP Group will take the seat on the Selection and Constitutional Review Committee.
- 2. **Under the draft calculation all Groups had received their allocations on the above Committees, and when taken collectively, their overall entitlement to seats across all Committees, however one seat remains to be allocated on the Appointments Committee. Group Leaders recommend that this seat be allocated to Councillor Koowaree.

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

Political Group entitlement in relation to all seats: 66

Conservative	54.538	=	55
Ashford Independent	4.604	=	5
Labour	3.116	=	3
UKIP	3.116	=	3
			66
1 Liberal Democrat		=	1
	Total		67

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
* 1 x 7	Joint Transportation Board		=	7
1 x 3	Licensing Sub- Committee (3 Member Panels)	3 Members per meeting drawn on rota from a Panel of 13 Members (which does meet as a Committee so is itself balanced)	=	3
1 x 3	Investigation & Disciplinary Committee	3 Members to meet as a Committee from an overall membership of 15	=	3

^{*} Standards – broadly politically balanced as part of membership based on posts.

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	Al	Others	Total
*1 x 15 Appeals	12	1	1	1	15
1 x 15 Investigation and Disciplinary Committee	12	1	1	1	15
^x 1 x 7 Joint Transportation	6 ×	0	1 ^x	0	7
*Standards	6	Plus Chair,	Vice-Chair	O&S	8

APPENDIX B (Minute No. 400/5/17 refers)

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE 11TH MAY 2017

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

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(10)	(1)	(1)	(0)	(0)
Bartlett	Smith	Chilton (Ch)		
Burgess				
Feacey				
Hicks				
A Howard				
Krause				
Link				
Miss Martin				
Mrs Martin				
Mrs Webb				

Audit Committee (8 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(7)	(1)	(0)	(0)	(0)
Barrett (VCh)	Smith			
Buchanan				
Burgess				
Mrs Dyer				
Shorter				
Sims				
Waters (Ch)				

Planning Committee (17 Members) (plus 1 ex officio)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(14)	(1)	(1)	(1)	(0)
Bennett	Ovenden	Farrell	Murphy	
Mrs Blanford				
Bradford				
Buchanan				
Burgess (Ch)				
Clarkson (EO)				
Clokie				
Dehnel				
Galpin				
Heyes				
Hicks				
Krause				
Link (VCh)				
Pickering				
Waters				

Selection & Constitutional Review Committee (12 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(10)	(1)	(0)	(1)	(0)
Barrett	Ovenden		Murphy	
Bell (VCh)				
Bennett				
Burgess				
Clarkson (Ch)				
Clokie				
Galpin				
Hicks				
Knowles				
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.

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(10)	(1)	(1)	(1)	(0)
Adby	Smith	Chilton	Murphy	
Bennett				
Bradford				
Feacey (Ch)				
Krause				
Pickering				
Shorter				
Sims				
Mrs Webb (VCh)				
White				

Appointments Committee (5 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(4)	(0)	(0)	(0)	(1)
Clarkson (Ch)				Koowaree
Clokie (VCh)				
Mrs Dyer				
Pickering				

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.

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(12)	(1)	(1)	(1)	(0)
Adby	Michael	Farrell	Macpherson	
Barrett				
Buchanan				
Heyes				
Mrs Heyes				
Hicks				
A Howard				
W Howard				
Link				
Pickering				
Sims				
Waters				

Investigation & Disciplinary Committee (15 Members – 3 Members to be drawn per meeting)

To include at least one Member of the Cabinet, Group Leaders and the Chairmen of the Overview & Scrutiny and Audit Committees

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(12)	(1)	(1)	(1)	(0)
Bell	Ovenden	Chilton	Macpherson	
Mrs Bell				
Bradford				
Clarkson				
Clokie				
Dehnel				
Galpin				
Knowles				
Pickering				
Shorter				
Waters				
White				

Standards Committee (8 Members)

Based on 6 Conservative Members (including at least one Member of the Cabinet) plus the Chairman and Vice-Chairman of the Overview & Scrutiny Committee.

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(12)	(1)	(1)	(1)	(0)
Mrs Bell (VCh)	Smith	Chilton		
Dehnel (Ch)				
Feacey				
Hicks				
Knowles				
White				

Joint Transportation Board (7 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(6)	(0)	(1*)	(0)	(0)
Bradford		Chilton		
Burgess				
Feacey				
Heyes (Ch)				
Mrs Martin				
Mrs Webb				

^{*}One seat to be allocated to an Opposition Group

Community Grants Panel (7 Members including the Portfolio Holder for Culture)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(6)	(1)	(0)	(0)	(0)
Bennett (PH)	Smith			
Mrs Dyer				
W Howard				
Link (Ch)				
Sims				
Mrs Webb (VCh)				

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.

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(4)	(1)	(1)	(0*)	(0)
Mrs Dyer	Smith	Farrell		
Knowles (Ch)				
Krause				
Shorter				

^{*}The UKIP Group did not wish to put anyone forward for this seat

Member Training Panel (8 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(6)	(1)	(0)	(1)*	(0)
Mrs Bell (VCh)	Smith		Macpherson	
Mrs Dyer (Ch)				
A Howard				
W Howard				
Krause				
Link				

^{*}Seat gifted by the Conservative Group

Local Government and Polling Districts Task Group (10 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(8)	(1)	(1)	(0)	(0)
Adby (VCh)	Ovenden	Chilton		
Barrett				
Bell (Ch)				
Buchanan				
Clokie				
Heyes				
W Howard				
White				

Local Plan & Planning Policy Task Group (10 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(8)	(1)	(0)	(1)	(0)
Mrs Blanford	Smith		Murphy	
Bradford				
Clarkson (Ch)				
Clokie (VCh)				
Mrs Dyer				
Galpin				
Heyes				
Shorter				

MEMBERSHIP OF CABINET BOARDS, STEERING GROUPS AND TASK GROUPS FOR 2017/18

The following are set out for information only.

Boards

Ashford Health & Wellbeing Board (1 Member)

Conservative
(1)
Bradford

Trading and Enterprise Board (4 Members and 1 Observer)

Conservative					
(4)					
Bell (Ch)					
Bennett					
Mrs Blanford					
Galpin					

^{*} Observer to be left vacant until after 8th June 2017 By-Elections

Ashford Strategic Delivery Board (3 Members)

Conservative				
(3)				
Clarkson (Ch)				
Clokie				
Galpin				

^{**} Councillor Bell (as Chairman) to be the Shareholder Representative under the Articles of Association of the Trading Companies.

Economic Regeneration & Investment Board (4 Members)

Conservative (3)	Ashford Independent (1)	Labour (0)	UKIP (0)	Liberal Democrat (0)
Clarkson (Ch)	Ovenden	. ,	, ,	
Galpin				
Shorter				

Compliance & Enforcement Board (4 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(3)	(1)	(0)	(0)	(0)
Mrs Bell	Ovenden			
Bradford				
Dehnel (Ch)				

Advisory Committees

Bockhanger, Bybrook and Ashford South Advisory Committee (4 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(3)	(0)	(1)	(0)	(0)
Barrett		Chilton		
Buchanan (Ch)				
Mrs Webb				

Environment and Conservation Advisory Committee (4 Members)

Conservative (3)	Ashford Independent (0)	Labour (0)	UKIP (1)	Liberal Democrat (0)
Mrs Blanford (Ch)	(5)	(-)	Murphy	(0)
Hicks				
Sims				

Digital Transformation Advisory Committee (4 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(3)	(0)	(0)	(0)	(0)
Knowles (Ch)	TBC*	TBC*	TBC*	TBC*
TBC				
TBC				

^{*}One Member to be allocated from Opposition Groups

Task Groups

Design and Development of Parks and Open Spaces Task Group (5 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(4)	(0)	(0)	(0)	(1)
Bennett				Koowaree
Mrs Blanford (Ch)				
Mrs Martin				
Sims				

Borough History, Heritage and Commemoration Task Group (6 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(4)	(1)	(1)	(0)	(0)
Bennett (Ch)	Smith	Chilton		
Dehnel				
A Howard (VCh)				
Mrs Webb				

Public & Voluntary Transport Liaison Task Group (4 Members)

Conservative (3)	Ashford Independent (0)	Labour (1)	UKIP (0)	Liberal Democrat (0)
Buchanan		Farrell		
Feacey (Ch)				
Pickering				

Council Tax & Welfare Reform Task Group (4 Members)

Conservative	Ashford Independent	Labour	UKIP	Liberal Democrat
(3)	(0)	(0)	(1)	(0)
Shorter (Ch)			Macpherson	
Clokie				
Mrs Webb				

APPENDIX C (Minute No. 402/5/17 refers)

ASHFORD BOROUGH COUNCIL

APPOINTMENT/NOMINATION TO OUTSIDE BODIES/ORGANISATIONS

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2018)
Action With Communities in Rural Kent	Cllr. Burgess Substitute: Cllr Mrs Blanford	
Ashford Almshouses & Parochial Charities	Cllr Krause New Member for Victoria Ward once elected	3 year period expiring 30/11/19
	Cllr Galpin Cllr Heyes	5 year period expiring 31/5/19
Ashford Choral Society	The Mayor – President	Ongoing
Ashford College Business Advisory Council	Clir Bell	
Ashford Community Safety Partnership	Portfolio Holder for Health, Parking and Community Safety	Ongoing
Ashford Federation of the Arts	Cllr Mrs Blanford	
Ashford Leisure Trust	Cllr Sims	
Ashford Mediation Service – Management	Cllr Krause	
Committee	Patron: The Mayor	Ongoing
Ashford Museum Committee	Cllr Bennett	
Ashford Winkle Club	The Mayor (Honorary Member)	Ongoing
Ashford Youth Forum Trustees	Cllr W Howard (Trustee) Cllr Chilton (Council Rep)	
Chilmington Green CMO Partnership Working Group	Cllr. Shorter Shadow: Cllr Mrs Blanford	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2018)
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Clokie Cllr Hicks	
Dungeness Power Station Site Stakeholder Group	Cllr Burgess	
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 Hicks	
Home-Start, Ashford: Management Committee	Cllr Mrs Webb	
Kennington Parochial Charities (Two Nominative Trustees)	Cllr Buchanan Cllr Sims	Annual Meeting 2020 (4 year period) Annual Meeting 2018 (2 year period)
Kent County Playing Fields Association	Portfolio Holder for Culture	Ongoing
KCC – Superannuation Fund Committee	Cllr Clokie	
Kent Downs (AONB) Joint Advisory Committee and Executive Committee	Cllr Dehnel	
Kent Downs and Marshes Leader Project	Cllr Burgess	
Kent Flood Risk Management Committee	Lead Member for Water Management and Flood Protection	
Kent Invicta Chamber – Economic Development Group	Cllr Galpin	
Kent & Medway Police & Crime Panel	Cllr Bradford	
Local Government Association General Assembly	Cllr Galpin	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2018)
Marshlink Steering Group	Cllr Burgess	
Mid Kent Downs Steering Group	Cllr Mrs Blanford	
National Council on Inland Transport – Executive Committee	Cllr Burgess	
PATROL – Joint Committee	Portfolio Holder for Health, Parking and Community Safety	Ongoing
River Stour Internal Drainage Board	Cllr Burgess Cllr Hicks Cllr Mrs Martin Cllr Sims Cllr Smith	
Romney Marshes Area Internal Drainage Board	Cllr Burgess	
Sandyacres Trust	Cllr Michael	
Singleton Environment Centre Management Advisory Board	Member for the Singleton South Ward (Cllr Barrett)	Annual Meeting 2019 (4 year period)
South Ashford Youth Club – Management Committee	Cllr W Howard	
South East Employers	Cllr Knowles	
St Mary's Arts Trust	Cllr Smith	
SWAN Site Management Committee	Cllr Smith	
Tenterden Folk Day Trust	Cllr Link	
Tenterden Leisure Centre Trust	Cllr Knowles	
Tenterden Town Council – Tourism & Business Committee	Portfolio Holder for Culture	Ongoing
Volunteering Ashford	Cllr Feacey	
Willesborough Windmill Trust Limited	Cllr Koowaree	
Wye Rural Museum Trust	Cllr W Howard	31 st May 2019

MEMBER CHAMPIONS

TOPIC	REPRESENTATIVE
Media and Twinning	Cllr Bennett
Military Covenant	Cllr Dehnel
Safeguarding	Cllr Mrs Dyer