



## Selection and Constitutional Review Committee

Notice of a meeting, to be held in the Council Chamber, Civic Centre, Tannery Lane,  
Ashford, Kent TN23 1PL on Tuesday 5<sup>th</sup> May 2009 at 7.00pm.

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The Members of this Committee are:-

Cllr. Clokie (Chairman)

Cllr. Bartlett (Vice-Chairman)

Cllrs Ayres, Bradberry, Davidson, Davison, Goddard, Mrs Heyes, Miss Hodgkinson, Kemp,  
Mrs Martin, Wells

**NB: Under the Council's Public Participation Scheme, members of the public can submit a petition, ask a question or speak concerning any item contained on this Agenda (Procedure Rule 9 refers)**

### Agenda

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Nos.

1. **Apologies/Substitutes** - To receive notification of substitutes in accordance with Procedure Rule 1.2(iii)
2. **Declarations of Interest** - Declarations of Interest under the Code of Conduct adopted by the Council on the 24<sup>th</sup> May 2007 relating to items on this agenda should be made here. The nature as well as the existence of any such interest must also be declared
3. **Minutes** – To approve the Minutes of the Meeting of this Committee held on the 5<sup>th</sup> March 2009

### Part I – For Decision

4. Local Government and Public Involvement in Health Act 2007 – Councillor Call for Action and New Scrutiny Functions
5. Background and Principles of Political Balance and Administrative Structure
6. Representation on Outside Bodies/Organisations

7. Annual Meeting – Order of Proceedings – Please see attached copy of the usual procedure. The Committee is requested to consider and advise on the identity of the Members to be nominated for the various positions to be filled at the Annual Meeting of the Council and determine the proposers and seconders at the same time

## **Part II – For Information**

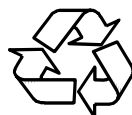
None for this Meeting

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DWS/VS  
24<sup>th</sup> April 2009

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Queries concerning this agenda? Please contact Danny Sheppard:  
Telephone: 01233 330349 Email: [danny.sheppard@ashford.gov.uk](mailto:danny.sheppard@ashford.gov.uk)  
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## Selection and Constitutional Review Committee

Minutes of a Meeting of the Selection and Constitutional Review Committee held in No. 2 Committee Room (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford on the **5<sup>th</sup> March 2009**

### Present:

Cllr. Clokie (Chairman);

Cllrs. Ayres, Davison, Goddard, Miss Hodgkinson, Kemp, Packham, Wells, Wood

In accordance with Procedure Rule 1.2 (iii) Councillors Packham and Wood attended as substitute members for Councillors Davidson and Mrs Heyes respectively.

### Apologies:

Cllrs. Bartlett, Bradberry, Davidson, Mrs Heyes, Mrs Martin

### Also Present:

Cllr. Howard

Chief Executive, Member Services and Scrutiny Manager

## 448 Declarations of Interest

Councillor	Interest	Minute No.
Ayres	Code of Conduct – Personal but not Prejudicial – Member of Ashford Twinning Association	451
Howard	Code of Conduct – Personal but not Prejudicial – Member of Ashford Twinning Association	451
Wells	Code of Conduct – Personal but not Prejudicial – Treasurer of the Ashford Twinning Association	451

## 449 Minutes

### Resolved:

**That the Minutes of the meeting of this Committee held on the 11<sup>th</sup> December 2008 be approved and confirmed as a correct record.**

## 450 Annual Governance Statement – Progress on Remediating Exceptions for 2007/2008

The report advised that under the Accounts and Audit Regulations 2003 the Council was required to review, at least once a year, the effectiveness of its systems of

internal control and include a statement on internal control with the Council's Statement of Accounts. This report was the third quarterly update on progress that had been made so far in remedying the exceptions of the Annual Governance Statement. The Audit Committee on the 3<sup>rd</sup> February 2009 had considered the report and had raised no particular issues of concern.

In response to a question from a Member regarding progress on the review of the Race Equality Scheme, the Chief Executive advised that he was not aware that the situation had changed since the preparation of the report but he undertook to provide an update of the current situation within the Minutes of the meeting.

**Post Meeting Note:** For a number of reasons it had not proved possible to identify a suitable person to take this forward at this stage.

A Member advised that the Audit Committee had also discussed the issue of whether in terms of debt recovery a minimum value on any demand should be set as for certain figures it would be uneconomic to pursue recovery proceedings. Following a brief discussion the Chief Executive advised that he would ask officers to examine this issue.

**Resolved:**

**That the progress to date on resolving the exceptions identified in the 2007-2008 Annual Governance Statement be noted.**

## **451 Civic Twinning – Member Champion**

The report advised that the Executive at its meeting on the 6<sup>th</sup> March 2008 had agreed that a Member be appointed to Champion the Twinning Concordat between the Ashford Twinning Association and the Borough Council for a term of three years which coincided with the European cycle of Twinning Visits. It was noted that Councillor Howard had subsequently been appointed to this role. The report sought the Committee's approval to extend the Member Champion role to also include the Council's twin town of Hopewell in Virginia, USA.

**Resolved:**

**That the role of the Member Champion for Twinning be extended to include the Council's twin town of Hopewell in Virginia, USA and that Councillor Howard incorporate this additional duty within his existing role as Member Champion.**

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(KRF/VS)  
SCRX0910

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Telephone: 01233 330564 Email: keith.fearon@ashford.gov.uk  
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**Agenda Item No:** 4

**Report To:** Selection and Constitutional Review Committee



**Date:** 5<sup>th</sup> May 2009

**Report Title:** Local Government and Public Involvement in Health Act 2007 – Councillor Call for Action and New Scrutiny Functions

**Report Author:** Head of Legal and Democratic Services

**Summary:**

The report provides an overview of the principal new functions for scrutiny arising from the Local Government and Public Improvement in Health Act 2007 and the Police and Justice Act 2006 and advises of the need to amend the Terms of Reference of the Overview and Scrutiny Committee to take account of these changes, together with other consequential changes to the Council's Constitution.

The Local Government and Public Involvement in Health Act also contains provisions relating to changes in the operation of executive arrangements. A further report on this matter will be submitted to the Committee in due course

**Key Decision:** NO – this is not an Executive decision

**Affected Wards:** All Wards

**Recommendations:** **The Selection and Constitutional Review Committee is asked to make the following recommendations to Council:-**

- i) **The Overview and Scrutiny Committee's Terms of Reference be amended to include responsibility for considering "Councillor Call for Action" under the Local Government and Public Involvement in Health Act 2007.**
- ii) **The Overview and Scrutiny Committee be designated as the Committee responsible for Crime and Disorder issues under the Police and Justice Act 2006 and the Terms of Reference be amended to reflect this.**
- iii) **The Head of Legal and Democratic Services report to a future meeting of the Selection and Constitutional Review Committee and the Overview and Scrutiny Committee with a suggested protocol for Members regarding the handling of 'Councillor Calls for Action'.**

- iv) **The Community Partnership Group's Terms of Reference be amended to delete reference to reviewing the operation and efficiency of the Crime and Disorder Reduction Partnership and the Community Safety Partnership.**

**Policy Overview:** The new powers for Overview and Scrutiny are consistent with the Council's Corporate priorities

**Financial Implications:** None in relation to this report

**Risk Assessment** NO

**Other Material Implications:**

**Background Papers:** None

**Contacts:** Keith.fearon@ashford.gov.uk – Tel: (01233) 330564

## **Local Government and Public Involvement in Health Act 2007 – Councillor Call for Action and New Scrutiny Functions**

### **Purpose of the Report**

1. To advise Members of the changes to the Overview and Scrutiny Committee arising from the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 and to seek authority to make the necessary amendments to the Terms of Reference and to the Council's Constitution.

### **Issue to be Decided**

2. Authority is sought to amend the Terms of Reference of the Overview and Scrutiny Committee and to designate it formally as the Committee responsible for Crime and Disorder under the Police and Justice Act 2006. The Act requires the Committee with Crime and Disorder functions to be an Overview and Scrutiny Committee. The report also highlights the need to make other consequential amendments to the Council's Constitution.

### **Background**

#### **Local Government and Public Involvement in Health Act 2007 – Overview of Issues as they relate to Scrutiny**

3. The Act's main implications for scrutiny include the establishment of 'Councillor Call for Action' (CCfA), powers of scrutiny over Partner Authorities and the ability to submit representations to the County Council regarding Local Area Agreements and regulations enabling a County Council in a two tier area to establish a joint Overview and Scrutiny Committee with one or more District Councils in the area.

### **Councillor Call for Action**

4. This new provision applies to all members of the Council who will be able to refer a "Local Government matter" to the Overview and Scrutiny Committee for scrutiny. The Act defines 'local government matter' as a matter which relates to the discharge of any function of the Authority, affects all or part of the electoral area for which the member is elected or any person who lives or works in that area, and is not an excluded matter. Excluded matters as detailed in the Regulations are defined as follows:
  - (a) any matter relating to a planning decision (including enforcement action);
  - (b) any matter relating to a licensing decision;

- (c) any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
  - (d) any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the overview and scrutiny committee or at a meeting of a sub-committee of that committee.
5. Detailed guidance issued by the Centre for Public Scrutiny (CfPS) acknowledges that Ward Councillors play a centre role in the life of a Local Authority by acting as a conduit for discussion between the Council and its residents and as a 'Champion' for local concerns. To bolster this latter role, Section 119 of the Act provides for Members to have an opportunity to ask for discussions at scrutiny committees on issues where local problems have arisen and where other methods of resolution have been exhausted. However the guidance goes on to say that such provision should only be used as a last resort when a solution to a local problem had not been achieved via all the normal channels which are available. The CCfA should not be seen as an 'alternative' to normal ward work but a long stop – a technique to be used when other methods of resolving an issue have not succeeded. Such methods would include raising the matter with the Service Manager concerned, or via the complaints procedure. However, if the Member considers that the problem had reached such a stage and that it had not been remedied then this could be referred to the Overview and Scrutiny Committee for consideration. The Overview and Scrutiny Committee will then discuss the issue and decide on appropriate course of action. Officers will produce a draft protocol for the handling of 'Councillor Calls for Action' for consideration by this Committee and the Overview and Scrutiny Committee.

## **Partner Authorities**

6. Section 121 of the Act introduces powers to require, in a two-tier area, that the County Council or partners (other than a Police Authority or Chief Constable) make information available to a District Council's Overview and Scrutiny Committee in relation to targets within the Local Area Agreement. This also includes information which the County Council or partners might have which could help the work of the Overview and Scrutiny Committee generally. This aspect of the Act will be subject to Government regulations and if necessary a further report will be brought to the Committee in due course.

## **Joint County and District Overview and Scrutiny Committees**

7. Section 123 of the Act gives the Secretary of State authority to make regulations which would enable a County Council in a two-tier area to establish a joint Overview and Scrutiny Committee with one or more districts in the area. The purpose of the joint Committees is to enable Authorities to work together more effectively to make reports and recommendations on progress being made in Local Area Agreement Targets. Guidance suggests that the Government proposes to develop this power further within the Local Democracy, Economic Development and Construction Bill currently before Parliament. The Centre for Public Scrutiny is currently preparing guidance on the arrangements regarding joint committees.



## **Executive Arrangements under the Local Government and Public Involvement in Health Act 2007**

8. Part 3 of the Act requires all Local Authorities to review their executive arrangements and to consider which of the following two models available to adopt:
  - (a) A directly elected Mayor and Cabinet
  - (b) A new style of Leader and Cabinet

For Ashford a decision will need to be made by 31<sup>st</sup> December 2010, and the new arrangement must be implemented three days after the next all Council elections in May 2011. As mentioned earlier a full report on this matter will be submitted to this Committee in due course.

## **Police and Justice Act 2006**

9. Part 3 of the Act: Crime and Anti-Social Behaviour – Section 19 deals with Local Authorities' scrutiny of crime and disorder matters and makes it a requirement for every Local Authority to have a Crime and Disorder Committee with the power to review and scrutinise and make reports or recommendations regarding the functioning of the responsible Authorities or the Local Crime and Disorder Reduction Partnership.
10. Section 119 of the Act further provides for the Crime and Disorder Committee to be an Overview and Scrutiny Committee for Councils operating executive arrangements. Ashford will need to formally designate the Overview and Scrutiny Committee as the Council Committee responsible for Crime and Disorder issues under this Act. As this is a new statutory role for Overview and Scrutiny and all relevant agencies, Police, PCT and Fire Police Authorities would have a duty to co-operate with Overview and Scrutiny. These changes could be considered to be merely a formulation of what is already happening in practice as Overview and Scrutiny Committees at Ashford have already undertaken scrutiny investigations regarding partner agencies. The draft Crime and Disorder (Overview and Scrutiny) Regulations 2009 cover issues such as the co-option of additional members where the Committee considered it desirable to assist in their work. The draft regulations also prescribe that the Crime and Disorder Committee shall meet to review or scrutinise decisions made, or other action taken in connection with the discharge by the responsible Authorities of their crime and disorder functions, no less than twice in every twelve month period. Clearly there will be a need for Officers to discuss this aspect of the regulations with the Chairman of the Crime and Disorder Partnership to see how this can best be achieved and worked into the Overview and Scrutiny Committee's work programme. The draft regulations also contain detail regarding the provision of information from responsible Authorities.

## **Community Partnership Group**

11. At the Selection and Constitutional Review Committee held on the 15<sup>th</sup> February 2007 consideration was given to a report of the Chief Executive entitled "Strengthening the Council's Community Leadership Role". That report set out details of the Local Government White Paper and the Police and Justice Act 2006 and suggested that at that time it would be sensible to pre-empt any legislation or regulations on 'Councillor Call for Action' and put in place the Council's own mechanism for dealing with them. Accordingly the responsibility for reviewing Crime and Disorder were included within the Terms of Reference of the Community Partnership Group. However, as advised earlier in this report the draft regulations now require the scrutiny of Crime and Disorder issues to fall within the responsibility of Overview and Scrutiny. There is therefore a need to amend the Terms of Reference of the Community Partnership Group to delete reference to this particular aspect of its role.

## **Handling**

12. As detailed earlier in the report Officers will bring forward a further report and suggested detailed guidance for the handling of 'Councillor Call for Action' which will be considered by this Committee and the Overview and Scrutiny Committee prior to being adopted by Council. Members will also be provided with a copy of the Best Practice Guidance produced by the Centre for Public Scrutiny. Changes to the Terms of Reference of the Overview and Scrutiny Committee and the Community Partnership Group will need to be undertaken together with amendments to the detailed procedure rules for Overview and Scrutiny.

## **Conclusion**

13. The detailed guidance issued by the Centre for Public Scrutiny emphasises that the use of 'Councillor Call for Action' should be the last resort and that a Ward Member would need to demonstrate that they had exhausted all the usual mechanisms for resolving the complaint or problem prior to it being considered by the Overview and Scrutiny Committee. The guidance note will cover this issue in detail.

## **Portfolio Holder's Views**

14. The Leader of the Council supports the recommendations within this report.

**Contact:** Mr Keith Fearon

**Email:** keith.fearon@ashford.go.uk

**SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE**

**5<sup>TH</sup> MAY 2009**

**REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES**

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

**Purpose of Report**

To consider the political balance for the Authority and to agree a number of other constitutional matters which need to be recommended to the Annual Meeting of the Council on the 14<sup>th</sup> May 2009. The balance calculation as contained in the Appendix to this report has been agreed by Group Leaders.

**External Consultees**

None.

**Internal Consultees**

The Leaders of Groups on the Council.

**Financial/Legal and Human Rights Implications**

The Authority is required to adopt a political balance which complies with the Local Government and Housing Act 1989 and associated regulations. Alternative arrangements are permitted only if no individual Member votes against the proposal.

**Staffing Implications**

None.

**Environmental Implications**

None.

**Corporate Strategy**

Not relevant in the context of this report.

## Introduction

1. Appendix A contains details of the draft political balance calculation for 2009/10.

## Background and Principles of Political Balance

2. The Local Government and Housing Act 1989 (as amended) requires the Council to allocate seats on its Committees and Sub-Committees to political groups in proportion to their relative strengths on the Council.
3. In allocating seats a number of principles must be adhered to, namely:-
  - (a) A political group (where there is more than one) may not have all of the seats on a Committee or Sub-Committee.
  - (b) The majority of seats must be allocated to the majority group. This allocation is calculated by reference first, to the total number of seats available on ordinary Committees of the Authority and secondly, to the total number of seats available on ordinary Sub-Committees. It does not follow that this results in the majority group upon the Council (in this case the Conservative Group) having the majority of seats on individual Committees or Sub-Committees as the regulations further provide:-
    - (i) That the total number of seats on the Council's Ordinary Committees must be allocated in the proportion as is borne by the number of members of any group to the membership of the Authority as a whole.
    - (ii) The seats on the Council's Ordinary Committees and Sub-Committees as a whole must be allocated in proportion to the political groups' membership of the appointing Council.

**NB: It is possible for the Council to agree to make other arrangements but it is essential that no member votes against them.**

4. The Constitution provides for a number of constitutional matters to be considered at the Annual Meeting of the Council, which will be in the form of recommendations from the Selection and Constitutional Review Committee.
5. This includes the size and split of functions of the Executive; the constitution of Overview and Scrutiny Committee and the Policy Advisory Group; the constitution of other Committees; the reaffirmation of Executive and Council delegations; and whether it is the intention of the Executive to reconstitute Forums and Groups.

## Conclusion

Many of the following recommendations are implied through the political balance calculation and the allocation of seats on Committees, however for completeness, the Selection and Constitutional Review Committee is asked to consider the following recommendations.

## Recommendations

That

- (i) **the Committee recommends the adoption of the political balance of the Authority as contained in Appendix A to this report subject to the**

**Council agreeing that the requirements of the Political Balance Regulations being not applied to the Membership of the Appeals and the Audit 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 size of the Executive be seven Members, ie a Leader and six Portfolio Holders.**
- (iii) the split of functions of Executive Members be as set out below:-**

**Leader of the Council  
Resource Management and Control  
Cultural Services  
Development, Partnerships and Personnel  
Environmental Services and IT  
Housing, Property and Corporate Governance  
Communications, Parking and Licensing, Customer Services and  
Community Safety**

- (iv) the following Committees be constituted for the 2009/10 Municipal Year as detailed in Part 3 of the Constitution:**

**Audit  
Planning  
Overview and Scrutiny  
Selection and Constitutional Review  
Licensing and Health and Safety  
Appointments  
Appeals  
Standards (including an Assessment Panel; a Hearings Panel and a Review Panel)  
Joint Arrangements – Joint Transportation Board**

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

- (v) the Council appoint the Chairman and Vice Chairman for each Committee etc as shown in Appendix B**
- (vi) the Scheme of Executive and Council Delegations as set out in Part 3 of the Constitution be reaffirmed.**
- (vii) the intention of the Executive to reconstitute the Forums and Groups as listed in Part 3 Appendix 2 to the Constitution be noted.**

Terry Mortimer  
Head of Legal and Democratic Services

## APPENDIX B

### SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

5<sup>TH</sup> MAY 2009

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

*Changes to Committee membership are shown "struck through" with the proposed new Member in brackets.*

#### Overview and Scrutiny Committee (19 members)

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(12)</b>	<b>(4)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>
Ayres	Davidson (CH)	Davison (VC)	Naughton	Smith
Mrs Bell	Mrs Hawes			
Ellison	Koowaree			
French	Packham			
Goddard				
Mrs Heyes				
Mrs Hicks				
Miss Hodgkinson				
Howard				
<del>Mrs Hutchinson</del>				
(Mrs Martin)				
Wallace				
Wedgbury				

### **Audit Committee (8 Members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(5)</b>	<b>(1*)</b>	<b>(1)</b>	<b>(0)</b>	<b>(1*)</b>
Mrs Bell	Koowaree	Mrs Laughton		Smith
Ellison (VC)				
Honey				
Taylor				
Wallace (CH)				

\* The Liberal Democrat Group has gifted one of their seats to the Independent Group

### **Planning Committee (14 Members) (plus 1 ex officio)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(9)</b>	<b>(2)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>
Mrs Blanford	Norris	Davison	Wells	Smith
Burgess	Packham			
Clarkson				
Clokie (EO)				
French				
Heyes				
Mrs Hicks				
Mrs Hutchinson				
Mrs Marriott				
(CH)				
Wedgbury (VC)				

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

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(8)</b>	<b>(2)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>
Bartlett (VC)	Bradberry	Davison	Wells	
Clokie (CH)	Davidson			
Ayres				
Goddard				
Mrs Heyes				
Miss Hodgkinson				
Kemp				
Mrs Martin				

### **\*Licensing And Health And Safety Committee (13 Members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(8)</b>	<b>(2)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>
Mrs Bell	Mrs Heaton	Woodford	Naughton	Holland
Mrs Blanford	Norris			
Ellison				
Feacey (VC)				
Goddard (CH)				
Kemp				
Link				
Mrs Martin				

### **Appointments Committee (5 members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(3)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>	<b>(0)</b>
Clokie (CH)	Davidson	Mrs Laughton	Wells (invited non voting Member)	Smith (invited non voting Member)
Kemp				
Taylor				



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

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(9)</b>	<b>(3)</b>	<b>(1)</b>	<b>(1*)</b>	<b>(1)</b>
Ayres	Bradberry	Woodford	Wells	Holland
Mrs Bell	Cowley			
Ellison	Norris			
Goddard				
Mrs Hicks				
Mrs Hutchinson				
Taylor				
Wedgbury				

\* The Conservative Group has gifted one of their seats to the Labour Group

**Standards Committee (5 members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(3)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>	<b>(0)</b>
Mrs Blanford	Mrs Hawes (VC)	Mrs Laughton		
Honey				
Wood				

**Policy Advisory Group (19 Members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(12)</b>	<b>(4)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>
Mrs Bell	Bradberry	Mrs Laughton	Wells	Holland
Burgess (VC)	Cowley			
Ellison	Mrs Heaton			
French	Packham			
Heyes				
Mrs Heyes				
Miss Hodgkinson				
Honey				
Howard				
Mrs Martin				
Taylor (CH)				
Wallace				

**Joint Transportation Board (7 members plus Portfolio Holder covering Parking and Engineering Services (non-voting) and the Chairman of the Transport Forum (ex-officio))**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(5)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>	<b>(0)</b>
Mrs Blanford	Cowley	Woodford		
Burgess (CH)				
Clarkson				
Clokie				
Wedgbury				
Cloughton (PH)				
(Non Voting)				
Chairman of				
Transport Forum				
(EO)				

**Community Grants Panel (4 members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(1)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>
Mrs Hutchinson	Norris (VC)	Mrs Laughton	Wells	

**Joint Consultative Committee (6 members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(2)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>
Clokie	Packham	Woodford	Naughton	Smith
Kemp (CH)	Cowley			

**Nature Conservation Forum (6 members including Portfolio Holder for Environmental Services)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(3)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>
Bell (PH)	Mrs Hawes	Woodford	Naughton	
Mrs Martin (CH)				
Wedgbury				

**Community Partnership Group (15 Members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(10)</b>	<b>(3)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>
Mrs Blanford	Mrs Heaton	Mrs Laughton	Wells	
Clokie	Koowaree			
Heyes (CH)	Packham			
Mrs Heyes				
Honey (VC)				
Howard				
Mrs Hutchinson				
Kemp				
Mrs Martin				
Wedgbury				

**Parish Forum (6 members including the Portfolio Holder for Parishing/Forums)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(2)</b>	<b>(2)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>
Claughton	Davidson	Davison	Wells	Smith
Clokie (CH)				

**Transport Forum (7 members including the Portfolio Holder covering Parking/Engineering Services)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(4)</b>	<b>(1)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>
Claughton (PH)	Cowley (VC)	Woodford	Wells	
Goddard				
Heyes (CH)				
Wedgbury				

**Member Training Panel (8 Members)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(2)</b>	<b>(2)</b>	<b>(2)</b>	<b>(1)</b>	<b>(1)</b>
Clarkson	Mrs Heaton	Mrs Laughton	Wells	Holland (VC)
Taylor	Koowaree (CH)	Woodford		

### Local Development Framework Task Group (7 Members)

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(5)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>	<b>(0)</b>
Burgess (CH)	Gowley (Packham)	Davison		
Heyes				
Honey				
Mrs Marriott (VC)				
Wood				

### Parish Council Review and Polling District Review Task Group (10 Members)

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Ashford Independent</b>	<b>Labour</b>	<b>Independent</b>
<b>(6)</b>	<b>(2)</b>	<b>(1)</b>	<b>(1)</b>	<b>(0)</b>
Mrs Bell	Bradberry	Davison	Wells	
Clokie	Packham			
Goddard				
Mrs Marriott				
Wedgbury				
Wood				

## **REPORT OF THE HEAD OF LEGAL & DEMOCRATIC SERVICES**

**5<sup>TH</sup> MAY 2009**

### **REPRESENTATIVES ON OUTSIDE BODIES/ORGANISATIONS**

Details of Outside Bodies/Organisations to which the Council makes appointments are detailed in the attached table. The Committee is asked to make nominations as indicated. Additional information is given below regarding: - the Ashford Almshouses and Parochial Charities; the Julie Rose Memorial Athletics Stadium Management Company; the River Stour Internal Drainage Board; and the South East England Regional Assembly (SEERA).

#### **Ashford Almshouses and Parochial Charities**

Councillor Kemp and Mr Lawrie's five year appointments expire on the 31<sup>st</sup> May 2009. Mr Lawrie has recently moved away from the area so a replacement for that position is sought. The Clerk of the Charities had indicated that they would be happy for Councillor Kemp to be re-appointed to his position if this is the wish of the Borough Council.

#### **Julie Rose Memorial Athletics Stadium Management Company**

Councillor Honey has resigned as a Trustee for this organisation therefore a replacement nomination needs to be made.

#### **River Stour Internal Drainage Board**

Traditionally the Council has appointed three Members and two outside people to this Board. When Mr Boulden resigned last year the National Farmers Union was unable to nominate a replacement at the time and the Council nominated Cllr Mrs Marriott to take the fifth position. The NFU have subsequently given the name of a local landowner, Mr Peter Howard of Bockhanger Farms Hothfield, who would be interested in filling the vacancy. The Committee is therefore asked to consider this nomination and the make up of the Council's five appointees.

#### **South East England Regional Assembly (SEERA)**

SEERA was dissolved on the 31<sup>st</sup> March 2009 as a result of the Government's plans to streamline regional working arrangements, as part of its Sub-National Review of Economic Development and Regeneration. The work of SEERA will largely be subsumed by a new body known as South East England Councils (SEEC), therefore the Council's appointments have been amended accordingly.

***Members are reminded of the requirement to produce an Annual Report of the Organisations/Outside Bodies they are appointed to.***

**ASHFORD BOROUGH COUNCIL**  
**APPOINTMENT/NOMINATION OF REPRESENTATIVES TO OUTSIDE BODIES/ORGANISATIONS**  
**5<sup>TH</sup> MAY 2009**

<b>NAME OF BODY</b>	<b>EXISTING REPRESENTATIVES</b>	<b>NUMBER OF MEETINGS 2008/2009</b>	<b>ATTENDANCE</b>	<b>RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)</b>	<b>REPORT VIA INFO. DIGEST</b>	<b>NEW REPRESENTATIVES/ NOMINEES</b>
Action With Communities in Rural Kent	Cllr Mrs Blanford Substitute: Cllr Bradberry					----- Substitute: -----
Alzheimer's Society – Ashford and Shepway Branch	Cllr Ayres	9	7			-----
Ashford Almshouses Charity	Cllrs Howard Koowaree Mr Lawrie Cllr Kemp	2 2 2 2	1 1 1 0	3 year period expiring 30/11/10 5 Year period expiring 31/5/09		Cllr Howard Cllr Koowaree ----- -----
Ashford Choral Society	The Mayor – President			Ongoing		The Mayor – President
Ashford Community Arts Trust	Portfolio Holder for Cultural Services	3	3	Ongoing		Portfolio Holder for Cultural Services

NAME OF BODY	EXISTING REPRESENTATIVES	NUMBER OF MEETINGS 2008/2009	ATTENDANCE	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)	REPORT VIA INFO. DIGEST	NEW REPRESENTATIVES/ NOMINEES
Ashford Crime & Disorder Reduction Partnership	Portfolio Holder for Communications, Parking/Licensing, Customer Services & Community Safety Cllr Koowaree	4 4	2 4			Portfolio Holder for Communications, Parking/Licensing, Customer Services & Community Safety -----
Ashford & District Volunteer Bureau – Management Committee	Cllr Feacey	5	4		✓	-----
Ashford Federation of the Arts	Cllr Mrs Heaton					-----
Ashford's Future Delivery Board	Leader of the Council Chief Executive Observer: Cllr Wells	4 4 4	4 4 1	Ongoing		Leader of the Council Chief Executive -----
Ashford's Future SPV Board	Cllr Bartlett Alternative: Leader of the Council	6	6	Ongoing		----- Alternative: Leader of the Council
Ashford Home Improvement Agency Support Group	Cllr Norris	4	2			-----
Ashford Leisure Trust	Cllr Wallace					-----



<b>NAME OF BODY</b>	<b>EXISTING REPRESENTATIVES</b>	<b>NUMBER OF MEETINGS 2008/2009</b>	<b>ATTENDANCE</b>	<b>RETIREMENT DATE (UNLESS OTHERWISE STATED - ANNUAL MEETING 2009)</b>	<b>REPORT VIA INFO. DIGEST</b>	<b>NEW REPRESENTATIVES/ NOMINEES</b>
Ashford Mediation Service - Management Committee	Cllr Mrs Hawes Patron: The Mayor	5	4	Ongoing		----- The Mayor
Ashford (Kent) Old People's Welfare Committee	Cllrs Kemp Koowaree Mrs Laughton					----- ----- -----
Ashford Parochial Charities	Cllrs Howard Koowaree Mr Lawrie Cllr Kemp	3 3 3 3	2 2 1 0	3 year period expiring 30/11/10 5 year period expiring 31/5/09		Cllr Howard Cllr Koowaree ----- -----
Ashford Sure Start (Fifth Wave) Partnership	Cllr Naughton					-----
Ashford Twinning Association (Bad Münstereifel and Fougères)	The Mayor			Ongoing		The Mayor
Ashford Twinning Association (Member Champion)	Cllr Howard					-----
Ashford Youth Centres Trustees	Cllr Mrs Hutchinson					-----
Ashford Youth Forum Trustees	Cllr Mrs Hutchinson	4	4			-----
Ashford Winkle Club	The Mayor (Honorary Member)			Ongoing		The Mayor

<b>NAME OF BODY</b>	<b>EXISTING REPRESENTATIVES</b>	<b>NUMBER OF MEETINGS 2008/2009</b>	<b>ATTENDANCE</b>	<b>RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)</b>	<b>REPORT VIA INFO. DIGEST</b>	<b>NEW REPRESENTATIVES/ NOMINEES</b>
Bockhanger Community Trust	Cllr Claughton					-----
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Ellison (Voting) Cllr Mrs Heaton (Non-voting)					----- -----
Citizens Rights for Older People	Cllr Davidson	0	0			-----
Downland Housing Association (East) Tenant Consultative Panel	Cllr Wells					-----
Dungeness Power Station Site Stakeholder Group	Cllr Naughton	3	2			-----
East Kent Joint Arrangements Committee	Cllr Clokie Cllr Wood	0 0	0 0			----- -----
East Kent Joint Scrutiny Committee	Cllr Burgess Cllr Packham Cllr Taylor	0 0 0	0 0 0			----- ----- -----
East Kent NHS Foundation Trust Board	Cllr Kemp	2	2	2 year period expiring 1/3/11		Cllr Kemp

NAME OF BODY	EXISTING REPRESENTATIVES	NUMBER OF MEETINGS 2008/2009	ATTENDANCE	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)	REPORT VIA INFO. DIGEST	NEW REPRESENTATIVES/ NOMINEES
Elwick Club	Mayor and Mayoress (Honorary Members)			Ongoing		Mayor & Mayoress
Headcorn Aerodrome Consultative Committee	Member from the Weald North Ward (Cllr Ellison)	4	1	Ongoing		Member from the Weald North Ward (Cllr Ellison)
High Level Forum – CTRL DfT Rail Group	Leader of the Council Substitute: Deputy Leader of the Council			Ongoing		Leader of the Council Substitute: Deputy Leader of the Council
High Weald (AONB) Joint Advisory Group	Cllr Taylor Substitute: Cllr Packham				✓	----- -----
Home-Start, Ashford: Management Committee	Cllr Goddard	3	2			-----
Hopewell Twinning Association (Member Champion)	Cllr Howard					-----
Julie Rose Memorial Athletics Stadium – Management Company	Cllr Ellison Cllr Honey					----- -----
Kennington Parochial Charities (Two Nominative Trustees)	Cllr Kemp	1	0	Annual Meeting 2012 (4 year period) Annual Meeting 2010 (2 year period)		-----
	Mrs N Smyth	1	1			-----

NAME OF BODY	EXISTING REPRESENTATIVES	NUMBER OF MEETINGS 2008/2009	ATTENDANCE	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)	REPORT VIA INFO. DIGEST	NEW REPRESENTATIVES/ NOMINEES
Kent County Forum for Sport	Portfolio Holder – Cultural Services Cultural Projects Manager			Ongoing		Portfolio Holder for Cultural Services Cultural Projects Manager
Kent County Playing Fields Association	Cllr Clarkson					-----
Kent Downs (AONB) Joint Advisory Committee and Executive Committee	Cllr Mrs Marriott Substitute: Cllr Woodford	4	2			----- Substitute: _____
Kent Education Local Member Briefings	Cllrs Clokie Cowley Mrs Laughton Smith Wells	1 1 1 1 1	1 0 0 1 0			----- ----- ----- ----- -----
Kent Transport Board	Cllr Burgess Substitute: Cllr Kemp	2	2			----- -----
Leaders/Chief Executive Forum (formerly KALA)	Leader of the Council Chief Executive			Ongoing		Leader of the Council Chief Executive
LGA's 2012 Councillor Network (Nations & Regions Group)	Portfolio Holder for Cultural Services			Ongoing		Portfolio Holder for Cultural Services

NAME OF BODY	EXISTING REPRESENTATIVES	NUMBER OF MEETINGS 2008/2009	ATTENDANCE	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)	REPORT VIA INFO. DIGEST	NEW REPRESENTATIVES/ NOMINEES
Local Government Association: General Assembly Urban Commission Rural Commission	Leader of the Council Deputy Leader of the Council Leader of the Council Substitute: Cllr Mrs Blanford	1	0	Ongoing Ongoing Ongoing		Leader of the Council Deputy Leader of the Council Leader of the Council Substitute: _____
Local Strategic Partnership	Leader of the Council Chief Executive Observers: Cllrs Davison Mrs Hutchinson Wells	5 5 5 5 5	3 5 3 0 4	Ongoing Ongoing		Leader of the Council Chief Executive Observers: to be agreed by other Group Leaders _____ _____ _____
Mid Kent Downs (AONB) Advisory Group	Cllr Mrs Blanford Substitute: Cllrs Mrs Hawes	3	3			_____ _____
National Council on Inland Transport - Executive Committee	Cllr Cowley					_____

NAME OF BODY	EXISTING REPRESENTATIVES	NUMBER OF MEETINGS 2008/2009	ATTENDANCE	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)	REPORT VIA INFO. DIGEST	NEW REPRESENTATIVES/ NOMINEES
National Parking & Adjudication Service – Joint Committee	Portfolio Holder for Communications, Parking/Licensing, Customer Services & Community Safety Substitute: Cllr Bartlett			Ongoing		Portfolio Holder for Communications, Parking/Licensing, Customer Services & Community Safety Substitute: _ _ _ _ _
Relate East Kent (Marriage Guidance Council)	Cllr Ellison	4	0			_ _ _ _ _
River Stour Internal Drainage Board	Cllr Mrs Marriott Mrs Martin Naughton Woodford Mr I Cooling	1 4 4 4 4	0 3 4 4 3	Please see comments on covering report		_ _
Romney Marshes Area Internal Drainage Board	Cllr Davison 2007-2009 (sub 2009-2011) Cllr Mrs Hicks 2009-2011 (sub 2007-2009)	3	3	Ongoing		Cllr Davison 2007-2009 (sub 2009-2011) Cllr Mrs Hicks 2009-2011 (sub 2007-2009)
Rural Development Area - Strategic Panel	Portfolio Holder – Cultural Services Substitute: Cllrs Mrs Marriott			Ongoing		Portfolio Holder – Cultural Services Substitute: _ _ _ _ _
Sandyacres Trust	Cllr Wallace					_ _ _ _ _
Sargent Cancer Care for Children	The Mayor (Patron)			Ongoing Appointment		The Mayor

NAME OF BODY	EXISTING REPRESENTATIVES	NUMBER OF MEETINGS 2008/2009	ATTENDANCE	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)	REPORT VIA INFO. DIGEST	NEW REPRESENTATIVES/ NOMINEES
Singleton Environment Centre Management Advisory Board	Cllr Miss Hodgkinson	3	3	Annual Meeting 2011	✓	Cllr Miss Hodgkinson
South Ashford Youth Club - Management Committee	Cllr Davidson					-----
South East Employers	Cllr Kemp Substitute: Cllr Bartlett	3	0			----- -----
South East England Regional Assembly	Leader of the Council Substitute: Cllr Kemp			Ongoing Now to be known as SEEC (please see covering report)		Leader of the Council Substitute: -----
Supporting People Commissioning Body	Portfolio Holder for Housing, Property & Corporate Governance Head of Housing	4 4	3 4	Ongoing		Portfolio Holder for Housing, Property & Corporate Governance Head of Housing
Tourism South East Council, Quarterly Forum and Annual Meeting	Cllr Mrs Hutchinson Substitute: Cllr Kemp	2	0			----- Substitute: -----
Town Centre Partnership: Environment Working Group	Cllr Goddard Substitute: Cllr Mrs Hawes	3	1			----- -----

NAME OF BODY	EXISTING REPRESENTATIVES	NUMBER OF MEETINGS 2008/2009	ATTENDANCE	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2009)	REPORT VIA INFO. DIGEST	NEW REPRESENTATIVES/ NOMINEES
Management Board	Chief Executive	6	2	Ongoing		Chief Executive
	Leader of the Council	6	4			Leader of the Council
Marketing & Promotions Working Group	Cllr Davison	3	1			-----
	Substitute: Cllr Packham					-----
Transport Working Group	Cllr Heyes					-----
	Substitute: Cllr Packham					-----
Tenterden Folk Day Trust	Cllr. Mrs Hutchinson	4	0			-----
Tenterden Leisure Centre Trust	Cllr Mrs Hutchinson					-----
Willesborough Charities - Nomination of Two Trustees	Cllr Davidson Cllr Smith					-----
Willesborough Windmill Trust Limited	Cllr Davidson					-----
Wye Rural Museum Trust	Mr Farrant	3	2	May 2012		-----



**ASHFORD BOROUGH COUNCIL  
ANNUAL MEETING 14<sup>th</sup> MAY 2009  
ORDER OF PROCEEDINGS**

**1. Election of Mayor**

- (a) The Retiring Mayor enters the Council Chamber wearing robes and Chain and takes the Chair.
- (b) Prayer.
- (c) Retiring Mayor calls for nominations.
- (d) Nomination moved by Councillor \_\_\_\_\_
- (e) Nomination seconded by Councillor \_\_\_\_\_
- (f) Retiring Mayor declares the result of the election (where one nomination only it must be put to the vote).

**2. Declaration of Acceptance of Office by the Mayor**

- (a) The Chief Executive will read out the Declaration of Acceptance of Office and the new Mayor signs the Declaration after signifying acceptance.
- (b) The Robing Party then retires from the Council Chamber in the following order:-

Mace Bearer  
Retiring Mayor  
Chief Executive  
New Mayor  
Chaplain

**NOTE:** It is essential that the Retiring Mayoress and the new Mayoress are present in the Council Chamber from the commencement of the Annual Meeting, and in order that the new Mayoress may receive her Chain of Office both the Retiring Mayoress and the new Mayoress should leave the Council Chamber at the rear of the Robing Party. On return, in advance of the return of the newly elected Mayor, they should be escorted along with the retiring Mayor, into the Council Chamber and take their respective seats.

- (c) The Robing Party then returns to the Council Chamber in the following order:-

Mace Bearer  
Mayor  
Chief Executive  
Chaplain

- (d) Prayer.

**3. Appointment of Mayor's Chaplain**

**4. Vote of thanks by the Mayor for his Election**

5. **Vote of thanks to the Retiring Mayor and Mayoress**

- (a) Moved by Councillor \_\_\_\_\_
- (b) Seconded by Councillor \_\_\_\_\_
- (c) Presentation of Badges by the Mayor to the Retiring Mayor and Mayoress.
- (d) Presentation of floral gift by the new Mayoress to the Retiring Mayoress.

6. **Response by the Retiring Mayor**

- (a) Presentation of floral gift by the Retiring Mayoress Consort to the new Mayoress.

7. **Election and Appointment of Deputy Mayor**

- (a) Mayor calls for nominations.
- (b) Proposed by Councillor \_\_\_\_\_
- (c) Seconded by Councillor \_\_\_\_\_
- (d) Following election, Mayor declares result of the vote.

8. **Declaration of Acceptance of Office by the Deputy Mayor**

- (a) The Chief Executive will read out the Declaration of Acceptance of Office and the Deputy Mayor signs Declaration after signifying acceptance.
- (b) Deputy Mayor invested with Chain of Office by the Mayor.
- (c) Deputy Mayoress invested with Chain of Office and presented with floral gift by the Mayoress.

9. **Minutes**

To consider the Minutes of the meeting of the Council held on the 23<sup>rd</sup> April 2009.

10. **Apologies for Absence**

11. **Announcements**

To receive any announcements from the Mayor.

12. **Election of the Leader of the Council**

Proposed by Councillor \_\_\_\_\_

Seconded by Councillor \_\_\_\_\_

13. To agree the number of members to be appointed to the Executive and appoint members thereto.

(a) **To agree the size of the Executive**

Councillor \_\_\_\_\_ to propose that the Executive be composed of the Leader and 6 Portfolio Holders.

Seconded by Councillor \_\_\_\_\_

(b) **To appoint members to the Executive**

(i) Mayor calls for nominations for each portfolio holder.

Councillor \_\_\_\_\_ to propose the appointment of Members for the following positions. Nomination to be seconded by Councillor \_\_\_\_\_

- ❖ Resource Management & Control - \_\_\_\_\_
- ❖ Cultural Services - \_\_\_\_\_
- ❖ Development, Partnerships & Personnel - \_\_\_\_\_
- ❖ Environmental Services and IT - \_\_\_\_\_
- ❖ Housing, Property and Corporate Governance - \_\_\_\_\_
- ❖ Communications, Parking and Licensing, Customer Services and Community Safety – \_\_\_\_\_

14. **Election of the Deputy Leader of the Council (from those members appointed to the Executive)**

Proposed by Councillor \_\_\_\_\_

Seconded by Councillor \_\_\_\_\_

15. To consider the Minutes of the Selection and Constitutional Review Committee held on the 5<sup>th</sup> May 2009.

16. To consider the Minutes of the meeting of the Executive held on the 30<sup>th</sup> April 2009.

(TJR)  
DS:Orderpro