

Selection & Constitutional Review Committee

Minutes of a Meeting of the Selection & Constitutional Review Committee held in Committee Room No.2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford on the **24th September 2009**

Present:

Cllr. Clokie (Chairman);
Cllr. Bartlett (Vice Chairman)

Cllrs. Ayres, Claughton, Davidson, Goddard, Hodgkinson, Kemp, Mrs Martin.

In accordance with Procedure Rule 1.2 (iii) Councillor Claughton attended as a Substitute Member for Councillor Mrs Heyes.

Apologies:

Cllrs. Davison, Mrs Heyes, Naughton.

Also Present:

Cllrs. Howard, Smith.

Member Services and Scrutiny Manager.

219 Minutes

Resolved:

That the Minutes of the meeting of this Committee held on the 7th July 2009 be approved and confirmed as a correct record.

220 The Constitution – Codes and Protocols – Civic Protocols – Selection of Mayor and Term of Office

The report advised that following representations made during the 2007/08 Municipal Year regarding the interpretation of the civil protocols which dealt with guidance on the selection of the Mayor and Deputy Mayor and Term of Office, suggested changes were put forward to help clarify that particular section of the Constitution. A Member referred to the current budgetary situation and asked whether consideration should be given to moving away from having a Mayor and instead have a Chairman of the authority. The Chairman advised that there would be similar costs for both a Mayor and a Chairman and that Ashford had a Charter which granted the Borough the status of being able to appoint a Mayor.

Another Member considered that the whole issue of the Mayoralty needed to be looked at as he believed that recent events had brought a more political nature to the appointment of the Mayor. He believed that the Mayor had an important role to play both in and outside of the Borough and he was happy to see the Mayoralship retained. However he believed that the “rota” system was tending to politicise the

SCR
240909

role of the Mayor and he would prefer to see all Groups putting names forward and Members having a free vote on the nomination.

The Chairman referred to problems in other areas of the country where one party held the majority of seats and advised that it was difficult for other parties to make nominations for the Office of Mayor. He believed that the current system at Ashford did allow the Mayoralty to be shared amongst all Groups upon the Council. The Vice Chairman suggested that as it was often difficult for small minority groups to put forward candidates for the position of Mayor that perhaps all Opposition Groups should be considered together and the Mayoralship be allocated on a Conservative then Opposition Group and then Conservative then Opposition Group basis. It was accepted that this suggestion could only work in the current climate given the majority the Conservative Group had and would not apply if there were changes to the political make up of the authority.

Following further discussion the Chairman suggested that the relevant part of the Constitution be amended to include a statement that there be a presumption that Opposition Groups would have an opportunity to nominate candidates. The Committee supported the amendment.

Recommended:

That the proposed revisions to the Civic Protocol section of the Constitution as it relates to the selection of Mayor and Deputy Mayor and Term of Office and as set out in the appendix to these Minutes be approved.

221 Councillor Call for Action (CCfA)

The report advised that the Overview and Scrutiny Committee at its meeting on the 15th September 2009 had approved the Protocol and Guidance for use when the Committee was dealing with Councillor Call for Action and when acting as the Crime and Disorder Committee. The report recommended to the Selection and Constitutional Review Committee that the Protocol and Guidance be approved

Recommended:

That the Protocol and Guidance for the Overview and Scrutiny Committee when dealing with a Councillor Call for Action and the Procedural Rules for the Overview and Scrutiny Committee when acting as the Crime and Disorder Committee be adopted and the Council's Constitution amended accordingly.

KRF/EB/AEH
SCRX0939

Queries concerning these Minutes? Please contact Keith Fearon:
Telephone: 01233 330564 Email: keith.fearon@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees

Appendix to Minute No 220/09/09

A. Selection of Mayor and Deputy Mayor and Terms of Office

The selection of Mayor and Deputy Mayor will not be confined to any one party. He/she will be chosen on merit. Where the political balance of the Council, however, might depend on the Mayor's casting vote it is not unreasonable to expect this factor to play a part in the selection procedure.

The term of office of Mayor and Deputy Mayor will normally be for one year. Although not compulsory for Members to serve a full term as a Councillor before becoming eligible for nomination as Mayor or Deputy Mayor, it is ~~should be~~ desirable that they do.

The Deputy Mayor will normally succeed the Mayor (subject to review in an election year).

There ~~should be~~ is a presumption against Members serving a second term as Mayor and Deputy Mayor if other willing candidates exist but this is ultimately a matter for decision of the Council. There is also a presumption that Opposition Groups will have an opportunity to nominate candidates.

B. Procedure for Selection

The procedure for the selection of the Mayor and Deputy Mayor will be as follows:-

- (a) Early in the calendar year, Group Leaders will meet informally to discuss the nominations for Mayor and Deputy Mayor for the ensuing year, and normally their recommendations will be reported to the Selection and Constitutional Review Committee immediately preceding the Annual Meeting of the Council. The name of the Mayor and Deputy Mayor elect may then be made public. This process does ~~will~~ not preclude ~~other~~ nominations of any other Councillor for Mayor or Deputy Mayor being made at the Annual Meeting, ~~but with goodwill should reduce the likelihood~~ but the expectation is that this should be avoided wherever possible.
- (b) Group Leaders will also make recommendations to the Selection and Constitutional Review Committee held immediately preceding the Annual meeting of the Council as to which Members are to propose and second nominations for the offices of Mayor and Deputy Mayor.
- (c) In election year, however, the above procedure ~~to be adopted will be as follows:-~~ may need to be revised to include a further meeting of Group Leaders in the week following election week, in the event of the nominated candidates for Mayor and Deputy Mayor not having been re-elected.

- ~~(c) Group Leaders will meet on a convenient date in the week following election week, to consider the making of recommendations for Mayor and Deputy Mayor and any allied matters.~~
- ~~(d) The recommendations from such a meeting will be reported to the programmed meeting of the Selection and Constitutional Review Committee held between the date of the election and the Annual Meeting of the Council. The Minutes of this meeting will be presented to the Annual Meeting of the Council.~~