



## Selection and Constitutional Review Committee

Notice of a meeting, to be held in Committee Room 2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL on Thursday, 10<sup>th</sup> February 2011 at 6.30pm.\*

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The Members of this Committee are:-

Cllr. Wood (Chairman)

Cllrs Bartlett, Bradberry, Davison, French, Goddard, Mrs Hawes, Mrs Heyes, Hodgkinson, Mrs Martin, Naughton, Conservative Vacancy

**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)**

**\*Please Note Start Time – Timetable for the Evening is: - 6.00pm Blue Box Briefing – Council Chamber (Members Only); 6.30pm Selection & Constitutional Review Committee; 7pm Executive – Council Chamber.**

### Agenda

Page  
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 14<sup>th</sup> October 2010

### Part I – For Decision

4. The Leader and Community and Communications Portfolios – Additions to Responsibilities
5. Grants Gateway Panel – Terms of Reference
6. Appointments to Outside Bodies/Organisations

## Part II – For Information

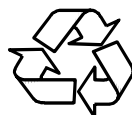
None for this Meeting

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DS/TB  
2<sup>nd</sup> February 2011

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Queries concerning this agenda? Please contact Danny Sheppard:  
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## **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 **14<sup>th</sup> October 2010**

### **Present:**

Cllr. Wood (Vice-Chairman in the Chair);

Cllrs. French, Goddard, Mrs Hawes, Heyes, Hodgkinson

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

### **Apologies:**

Cllrs. Bartlett, Kemp, Mrs Martin, Naughton.

### **Also Present:**

Cllr. Smith.

Member Services and Scrutiny Manager.

## **209 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 8<sup>th</sup> July 2010 be approved and confirmed as a correct record.**

## **210 Local Government and Public Involvement in Health Act 2007 – New Executive Arrangements for the Council – Results of Consultation and Next Steps (Minute No. 166/9/10 refers)**

The report advised of the outcome of the public consultation exercise carried out in accordance with the Local Government and Public Involvement in Health Act 2007 and set out detailed proposals to enable the Council to move to a new style of Leader and Cabinet model with effect from the Annual Meeting after the May 2011 Local Elections. The recommendations in the report had been agreed by the Executive at its meeting on the 9<sup>th</sup> September 2010.

**Recommended:**

**That:-**

- (i) the outcome of the consultation exercise be noted.**
- (ii) proposals to amend the Council's Executive arrangements to reflect the new style Leader and Cabinet model as outlined in paragraph 10 of the report be approved and published in accordance with the Local Government and Public Involvement in Health Act 2007.**
- (iii) an Extraordinary meeting of the Council be held at the rising of the scheduled meeting of the Council on the 16<sup>th</sup> December 2010 to agree the formal adoption of the new Executive arrangements.**
- (iv) the Head of Legal and Democratic Services be given delegated authority to amend the Constitution to incorporate the proposals as set out within the report.**

## **211 The Duty to Respond to Petitions – A New Petition Scheme for Ashford Borough Council**

The report advised that the Local Democracy, Economic Development and Construction Act 2009 required the Council to respond to petitions and in particular to make a Petition Scheme under that Act. The report set out the new duties and the amendments needed to be made to the Council's existing Petition Scheme in order to meet the requirements of the Act.

In terms of Recommendation (ii) the Committee considered the level of threshold for the different types of petition incorporated within the scheme.

**Recommended:**

**That:-**

- (i) the amended Petition Scheme as set out in Appendix A to the report be approved and adopted.**
- (ii) the threshold for signatures for the following petitions be set at the levels detailed below:**
  - (a) for "ordinary petitions" – 50 signatures**
  - (b) for "petitions requiring debate by Council" – 1500 signatures**
  - (c) for "petitions to hold Officers to account" – 750 signatures**

- (iii) **the Monitoring Officer be granted delegated authority to reject petitions which he considers to be vexatious, abusive or otherwise inappropriate.**
- (iv) **the formal Petition Scheme be incorporated as part of the Council's Constitution and the other consequential changes to the Council's Constitution be made (Paragraph 20 of the report refers).**
- (v) **the operation of the Petition Scheme be reviewed 18 months after implementation.**

## **212 Extension of Term of Appointment of Member of the Independent Remuneration Panel**

The report sought agreement to extend the term of appointment of a Member of the Independent Remuneration Panel to the 31<sup>st</sup> October 2013.

### **Recommended:**

**That the term of appointment of one of the members of the Independent Remuneration Panel, namely Mrs Judy Blount, be extended to the 31<sup>st</sup> October 2013.**

## **213 Appointments to Outside Bodies/Organisations**

The report advised of the need to make a nomination for a Member to attend meetings of the Marsh Link Steering Group. The report also advised of the expiry of the current appointments to the Ashford Almshouses and Parochial Charities and the need to appoint two Members to these charities.

### **Resolved:**

#### **That:-**

- (i) **Councillor Mrs Hicks be nominated for the appointment of a Member representative to sit on the Marsh Link Steering Group.**
- (ii) **Councillors Hodgkinson and Koowaree be nominated to sit on the Ashford Almshouses and Parochial Charities for the period until 30<sup>th</sup> November 2013.**

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KRF/SCRX1042/EB

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## **SELECTION & CONSTITUTIONAL REVIEW COMMITTEE**

**10<sup>TH</sup> FEBRUARY 2011**

### **'THE LEADER' AND 'COMMUNITY & COMMUNICATIONS' PORTFOLIOS – ADDITIONS TO RESPONSIBILITIES**

The Leader of the Council has signified his wish to amend the Portfolios of both the Leader and Community & Communications by making an addition to their responsibilities.

The issue of 'Wellbeing' should be added to the Community & Communications Portfolio. This will cover Children, Youth, Elderly and Health. With the emerging requirements of the Local Government & Public Involvement in Health Act 2007, these are all areas where the Council knows its role will grow, but to what extent is as yet unclear. Health would initially be a joint responsibility with the Leader and should therefore also be added to that Portfolio accordingly.

Drafts of the detailed Portfolios are attached as Appendix 1. Additions are shown in *italic text*.

#### **Recommended:**

**That the amended Portfolios for 'The Leader' and 'Community & Communications' be approved.**

## **The Leader**

### **Main Role**

To provide visible political leadership to residents of the Borough, stakeholders and partners in the overall co-ordination of Council policies, strategies and service delivery.

Lead the development of local, regional, national and european policy and strategic partnerships.

Promote the objectives of the Council's Corporate Plan.

### **Duties and Responsibilities**

To Chair the Executive.

To represent and act as an ambassador for the Council and to lead in developing strategic partnerships with agencies, residents of the Borough and stakeholders in relation to the delivery of strategic objectives and the provision of services to residents of the Borough.

To have overall responsibility for:-

- Developing and promoting new policies and strategies as necessary;
- Development, monitoring and implementation of the Corporate Plan;
- Setting performance targets relating to the objectives;
- Capital and Revenue budgets, ethical standards and probity and financial monitoring;
- Communicating the Council's values, vision and objectives to all members of the Council's staff, residents of the Borough, partners and stakeholders;
- Emergency Planning;
- Local Strategic Partnerships.
- *Health (joint responsibility with the Community & Communications Portfolio Holder)*

Part 3  
Responsibility for Functions  
Appendix 2  
Executive Functions (Split) –  
The Leader

Responsible for resource planning and management including:-

- Employee Relations and Policies related to staff employment;
- Equal opportunities policies related to staff employment and service delivery.

To ensure that systems exist to appraise the performance of senior managers.

To take up corporate membership of any appropriate body or organisation whose objectives are considered to be beneficial to the Council's own activities.

To submit proposals to the Executive on annual budget allocations.

Co-ordination of the implementation of policies and strategies, especially in relation to crosscutting issues, to achieve a corporate approach.

**The Executive Member having:-**

- (a) Overall responsibility for decision – making arrangements in the following areas:
  - Legal and Democratic Services
  - Corporate Policy
  - Emergency Planning
  - Personnel and Development
- (b) The power to require a proposed decision in any such area to be referred to the Executive for their consideration or determination.

**Delegation**

None

Notes:

1. The Portfolio Holder appointed as Deputy Leader of the Council will be able to act on behalf of the Leader in relation to the above duties and responsibilities when he or she is absent or unable to act.  
(Minute No. 532(v)/5/10)
2. The Leader or Deputy Leader are able to establish Participative Groups.  
(Minute No. 93/7/10)



## **Community and Communications – Portfolio Holder**

### **Main Role**

Co-ordinating the activities of the Council which contribute towards achieving the corporate plan objectives relating to communications, community safety, *wellbeing* and partnership working.

### **Duties and Responsibilities**

To have responsibility for monitoring and implementation of corporate plan objectives relating to communications, marketing, community safety, forums, partnerships (excluding the Local Strategic Partnership), parishing, voluntary sector, *wellbeing* and the Crime and Disorder Reduction Partnership by:-

- Setting performance targets relating to the objectives;
- Ensuring goals and milestones are met;
- Reviewing relevant areas of service provision;
- Developing and promoting new policies and strategies as necessary.

### **The Executive Member having overall responsibility for:-**

- (a) Overall responsibility for decision – making arrangements in the following areas:
  - Communications and Marketing;
  - Community Safety (including the Crime and Disorder Reduction Partnership);
  - Parishing, Forums and the Voluntary Sector.
  - Developing and monitoring the Community Strategy and Partnership working.
  - *‘Wellbeing’ – Children, Youth, Elderly and Health – (Health is a joint responsibility with the Leader).*
- (b) The power to require a proposed decision in any such area to be referred to the Executive for their consideration or determination.

Part 3  
Responsibility for Functions  
Appendix 2  
Executive Functions (Split) –  
Community and Communications

To work together with other Executive Members to achieve the aims, objectives and action plans of the Council.

**Delegation**

None

(Minute No. 532(iii)/5/10)

## **SELECTION & CONSTITUTIONAL REVIEW COMMITTEE**

**10<sup>TH</sup> FEBRUARY 2011**

### **GRANTS GATEWAY PANEL – TERMS OF REFERENCE**

Members will recall that this Committee recommended the formation of a Grants Gateway Panel and agreement of the associated Terms of Reference at its Meeting on the 4<sup>th</sup> May 2010. The Panel has been meeting since June and has also incorporated the Single Grants Gateway. The new arrangements appear to be working well and at a formal training session on the 22<sup>nd</sup> November, the Panel recommended some amendments to the Terms of Reference to take account of the emerging process.

Attached as Appendix 1 are the proposed new Terms of Reference

Attached as Appendix 2 is an extract from the Notes of the Grants Gateway Panel Training Session held on the 22<sup>nd</sup> November 2010.

#### **Recommended:**

**That the amended Terms of Reference of the Grants Gateway Panel as appended to this report, be agreed.**

# Grants Gateway Panel

**Membership: 5 Members including Portfolio Holder for Cultural Services and IT and 4 external representatives\***

## Terms of Reference

1. To consider recommendations from the Head of Cultural & Project Services on the allocation of revenue, capital, change/emergency grants, loans and non-domestic discretionary rate relief over £1,000 and up to £10,000, in line with the Council's Policy for Funding and Support of Voluntary and Community Organisations.

Each application to be assessed by the Panel in terms of the Council's funding priorities, budget position, the stated benefits of the project, its social value, value for money and taking account of the recommendation of the Head of Cultural & Project Services.

The Head of Cultural and Project Services has delegated powers to determine grants up to £1,000 subject to an assessment of the application against assessment criteria and the usual consultation with Ward Members and partner funders; any disagreements arising should result in the relevant application being referred to the next meeting of the Grants Gateway Panel for decision.

2. To consider recommendations from the Corporate Funding Team on the allocation of Community Services Grants, in line with the Council's Policy for Funding and Support of Voluntary and Community Organisations and Guidance for Applicants.

Each application to be assessed by the Panel in terms of

- the Council's funding priorities and budget position
- the direct benefits and any wider/social benefits of the project or service
- value for money and
- the views and recommendations of the Corporate Funding Team.

The Executive committee has power to determine such allocations as part of the Council's annual budget setting process.

## Notes

1. All applications submitted for the panel's consideration will have already been judged to meet the following eligibility criteria (and any additional entry criteria for the specific scheme) in order to pass through the gateway.

### **Eligibility Criteria for Single Grants Gateway**

- Not-for-profit organisations\* with either charitable status OR a constitution with a formally appointed management committee OR a parish council (not NNDR). No individuals, public sector or private business.
- Non-political.
- Operating in Ashford borough and/or serving borough residents in accordance with the Council's Corporate Funding Priorities.
- Service or project open to any resident in the borough (unless clear, non-financial justification for targeting or prioritising client group).
- Not for projects already started or completed, or to replace funds already spent.
- Not for mainstream public services e.g. health, education provision; or religious instruction.
- Bank or Building Society account in the organisation's name.
- Accounts either audited or signed by Chair or Treasurer OR if new organisation less than a year old, 12 month cash flow forecast and balance sheet to date signed by Chair or Treasurer.
- No more than 12 months' running costs in unrestricted/free reserves.
- Must have relevant safeguards, insurances and policies in place i.e public liability insurance, health and safety, child protection policy.

- \*2. The external representatives shall be: -  
2 from Ashford Community Network Board, 1 from Active Ashford Board or its successor organisation, and 1 from Ashford Chamber of Commerce and Industry.

3. Only members or substitute members, and council officers are permitted to attend meetings (except meetings to consider Community Services Grants), together with appropriate ward members and applicants, with the consent of the Chairman.
4. For revenue, capital, change/emergency grants, loans and rate relief, to meet three times per financial year in May, October and January to consider shortlisted applications from rounds closing in March, August and November respectively; or at the discretion of the chairman.
5. For Community Services Grants, to meet once per financial year in September to endorse applications recommended by the Corporate Funding Team for the annual round closing in June; or at the discretion of the chairman.

**SELECTION & CONSTITUTIONAL REVIEW COMMITTEE – 10<sup>TH</sup>  
FEBRUARY 2011**

**GRANTS GATEWAY PANEL – TRAINING SESSION – 22<sup>ND</sup> NOVEMBER  
2011**

**AGENDA ITEM 5 – Grants Gateway Panel – Terms of Reference**

**5. Single Grants Gateway – Terms of Reference**

- 5.1 The Funding and Partnerships Officer introduced the Terms of Reference and invited comments from the Panel.
- 5.2 The following amendments to the Terms of Reference were proposed:
- The Membership should be revised to: 5 Members including Portfolio Holder for Cultural Services and IT rather than 4 Members.
  - It was likely that the Active Ashford Board would cease to exist in its present form so it was proposed that the external representative from Active Ashford Board be amended to be a representative from Active Ashford Board or its successor organisation.
  - More clarification was required regarding the Head of Cultural and Project Services delegated powers and the following was proposed: The Head of Cultural and Project Services has delegated powers to determine grants under £1,000 subject to an assessment of the application against assessment criteria and the usual consultation with Ward Members and partner funders; any disagreements arising should result in the relevant application being referred to the next meeting of the Grants Gateway Panel for decision.
  - An additional paragraph be added that would enable a special meeting to be convened if required in consultation with the Chairman of the Grants Gateway Panel and the Head of Cultural and Project Services.
  - Bullet point three of the Eligibility Criteria for Single Grants Gateway be amended to read ‘Operating in Ashford Borough and/or serving Borough residents in accordance with the Council’s Corporate Funding Priorities’.

**Post Meeting Note: The amendments to the Terms of Reference need to be considered by the Selection and Constitutional Review Committee who will then make recommendations to the Full Council.**

- 5.3 The Panel felt that a form of monitoring and reporting should be undertaken to ensure that the recipient of a grant was undertaking or had undertaken the works that the money had been requested for. After a short debate it was agreed that this monitoring and reporting

should be undertaken by the relevant Ward Member(s), it was important that following the May 2011 Elections that all Members were made aware of their responsibility in respect of this. It was also agreed that grant claims would not be paid unless a satisfactory monitoring report had been received.



**Agenda Item No:** 6

**Report To:** SELECTION AND CONSTITUTIONAL  
REVIEW COMMITTEE

**Date:** 10<sup>TH</sup> FEBRUARY 2011

**Report Title:** Appointments to Outside  
Bodies/Organisations

**Report Author:** Senior Member Services & Scrutiny Support Officer



<b>Summary:</b>	To advise the Committee of the need to make a nomination to a position on an outside body/organisation.
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**Key Decision:** NO

**Affected Wards:** N/A

**Recommendations :** **The Committee is asked to make a nomination for the appointment of a Member representative to sit on the Kennington Parochial Charity until the Annual Meeting 2012.**

**Policy Overview:** The appointment of Members to outside bodies/organisations assists Councillors in their community engagement role.

**Financial Implications:** N/A

**Other Material Implications:** N/A

**Exemption Clauses:** None

**Background Papers:** N/A

**Contacts:** danny.sheppard@ashford.gov.uk – Tel: 01233 330349

**Report Title: Representatives on Outside Bodies/Organisations**

**Purpose of the Report**

1. To advise the Committee of the need to make a nomination for the appointment of a Member representative to sit on the Kennington Parochial Charity until the Annual Meeting 2012.

**Issues to be Decided**

2. Due to the unfortunate passing of Councillor Kemp there is a vacancy for an elected Member to sit on the Kennington Parochial Charities. The appointment is a 4-year one expiring at the Annual Meeting 2012 so the appointed nominee would take up the position until then. The appointment is one of two the Council make to the Charities, the other being an interested local person (currently Mr P Sims who is Chairman of Governors at Downs View Infants School, Kennington).
3. The stated aims of the Kennington Parochial Charity are: - *“provision of allotments for the poor; provision of almshouses for the needy; aims for the benefit of residents in the almshouses of the charity, who shall be needy persons resident in the area of benefit; and to relieve either generally or individually needy persons resident in the area of benefit”*. In short “the prevention of, or relief of, the poor in Kennington”. The meetings are generally held during the day time in Ashford Town Centre. Meetings are held on an ad hoc basis, with no more than four expected annually.

**Recommendation**

4. **The Committee is asked to make a nomination for the appointment of a Member representative to sit on the Kennington Parochial Charity until the Annual Meeting 2012.**

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