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 **7th May 2013**

Present:

Cllr. Clarkson (Vice-Chairman in the Chair); Cllrs. Bennett, Chilton, Claughton, Davidson, Davison, Mrs Dyer, Galpin, Mrs Martin, Robey.

In accordance with Procedure Rule 1.2 (iii) Councillors Claughton and Robey attended as Substitute Members for the Conservative Vacancy and Councillor Mrs Heyes respectively.

Apologies:

Cllrs. Davey, Mrs Heyes, Howard.

Also Present:

Policy & Performance Officer, Senior Member Services & Scrutiny Support Officer.

420 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 6th December 2012 be approved and confirmed as a correct record.

421 Proposed Amendments to the Terms of Reference of the Single Grants Gateway Panel

The report proposed amendments to the Terms of Reference of the Panel to take into account changes in external representation. The Chairman directed Members to the tabled papers which included an amended recommendation increasing the membership of the Panel from five to seven Members.

Recommended:

That the revised Terms of Reference of the Single Grants Gateway Panel be approved, subject to increasing the membership to 7 Members.

422 Background and Principles of Political Balance and Administrative Structure

The report of the Head of Legal & Democratic Services and the tabled papers 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 16th May 2013.

The Chairman directed the Committee's attention to the tabled papers which explained that further to the publication of the original report there had been a number of developments that had necessitated additions and amendments. Included within the tabled papers were details of the draft political balance calculation for 2013/14 as discussed by Group Leaders earlier that afternoon (attached to these Minutes as Appendix A), as well as an Appendix which set out details of Members to be appointed to seats on the various Committees etc by Group Leaders. As part of the political balance calculation the Leader had signified his wish to make some changes to the composition of some of the Committees etc and these were also detailed within the tabled papers. Reference to Lead Members in the report had also been amended to clarify that no appointments would be made for 2013/14. As a result of these developments a full list of amended recommendations was also included within the tabled papers.

The Chairman ran through the membership of Committees, Groups and Forums one by one. With input from Members, the membership for 2013/14 was updated as far as was possible. This is contained at Appendix B to these Minutes.

Recommended:

- That (i) the membership of the Planning Committee be increased from 14 Members (plus 1 ex-officio) to 16 Members (plus 1 ex-officio) and the membership of the Overview & Scrutiny Committee be decreased from 19 Members to 16 Members.
 - (ii) the Political Balance of the Authority as contained in 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, Overview & Scrutiny and Audit Committees and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.
 - (iii) in terms of the 1 seat available for allocation on the Appointments Committee following the balance calculation, the seat be allocated to the Liberal Democrat Group.
 - (iv) a Transportation, Highways and Engineering Advisory Committee and an Educational and Vocational Skills Advisory Committee be established, each comprised of 8 Members, and the Terms of Reference attached at Appendices C and D of the report be approved.
 - (v) the Independent Remuneration Panel be asked to consider an appropriate Special Responsibility Allowance for the Chairmen and Vice-Chairmen of the new Committees set out in (iv) above,

possibly at a similar level to those currently paid to the Chairman and Vice-Chairman of the Joint Transportation Board.

(vi) the following Committees be constituted for the 2013/14 Municipal Year as detailed in Part 3 of the Constitution:

Audit Overview and Scrutiny Planning Selection and Constitutional Review Licensing and Health and Safety Appointments Appeals Standards Transportation, Highways and Engineering Advisory Committee Education and Vocational Skills Advisory Committee Joint Arrangements – Joint Transportation Board

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

- (vii) the Council appoint the Chairman and Vice Chairman for each Committee etc as shown in Appendix B to these Minutes.
- (viii) the Scheme of Cabinet and Council Delegations as set out in Part 3 of the Constitution be reaffirmed.
- (ix) the Portfolio Holder responsibilities set out in Appendix E to the report be noted.
- (x) the intention of the Cabinet to reconstitute the Forums and Groups as listed in Part 3 Appendix 2 to the Constitution be noted, subject to the deletion of the Transport Forum, the merging of the Nature Conservation Forum with the Environmental Forum to form the Conservation and Environment Forum, amending the membership of the Member Training Panel so that the Panel is broadly politically balanced; and adding an ex-officio Member to the Parish Forum.

423 Representatives on Outside Bodies/Organisations

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

to the tabled paper which explained that he still intended to appoint a Member Champion for Media, there was a vacancy for a Council appointed representative on the Wye Rural Museum Trust and detailed the reports for outside organisations that had been received since the publication of the Agenda.

The Committee reviewed the appointments and some changes of representative were suggested by Members.

The Chairman said that he wanted to add a recommendation in that the whole question of the Council's representation on outside bodies should be the subject of a review and that a further report be submitted to the Committee in due course. He considered the list of organisations was too large and there were questions about the usefulness and value of some of the appointments.

Resolved:

- That (i) the names of the persons to be appointed or nominated as Members or Substitute Members (as the case may be) to the organisations listed in Appendix C to these Minutes be agreed.
 - (ii) the whole question of the Council's representation on outside bodies should be the subject of a review and that a further report be submitted to the Committee in due course.

424 Annual Meeting – Order of Proceedings

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

Resolved:

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

DS

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

SCR 070513

APPENDIX A (Minute No. 422/5/13 refers)

THE POLITICAL BALANCE CALCULATION FINAL ARRANGEMENTS MAY 2013

A All Committees to which balance applies

	Committee	Seats/Committee	То	tal Seats
1 x 16	Overview and Scrutiny	16	=	16
1 x 16	Planning	16	=	16
1 x 13	Licensing and Health & Safety	13	=	13
1 x 12	Selection	12	=	12
1 x 8	Audit	8	=	8
1 x 8	Transportation and Highways Advisory	8	=	8
1 x 8	Educational & Vocational Skills Advisory	8	=	8
1 x 5	Appointments	5	=	5
		Total		86

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

43 members =		%
30 Conservative	=	69.76744
5 Labour	=	11.6279
4 Ashford Independent	=	9.30232
2 Liberal Democrat	=	4.65116
2 Independent	=	4.65116
		99.99998

	Con	Lab	AI	LD	Ind	Total
Committee						
1 x 16 O&S	10*	2	2*	1	1	16
1 x 16 Planning	11	2	1	1	1	16
1 x 12 Selection	8	1	1	1	1	12
1 x 13 Licensing, Health & Safety	9	1	1	1	1	13
1 x 8 Audit	5**	1	1	0	1**	8
1 x 8 Transport & Highways	6	1	1	0	0	8
1 x 8 Education & Vocational	6	1	1	0	0	8
1 x 5 Appointments	3	1	0	1***	0	5
Totals	58(60)* ** (60.0000)	10(10) (10.0000)	8(8) (8.0000)	5(4) *** (4.0000)	5(4) ** (4.0000)	86

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

NB: During the rounding up and down of the percentage figures, it was not possible to achieve overall balance.

- * To enable the Ashford Independent Group to retain 2 seats on the Overview & Scrutiny Committee the Conservative Group gifted the Ashford Independent Group one of their seats.
- ** The Group Leaders wished to retain Councillor Smith on the Audit Committee (in line with previous arrangements) to draw upon his previous experience as a Local Authority Auditor. The Conservative Group gifted a seat on the Audit Committee to Councillor Smith of the Independent Group to enable this arrangement to continue to apply.
- *** On the Appointments Committee the calculation allocated only 4 seats whereas the overall Committee size was 5. The Selection and Constitutional Review Committee recommended that this seat be allocated to the Liberal Democrat Group.

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

Political Group entitlement in relation to all seats: 86

Conservative	60.0000 =	60
Labour	10.0000 =	10
Ashford Independent	= 0000.8	8
Liberal Democrat	4.0000 =	4
Independent	4.0000 =	4
Total	86	

D. Committees to which balance 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 15	Appeals	3 Members per meeting drawn on rota from a panel of 15 Members	= 15
[×] 1 x 7	Joint Transportation Board		= 7
* 1 x 3	Licensing Sub- Committee (3 Member Panels)		= 3

- * Council's choice as to whether balance will apply to this Committee. This may only happen if no member votes against this arrangement.
- * Due to the Joint Arrangements and the manner in which seats are allocated by the Kent County Council, it is impossible to have a balanced allocation of seats.

Committee	Con	Lab	AI	LD	Ind	Total
*1 x 15 Appeals	10	2	1	1	1	15
^x 1 x 7 Joint Transportation	5	1	1	0	0	7

* That the requirements of the 'Political Balance' regulations be not applied to the membership of the Appeals and the Licensing and Health & Safety Panels of 3 Members which are drawn for each meeting.

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

7TH MAY 2013

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

Overview and Scrutiny Committee (16 Members)

Members of the Cabinet may not be appointed to this Committee

*Seat gifted by the Conservatives to enable the Ashford Independent Group to retain 2 seats on this Committee.

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(10*)	(2)	(2*)	(1)	(1)
Apps	Chilton (VCh)	Davison	Adby (Ch)	Smith
Bartlett	Yeo	Mortimer		
Bennett				
Burgess				
Feacey				
Hodgkinson				
Mrs Hutchinson				
Link				
J Martin				
M Martin				

Audit Committee (8 Members)

*Seat gifted by the Conservatives to draw upon Cllr Smith's experience as a former Local Authority Auditor

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(5*)	(1)	(1)	(0)	(1*)
Clokie (Ch)	Yeo	Michael		Smith
Link (VCh)				
Marriott				
Shorter				
Taylor				

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

Conservative	Labour	Ashford Independent	Liberal Democrat	Independe nt
(11)	(2)	(1)	(1)	
				(1)
Bennett (Ch)	Clark	Davison	Davidson	Sims
Burgess (VCh)	Yeo			
Clarkson (EO)				
Clokie				
Mrs Dyer				
French				
Galpin				
Heyes				
Mrs Heyes				
Mrs Hutchinson				
Robey				
Wedgbury				

Selection & Constitutional Review Committee (12 Members)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(8)	(1)	(1)	(1)	(1)
Bennett	Chilton	Davey	Davidson	Smith
Clarkson (Ch)		Davison		
Claughton (VCh)				
Mrs Dyer				
Galpin				
Howard				
M Martin				
Robey				

Licensing and Health and Safety Committee (13 Members)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(9)	(1)	(1)	(1)	(1)
Apps	Chilton	Davey	Adby	Smith
Mrs Bell				
Feacey (Ch)				
Galpin (VCh)				
Hodgkinson				
Mrs Hutchinson				
Marriott				
M Martin				
Shorter				

Appointments Committee (5 Members)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(3)	(1)	(0)	(1)	(0)
Mrs Blanford	Britcher	Davison	Davidson	Smith
		(invited non- voting Member)		(invited non-voting Member)
Clarkson (Ch)				
Claughton (VCh)				

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

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(10)	(2)	(1)	(1)	(1)
Bennett	Britcher	Mortimer	Davidson	Sims
Buchanan	Clark			
Burgess				
French				
Hodgkinson				
Mrs Hutchinson				
Link				
J Martin				
Wedgbury				
Wright				

Standards Committee (8 Members)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(5)	(1)	(1)	(1)	(0)
Mrs Blanford	Chilton	Davison	Adby	
Feacey				
Galpin				
Mrs Hutchinson				
Taylor				

Joint Transportation Board (7 Members)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(5)	(1)	(1)	(0)	(0)
Mrs Bell	Yeo	Davey		
Burgess				
Claughton				
Heyes (Ch)				
Robey				

Transportation, Highways & Engineering Advisory Committee (8 Members)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(6)	(1)	(1)	(0)	(0)
Burgess	Yeo	Michael		
Claughton				
Feacey (VCh)				
Heyes (Ch)				
Robey				
Wedgbury				

Education & Vocational Skills Advisory Committee (8 Members)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(6)	(1)	(1)	(0)	(0)
Bell	Chilton	Davey		
Clokie (Ch)				
French (VCh)				
Robey				
Shorter				
Wedgbury				

Grants Gateway Panel (7 Members including the Portfolio Holder for Community & Wellbeing)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(5)	(1)	(1)	(0)	(0)
Apps	Britcher	Davison		
Claughton (Ch)				
Howard				
Link				
Taylor				

Joint Consultative Committee (6 Members) – One from each Group - two from the administration.

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

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(2)	(1)	(1)	(1)	(1)
Clarkson	Britcher	Davey	Davidson	Smith
Shorter (CH)				

Conservation and Environment Forum (8 Members including Portfolio Holder for the Environment)

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(6)	(1)	(1)	(0)	(0)
Mrs Bell	Britcher	Michael		
Mrs Blanford				
(Ch)				
Mrs Dyer				
Hicks				
J Martin				
Wedgbury				

Parish Forum (6 members) (plus 1 ex officio)

Membership to include the Leader of the Council and the Leaders of Groups

Conservative	Labour	Ashford Independent	Liberal Democrat	Independent
(2)	(1)	(1)	(1)	(1)
Mrs Bell (EO)	Yeo	Davison	Davidson	Smith
Clarkson (Ch)				
Claughton (VCh)				

Member Training Panel (8 Members)

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)
Claughton	Chilton	Mortimer	Adby	Smith
Hicks				
Howard				
Mrs Hutchinson				
(Ch)				

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

Conservative (7)	Labour (1)	Ashford Independent	Liberal Democrat	Independent (0)
	(-)	Mortimer	Davidson	(0)
Apps	Britcher	worumer	Davidson	
Mrs Bell				
Clarkson (Ch)				
Claughton (VCh)				
Clokie				
M Martin				
Taylor				

APPENDIX C Minute No. 423/5/13 refers

ASHFORD BOROUGH COUNCIL

APPOINTMENT/NOMINATION TO OUTSIDE BODIES/ORGANISATIONS

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2014)
Action With Communities in Rural Kent	Cllr. Burgess Substitute: Cllr Mrs Blanford	
Alzheimer's Society – Ashford and Shepway Branch	Cllr Claughton	
Ashford Almshouses & Parochial Charities	Cllr Hodgkinson Mr Koowaree	3 year period expiring 30/11/13
	Cllr Claughton Cllr Heyes	5 year period expiring 31/5/14
Ashford Choral Society	The Mayor – President	Ongoing
Ashford Community Arts Trust	Portfolio Holder for Culture & The Environment	Ongoing
Ashford Community Safety Partnership	Portfolio Holder for Community & Wellbeing	Ongoing
Ashford Federation of the Arts	Cllr Adby	
Ashford's Future Company	Leader of the Council Alternate: Cllr Feacey	
Ashford Leisure Trust	Cllr Hicks	
Ashford Mediation Service – Management	Cllr Davidson	
Committee	Patron: The Mayor	Ongoing
Ashford Museum Committee	Cllr Adby	
Ashford Sure Start (Fifth Wave) Partnership	Cllr Chilton	
Ashford Winkle Club	The Mayor (Honorary Member)	Ongoing

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2014)
Ashford Youth Forum Trustees	Portfolio Holder for Youth & the Elderly (Trustee) Cllr Chilton (Council Rep)	Ongoing
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Claughton (Voting) Cllr Chilton (Non Voting)	
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 Taylor	
Home Improvement Agency Support Group	Cllr Britcher	
Home-Start, Ashford: Management Committee	Cllr Davey	
Kennington Parochial Charities (Two Nominative Trustees)	Cllr Buchanan Cllr Sims	Annual Meeting 2016 (4 year period) Annual Meeting 2014 (2 year period)
Kent County Playing Fields Association	Portfolio Holder – Youth & the Elderly	Ongoing
Kent Downs (AONB) Joint Advisory Committee and Executive Committee	Cllr Marriott	
Kent Downs and Marshes Leader Project	Cllr Burgess	
Kent Invicta Chamber – Economic Development Group	Cllr Galpin	
Leaders/Chief Executive Forum (formerly KALA)	Leader of the Council Sub: Deputy Leader	Ongoing
Local Children's Trust Board	Chief Executive Cllr Mrs Dyer	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2014)
Local Government Association		
General Assembly	Cllr Taylor	
Urban Commission	Cllr Heyes	
Rural Commission	Cllr Mrs Blanford	
Marshlink Steering Group	Cllr Hicks	
Mid Kent Downs (AONB) Advisory Group	Cllr Mrs Blanford Substitute: Cllr Adby	
National Council on Inland Transport – Executive Committee	Cllr Burgess	
Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee	Cllr Claughton	
PATROL – Joint Committee	Portfolio Holder for Transportation, Highways & Engineering	Ongoing
Relate East Kent (Marriage Guidance Council)	Cllr Davidson	
River Stour Internal Drainage Board	Cllr Hicks Cllr Mrs M Martin Cllr Sims Cllr Smith Mr P Howard	Ongoing
Romney Marshes Area Internal Drainage Board	Cllr Burgess	
Sandyacres Trust	Cllr Michael	
Singleton Environment Centre Management Advisory Board	Cllr Hodgkinson	Annual Meeting 2015 (4 year period)
South Ashford Youth Club – Management Committee	Cllr Davidson	
South East Employers	Cllr Taylor	
South Kent Dyslexia Association	Cllr French	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2014)
Supporting People Commissioning Body	Portfolio Holder for Housing & Customer Services Head of Customers, Homes & Property	Ongoing
SWAN Centre Site Management Committee	Cllr Smith Substitute: Cllr Yeo	
Tenterden Folk Day Trust	Cllr Clokie	
Tenterden Leisure Centre Trust	Cllr Bennett	
Tourism South East Council, Quarterly Forum and Annual Meeting	Cllr Bennett Substitute: Cllr Heyes	
Volunteering Ashford	Cllr Feacey	
Willesborough Windmill Trust Limited	Cllr Davidson	
Wye Rural Museum Trust	Cllr J Martin	May 2016

Member Champions

TOPIC	NEW REPRESENTATIVE	
Media	Cllr Bennett	
Safeguarding Children	Cllr Mrs Dyer	
Twinning	Cllr Bennett	