

# Selection & Constitutional Review Committee

## 7<sup>th</sup> May 2013

### Addendum Papers

#### **Agenda Item 4 – Single Grants Gateway Panel – Terms of Reference**

Following the despatch of this Agenda the Leader signified his wish to increase the membership of the Single Grants Gateway Panel to 7 Members as part of Agenda Item 4. Therefore please see below an amended recommendation to this report: -

#### **Recommended:**

**That the Selection and Constitutional Review Committee approves the revised Terms of Reference of the Single Grants Gateway Panel, subject to increasing the membership to 7 Members.**

#### **Agenda Item 5 – Background and Principles of Political Balance and Administrative Structure**

Further to the publication of this Agenda there have been a number of developments that have necessitated additions and amendments to this report. Attached to these addendum papers are: - Appendix A which contain details of the draft political balance calculation for 2013/14 for agreement at Full Council reflecting the decision of Cllr Bell to rejoin the Conservative Group and the outcome of the Saxon Shore by election, as well as Appendix B which sets 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 has signified his wish to make some changes to the composition of some of the Committees etc and these are as follows: - increase membership of the Planning Committee from 14 to 16 Members (plus 1 ex-officio); decrease membership of the Overview & Scrutiny Committee from 19 Members to 16 Members; amend 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.

The Leader does not intend to appoint any Lead Members for 2013/14 so the paragraph in the report should read as follows: -

*“Lead Members were established in May 2012 and covered Economic Development, Procurement and IT and the Romney Marsh. The Leader of the*

*Council has now reviewed the positions of Lead Members and has advised that he will not be renewing existing appointments for the 2013/14 Municipal Year and would not be making any further appointments."*

As a result of the points above, for clarity all of the recommendations from the original report are set out below, with all amendments and additions shown with strikethroughs and italics.

## **Recommendations**

**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 Committee recommends the adoption of the political balance of the Authority in Appendix A (which will be tabled at the meeting) 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 the 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 Transport, Highways and Engineering Advisory Committee and an Education and Vocational Skills Committee be established, each comprised of eight members, and the Terms of Reference attached at Appendices C and D be approved.**
- (v) the Independent Members Remuneration Panel be asked to consider an appropriate Special Responsibility Allowance for the Chairmen and Vice Chairmen of the new committees set out in (ii) above, possibly at a similar level to those currently paid the Chairman and Vice Chairman of the Joint Transportation Board.**
- (vi) the following Committees be constituted for the 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  
Transport and Highways 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 in Appendix B.  
Note: This will 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 be tabled).**
- (viii) the Scheme of Cabinet (Executive) and Council Delegations as set out in Part 3 of the Constitution be reaffirmed.**
- (ix) the Portfolio Holder responsibilities set out in Appendix E 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, and 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.***
- ~~(xi) it be noted that no further appointments of Lead Members will be made *this year.*~~**

## **Agenda Item 6 – Representatives on Outside Bodies/Organisations**

Please note the following updates following publication of the report: -

- The Leader does still intend to appoint a Member Champion for Media. This will continue to be Cllr Mike Bennett.
- Mr Farrant, who is the Council's appointed representative on the Wye Rural Museum Trust, has indicated his wish to step down as he stepped down from the Council in 2003 and feels that he can no longer truly represent the Council. Therefore a new appointee is required. The museum is actually in Brook so part of the Saxon Shore Ward. There are 3 meetings a year and they are generally held on Monday afternoons. More details can be obtained from the Member Services department.

- Reports for the following organisations have now been submitted: -  
Ashford Leisure Trust; Ashford Youth Forum; Headcorn Aerodrome;  
Kent Invicta Chamber; Local Children's Trust Board; Marshlink Steering  
Group; Sandyacres Trust; and Tenterden Folk Day Trust.

**THE POLITICAL BALANCE CALCULATION  
FINAL ARRANGEMENTS  
MAY 2013 (with O&S and Planning number changes)**

**A.1 All Committees to which balance applies**

	<b>Committee</b>	<b>Seats/Committee</b>		<b>Total Seats</b>
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
<b>Total</b>				<u><b>86</b></u>

**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
		<u><b>99.99998</b></u>

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

Committee	Con	Lab	AI	LD	Ind	Total
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
<b>Totals</b>	<b>58(60)*</b> ** (60.0000)	<b>10(10)</b> (10.0000)	<b>8(8)</b> (8.0000)	<b>5(4)***</b> (4.0000)	<b>5(4)**</b> (4.0000)	<b>86</b>

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 allocates only 4 seats whereas the overall Committee size is 5. The Selection and Constitutional Review Committee recommends that this seat be allocated to the Liberal Democrat Group.

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

<b>Political Group entitlement in relation to <u>all</u> seats:</b>		<b>86</b>
<b>Conservative</b>	<b>60.0000</b>	<b>= 60</b>
<b>Labour</b>	<b>10.0000</b>	<b>= 10</b>
<b>Ashford Independent</b>	<b>8.0000</b>	<b>= 8</b>
<b>Liberal Democrat</b>	<b>4.0000</b>	<b>= 4</b>
<b>Independent</b>	<b>4.0000</b>	<b>= 4</b>
<b>Total</b>		<b>86</b>

**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
<sup>x</sup> 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.**

<sup>x</sup> 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
<sup>x</sup> 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.**

## APPENDIX B

### SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

7<sup>TH</sup> MAY 2013

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

On the basis of the Political Balance Calculation agreed with Group Leaders following the recent changes to the Administrative Structure of the Council, the entitlement to seats is set out below.

Recommended Chairmen and Vice-Chairman of each Committee are outlined below, but, in accordance with the Constitution, their appointment is subject to ratification by the Full Council.

**Current recommendations on Membership and Chairmanship/Vice-Chairmanship are shown for Members' clarity. It is acknowledged that these are subject to change and clarification at the meeting.**

#### 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.

<b>Conservative (10*)</b>	<b>Labour (2)</b>	<b>Ashford Independent (2*)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>
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

<b>Conservative (5*)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (1*)</b>
Clokier (Ch)	Yeo	Michael		Smith
Link (VCh)				
Marriott				
Shorter				
Taylor				

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

<b>Conservative (11)</b>	<b>Labour (2)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>
Bennett (Ch)	Clark	Davison	Davidson	Sims
Burgess (VCh)	Yeo			
Clarkson (EO)				
Clokier				
Mrs Dyer				
French				
Galpin				
Heyes				
Mrs Heyes				
Mrs Hutchinson				
Robey				
Wedgbury				

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

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

**Licensing and Health and Safety Committee (13 Members)**

Group Leaders are reminded of the importance of nominating Members who are available to attend day-time hearings of the Licensing Sub-Committee.

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

**Appointments Committee (5 Members)**

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

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

Members should not be a Member of the Cabinet. Group Leaders are reminded of the importance of nominating Members who are available to attend day-time meetings.

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

### **Standards Committee (8 Members)**

Based on 5 Conservative Members, the Chairman and Vice-Chairman of the Overview & Scrutiny Committee and a Member from a Group not otherwise represented.

<b>Conservative (5)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (0)</b>
Mrs Blanford	Chilton	Davison	Aby	
Feacey				
Galpin				
Mrs Hutchinson				
Taylor				

### **Joint Transportation Board (7 Members)**

<b>Conservative (5)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>
Mrs Bell	Yeo	Davey		
Burgess				
Cloughton				
Heyes (Ch)				
Robey				

### **Transportation, Highways & Engineering Advisory Committee (8 Members)**

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>
Burgess	Yeo	_____		
Cloughton				
Feacey (VCh)				
Heyes (Ch)				
Robey				
Wedgbury				

### **Education & Vocational Skills Advisory Committee (8 Members)**

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>
Bell	Chilton	_____		
Clokier (Ch)				
French (VCh)				
Robey				
Shorter				
Wedgbury				

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

<b>Conservative (5)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>
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.

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

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

**CHANGED NAME (COVERING REPORT & RECOMMENDATION (x) REFERS)**

<b>Conservative (6)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (0)</b>	<b>Independent (0)</b>
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

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

**Transport Forum (7 members including the Portfolio Holder for the Environment)**

**RECOMMENDED TO BE DISBANDED (COVERING REPORT & RECOMMENDATION (x) REFERS)**

**Member Training Panel (8 Members)**

<b>Conservative (4)</b>	<b>Labour (1)</b>	<b>Ashford Independent (1)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>
Claughton	Chilton	_____	Adby	Smith
Hicks				
Howard				
Mrs Hutchinson (Ch)				

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

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