



## Selection and Constitutional Review Committee

Notice of a Meeting, to be held in Committee Room No.2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL on Thursday, 10<sup>th</sup> October 2013 at 6.30 pm\*.

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The Members of this Committee are:-

Cllr Clarkson (Chairman);  
Cllr Claughton (Vice-Chairman);  
Cllrs Bennett, Chilton, Davey, Davidson, Davison, Mrs Dyer, Galpin, Howard, Mrs Martin, Robey, Smith

**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

### Agenda

- |   | <b>Page<br/>Nos.</b> |
|---|----------------------|
| 1. <b>Apologies/Substitutes</b> – To receive Notification of Substitutes in accordance with Procedure Rule 1.2(iii).  |                      |
| 2. <b>Declarations of Interest:-</b> To declare any interests which fall under the following categories, as explained on the attached document:<br><br>a) Disclosable Pecuniary Interests (DPI)<br>b) Other Significant Interests (OSI)<br>c) Voluntary Announcements of Other Interests<br><br>See Agenda Item 2 for further details | 1                    |
| 3. <b>Minutes</b> – To approve the Minutes of the Meeting of this Committee held on the 13 <sup>th</sup> June 2013  |                      |

### Part I – For Decision

4. Review of Single Grants Gateway Funding Priorities
5. Representatives on Outside Bodies/Organisations

### Part II – For Information

None for this Meeting

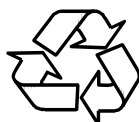


DS/AEH  
2<sup>nd</sup> October 2013



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Queries concerning this agenda? Please contact Danny Sheppard:  
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Agendas, Reports and Minutes are available on: [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)



**Declarations of Interest (see also “Advice to Members” below)**

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

**Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/240134/Openness\\_and\\_transparency\\_on\\_personal\\_interests.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf) plus the link sent out to Members at part of the Weekly Update email on the 3<sup>rd</sup> May 2013.
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution at <http://www.ashford.gov.uk/part-5---codes-and-protocols>
- (c) If any Councillor has any doubt about the existence or nature of any DPI or OSI which he/she may have in any item on this agenda, he/she should seek advice from the Head of Legal and Democratic Services and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

## **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 **13<sup>th</sup> June 2013**

### **Present:**

Cllr. Clarkson (Chairman);  
Cllr. Cloughton (Vice-Chairman);  
Cllrs. Bennett, Chilton, Davison, Mrs Dyer, Galpin, Howard, Mrs Martin, Robey, Sims.

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

### **Apologies:**

Cllrs. Davey, Davidson, Smith.

### **Also Present:**

Cllrs. Mortimer, Shorter

Head of Legal & Democratic Services, Senior Member Services & Scrutiny Support Officer.

## **28 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 7<sup>th</sup> May 2013 be approved and confirmed as a correct record.**

## **29 The Creation of a Trading and Enterprise Committee of the Cabinet**

The report sought approval to the creation of a Trading and Enterprise Board, which would be a Committee of the Cabinet, to support the activities, oversee the governance arrangements and approve the trading activities of the two trading companies that were proposed to be set up by the Cabinet (Property and Building Consultancy). The recommendations would be subject to Cabinet agreement to form the companies later that evening. The Chairman explained that the Board should comprise of four Members of the Cabinet and one Member from outside the Cabinet as an observer.

A Member said that she had no objection to the principle of setting up the two trading companies, but she felt it was wrong that such companies and the Board monitoring

them would be set up by the Cabinet and comprised solely of Cabinet Members. She said in her view this was undemocratic and the Full Council should have the opportunity to discuss these matters as the Cabinet Members had a conflict of interest. She also stated that the Selection & Constitutional Review Committee itself had a majority of Cabinet Members but the Chairman explained that this was not the position – five Cabinet Members and seven non-Cabinet Members made up the Committee. She proposed that a decision on the formation of the companies and the Board should be postponed until Full Council could debate these matters fully, in an open forum and without Cabinet Members. The Chairman asked if this proposal was seconded but it was not.

Another Member said he had some questions about setting up the companies in terms of safeguarding. He felt he did not know enough about issues of ownership, shareholders, funding, Board Members and Directors and their duties and responsibilities etc.

The Head of Legal & Democratic Services clarified that the report in front of the Committee tonight was purely to set up the Trading and Enterprise Board and agree the Terms of Reference of that Board. The report to Cabinet later that evening proposed the establishment of the two trading companies and any questions relating to this could be dealt with at that meeting. Recommendations from the Selection report on the Board were dependent on the outcome of the Cabinet report. The Cabinet report set out the arrangements proposed for the two companies in terms of safeguarding. In terms of the Cabinet's remit, the functions proposed to be undertaken by the companies, (property assets and building consultancy), were Executive functions and as such the decisions were for the Cabinet. There was no conflict of interest. In terms of the Board, as a Committee of the Cabinet it could only be made up of Cabinet Members and it was not possible to have non-Cabinet Members on there, although there was a proposed observer.

A proposal to agree the recommendation in the report was moved and seconded and, in the absence of any earlier seconded motion, this was put to the vote and carried. In response to a question from a Member the Head of Legal & Democratic Services confirmed this was in accordance with correct procedure.

**Recommended:**

- That (i) subject to the formation of the Trading Companies, the Trading and Enterprise Board be created on the Terms of Reference set out in the report.**
- (ii) Cabinet note the creation of the Trading and Enterprise Board as outlined above.**

In accordance with Procedure Rule 15.5 Councillor Mrs Martin asked for it to be recorded that she had voted against the recommendation. She then left the Meeting.

## 30 Constitutional Issues

The report advised of the need to update on two minor issues arising from the previous Meeting of this Committee. The Chairman directed Members' attention to the Addendum Paper which advised of two further issues for consideration.

### **Resolved:**

**That it be noted that responsibility for Education and Vocational Skills should be added to the Portfolio for Youth and the Elderly.**

### **Recommended:**

- That
- (i) Councillor Sims take the Independent Group's seat on the Licensing and Health and Safety Committee.**
  - (ii) Councillor Mrs Bell be appointed as Chairman of the Parish Council Review and Polling District Review Task Group.**
  - (iii) the Terms of Reference of the Joint Consultative Committee be amended to reflect the Leader's wish to no longer be a Member of that Committee and Councillor Taylor be added to the membership of the Committee in place of Councillor Clarkson.**

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## SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

10 October 2013

### SINGLE GRANTS GATEWAY PANEL – TERMS OF REFERENCE

A review of the Single Grants Gateway funding and eligibility criteria is being considered by Cabinet on October 10 and the Terms of Reference of the Single Grants Gateway will need amending, subject to Cabinet's approval of the recommendations made in the report.

A revised Terms of Reference which reflects the recommended changes is attached. Insertions are shown in italics and deletions are struck through.

#### **Recommended:**

**Subject to the approval of the cabinet to the recommendations made in the report regarding the review of the Single Grants Gateway funding and eligibility criteria, that the Selection and Constitutional Review Committee approved the revised Terms of Reference of the Single Grants Gateway Panel**

# Single Grants Gateway Panel

## Terms of Reference

### Membership

7 Members including relevant Portfolio Holder and 2 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 and **Policy and Performance Manager** 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~~ Cabinet 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: -
    - 1 from Active Ashford Board or its successor organisation, and,
    - 1 from Kent Invicta Chamber of Commerce.

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, and loans ~~and rate relief~~, to meet ~~three-four~~ times per financial year in ~~May, October and January~~ **January, April, July and October** to consider shortlisted applications from rounds closing in ~~March~~ **February, May**, 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 **tri** annual round closing in June; or at the discretion of the Chairman

**Agenda Item No:** 5

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



**Date:** 10<sup>th</sup> October 2013

**Report Title:** Representatives on 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 the Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee and to nominate a Member Champion for Heritage.
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**Key Decision:** NO

**Affected Wards:** N/A

**Recommendations:** The Committee is asked to:-

- (a) make a nomination for the appointment of a Member representative to sit on the Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee.
- (b) make a nomination for the role of Member Champion for Heritage.

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

**Financial Implications:** None

**Risk Assessment** N/A

**Other Material Implications:** N/A

**Exemption Clauses:** None

**Background Papers:** None

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## Representatives on Outside Bodies/Organisations

### Purpose of the Report

1. To advise the Committee of the need to make a nomination to the Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee and to nominate a Member Champion for Heritage.

### Issue to be Decided

2. The Council's current appointed representative, Councillor Claughton, has indicated his wish to step down from the Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee, therefore the Committee is asked to consider nominating a replacement. The St Mary's Committee was as part of the re-ordering of the Church and is responsible for supporting and directing the management of the St Mary's Arts facility and overseeing the arts programme. The Committee has strategic support from Ashford Borough Council.
3. The Council has also received a communication from English Heritage encouraging Local Authorities to consider appointing an Elected Member Heritage Champion. English Heritage consider Heritage Champions can provide a powerful voice for heritage issues within their Authority areas and play an essential role in unlocking the potential of the historic environment in many local communities across the country. This is especially important in the context of the national priority for promoting growth, and the importance of engaging local people in managing their own local places. The Council did have a Member Champion for Heritage until 2012, Cllr Peter Goddard, but the role was not immediately filled when he sadly passed away. However, the circular from English Heritage has prompted the Council to consider naming a replacement and the Leader has expressed his wish that the Council make such an appointment and that the Member should be Councillor Jessamy Blanford (Cabinet Member for Culture & Environment).
4. Any nomination from the Council would receive a package of support from English Heritage, including a welcome pack and case studies. English Heritage also runs periodic training and briefing events in the South East.

### Conclusion

5. **The Committee is asked to:-**
  - (a) **make a nomination for the appointment of a Member representative to sit on the Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee.**
  - (b) **make a nomination for the role of Member Champion for Heritage.**

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