



Selection and Constitutional Review Committee

Notice of a Meeting, to be held in Committee Room No.1 (Fougères Room), Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL on Thursday, 16th January 2014 at 6.30 pm*.

The Members of this Committee are:-

Cllr Clarkson (Chairman);
Cllr Claughton (Vice-Chairman);
Cllrs Bennett, Chilton, 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

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Nos. |
|---|----------------------|
| 1. Apologies/Substitutes – To receive Notification of Substitutes in accordance with Procedure Rule 1.2(iii). | |
| 2. Declarations of Interest:- To declare any interests which fall under the following categories, as explained on the attached document: | 1 |
| a) Disclosable Pecuniary Interests (DPI) | |
| b) Other Significant Interests (OSI) | |
| c) Voluntary Announcements of Other Interests | |
| See Agenda Item 2 for further details | |
| 3. Minutes – To approve the Minutes of the Meeting of this Committee held on the 10 th October 2013 | |

Part I – For Decision

4. Terms of Reference of the Environment and Nature Conservation Forum
5. Representatives on Outside Bodies/Organisations
6. Committee Membership



Part II – For Information

None for this Meeting

DS/AEH
8th January 2014

Queries concerning this agenda? Please contact Danny Sheppard:
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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 plus the link sent out to Members at part of the Weekly Update email on the 3rd May 2013.
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, with revisions adopted on 17.10.13, 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 **10th October 2013**

Present:

Cllr. Clarkson (Chairman);
Cllr. Cloughton (Vice-Chairman);
Cllrs. Bennett, Davidson, Davison, Galpin, Howard, Mrs Martin, Robey, Smith.

Apologies:

Cllrs. Chilton, Mrs Dyer.

Also Present:

Policy & Performance Manager, Funding & Partnerships Officer, Member Services & Scrutiny Manager.

158 Declarations of Interest

Councillor	Interest	Minute No.
Davison	Made a 'Voluntary Announcement' as he had been assisting people making applications through the Single Grants Gateway	160

159 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 13th June 2013 be approved and confirmed as a correct record.

160 Review of Single Grants Gateway Funding Priorities

The report explained that a review of the Single Grants Gateway funding and eligibility criteria was being considered by Cabinet later that evening, and subject to Cabinet's approval of the recommendations made in the report, the Terms of Reference of the Single Grants Gateway Panel would need amending. A revised Terms of Reference reflecting the recommended changes was attached to the report.

In response to a question from a Member about 'pre-notification' the Funding & Partnerships Officer explained that 'Expressions of Interest' still applied. The

Member said that the application should state clearly if the local Parish Council had been approached for funding.

A Member asked about the external representative from the Kent Invicta Chamber of Commerce, who had not been attending Panel Meetings. The Chairman said that the intention was to invite the Chairman of the Ashford Branch of the Kent Association of Local Councils (KALC) to replace the Chamber of Commerce in that role. The Terms of Reference would also have to be amended accordingly.

Recommended:

That 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, the revised Terms of Reference of the Single Grants Gateway Panel be approved, subject to a further amendment replacing the External Representative from the Kent Invicta Chamber of Commerce, with the Chairman of the Ashford Branch of the Kent Association of Local Councils (KALC).

161 Representatives on Outside Bodies/Organisations

The report advised 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.

Resolved:

- That**
- (i) Councillor Apps be nominated as a Member representative to sit on the Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee.**
 - (ii) Councillor Mrs Blanford be nominated for the role of Member Champion for Heritage.**

DS

SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

16TH JANUARY 2014

TERMS OF REFERENCE OF THE ENVIRONMENT & NATURE CONSERVATION FORUM

At the inaugural meeting of the Environment & Nature Conservation Forum on the 24th October 2013 a Mission Statement and Terms of Reference were presented for agreement. They were a combination of the two previous Fora (Nature Conservation Forum and Environmental Forum).

During discussion the Open Space and Landscape Officer requested that Point 9 of the Terms of Reference be amended to include open space sites in the Borough, this was agreed by the Forum.

An amended version of the Mission Statement and Terms of Reference has been appended to this report.

Recommended:

That the Selection and Constitutional Review Committee agrees the Mission Statement and Terms of Reference, as amended, and that this be added to the Council's Constitution.

ASHFORD BOROUGH COUNCIL

ENVIRONMENT AND NATURE CONSERVATION FORUM

MISSION STATEMENT AND TERMS OF REFERENCE

Mission Statement

1. The Environment and Nature Conservation Forum will research, examine, review, collate, report, inform, advise and recommend to the Portfolio Holder & Head of Culture and the Environment, on aspects of the environment relevant to the Borough of Ashford which include, but are not limited to:
 - Nature conservation, ecology and biodiversity
 - Landscape management and design
 - Use, access and connectivity of open space
 - Waste reduction, recycling and renewable energy
2. The Environment and Nature Conservation Forum will provide an opportunity for organisations with an interest in the sustainable development ¹ of Ashford to work together to address the protection and improvement of the local environment and to contribute to the resolution of local, national and global problems.
3. The Environment and Nature Conservation Forum will work in partnership to provide a framework to initiate and advance environmental programmes across Ashford. In particular to promote and monitor the sustainability process in the Borough and to stimulate awareness on environmental issues.

Terms of Reference:

1. To consider actively and influence policies to safeguard the environment insofar as it may affect the ability of Ashford Borough Council to create and service a high quality growing sustainable community.

¹ 'Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs' (*World Commission on Environment and Development (WCED). Our common future. Oxford: Oxford University Press, 1987*)

2. To report to the Portfolio Holder and the Head of Culture and the Environment, who in turn will exercise their discretion in reporting, informing and recommending to Cabinet.
3. To ensure an integrated and seamless interface with other local, regional and national organisations whose activities involve stewardship of the environment and to be aware of the shared opportunities with neighbouring councils and landowners.
4. To consider what actions can be taken to further improve waste management and increase recycling within the Borough.
5. To promote and influence the further development of safe cycling and walking routes within the Borough and beyond, and the provision of secure cycle storage areas in key locations.
6. To review and/or examine how to support and develop corporate priorities, including town centre improvements.
7. To specifically examine best practice and innovation by others and to review, examine and promote ways in which we can reduce the use of finite resources in favour of sustainable and renewable energy.
8. To work with appropriate agencies, partners and other groups to promote the protection, enjoyment, enhancement and maintenance of our countryside and its biodiversity together with the Borough's heritage and rich historical architecture.
9. To consider matters arising from the management of nature conservation sites and open space sites within the Borough.
10. To work together with organisations such as the Kent Wildlife Trust, Kentish Stour Countryside Partnership, The Conservation Volunteers and other local and community based groups to identify other potential nature conservation sites in the Borough and to support efforts at developing partnerships and projects to enhance nature conservation and biodiversity within the borough.
11. To work in partnership with relevant local and regional organisations and agencies in support of the development of new open space sites.
12. To consider how sustainable drainage and flood defence arrangements can be effectively integrated into the environment.
13. To consider the possible impacts of climate change on the Borough and to contribute towards the development of (i) appropriate *mitigation* policies and actions to address the root causes, and (ii) *adaptation* policies and actions to lower the risks posed by the consequences of climate change.

Agenda Item No: 5

Report To: Selection & Constitutional Review Committee



Date: 16th January 2014

Report Title: Representatives on Outside Bodies/Organisations

Report Author: Senior Member Services & Scrutiny Support Officer

Summary:	To advise the Committee of the need to make nominations to positions on outside bodies/organisations.
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Key Decision: NO

Affected Wards: N/A

Recommendations: **The Committee is asked to make nominations for the appointment of two Members to sit on the Ashford Almshouses and Parochial Charities to 30th November 2016.**

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 nominations to the Ashford Almshouses and Parochial Charities

Issue to be Decided

2. The three year appointments of Councillor Hodgkinson and Mr Koowaree to the Ashford Almshouses and Parochial Charities expired on the 30th November 2013. Councillor Hodgkinson has indicated that she would be happy to carry on in the role for a further three year period. No response has been received from Mr Koowaree but as he is no longer an Ashford Borough Council Member, the Committee may wish to consider replacing him anyway.
3. Meetings of the Charities take place during the day and normally take place one after the other on the same day. The Committee is therefore asked to nominate two Members to serve on the Ashford Almshouses and Parochial Charities for a three year period, preferably Members who are able to attend daytime meetings.

Conclusion

4. **The Committee is asked to make nominations for the appointment of two Members to sit on the Ashford Almshouses and Parochial Charities to 30th November 2016.**

Contact: Danny Sheppard

Email: danny.sheppard@ashford.gov.uk

SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

16TH JANUARY 2014

CONSTITUTIONAL ISSUES

Further to the Meeting of this Committee held on the 7th May 2013, there is a need to update on some minor issues arising from the report 'Background and Principles of Political Balance and Administrative Structure'.

With regard to the Parish Forum, the Leader has signified his wish that the seats originally allocated to himself and Councillor Claughton on behalf of the Conservative Group should be re-allocated to Councillors Mrs Bell and a Councillor TBC. Councillor Mrs Bell is also proposed to be appointed Chairman of the Parish Forum with the Councillor TBC as Vice-Chairman. The ex-officio position previously referred to should therefore be removed.

This will necessitate some minor amendments to the Terms of Reference of the Parish Forum (page 87 of the Constitution refers) as shown at Appendix 1 to this report.

In addition, with regard to Committee Membership, it should be noted that the Labour Group's seat on the Education & Vocational Skills Advisory Committee has been passed to Councillor Britcher (this was previously held by Councillor Chilton).

Recommended:

That

- (i) Councillors Mrs Bell and a Councillor TBC take the Conservative Group's seats on the Parish Forum.**
- (ii) Councillor Mrs Bell be appointed Chairman of the Parish Forum with a Councillor TBC as Vice-Chairman.**
- (iii) The Terms of Reference of the Parish Forum be amended accordingly as outlined at Appendix 1 to the report.**
- (iv) Councillor Britcher take the Labour Group's seat on the Education & Vocational Skills Advisory Committee.**

(Deletions are shown struck through and additions in italics).

Parish Forum

Membership: ~~The Leader of the Council together with the Leaders of Groups upon the Council, plus one non-voting ex officio Member,~~ *The appropriate Portfolio Holder plus one Member from each of the Political Groups on the Council and 2 Representatives each from Parish Councils within the Borough the Tenterden Town Council and Urban Community Forums*

Terms of Reference

To consider and advise the Cabinet (Executive) upon:-

1. Discussions with Parish Council and Urban Community Forum representatives upon issues of common concern with a view to achieving a better understanding of shared aspirations and, to identify ways in which joint working may be introduced for the betterment of communities as a whole.

Delegations

None.

Notes

1. To include the ~~Leader of the Council and~~ appropriate Portfolio Holders.
2. Public attendance pursuant to the Access to Information Procedure Rules as contained in Part 4 of this Constitution will only be permitted if agreed in advance of the meeting between the external representatives and the Chairman of the Forum.
3. The views of the Forum are to be reported via a Chairman's report, which will be prepared by the Proper Officer, to the Cabinet (Executive) and/or Service Manager.
4. The Forum will meet 4 times a year.