



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 Tuesday 9th December 2014 at 6.00 pm*.

The Members of this Committee are:-

Cllr Clarkson (Chairman);
Cllr Cloughton (Vice-Chairman);
Cllrs Bennett, Burgess, Chilton, Davidson, Davison, Galpin, Hodgkinson, Howard, Mrs Martin, Robey

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 9 th October 2014 | |

Part I – For Decision

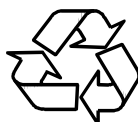
4. Constitutional Amendment Proposal – Disabled Adaptations to Council Properties – Appeals Process
5. Planning Task Group – Change of Task Group Title to Planning Policy Task Group

6. Recommendations from the Overview and Scrutiny Committee
7. Recommendations from the Member Training Panel

Part II – For Information

None for this Meeting

DS/AEH
1st December 2014



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
- (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. 1 (Fougères Room), Civic Centre, Tannery Lane, Ashford on the 9th October 2014.

Present:

Cllr. Clarkson (Chairman);
Cllrs. Mrs Blanford, Davidson, Galpin, Hodgkinson, Howard, Mortimer, Robey, Smith.

In accordance with Procedure Rule 1.2(iii) Councillors Mrs Blanford and Mortimer attended as Substitute Members for Councillors Cloughton and Davison respectively.

Apologies:

Cllrs. Bennett, Cloughton, Davison.

Also Present:

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

168 Declarations of Interest

Councillor	Interest	Minute No.
Galpin	Made a 'Voluntary Announcement' as he knew the proposed Independent Remuneration Panel member via the Kent Invicta Chamber of Commerce.	175

169 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 4th September 2014 be approved and confirmed as a correct record.

170 Background and Principles of Political Balance and Administrative Structure

The report of the Head of Legal & Democratic Services presented the Political Balance for the remainder of the 2014/15 Municipal Year. The Political Balance took account of the fact that Councillor Marriott had ceased to be a member of the Conservative Group. Councillor Marriott had indicated that he wished to be referred to as 'Conservative Independent' although the Chairman explained that he would not be able to stand at the May 2015 election under that banner.

The balance calculation as contained in the Appendix to the report had been agreed with Group Leaders, although the Chairman advised that the precise make up of some of the Committees etc. in the report may be subject to further discussion before Full Council on the 16th October.

Councillor Hodgkinson confirmed that although she had announced her intention to step down from the Council earlier that week, this would be at the next Elections in May 2015 and not before that date.

In response to a question from a Member the Head of Legal & Democratic Services explained the way that the Political Balance calculation had been applied and some of the perceived anomalies that could arise.

The agreed Political Balance is contained at Appendix A to these Minutes and the proposed membership of Committees, Groups and Forums for remainder of 2014/15 is contained at Appendix B to these Minutes.

Recommended:

That (i) the Political Balance of the Authority as contained at 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, Selection & Constitutional Review and Standards Committees and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.

(ii) to enable the Conservative Group to receive their entitlement across all Committees they be allocated a further seat on the Selection & Constitutional Review Committee.

(iii) seats on the following Committees be allocated to the Members indicated as follows: -

Audit Committee – Councillor Smith

Transportation, Highways & Engineering Advisory Committee – Councillor Marriott.

Education & Vocational Skills Advisory Committee – Councillor Marriott.

171 Filming and Audio Recordings of Council Meetings

The report of the Head of Legal & Democratic Services advised that the Openness of Local Government Bodies Regulations came in to effect on the 6th August 2014, and broadly gave the public the right to film, audio record, take photographs and use social media and the internet at meetings to report on any meetings that were open to the public. The report set out proposed amendments to the Constitution to take account of the new Regulations and also put forward for approval a draft

procedure/guidance note to assist both Officers and members of the public in managing the right under Regulations.

The Chairman said it was important that whilst recognising this new right, the Council did have a sharp focus on a procedure/guidance, in order to maintain orderly meetings of the Council and its Committees. He said the report was thorough and Officers had done a good job in focusing in on those points.

In response to questions the Head of Legal & Democratic Services advised that whilst it was not an obligation, members of the public who intended to record at meetings were advised to notify the Council in advance. Where known it would be good practice for the Chairman to announce that fact at the commencement of a meeting. The right only applied to public meetings and existing rules around disrupting the conduct of a meeting still stood and would be applied in such cases.

Recommended:

That (i) The existing General Procedure Rule 3 (b) as set out in Part 4 Rules of Procedure be deleted and substituted with the following:-

3(b) Audio and Visual Recordings

While the meeting is open to the public, any person attending the meeting may film, audio record, take photographs and use social media and the internet to report on meetings as they are taking place in accordance with the guidance set out in Appendix 5 to the Access to Information Procedure Rules.

(ii) The guidance on audio and visual recordings as set out in the Appendix to the report be approved and incorporated as Appendix 5 to the Access to Information Procedure Rules.

172 Constitutional Provisions

The Chairman advised that he had requested the addition of two small, but important provisions to the Articles of the Constitution. These dealt with how and by whom official opinions and views “on behalf of the Council” should be given publicly, and the obligation on all Councillors to undertake duties and attend meetings etc. to which they had been appointed. On the second of these points, the Chairman said that this had stemmed from the Group Chaired by Councillor Davison which had looked at Councillor Conduct.

Members also referred to recent work of the Member Training Panel and their intention to devise a short document to hand out to prospective candidates in early 2015, making it clear what the expectations were for Ashford’s Councillors and the responsibility they would have for their own development. The Group Leaders’ responsibility to make these points clear was also highlighted.

Resolved:

That the addition of the two additional provisions to Article 2 of the Constitution, as outlined in the report, be agreed.

173 Scheme of Delegations – Changes to the Constitution

The report recommended additional delegations to Officers in order to address new legislation and increase efficiency. It also recommended an appointment in connection with neighbourhood planning referendums.

A Member asked if Ward Members could be informed when Officer delegations that affected their Wards, other than planning matters, had been exercised.

Recommended:

- That**
- (i) the changes to the Constitution as set out in the Appendix to the report be made.**
 - (ii) the Chief Executive be appointed as the Proper Officer for the purposes of the Neighbourhood Planning (Referendums) Regulations 2012.**

174 Polling Districts and Polling Places Review 2014

The report contained a recommendation from the Parish Council Review and Polling District Review Task Group regarding the Polling District and Polling Places Review 2014. The Chairman advised that this was not about ward boundaries and there was likely to be a boundary review during 2016/17 which could result in a reduction to the overall number of Wards and Councillors.

A Member who was also a Member of the Task Group said that the main issues of discussion had surrounded parking and signage.

Recommended:

That the discussion be noted and the Council agrees the Polling District and Polling Places report.

175 Extension of Term of Appointment of a 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 31st October 2017.

In response to a question from a Member the Senior Member Services & Scrutiny Support Officer advised that the existing Panel was made up of three members who were local people drawn from: - the Business Sector (Chamber of Commerce); the Trade Union Sector; and the Community/Voluntary Sector. The member in question

had now retired as a Solicitor, but he was a life member of the Chamber of Commerce. He had also acted as the Chairman of the Panel since its inception.

Recommended:

That the term of appointment for one of the members of the Independent Remuneration Panel, namely Mr Christopher Page, be extended to the 31st October 2017.

176 Date of Next Meeting

Resolved:

That the next Meeting of the Committee would be Thursday 13th November 2014 at 6.30pm in Committee Room 1.

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: www.ashford.gov.uk/committees

APPENDIX A
(Minute No. 170/10/14 refers)

THE POLITICAL BALANCE CALCULATION
FINAL ARRANGEMENTS
OCTOBER 2014

A All Committees to which balance applies

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

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

43 members =		%
29 Conservative	=	67.4418
5 Labour	=	11.6279
5 Ashford Independent	=	11.6279
2 Liberal Democrat	=	4.65116
<u>Note:</u> 1 Independent		2.32558
1 Conservative Independent		2.32558
		<u>99.99998</u>

C.1 Allocation of Seats on Committees in proportion to Group strength
(Independent and Conservative Independent Members shown for information)

Committee	Con	Lab	AI	LD	Total	Ind	CI
1 x 16 O&S	11	2	2	1	16	0	0
1 x 16 Planning	11	2	2	1	16	0	0
1 x 12 Selection	9	1	1	1	12	0	0
1 x 13 Licensing, Health & Safety	9	1	1	1	13**	1**	0
1 x 8 Audit	5	1	1	0	8*	1*	0
1 x 8 Transport & Highways	5	1	1	0	8*	0	1*
1 x 8 Education & Vocational	5	1	1	0	8*	0	1*
1 x 5 Appointments	3	1	1	0	5	0	0
Totals	58(58) (58.0000)	10(10) (10.0000)	10(10) (10.0000)	4(4) (4.0000)	86	2	2

*1 Under the draft calculation all Groups had received their allocation on the Selection and Constitutional Review Committee, the Audit Committee, the Transportation Highways & Engineering Advisory Committee and the Education & Vocational Skills Advisory Committee. However, one seat remained on each of them to be allocated. The Conservative Group allocation of seats across all Committees is 58, however under the allocation they have only received 57 seats. The Leader of the Conservative Group has expressed a wish that they be allocated the seat on the Selection & Constitutional Review Committee. Of the remainder, Group Leaders have recommended that Councillor Smith be allocated a seat on the Audit Committee as he is currently a Member of that Committee. Group Leaders have also recommended that Councillor Marriott be allocated the seats on the Education & Vocational Skills, and Transportation, Highways & Engineering Advisory Committees.

**2 Under the draft calculation for the Licensing and Health and Safety Committee there remained one seat to be allocated to either the Labour Group or the Ashford Independent Group. However, if either Group took the seat it would result in them having 1 more seat over and above their overall entitlement. The Leaders of the Labour Group and the Ashford Independent Group agreed to gift this seat to Councillor Smith as he already held a seat on that Committee.

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	10.0000 =	10
Liberal Democrat	4.0000 =	4

Note:

Independent	2.0000 =	2
Conservative Independent	2.0000 =	2

Total 86

D. Committees to which balance cannot apply or 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 3 Appeals 3 Members per meeting drawn on rota from a panel of 15 Members = 3
(which does not meet as a Committee)

^x1 x 7 Joint Transportation Board Due to the Joint Arrangements = 7
and the manner in which seats are allocated by the Kent County Council, it is impossible to have an overall balanced allocation of seats

1 x 3 Licensing Sub-Committee (3 Member Panels) 3 Members per meeting drawn on rota from a panel of 13 Members = 3
(which does meet as a Committee so is itself balanced)

1 x 8 Standards – broadly politically balanced as part of membership based on posts.

Committee	Con	Lab	AI	LD	Ind	Total
*1 x 15 Appeals	10	2	2	1	0	15
*1 x 7 Joint Transportation	5	1	1	0	0	7
*Standards	5	Plus Chair, Vice-Chair of O&S plus one other minority group member				8
Licensing Sub-Committee	3 Members per Meeting drawn from a Panel of 13					

APPENDIX B
(Minute No. 170/10/14 refers)

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

9TH OCTOBER 2014

**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

Conservative (11)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Apps	Chilton (Ch)	Davison (VCh)	Adby		
Bartlett	Yeo	Mortimer			
Buchanan					
Burgess					
Feacey					
Hodgkinson					
Mrs Hutchinson					
J Martin					
M Martin					
Sims					
Vacancy					

Audit Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (1*)	Con Independent (0)
Buchanan	Yeo	Michael		Smith	
Clokier (Ch)					
Link (VCh)					
Shorter					
Sims					

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

Conservative (11)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Apps	Britcher	Davison	Davidson		
Bennett (Ch)	Yeo	Ovenden			
Burgess (VCh)					
Clarkson (EO)					
Clokier					
Mrs Dyer					
Galpin					
Heyes					
Mrs Heyes					
Mrs Hutchinson					
Robey					
Wedgbury					

Selection & Constitutional Review Committee (12 Members)

Conservative (9)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Bennett	Chilton	Davison	Davidson		
Burgess					
Clarkson (Ch)					
Claughton (VCh)					
Galpin					
Hodgkinson					
Howard					
M Martin					
Robey					

Licensing and Health and Safety Committee (13 Members)

Conservative (9)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Bennett	Chilton	Davey	Adby	Smith	
Feacey (Ch)					
Galpin (VCh)					
Hodgkinson					
Mrs Hutchinson					
J Martin					
M Martin					
Shorter					
Sims					

Appointments Committee (5 Members)

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

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

Conservative (10)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Bennett	Britcher	Mortimer	Davidson		
Buchanan	Chilton	Ovenden			
Burgess					
French					
Hodgkinson					
Mrs Hutchinson					
Link					
J Martin					
Sims					
Wedgbury					

Standards Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Mrs Blanford	Chilton	Davison (VCh)	Adby		
Burgess					
Mrs Dyer (Ch)					
Feacey					
Mrs Hutchinson					

Joint Transportation Board (7 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (0)
Burgess	Yeo	Davey			
Feacey					
Heyes (VCh)					
M Martin					
Robey					

Transportation, Highways & Engineering Advisory Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (1)
Burgess	Yeo	Michael			Marriott
Feacey (VCh)					
Heyes (Ch)					
Robey					
Wedgbury					

Education & Vocational Skills Advisory Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (1)
Bell	Britcher	Davey			Marriott
Clokier (Ch)					
J Martin (VCh)					
Robey					
Wedgbury					

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

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (0)
Apps (VCh)	Britcher	Davison			
Burgess					
Claughton (Ch)					
Mrs Dyer					
Link					

Joint Consultative Committee (6 Members) – Two Members from the Administration, the remainder from other Groups etc.

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

Conservative (2)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Galpin (Ch)	Britcher	Davey	Davidson	Smith	
Shorter					

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

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

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

Membership to include the Portfolio Holder and one Member from each Group etc.

Conservative (2)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Mrs Bell (Ch)	Yeo	Davison	Davidson	Smith	
Mrs Dyer					
Clarkson (EO)					

Member Training Panel (8 Members)

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Claughton	Chilton	Mortimer (VCh)	Adby	Smith	
Mrs Dyer					
Hicks					
J Martin (Ch)					

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

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

Constitutional Amendment Proposal

Disabled Adaptations to Council Properties – Appeals Process

At the Cabinet meeting in July 2014 members considered a report on a revised policy for adaptation works to council homes. As part of that report it was agreed to restrict certain works in certain circumstances to ensure the fairest use of the available budget. In doing so, it was also recognised an appeals process should be established to give tenants a proper opportunity to challenge officer decisions. The relevant minute (75/10th July 2014) for that meeting reads:

the Head of Community and Housing to agree the details in relation to the proposed policy in respect of the prioritisation and the Appeals Panel, taking on board the Cabinet wish that the Chairman of the Appeals Panel be independent from Ashford Borough Council.

It has become apparent since the meeting that there would be a constitutional issue of allowing a wholly independent person to chair such an appeals panel when they could be making decisions that impacted on the use of council funds.

As a consequence, further consideration was given to how the current council Appeals Panel could be used as a means of ensuring fair and independent assessment of any tenant appeals in relation to refused adaptation work.

It would seem that this could be achieved in a quite straightforward way. Incorporating any such adaptation appeals within the remit of the Appeals Panel will enable three members to be selected (from a pool of 15 members) and they can consider the evidence, call officers to provide further details, as indeed they can ask the appellant to provide further information, including with the support of an independent advocate. No member would be asked to be part of the Appeals Panel considering a case where they were the ward member and the panel would be politically neutral.

Discussions have taken place with Cllr Claughton in his role both as Deputy Leader and Chair of Ashford Access Group (who have been a key consultee on these proposed policy changes) to gauge his views on this alternative proposal. He is satisfied it provides the independence he was particularly keen to see around the appeals process and is happy to adopt this approach. Cllr Claughton also met with Ashford Access Group on 29th October 2014 to put forward this revised appeals proposal and all members were satisfied that it would deliver an independent and fair appeals process. It is also one to which they could, upon the request of the appellant, be asked to act as an advocate

Recommended: the constitution be amended to reflect that the current Appeal Panel remit be extended to consider appeals against officer decisions to refuse disabled adaptation works to council homes.

Planning Task Group – Change of Task Group Title to Planning Policy Task Group

The Planning Task Group has operated under a number of guises over recent years, including the Planning Policy Task Group and the Local Development Framework Task Group. The most recent change of title occurred in May 2013 at the Selection and Constitutional Review Committee, which resulted in the Planning Policy Task Group being, renamed the Planning Task Group.

The Leader of the Council has asked that the title of the Task Group reverts back to the Planning Policy Task Group. This will provide greater clarity for Members and members of the public as to the purpose and role of the Task Group. The Task Group deals specifically with Planning Policy matters, including the Local Plan and related Supplementary Planning and Development Plan Documents. At present the title Planning Task Group could lead Members and members of the public to believe that the Task Group is part of the Planning Committee, which is incorrect. This Task Group reports to the Cabinet, with the minutes of the Task Group appearing on Cabinet agendas for approval.

This proposal is for a name change only, the reporting structure and membership will remain the same.

Recommended:

That the Planning Task Group be renamed the Planning Policy Task Group with immediate effect.

Agenda Item No: 6

Report To: Selection and Constitutional Review Committee

Date: 9 December 2014

Report Title: **Additional powers for Group Leaders to refer matters to O&S for scrutiny, and amendment to timing of Council meetings following Cabinet meetings**

Report Author: Julia Vink, Senior Scrutiny Officer

Terry Mortimer, Head of Legal & Democratic Services

Cllr. Clarkson, Leader of the Council



Summary:

At its meeting in September 2014, the O&S Committee raised a concern that the Council's new capital projects were being agreed by Cabinet before O&S had had a proper opportunity to scrutinise them. It was considered that such scrutiny would give Cabinet the benefit of an extra check, with proper research exploring all the facts, before making the commitment to a major project and it was agreed to propose an amendment to the Constitution to enable Group Leaders to request such items be scrutinised by O&S before they were reported to Cabinet.

It was also agreed to propose that the timing of Council meetings to agree Cabinet decisions should be adjusted to give more time for the call-in process to take place (if instigated).

Key Decision: No

Affected Wards: None

Recommendations: **The Selection and Constitutional Review Committee is asked to consider the following recommendations from the Overview and Scrutiny Committee:-**

- i) **Group Leaders (or Deputy Leaders when acting for a Leader) can call matters in to O&S when the greater number of them require greater scrutiny of a project on its merit.**
- ii) **In order to ensure that Overview and Scrutiny has a proper opportunity to exercise its duties and functions, Council meetings held to approve Cabinet decisions are not less than three weeks after the Cabinet meeting, after May 2015**

Policy Overview: None

**Financial
Implications:** None

Risk Assessment No

**Background
Papers:** None

Contacts: julia.vink@ashford.gov.uk

Report Title: Additional powers for Group Leaders to refer matters to O&S for scrutiny, and amendment to timing of Council meetings following Cabinet meetings

Purpose of the Report

1. The Overview and Scrutiny Committee have two recommendations they wish to be considered by the Selection and Constitutional Review Committee :- 1. to propose an amendment to the Constitution to enable Group Leaders to request such items be scrutinised by O&S before they were reported to Cabinet and, 2. to propose that the timing of Council meetings to agree Cabinet decisions should be adjusted to give more time for the call-in process to take place (if instigated).

Issue to be Decided

2. The Selection and Constitutional Review Committee has to decide whether or not to act on the Recommendations from the O&S Committee.

Background

Additional powers for Group Leaders to call matters to O&S for scrutiny

3. At its meeting on 23rd September 2014, the O&S Committee considered the report of the Budget Scrutiny Task Group on the 'Informing the Next 5 years' report. There was broad support for the 'Informing the next 5 Years' report and this was reported to the October Cabinet meeting.
4. However, there was concern that the Council's new capital projects were being agreed by Cabinet before O&S had had a proper opportunity to scrutinise them. It was considered that such scrutiny would give Cabinet the benefit of an extra check, with proper research exploring all the facts, before making the commitment to a major project.
5. It was also agreed to propose that the timing of Council meetings to agree Cabinet decisions should be adjusted to give more time for the call-in process to take place (if instigated).
6. The O&S Committee agreed that the following recommendation be submitted to the Selection and Constitutional Review Committee for their consideration:

That

- i) **Group Leaders (or Deputy Leaders when acting for a Leader) can call matters in to O&S when the greater number of them require greater scrutiny of a project on its merit.**
- ii) **In order to ensure that Overview and Scrutiny has a proper opportunity to exercise its duties and functions, Council meetings held to approve Cabinet decisions are not less than three weeks after the Cabinet meeting, after May 2015**

Present arrangements.

Putting items on the O&S agenda

7. (See O&S Procedure rules in the Council's Constitution (Part 4 Rules of Procedure)) Apart from items such as scrutinising the Council's draft budget, which the Constitution requires the O&S Committee to do every year; the O&S Committee sets its own work programme for the year. Some items recur on a regular basis e.g. the yearly update from the Community Safety Partnership and the quarterly Business Plan performance report; others are of a 'one-off' nature.
8. Any Member of an Overview and Scrutiny Committee or Sub-Committee shall be entitled to give notice to the Proper Officer that he wishes an item relevant to the functions of the Committee or Sub-Committee to be included on the agenda for the next available meeting of the Committee or Sub-Committee. On receipt of such a request the Proper Officer will ensure that it is included on the next available agenda.
9. In practice this means that Members of the O&S Committee are able to suggest items to put on the Committee's agenda – such items must represent a Borough wide perspective and provide the opportunity to influence, to improve services or contribute to policy development. Items can also be put on the O&S agenda following a request from Cabinet or another Committee (e.g. Audit).
10. Any such item will be put to the Committee for Members to decide if they wish to add it to the work programme.
11. **Call-in** (for full details please see Appendix 1 which is an extract from the council's constitution) – a decision made by the Cabinet can be called in for scrutiny by the O&S committee if a request is made to the Proper Officer, within five working days of the decision being published, by the Chairman of O&S plus two other O&S members, or by any five O&S members. Within five days of the decision to Call-in, the Proper Officer shall call a meeting of the O&S Committee, on a date to be determined in consultation with the O&S Chairman.
12. It can be seen from the brief summary above that there is no provision to 'Call-in' something to O&S unless a decision has been made by Cabinet.
13. Cabinet can request that O&S give their views on a report/document to help Cabinet decide how to proceed (e.g. the 'Informing the next 5 years' report referred to above), sometimes such requests come from Members who are attending a Cabinet meeting and are then agreed by Cabinet.
14. At their September meeting the Portfolio Holder for Finance, Budget and Resource management advised members of O&S that, if there was an item on the forward plan that O&S wished to review then Cabinet would consider holding that item in abeyance to a future Cabinet or full Council meeting (see minute No 152/09/2014). He further advised that Members of the O&S

Committee, and all other Members, could attend any of the working group meetings and their input would be welcomed.

15. It should also be noted that during the early stages and evolution of Capital projects there may be discussions of a confidential or commercially sensitive nature which would not be appropriate to be scrutinised in a public meeting such as O&S.
16. The Selection and Constitutional Review Committee are requested to consider adding a paragraph to the Overview and Scrutiny Procedure Rules in the Constitution under paragraph 8 Agenda items – this to go between the current first and second paragraphs of that section – as follows (and as shown in Appendix 2) :

Additionally, Group Leaders (or Deputy Leaders when acting for a Leader) can refer matters to Overview and Scrutiny when the greater number of them require greater scrutiny of a Capital project on its merit, prior to any Cabinet decision on the matter.

Timetabling of meetings

17. The second recommendation from O&S was:-

In order to ensure that Overview and Scrutiny has a proper opportunity to exercise its duties and functions, Council meetings held to approve Cabinet decisions are not less than three weeks after the Cabinet meeting, after May 2015

18. The timetable for meetings is agreed each year at the full Council meeting in February. The timetable endeavours to spread the load of meetings out so that the business of the Council can be properly conducted (for example Planning Committee and Cabinet would not normally be timetabled in the same week).
19. Ordinarily Cabinet meetings take place on the second Thursday of the month, O&S meetings take place on the fourth Tuesday and full Council meetings take place five times a year (on the Thursday after that cycle's last Cabinet meeting) - the Annual Meeting (Mayor making) in May, and meetings in July, October December and February.
20. When the minutes of a Cabinet meeting held the week before the Council meeting are considered, the decision of the Council when approving the Cabinet minutes makes it clear that they are not effective until the expiry of the Call-in period. An example of how they are minuted is shown below:-

Resolved:

That subject to the expiry of the period by which decisions arising from the meeting of the Cabinet held on the xx date may be called in i.e. nn date

- (i) **The Minutes of the meeting of the Cabinet held on the xx date be received and noted with the exception of Minute Nos.**

(ii) Minute Nos. be approved and adopted.

21. As can be seen from the above, the fact that the Council meeting is normally one week after the last Cabinet meeting in a cycle does not mean that any Cabinet decision to which O&S objects/has concerns is exempt from being called-in. Indeed the majority of Cabinet meetings take place several weeks before a Council meeting. Accordingly the moving of a Council meeting to three weeks after a Cabinet meeting is not necessary to allow O&S to properly exercise its functions.
22. The change proposed by O&S would move Council meetings to the 5th Thursday of the month (if there was one) or the 1st Thursday of the next month. This would, however, result in a delay in Council approving any items recommended by Cabinet.
23. This could have a serious effect on the timing of meetings for some important Council decisions for example the setting of Council tax.
24. Working backwards – the Council starts to collect the year's Council tax on 1st April, Council Tax bills are sent out to residents in mid March; the Council meeting to agree the Council Tax is in February, one week after the Cabinet meeting to agree the budget.
25. If the Council meeting was moved 3 weeks on from the Cabinet meeting then there would be insufficient time for the R&B team to get all the council Tax bills out to residents (the council has to give 14 days notice of the bill being due and council Tax is due from 1st April). Alternatively, if the Cabinet meeting was moved back 3 weeks from the Council meeting this would mean the Cabinet meeting would be in mid January. The work of the Budget Scrutiny Task Group and its report to O&S would have to take place before Christmas when the required information from central government was unlikely to have been made available.
26. Time critical decisions such as those on consultations with the public and the adoption of development plan documents could also be delayed.

Timetable of events following a Call-in

27. The Call-in of a Cabinet decision by O&S has to happen within five working days of the decision being published. Once called-in the decision cannot be implemented until it has been reconsidered.
28. Once the Call-in has been received the Proper Officer shall call a meeting of the O&S Committee on such a date as he shall determine, where possible after consultation with the O&S Chairman, this date to be agreed within five days of the decision to Call-in. This does not mean that the Call-in meeting itself has to happen within five working days of the Call-in being received, indeed this would not be possible because five working days notice has to be given of the meeting.

29. The date of the Call-in meeting will be influenced by several factors including the time of year, the appropriate venue being available, the need to produce additional papers for the meeting, Officer and Member availability and also the availability of internal and external witnesses, should they be required. So there could be quite a time lag between the Cabinet meeting and the Call-in meeting.
30. If, having considered the original decision at the Call-in meeting O&S have concerns about it, then it may be referred back to the original decision making body for reconsideration i.e. for a Cabinet decision, to the next Cabinet meeting to which the O&S report can be made available. O&S can also refer the matter to full Council.
31. Alternatively, if, having considered the matter further, O&S decides not to refer the matter back to the decision making body, then the decision shall take effect from the date of the O&S Call-in meeting.
32. The final decision of the Cabinet – to amend the original decision, or not; shall not be subject to Call-in.

Conclusion

33. **As can be seen from the above, the provisions already in place for putting items on an O&S agenda and the current arrangements of how meetings are timetabled do not prevent or inhibit O&S from being able to fulfil its functions. Nevertheless, the Selection and Constitutional Review Committee is asked to consider the recommendations of the O&S Committee for Group Leaders to be able to request Capital projects be scrutinised by O&S before they are reported to Cabinet and for the change to the timetabling of Cabinet and Council meetings:**

That:

- i) **Group Leaders (or Deputy Leaders when acting for a Leader) can call matters in to O&S when the greater number of them require greater scrutiny of a project on its merit.**
- ii) **In order to ensure that Overview and Scrutiny has a proper opportunity to exercise its duties and functions, Council meetings held to approve Cabinet decisions are not less than three weeks after the Cabinet meeting, after May 2015**

Contact: Julia Vink

Email: scrutiny@ashford.gov.uk

15. Call-In

- (a) When a decision is made by the Executive or an individual Member of the Executive or a Committee of the Executive, or a key decision is made by an Officer with delegated authority from the Executive, or an Area Committee or under Joint Arrangements, the decision shall be published and shall be available at the main offices of the Council in hard copy and on the website normally within 3 working days of being made.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless an Overview and Scrutiny Committee objects to it and calls it in.
- (c) During that period, the Proper Officer shall call-in a decision for scrutiny by the Overview and Scrutiny Committee if so requested by the Chairman of that Committee and two other Members or any five Members of the Overview and Scrutiny Committee, and shall then notify the decision-taker of the call-in. He shall call a meeting of the appropriate Overview and Scrutiny Committee on such date as he may determine, where possible after consultation with the Chairman of that Committee, and in any case within 5 days of the decision to call-in. Five clear working days notice of the meeting must be given.
- (d) If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to Full Council. If referred to the decision maker they shall then reconsider within a further five working days, amending the decision or not, before adopting a final decision (which shall not be subject to call-in).
- (e) If following an objection to the Executive decision, the Overview and Scrutiny Committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Overview and Scrutiny meeting or at the expiry of that further five working day period from the decision to call in the matter.
- (f) If the matter is referred to Full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. If the Council does object, however, it has no locus to make decisions in respect of an Executive decision unless it is contrary to the Policy Framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive as a whole or a Committee of it, a meeting of the Executive or the Executive Committee as the case may be will be convened to reconsider the original decision within five working days of the Council request. Where the decision was made by an individual, the individual will reconsider within five working days of the Council request.

- (g) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- (h) Where an Executive decision has been taken by an Area Committee, then the right of call-in shall extend to a group of at least half the total number of voting Members of another Area Committee if they are of the opinion that the decision, made but not implemented, will have an adverse effect on the area to which their Committee relates. In such cases, those Members may request the Proper Officer to call-in the decision. He shall call a meeting of the Overview and Scrutiny Committee on such a date as he may determine, where possible after consultation with the Chairman of the Committee, and in any case within five days of the decision to call-in. All other provisions relating to call-in shall apply as if the call-in had been exercised by Members of the Overview and Scrutiny Committee.

Exceptions

- (i) The Council has not adopted a procedure to avoid abuse of the 'call-in system' but will monitor its operation with a view to adopting a control procedure if the call-in provision is abused to the extent that it prevents the effective operation of the Executive.
- (j) The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chairman of the Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman of the Overview and Scrutiny Committee, the Mayor will be asked if s/he considers the decision urgent. In the absence of the Mayor, the Deputy Mayor's consent shall be required. In the absence of both, the Proper Officer or his nominee's consent shall be required, and in the absence of the Overview and Scrutiny Chairman, his nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (k) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

Extract from Overview and Scrutiny Procedure Rules

8. Agenda Items

Any Member of an Overview and Scrutiny Committee or Sub-Committee shall be entitled to give notice to the Proper Officer that he wishes an item relevant to the functions of the Committee or Sub-Committee to be included on the agenda for the next available meeting of the Committee or Sub-Committee. On receipt of such a request the Proper Officer will ensure that it is included on the next available agenda.

Additionally, Group Leaders (or Deputy Leaders when acting for a Leader) can refer matters to Overview and Scrutiny when the greater number of them require greater scrutiny of a Capital project on its merit, prior to any Cabinet decision on the matter.

Furthermore, Councillors are entitled to give notice to the Proper Officer that they wish an item relating to their Ward, which is relevant to the functions of the Overview and Scrutiny Committee of which they are not a Member, to be included on the Agenda for the next available Meeting of the Overview and Scrutiny Committee as a Councillor Call for Action (CCfA). On receipt of such a request the Chairman of the Overview and Scrutiny and Proper Officer (Head of Legal and Democratic Services) will determine whether to take the CCfA forward. If it is agreed that the item is to be progressed then the Proper Officer will ensure it is included on the next available Agenda in accordance with the CCfA protocol. In putting forward such a request the Councillor must have regard to the CCfA protocol (Appendix A(i), attached to the Overview and Scrutiny Procedure Rules) and government guidance. The Councillor concerned will be able to make representation to the Committee when it considers whether to take the item further. If the matter is a Crime and Disorder issue, responsible authorities (Crime and Disorder Reduction Partnership Members) must be notified by the Proper Officer. (See Appendix A(ii): Additional Procedure Rules of the Overview and Scrutiny Committee when acting as the Crime and Disorder Committee).

SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

9TH DECEMBER 2014

RECOMMENDATIONS FROM THE MEMBER TRAINING PANEL

The report of the Chairman of the Member Training Panel meeting of 18th August 2014 was considered by Cabinet on the 9th October (original report attached at Appendix A). Some Cabinet Members expressed concern about two of the recommendations (namely **ii** and **vi**) and the Cabinet agreed to refer the recommendations to the Selection & Constitutional Review Committee. For information the full recommendations in question were: -

- (ii) *information on “Being a Good Councillor” and the particular expectations and requirements at Ashford, should be delivered before the Election in the form of a talk from the Chief Executive and/or an experienced Member at the prospective candidates evening in the spring, but also by way of an ‘Ashford Centric’ document covering the relevant points outlined within the report which could be given out with nomination packs. This to be produced following agreement from the Group Leaders.***
- (vi) *Members attendance figures for meetings and training sessions should be published as part of the annual allowances notice.***

The recommendations have subsequently been re-examined and discussed with the Chairman of the Member Training Panel with the following observations: -

Recommendation (ii)

There was concern expressed about the production of a “Being a Good Councillor” document as it could be too prescriptive in terms of what constituted a good Councillor and that each Political Group had its own sanctions in terms of concerns over performance. This point is accepted and the proposed name of the document is perhaps a little too ‘inflammatory’. This was certainly not the intention of the Panel’s original recommendation. To better reflect what was intended it is proposed to change the name of the document to “*What to Expect as an Ashford Councillor*”. Furthermore, by way of explanation, the purpose of the document was that the Panel had discussed how prospective candidates did not always realise the level of work required to be undertaken by an Elected Member. Its intention was to produce some sort of concise, professional, Ashford-centric document to assist prospective candidates, giving them an idea of what to expect as an Ashford Borough Councillor, rather than being too prescriptive. It was proposed that its content would be subject to agreement from the Group Leaders before being distributed and provided to prospective candidates with nomination packs. Whilst noting the proposed new name of the document to better reflect its intention, if Members would prefer not to pursue this route, this Committee can obviously reject or amend recommendation (ii).

Recommendation (vi)

Concern was also expressed about the recommendation proposing the publication of Member's attendance figures, as meeting attendance could give a distorted picture of the overall work undertaken by an individual Member. Again, by way of explanation, this recommendation stemmed from discussion at the Panel and from the work of the Councillor Conduct Group who were both concerned at the level of non-attendance at meetings by some Councillors. It was also made with the knowledge that many other District Councils in Kent as well as Kent County Council already publish Members' attendance figures, on an ongoing basis and in great detail, on their own websites. The recommendation had been to consider publishing attendance figures as part of the Annual Allowances notice which appears on the Council's website and that it be expressed for each Member as a percentage of their attendance at meetings to which they had been appointed to, so it would be a figure with context and meaning. Whilst it is accepted that this point is not strictly a training issue, it is considered important by the Members involved in making the recommendation, and the publication of Members' attendance at training sessions/events was something that the Panel itself would like to pursue. However, if Selection & Constitutional Review would prefer to reject this proposed recommendation, again that is the option of this Committee.

Conclusion

The Member Training Panel would still like to put forward the following recommendations: -

Recommendations and Next Steps:

That: -

- (i) the Panel support the content of the report and the direction proposed for Member Training and Induction.**
- (ii) information on the particular expectations and requirements of an Ashford Councillor, should be given before the Election in the form of a talk from the Chief Executive and/or an experienced Member at the prospective candidates evening in the spring, but also by way of an 'Ashford Centric' document covering the relevant points outlined within the report which could be given out with nomination packs. This to be produced following agreement from the Group Leaders.**
- (iii) at the first meeting of each Committee, Task Group etc. following the Election, the first Agenda item should be an introduction to that Committee and an explanation of what it is there to do.**

- (iv) reports from external training sessions should continue to be produced and circulated, but this should be via the Chairman of the Member Training Panel.**
- (v) an on-line training portal for Members be devised.**
- (vi) Members attendance figures for meetings and training sessions should be published as part of the annual allowances notice.**
- (vii) Group Leaders be asked for their continued support for the proposed programme and to encourage their new and existing Members to attend induction and training sessions.**

Ashford Borough Council

Report of the Chairman of the Member Training Panel – 18th August 2014

1 Introduction

- 1.1 A meeting of the Member Training Panel was held on the 18th August 2014.
The Members present were:-

Councillor Miss Martin (Chairman);
Councillor Mortimer (Vice-Chairman);
Councillors Chilton, Davidson, Mrs Dyer, Hicks.

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

Apologies: -

Councillors Adby, Claughton, Smith.

Also Present:-

Danny Sheppard - Senior Member Services & Scrutiny Support Officer.

2 Chairman's Report – 15th April 2014

2.1 Resolved:

That the report be received and noted.

3 Members Training – The Way Forward

- 3.1 The Chairman welcomed everyone present. She explained that this was her first Meeting as Chairman of the Panel. She had worked with the Vice-Chairman and the Senior Member Services & Scrutiny Support Officer to produce the contents of the report and she was pleased to present it to the Panel. The report demonstrated a new approach to the whole issue of Member training and Councillor Development more generally. This was primarily with a view to post the May 2015 Elections, and she said she would welcome the input of the Panel to take that forward. She said that she had sent out an email to all Members asking for feedback on training and there had been a very good response which she was grateful for. The responses had helped shape the report and recommendations put to this meeting and had therefore served as a useful starting point.

- 3.2 The Chairman opened the report up to the Panel for general comments and questions. The following points were made: -

- Whilst the Panel supported the requirement for Members to submit a short report following attendance at an external training session, concern was expressed about a recent example whereby a Member had submitted the paperwork from a session, only for it to be inferred

that they were biased on the issue of the session itself and having the paperwork circulated outside of the Council. It was considered that this may put other Members off attending training sessions. The Panel thought this was an unfortunate example and the message needed to be made clear that the views from any of these training sessions were not the personal opinion of the Member and should certainly not be passed on outside of the Council. However, the intention of the requirement was to disseminate knowledge from these courses to all Members, and that intention should not be lost. It was agreed that in the future such reports should be submitted via the Chairman of this Panel rather than the individual Member to avoid confusion, but the requirement to submit a report did still stand.

- The Panel was very supportive of the suggestion that at the first meeting of each Committee, Task Group etc. following the elections, the first Agenda item should be an introduction to the Committee and an explanation of what it was there to do.
- The introduction of an on-line training portal for Members was also strongly supported. The Chairman would discuss this with the Portfolio Holder and IT Officers and report back to the next meeting of the Panel.
- As well of the importance of getting Group Leader 'buy-in' it would also be important to get the message across to Election Agents so that the importance of induction training was re-enforced to prospective candidates. The agreed dates for sessions in the Induction Programme should be sent to Agents when produced, with a note emphasising the importance of these dates to prospective Councillors.
- The Panel believed that the information on 'Being a Good Councillor' should be delivered before the Election so that all candidates knew what was expected at Ashford and were under no illusions of the requirements and expectations of the role. This could take the form of a talk from the Chief Executive and/or an experienced Member at the prospective candidates evening in the spring, but perhaps more useful would be the production of some sort of professional 'Ashford Centric' document covering the bullet points outlined in the report, but also outlining Ashford's particular expectations of its Members as well as the things that were available to help them in their role. This could be given out with nomination packs, but would clearly need Group Leader endorsement and sign off before it was circulated. A Member said his Group had drawn up a 'candidate contract' which he would be happy to provide to Officers as an example. The Panel was keen to stress that although they were strictly volunteers, Councillors also had to be accountable as they were given an allowance and had been elected by their constituents. The basic outline of the 'Being a Good Councillor' document would be presented to the next meeting of this Panel for discussion.
- Although not strictly a training issue, further to the previous meeting of the Panel the issue of Members' attendance at meetings was raised. Following discussion it was suggested that a recommendation be made to consider publishing Members' attendance figures as part of the annual allowances notice. This would have to be taken in context

though, in terms of how many meetings a Member was expected to attend by virtue of their membership of Committees etc. If adopted, this could perhaps be extended to publishing attendance at training sessions.

- The importance being placed on ongoing training and refresher sessions on changing legislation and emerging issues was welcomed. It was accepted that in the past enough onus had not been placed on refreshing existing Councillors and this would be extremely important in the light of Localism and the ever-changing landscape of Local Government.
- A Member said that it was difficult to keep track of the sheer number of Task Groups or similar that had emerged over the last three years and an explanation of these and all new emerging Task Groups should be provided to Members.
- Difficulties of scheduling ad-hoc meetings, particularly with the Task Groups, was raised and it was suggested that each of the Task Groups should fix monthly dates for their meetings in advance and if dates were not needed it would be much easier to delete them than the other way round. It was considered that this would help everyone with scheduling.
- A buddying system may be useful, but it was not clear how that would work in practice. The Panel thought this was something that should be undertaken more informally or within Political Groups. The Chairman advised that the LGA ran an independent mentoring/buddying system with experienced Members around the country, which she had personally signed up to. This was something Members could explore individually if they wished, and she had found it useful in terms of discussing more general issues.
- There were issues around the budget, which was currently £15,000 over the four year life of the Council, and whether the new more pro-active approach would result in a need to increase this. The Panel considered this would be a price worth paying for more informed and better trained Members and this may be something that needed exploring at future meetings. More detailed suggestions on the budget will be made to Cabinet following the next meeting of the Panel, but it is expected that it would be likely to need somewhere in the region of a doubling of the existing £15,000 budget.

3.3 The Panel ran through the sessions suggested as part of the Induction Programme and made the following comments: -

- The Panel agreed that the following sessions should take place during Phase 1 of the Induction Programme: -
 - First ABC Induction Session;
 - Planning Committee Training;
 - Licensing Committee Training;
 - Audit Committee Training;
 - An Introduction to Overview & Scrutiny.

- Each Committee would also have an introduction to the Committee and explanation of what it was there to do as its first Agenda item of the first meeting.
- The Panel agreed that the four topics suggested for Phase 2 of the Induction Programme in the report all merited their own sessions, therefore Phase 2 should include: -
 - Finance; Housing;
 - Culture & the Environment;
 - IT/Social Media/Press & Communications.
- The importance of attending training sessions, and the availability of a training budget and ability to attend external courses should be added to the list of issues covered at the first ABC Induction Session, including an explanation of the application process. The Panel considered that greater weighting for external training opportunities should be given for those councillors that embrace the internal training on offer at ABC

3.4 The Chairman advised that she had been working with the IT department and the Portfolio Holder around options for Members to have their own websites. It was also expected that all 43 Members would be provided with standard IT kit to assist with support levels. The initial idea around the websites was to supply a template which could be automatically set up for all 43 Members if they so wished, with a generic layout and information supplied, but with the ability for Members to personalise parts of the page with their own details and Ward news. It would allow residents to differentiate between the standard ABC website (for information gathering etc.) and the Councillor websites which would give Members a better opportunity to communicate with their constituents, whilst also giving out key Council information. The websites would obviously have to be non-political. They were looking to start a pilot of this involving the Leader and the Chairman said she would report back further on the issue at the next meeting of the Panel. She said that she thought the whole issue of Councillors being able to better communicate with their constituents via the internet and social media was vitally important and relevant IT training sessions and sessions on how to use the websites and IT kit would therefore have to be a key issue for the new Council and built in to the Induction Programme.

3.5 **Post Meeting Note: The Chairman will be attending some specialist Social Media training on behalf of the Council on 23rd September and a Code of Conduct for Social Media use for Councillors is being devised. Further information on these will be distributed in the run-up to the Elections as use of Social Media is expected to be a topical issue in the campaigning.**

3.6 The Chairman said she would like to draw attention to the upcoming Members Tour of Completed Development on the 7th October. She said this would be an invaluable day for all Members and she hoped that Panel Members in particular would support it, and other similar events, to show their commitment to Member Training.

3.7 Recommendations and Next Steps:

That: -

- (i) the Panel support the content of the report and the direction proposed for Member Training and Induction.**
- (ii) information on 'Being a Good Councillor' and the particular expectations and requirements at Ashford, should be delivered before the Election in the form of a talk from the Chief Executive and/or an experienced Member at the prospective candidates evening in the spring, but also by way of an 'Ashford Centric' document covering the relevant points outlined within the report which could be given out with nomination packs. This to be produced following agreement from the Group Leaders.**
- (iii) at the first meeting of each Committee, Task Group etc. following the Election, the first Agenda item should be an introduction to that Committee and an explanation of what it is there to do.**
- (iv) reports from external training sessions should continue to be produced and circulated, but this should be via the Chairman of the Member Training Panel.**
- (v) an on-line training portal for Members be devised.**
- (vi) Members attendance figures for meetings and training sessions should be published as part of the annual allowances notice.**
- (vii) Group Leaders be asked for their continued support for the proposed programme and to encourage their new and existing Members to attend induction and training sessions.**

4 Dates of Future Meetings

- 4.1 The Chairman advised that there would be two more meetings of the Panel before the Elections. Once in November to agree a draft 'Being a Good Councillor document', a timetable for the Induction Programme - putting dates to sessions and fleshing out some more of the details, and again in March 2015 to finalise the arrangements and the Panel's Annual Report for 2014/15. The following dates were agreed: -

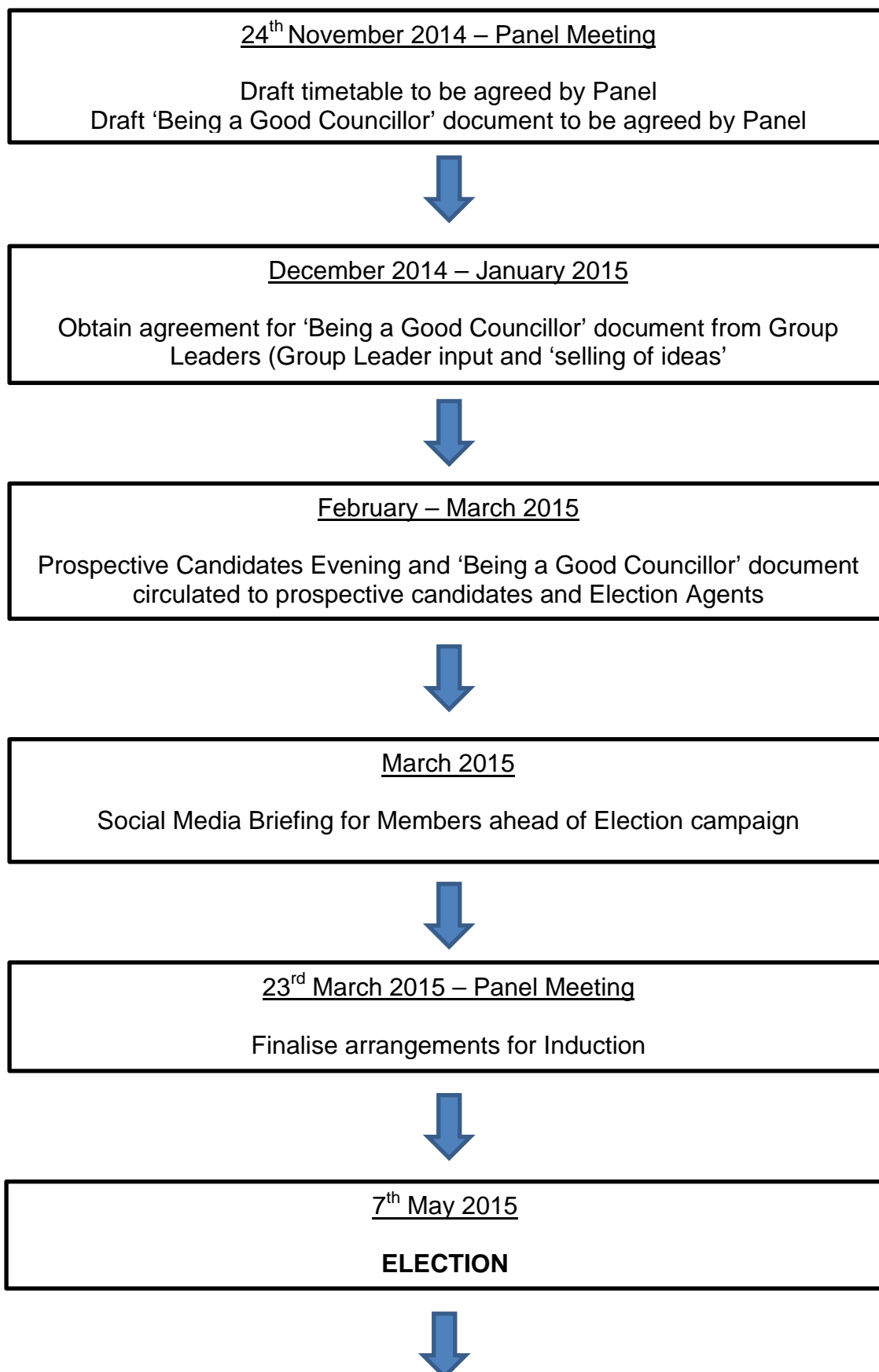
- Monday 24th November 2014 – 10am – Committee Room 1.
- Monday 23rd March 2015 – 10am – Committee Room 1.

Councillor Miss J Martin
Chairman – Member Training Panel

MINS:Member Training Panel 18-08-14

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

MEMBERS TRAINING – THE WAY FORWARD



8th May 2015

Count – Introduction to Member Services team and distribution of key materials



May – July 2015

Delivery of Phase 1 of Induction

(First ABC Induction Session; Planning Committee Training; Licensing Committee Training; Audit Committee Training; An Introduction to Overview & Scrutiny)



Summer 2015

IT Specific Training (New Kit, New Websites?)



August – October 2015

Delivery of Phase 2 of Induction

(Finance; Housing; Culture & the Environment; IT/Social Media/Press & Communications.)



November 2015 and onwards

Ongoing Training – Specialist and Refresher