

Selection & Constitutional Review Committee

Minutes of a Meeting of the Selection & Constitutional Review Committee held in Committee Room No.1 (Fougeres Room), Civic Centre, Tannery Lane, Ashford on the 9th December 2014

Present:

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

Also Present:

Cllr. Miss Martin

Housing Improvement Manager, Senior Member Services & Scrutiny Support Officer.

271 Declarations of Interest

Councillor	Interest	Minute No.
Burgess	Made a 'Voluntary Announcement' as he was a Member of the Overview & Scrutiny Committee.	275
Chilton	Made a 'Voluntary Announcement' as he was Chairman of the Overview & Scrutiny Committee.	275
Davison	Made a 'Voluntary Announcement' as he was Vice-Chairman of the Overview & Scrutiny Committee.	275
Galpin	Made a 'Voluntary Announcement' as he was quoted in the report for Agenda Item 6.	275
Hodgkinson	Made 'Voluntary Announcements' as a tenant of Ashford Borough Council and as she was registered disabled and;	273
	Made a 'Voluntary Announcement' as she was a Member of the Overview & Scrutiny Committee.	275

272 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 9th October 2014 be approved and confirmed as a correct record.

273 Constitutional Amendment Proposal – Disabled Adaptations to Council Properties – Appeals Process

The report advised of a proposed addition to the terms of reference of the Council's Appeals Committee to consider appeals against Officer decisions to refuse disabled adaptation works to Council homes.

The Deputy Leader, who was also the Chairman of the Ashford Access Group, advised that he had been involved in discussions on this matter in both of his roles and his comments had been included within the report. Ashford Access had accepted the independence of the Appeals Panel and were also fully prepared to act as an advocate on behalf of the Appellants if requested. He said he was happy to support the recommendation.

In response to questions the Housing Improvement Manager advised that the initial decisions on such adaptations would be taken following consideration of professional expert advice from the likes of Social Services and Occupational Health Therapists. He also advised that there was a lot of independent support available to those who did wish to appeal, including from Ashford Access as previously mentioned.

The Committee said it wished to acknowledge the huge amount of work that the Housing Improvement Manager had undertaken on this matter and thanked him for his time and efforts.

Recommended:

That the Council's Constitution be amended to reflect that the remit of the current Appeals Committee be extended to consider appeals against Officer decisions to refuse disabled adaptation works to Council homes.

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

The Chairman advised that he had made the proposal to revert back to the previous name of Planning Policy Task Group, in order reflect its role dealing specifically with planning policy matters and to differentiate it from the Planning Committee. He said it also fell within his responsibility as Leader of the Council in terms of developing and promoting new policies.

Recommended:

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

275 Recommendations from the Overview & Scrutiny Committee

The report advised of the Overview & Scrutiny Committee's concern that the Council's new capital projects were being agreed by Cabinet before they 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 facts, before making a commitment to a major project. The Committee agreed to propose an amendment to the Constitution to enable Group Leaders to request that such items be scrutinised by Overview & Scrutiny before they were reported to Cabinet. The Committee also agreed to propose that the timing of Council meetings to agree Cabinet decisions be adjusted to give more time for the call-in process to take place (if instigated).

The Chairman said that he could not agree with the report or support the recommendations of the Overview & Scrutiny Committee and he felt there had been some misunderstanding of the current arrangements. He considered the recommendations were unnecessary as there was an existing process in place for call-in which worked well. Changing the timing of Council meetings also appeared unnecessary because as soon as something was called in, a decision would not be taken until such time that Overview & Scrutiny had undertaken their investigations. It was in effect frozen. He also said that developers and organisations had to be able to approach the Cabinet with ideas and potential projects without having to have those scrutinised before the Cabinet had even had a chance to examine them. He considered that Overview & Scrutiny needed to understand that they were there to scrutinise the decisions of this administration and it had to be that way round.

The Chairman of the Overview & Scrutiny Committee said he had not personally been present at the September meeting when these recommendations had been made and if he had been he would not personally have supported them. He also thought the proposals to allow Group Leaders or Deputy Leaders to call in matters was problematic. He recognised though that as Chairman of Overview & Scrutiny he had a duty not to vote against the wishes of that Committee so he would therefore abstain from voting on this matter.

In response to questions it was clarified that any five Members of the Overview & Scrutiny Committee could get together to call-in an issue, or any two Members plus the Chairman. There was currently no provision for Group Leaders to call items in.

Resolved:

That the two recommendations from the Overview & Scrutiny Committee be not supported.

In accordance with Procedure Rule 15.5 Councillor Chilton requested that his vote in abstention be recorded in the Minutes.

276 Recommendations from the Member Training Panel

The report advised that the report of the Chairman of the Member Training Panel meeting of 18th August 2014 had been considered by Cabinet on the 9th October and some Cabinet Members had expressed concern about two of the recommendations. The Cabinet had therefore agreed to refer the recommendations to this Committee and the report gave an explanation as to the thinking behind those recommendations.

The Chairman then ran through each of the recommendations with the Committee and the following observations were made:-

Recommendation (i) – Accepted.

Recommendation (ii) – Some Members did not agree that any information should be given out to candidates in advance of the Elections, only once they had been elected. The Senior Member Services & Scrutiny Support Officer advised that the intention was for this to be a short leaflet simply explaining the basic expectations and responsibilities of an Ashford Councillor. There was to be a prospective candidates evening in March 2015 and it was proposed to hand this out at that event. The Committee considered that on the whole, such information should really be given by the Political Groups/Agents and the Council itself should not get involved until after the Elections, however if a short factual document was produced and agreed by all Group Leaders then this would be acceptable. On a related issue a Member said she much preferred the previous arrangement whereby an appointment was made with the Chief Executive for each Member to come in and sign their Declaration of Acceptance of Office, rather than having to do it on the day at the Count which was usually very busy. It allowed Members, especially newly elected ones, to meet the Chief Executive and gave them time to take in what they were signing up to. The Chairman said that this was a matter that could be taken up with the Chief Executive.

Recommendation (iii) – The Committee considered this was an excellent idea that should certainly be taken forward.

Recommendation (iv) – Accepted but only if the Member and the Chairman of the Panel feel it is worthwhile, appropriate or necessary

Recommendation (v) – Accepted.

Recommendation (vi) – The Chairman proposed that as a starting point, attendance figures for Full Council meetings only should be published. This was the only meeting that all Members were expected to attend and so would provide some context. The information should be presented in three columns (Attended/Apologised/Absent), but it was considered that it should be published somewhere other than the annual allowances notice. Some Members considered that this should be extended to all Council Committees and the Chairman said that this was perhaps the next step, but he considered it should be done incrementally. He said that he was as concerned as anybody at the attendance of some Members at meetings and he had personally taken a great interest in that since he became

Leader of the Council, but ultimately it was a matter for Group Leaders to deal with their own errant Members accordingly. The Committee was happy to support this as a starting point.

Recommendation (vii) – Accepted.

Recommended:

- That**
- (i) the direction proposed for Member Training and Induction be supported.**
 - (ii) a short factual document on the particular expectations and responsibilities of an Ashford Councillor be produced and distributed to prospective candidates at the event in March 2015. This document to be agreed by all Group Leaders in advance.**
 - (iii) at the first meeting of each Committee, 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 be produced if the Member attending feels it is worthwhile and appropriate. Such reports shall be submitted to the Chairman of the Member Training Panel, who will circulate to the other Panel Members or wider as necessary."**
 - (v) an on-line training portal for Members be devised.**
 - (vi) from May 2015 Members attendance figures at Full Council meetings be published.**
 - (vii) Group Leaders be asked for their continued support for the proposed Member Training and Induction programme and to encourage their new and existing Members to attend induction and training sessions.**

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Queries concerning these Minutes? Please contact Danny Sheppard:
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