

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 11th February 2015.

Present:

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

In accordance with Procedure Rule 1.2 (iii) Councillors Hicks and Shorter attended as Substitute Members for Councillors Burgess and Bennett respectively.

Apologies:

Cllrs. Bennett, Burgess, Chilton, Hodgkinson.

Also Present:

Cllrs. Miss Martin, Smith.

Principal Solicitor for Property & Projects, Electoral Services Manager, Funding & Partnerships Officer, Senior Member Services & Scrutiny Support Officer.

Christopher Morley – Kennington Community Forum, Allen Wells – South Ashford Community Forum.

336 Declarations of Interest

Councillor	Interest	Minute No.
Clarkson	Made a 'Voluntary Announcement' as he had Parish Councils in his Ward.	338
Cloughton	Made a 'Voluntary Announcement' as he attended Kennington Community Forum meetings.	338
Davidson	Made a 'Voluntary Announcement' as he was a member of the Willesborough Community Group.	338
Davison	Made a 'Voluntary Announcement' as he had Parish Councils in his Ward.	338
Galpin	Made a 'Voluntary Announcement' as he attended Central Ashford Community Forum meetings.	338

Hicks	Made a 'Voluntary Announcement' as she had Parish Councils in her Ward.	338
Howard	Made a 'Voluntary Announcement' as he had Parish Councils in his Ward.	338
Mrs Martin	Made a 'Voluntary Announcement' as she attended Kennington Community Forum meetings.	338
Robey	Made a 'Voluntary Announcement' as he had Parish Councils in his Ward.	338
Shorter	Made a 'Voluntary Announcement' as he had Parish Councils in his Ward.	338
Smith	Made a 'Voluntary Announcement' as a member of the SWAN Community Group Management Committee who had been involved in compiling the petition for that area.	338

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Resolved:

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

338 Community Governance Review

The Principal Solicitor for Property & Projects introduced the report which set out the details of the proposed Community Governance Review and recommended the Terms of Reference and timetable on which it should be carried out.

She explained that under the Local Government and Public Involvement in Health Act 2007, the duty to carry out Community Governance Reviews had been passed to District Councils. Two petitions had been received, one from North Willesborough which had been validated and another from Kennington which was awaiting validation, with a view to creating Community/Parish Councils. In addition, current guidance suggested that it was good practice for the Council to consider conducting a review every 10-15 years. The last review, a partial review of Parishes in the Borough, was conducted in 2006, so it was timely to carry out a review. There was also a window of opportunity to carry out this review before the Local Government Boundary Commission for England commenced its review of the Borough Ward boundaries (currently scheduled for April 2016).

The Principal Solicitor for Property & Projects ran through the proposed terms of reference for the review process and the timetable for completion which would commence formally once the terms of reference were agreed by Full Council and published. It would be a large piece of work, with two distinct periods of consultation

(initial submissions and ideas and then consideration of the draft recommendations). It was vitally important that the consultation was done correctly and engaged with all of the relevant stakeholders in each area. It would also be important to be very clear on what was being done and what the options were. One issue regarding timing that had been raised was the suggestion that any changes to posts or Councils themselves would ideally come in to affect at the next ordinary date of election (May 2019). The legislation did allow for elections to take place earlier than that if desired, but there were a number of issues that would have to be addressed if that was the case.

The report was then opened up to the Committee and the following responses were given to questions/comments: -

- There would undoubtedly be an impact on staff resources for the Council. Whilst the review was not unexpected it was difficult to 'staff up' for such a piece of work. However they had been careful with the timetable put forward and Officers were fairly confident they could cope.
- There would be liaison with the Boundary Commission on this review ahead of their own review in 2016 so that the two were not working in silos. The Boundary Commission had made it quite clear through its work in other areas that they would probably be looking to reduce the overall numbers of Elected Borough Councillors so there would undoubtedly be some structural changes over the next four years.
- The review would provide an opportunity to examine existing and historical disputes over Parish boundaries and it was hoped that consultees would bring all those issues to the Council's attention.
- There may be opportunities for elections to be held earlier than 2019 if as a result of the review there were any new Councils, but if this were to happen in 2017 for example, that Council would serve a two year term before dovetailing with the existing electoral arrangements in 2019.
- A review of Parish Council boundaries would not simply be a 'numbers game'. It would take into account issues such as existing communities and historical factors. There may be unpopular decisions to take but the review would start from the proviso of 'if it's not broke don't fix it'.

The Chairman then gave Christopher Morley, Chairman of Kennington Community Forum and Allen Wells of South Ashford Community Forum the opportunity to speak on this item.

Mr Morley said he was concerned about the issue of election dates and asked if the terms of reference could be amended to make a more formal statement on the Local Government Boundary Commission for England's guidance document, in that there was provision to alter the date of the next Parish election, particularly if the next elections were not scheduled to take place for some time. He was concerned that if they remained bound to 2019 they would run the risk of losing momentum from the good work that had been undertaken so far.

Mr Wells said he agreed with those comments and hoped that once there was an agreement locally, they would be able to go ahead and elect new Community Councils at the earliest practicable date.

The Principal Solicitor for Property & Projects said she could not support any proposal to amend the terms of reference. As proposed they did not bind the elections to 2019 and did not rule out the option of earlier elections, but any reference to an earlier date may raise expectations and as the outcomes of both the Community Governance review and Boundary Commission review could not be assured, this was potentially dangerous.

The Committee said it wished to acknowledge the huge amount of work that the Officers had already undertaken on this matter and thanked them for their efforts.

Recommended:

- That**
- (i) a Community Governance Review be undertaken.**
 - (ii) the terms of reference appended to the report be adopted.**
 - (iii) the timetable for the review as set out in the terms of reference be adopted.**

339 Appointment to East Kent Hospitals University NHS Foundation Trust – Council of Governors

The report advised of a need to make a nomination to the East Kent Hospitals University NHS Foundation Trust – Council of Governors. The position covered the six Local Authorities in East Kent and was currently filled by Councillor Patrick Heath of Dover District Council.

Following discussion the Committee agreed to put forward Councillor Jane Martin as Ashford Borough Council's nomination. They also asked that the Council require an annual update report from whichever Councillor was ultimately appointed.

Resolved:

That Councillor Jane Martin be nominated for election to the East Kent Hospitals University NHS Foundation Trust – Council of Governors.

DS

Queries concerning these Minutes? Please contact Danny Sheppard:
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