

Selection & Constitutional Review Committee

Minutes of a Meeting of the Selection & Constitutional Review Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **21st May 2015**

Present:

Cllr. Clarkson (Chairman);
Cllr. Bell (Vice-Chairman);
Cllrs. Mrs Bell, Bennett, Mrs Blanford, Burgess, Chilton, Galpin, Koowaree, Ovenden, Powell.

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

Apology:

Cllr. Sims.

Also Present:

Cllrs. Clokie, Heyes, Hicks, Krause, Link, Miss Martin, Michael, Smith.

Senior Member Services & Scrutiny Support Officer.

439 Election of Chairman

Resolved:

That Councillor Clarkson be elected as Chairman of the Committee for the 2015/16 Municipal Year.

440 Election of Vice-Chairman

Resolved:

That Councillor Bell be elected as Vice-Chairman of the Committee for the 2015/16 Municipal Year.

441 Declarations of Interest

Councillor	Interest	Minute No.
Smith	Made a 'Voluntary Announcement' as he was a Management Trustee of the SWAN Centre Site Management Committee.	445

442 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 11th February 2015 be approved and confirmed as a correct record.

443 Background and Principles of Political Balance and Administrative Structure

The report of the Head of Legal & Democratic Services presented the Political Balance for the Authority and sought to agree a number of other constitutional matters which needed to be recommended to the Annual Meeting of the Council on the 28th May 2015. The agreed Political Balance is contained at Appendix A to these Minutes.

The Senior Member Services & Scrutiny Support Officer directed Members attention to the tabled papers which included: - some minor changes and additions to the report following further discussions with the Leader; some consequential amendments to the recommendations; an additional recommendation (xii) detailing the Leaders intended Cabinet Portfolio Holders and Lead Members; and a revised Appendix B to the report reflecting Committee Membership and the proposed Chairmen and Vice-Chairmen.

The Chairman ran through the membership of Committees, Groups and Forums one by one. With input from Members, the membership for 2015/16 was completed including the nominations for Chairmen and Vice-Chairmen. This 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 Panels, Standards Committee and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.

(ii) the following Committees be constituted for the Municipal Year as detailed in Part 3 of the Constitution:

**Audit
Overview and Scrutiny
Planning
Selection and Constitutional Review
Licensing and Health and Safety
Appointments
Appeals**

Standards

Joint Arrangements – Joint Transportation Board

NB: Details of Members appointed to Membership of each Committee etc by Group Leaders is shown at Appendix B to these Minutes. Note: This may be subject to amendments from Group Leaders.

- (iii) the Council appoint the Chairmen and Vice-Chairmen for each Committee etc. as shown in Appendix B.**
- (iv) the scheme of Cabinet and Council delegations as set out in Part 3 of the Constitution be re-affirmed.**
- (v) the Transportation, Highways & Engineering Advisory Committee be disbanded with effect from the Annual Meeting to be held on the 28th May 2015 and a new Cabinet Task Group called “Public Transport Liaison Task Group” be established.**
- (vi) the Education & Vocational Skills Advisory Committee be disbanded with effect from the Annual Meeting to be held on the 28th May 2015.**
- (vii) the membership of the Overview & Scrutiny Committee be reduced from 16 to 12 Members with effect from the Annual Meeting to be held on the 28th May 2015.**
- (viii) the position on Task Groups as outlined within the report and tabled papers be noted and the changes in names of the various Task Groups/Forums as set out in Sections 7(b) and (c) of the report be approved.**
- (ix) the Leader of the Council’s intention to establish the Task Groups/Forums as set out in Section 7(d) of the report be noted.**
- (x) to enable the Conservative Group to receive their entitlement across all Committees they be allocated a further seat on the Planning Committee.**
- (xi) to enable the Labour Group to receive their entitlement across all Committees they be allocated a further seat on the Overview and Scrutiny Committee.**
- (xii) seats on the following Committees be allocated to the Members indicated: -**

**Licensing and Health & Safety Committee – Cllr Koowaree
Selection & Constitutional Review Committee – Cllr Koowaree
Appointments Committee – Cllr Murphy
Appeals Committee – Cllr Koowaree**

- (xiii) the following wording be incorporated in the Constitution under Part 1 – Summary and Explanation and under Article 7 – Cabinet (Executive) Part 2 – “The Cabinet will be responsible for the formation of Cabinet approved Portfolio Task Groups, Cabinet Working Groups, Cabinet Steering Groups and Cabinet Forums. The Cabinet shall approve the Terms of Reference of such Groups and determine the membership and the appointment of the Chairman.”
- (xiv) subject to the current Leader of the Council being re-elected, his intention to appoint the following Cabinet Portfolio Holders and Lead Members be noted: -

Portfolio	Portfolio Holder (Cabinet Member)	Lead Member
Leader	Cllr Clarkson	N/A
Deputy Leader (Government Policy Interface & Democracy)	Cllr Bell	N/A
Culture, Leisure & Environment	Cllr Mrs Blanford	Cllr Webb
Information & Communications	Cllr Miss Martin	Cllr Krause
Highways, Wellbeing & Safety	Cllr Heyes	Cllr Bradford
Planning & Development	Cllr Bennett	Cllr Wedgbury
Town Centre Focus & Business Dynamics	Cllr Galpin	Cllr Barrett
Housing & Home Ownership	Cllr Clokie	Cllr Knowles
Finance, Budget & Resource Management	Cllr Shorter	Cllr Dehnel
Public Interaction & Borough Presentation	Cllr Mrs Bell	Cllr Pickering
Education & Work Skills	N/A	Cllr Hicks
ABC Romney Marsh	N/A	Cllr Burgess

444 Updating the Council’s Constitution Regarding Planning Matters

The report proposed minor updates to the Council’s Constitution – firstly to the scheme of delegation and the terms of reference of the Planning Committee to enable the Council to respond to planning consultations including those for Nationally Significant Infrastructure Projects (NSIPs) within the required timeframes, and secondly to authorise the Monitoring Officer to update the Good Practice Protocol for Councillors dealing with Planning Matters. The Chairman advised that he had spoken to Legal Officers and requested that the new arrangements include a reference to liaising closely with the Portfolio Holder on such matters. Accordingly a paper had been tabled with additional wording to clarify that point

Recommended:

That the proposed changes to the Council's Constitution as set out in paragraphs 15, 16 and 19 of the report and the tabled paper be endorsed.

445 Representatives on Outside Bodies/Organisations

The report of the Head of Legal & Democratic Services gave details of those organisations or outside bodies to which the Council appointed or nominated representatives, and the names of the Members of the Council and others who currently served in this capacity. Details of attendance by the Council's appointed representatives at meetings of the organisations during the past year (where known) and retirement dates were also shown. The covering report also provided additional information about current vacancies.

The Chairman advised that all of the appointments were currently the subject of a separate wider review in terms of effectiveness and benefit to the Council. The coming year would be used to assess all of the appointments, with a view to consolidating the somewhat lengthy list of organisations down to just those the Council had to or wanted to continue supporting. The Council could then inform the relevant organisations whether they would be re-appointing or not in time for May 2016.

During consideration of nominations to individual organisations, it was agreed that further information be sought on the basis for nominations to the River Stour Internal Drainage Board and the PATROL Joint Committee.

Recommended:

- That
- (i) **the names of the persons to be appointed or nominated as Members or Substitute Members (as the case may be) to the organisations listed in Appendix C to these Minutes be agreed.**
 - (ii) **the Annual Meeting give further consideration to the nomination in respect of the Alzheimer's Society – Ashford & Shepway Branch.**

446 Annual Meeting – Order of Proceedings

The Committee considered the Order of Proceedings for the Annual Meeting of the Council including the movers and seconders of the Mayor, Deputy Mayor and the vote of thanks to the retiring Mayor.

Resolved:

That the Head of Legal & Democratic Services prepare the Order of Proceedings for the Annual Meeting of the Council on the basis of the advice of this Committee.

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Queries concerning these Minutes? Please contact Danny Sheppard:
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APPENDIX A
(Minute No. 443/5/15 refers)

THE POLITICAL BALANCE CALCULATION
FINAL ARRANGEMENTS
MAY 2015

A All Committees to which balance applies

	Committee	Seats/Committee		Total Seats
1 x 12	Overview and Scrutiny	12	=	12
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 5	Appointments	5	=	5
			Total	<u>66</u>

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

43 members =		%
34 Conservative	=	79.06976
4 Labour	=	9.30232
3 Ashford Independent	=	6.97674
<u>Note:</u> 1 Liberal Democrat	=	2.32558
1 UKIP	=	2.32558
		<u>99.99998</u>

C.1 Allocation of Seats on Committees in proportion to Group strength

Committee	Con	Lab	AI	Allocated	Total
1 x 12 O&S	9	2*	1		12
1 x 16 Planning	14*	1	1		16
1 x 12 Selection	9	1	1	1*	12
1 x 13 Licensing, Health & Safety	10	1	1	1*	13
1 x 8 Audit	6	1	1		8
1 x 5 Appointments	4	0	0	1*	5
Totals	52 (52.186)	6 (6.139)	5 (4.604)	3	66

*Under the draft calculation all Groups had received their allocations on the Overview and Scrutiny, Planning, Licensing & Health & Safety, Selection and Constitutional Review and Appointments Committees. However, one seat remained to be allocated on each of them. The Conservative Group allocation of seats across all Committees is 52, however under the allocation they had only received 51 seats. The Leader of the Conservative Group expressed a wish that they be allocated the seat on the Planning Committee. The Labour Group allocation of seats across all Committees is 6, however under the allocation they had only received 5 seats. The Leader of the Labour Group expressed a wish that they be allocated the seat on the Overview and Scrutiny Committee.

Of the remaining 3 seats Group Leaders have recommended that Cllr. Koowaree be allocated seats on the Licensing & Health and Safety Committee and the Selection and Constitutional Review Committee and Cllr. Murphy allocated the seat on the Appointments Committee.

C.2 Allocation of seats on all ordinary Committees to achieve overall proportionality

Political Group entitlement in relation to all seats: 66

Conservative	52.186046=	52
Labour	6.139534=	6
Ashford Independent	4.604651=	5
		63
1 Liberal Democrat		
1 UKIP	=	3
		66
Total		66

D. Committees etc. 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 Member Panels)	3 Members per meeting drawn on rota from a Panel of 15 Members (which does not meet as a Committee)	=	3
^x 1 x 7	Joint Transportation Board	3 Members per meeting drawn on rota from a Panel of 13 Members (which does meet as a Committee so is itself balanced)	=	7
1 x 3	Licensing Sub-Committee (3 Member Panels)		=	3

* Standards – broadly politically balanced as part of membership based on posts.

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

Committee	Con	Lab	AI	Others	Total
*1 x 15 Appeals	12	1	1	1	15
^x1 x 7 Joint Transportation	6	1	0	0	7
*Standards	5	Plus Chair, Vice-Chair O&S plus one other group member			8

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

21ST MAY 2015

**MEMBERSHIP OF COMMITTEES, GROUPS AND FORUMS,
INCLUDING CHAIRMEN AND VICE-CHAIRMEN**

On the basis of the draft Political Balance Calculation agreed with Group Leaders the entitlement to seats is set out below.

The Committee may wish to propose the identity of the Chairman and Vice-Chairman of each Committee, for appointment in accordance with the Constitution, by the Full Council.

Overview and Scrutiny Committee (12 Members)

Members of the Cabinet may not be appointed to this Committee

Conservative (9)	Labour (2)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Aby	Chilton (Ch)	Michael (VCh)		
Burgess	Farrell			
Feacey				
Howard				
Knowles				
Krause				
Link				
Sims				
Wedgbury				

Audit Committee (8 Members)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Buchanan	Chilton	Smith		
Link (Ch)				
Powell				
Shorter				
Waters (VCh)				
White				

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

Conservative (14)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Apps	Britcher	Ovenden		
Barrett				
Bennett				
Mrs Blanford				
Bradford				
Burgess (Ch)				
Clarkson (EO)				
Clokie				
Dehnel				
Galpin				
Heyes				
Link				
Powell				
Waters				
Wedgbury (VCh)				

Selection & Constitutional Review Committee (12 Members)

Conservative (9)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	UKIP (0)
Bell (VCh)	Chilton	Ovenden	Koowaree	
Mrs Bell				
Bennett				
Mrs Blanford				
Burgess				
Clarkson (Ch)				
Galpin				
Mrs Martin				
Shorter				

Licensing and Health and Safety Committee (13 Members)

Group Leaders are reminded of the importance of nominating Members who are available to attend day-time hearings of the Licensing Sub-Committee.

Licensing training will be held on the 28th May 2015 at 9.30am. Group Leaders are asked to ensure that their nominees for this Committee attend if they have not attended a session in the past as this training is compulsory for anyone sitting on the Licensing and Health and Safety Committee.

Conservative (10)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	UKIP (0)
_____	Britcher	Smith	Koowaree	
Bennett				
Bradford				
Feacey (Ch)				
Galpin (VCh)				
Mrs Heyes				
Miss Martin				
Pickering				
Shorter				
Sims				

Appointments Committee (5 Members)

Conservative (4)	Labour (0)	Ashford Independent (0)	Liberal Democrat (0)	UKIP (1)
Bell (VCh)	Chilton (invited non- voting)	Ovenden (invited non- voting)		Murphy
Clarkson (Ch)				
Clokie				
Powell				

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

Members should not be a Member of the Cabinet. Group Leaders are reminded of the importance of nominating Members who are available to attend day-time meetings.

Conservative (12)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	UKIP (0)
Apps	Hooker	Michael	Koowaree	
Barrett				
Bradford				
Mrs Heyes				
Hicks				
Knowles				
Krause				
Mrs Martin				
Pickering				
Sims				
Webb				
Wedgbury				

Standards Committee (8 Members)

Based on 5 Conservative Members plus the Chairman and Vice-Chairman of the Overview & Scrutiny Committee and a Member from a Group not otherwise represented.

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Mrs Bell (VCh)	Chilton	Michael		
Dehnel				
Feacey				
Hicks (Ch)				
Knowles				
Waters				

Joint Transportation Board (7 Members)

Conservative (6)	Labour (1)	Ashford Independent (0)	Liberal Democrat (0)	UKIP (0)
Bartlett (Ch)	Hooker			
Burgess				
Feacey				
Heyes				
Mrs Martin				
Webb				

Community Grants Panel (7 Members including the Portfolio Holder for Culture, Leisure & Environment)

Conservative (6)	Labour (1)	Ashford Independent (0)	Liberal Democrat (0)	UKIP (0)
Apps (VCh)	Hooker			
Bennett				
Mrs Blanford (PH)				
Link (Ch)				
Sims				
Webb				

Joint Consultative Committee (6 Members) – At least one Member from each Group – the remainder from the administration.

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

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Burgess	Britcher	Smith		
Krause				
Miss Martin (Ch)				
Shorter				

Parish & Urban Forum (6 Members) (plus 1 ex officio)

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

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Mrs Bell (Ch)	Farrell	Ovenden		
Bradford				
Clarkson (EO)				
Galpin				
Pickering				

Member Training Panel (8 Members)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Adby	Chilton	Smith		
Hicks				
Krause (VCh)				
Link				
Miss Martin (Ch)				
Wedgbury				

Local Government and Polling Districts Task Group (10 Members)

Conservative (8)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Barrett	Britcher	Michael		
Bell (Ch)				
Mrs Bell				
Clarkson (VCh)				
Clokie				
Dehnel				
Heyes				
Howard				

Local Plan & Planning Policy Task Group (10 Members)

Conservative (8)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Bennett (VCh)	Chilton	Michael		
Mrs Blanford				
Clarkson (Ch)				
Clokie				
Galpin				
Heyes				
Shorter				
Wedgbury				

**APPENDIX C
(Minute No. 445/5/15 refers)**

ASHFORD BOROUGH COUNCIL

APPOINTMENT/NOMINATION TO OUTSIDE BODIES/ORGANISATIONS

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)
Action With Communities in Rural Kent	Cllr. Burgess Substitute: Cllr Mrs Blanford	
Alzheimer's Society – Ashford and Shepway Branch	Cllr _____	
Ashford Almshouses & Parochial Charities	Cllr Krause Cllr Miss Martin	3 year period expiring 30/11/16
	Mr Cloughton Cllr Heyes	5 year period expiring 31/5/19
Ashford Choral Society	The Mayor – President	Ongoing
Ashford College Business Advisory Council	Lead Member for Education & Skills (Cllr Hicks)	Ongoing
Ashford Community Arts Trust	Portfolio Holder for Culture, Leisure & Environment	Ongoing
Ashford Community Safety Partnership	Portfolio Holder for Highways, Wellbeing & Safety	Ongoing
Ashford Federation of the Arts	Cllr Mrs Blanford	
Ashford Leisure Trust	Cllr Hicks	
Ashford Mediation Service – Management Committee	Cllr Krause Patron: The Mayor	Ongoing
Ashford Museum Committee	Cllr Adby	
Ashford Sure Start (Fifth Wave) Partnership	Cllr Chilton	
Ashford Winkle Club	The Mayor (Honorary Member)	Ongoing

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)
Ashford Youth Forum Trustees	Cllr Howard (Trustee) Cllr Chilton (Council Rep)	
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Britcher Cllr Clokie	
Dungeness Power Station Site Stakeholder Group	Cllr Burgess	
East Kent Hospitals University NHS Foundation Trust – Council of Governors	Cllr Miss Martin	3 year period expiring 28/2/2018
Elwick Club	Mayor & Mayoress (Honorary Members)	Ongoing
Headcorn Aerodrome Consultative Committee	Member from the Weald North Ward (Cllr Mrs Dyer)	Ongoing
High Weald (AONB) Joint Advisory Group	Cllr Pickering	
Home Improvement Agency Support Group	Cllr Britcher	
Home-Start, Ashford: Management Committee	Cllr Webb	
Kennington Parochial Charities (Two Nominative Trustees)	Cllr Buchanan Cllr Sims	Annual Meeting 2016 (4 year period) Annual Meeting 2016 (2 year period)
Kent County Playing Fields Association	Portfolio Holder for Culture, Leisure & Environment	Ongoing
Kent Downs (AONB) Joint Advisory Committee and Executive Committee	Cllr Dehnel	
Kent Downs and Marshes Leader Project	Cllr Burgess	
Kent Invicta Chamber – Economic Development Group	Cllr Galpin	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)
Local Government Association General Assembly	Cllr Galpin	
Marshlink Steering Group	Cllr Burgess	
Mid Kent Downs Steering Group	Cllr Mrs Blanford	
National Council on Inland Transport – Executive Committee	Cllr Burgess	
Parochial Church of St Mary's the Virgin Ashford Arts & Arts Development Sub-Committee	Cllr Apps	
PATROL – Joint Committee	Portfolio Holder for Highways, Wellbeing & Safety	Ongoing
River Stour Internal Drainage Board	Cllr Hicks Cllr Mrs M Martin Cllr Sims Cllr Smith Clarification to be sought over 5th Member	
Romney Marshes Area Internal Drainage Board	Cllr Burgess	
Sandyacres Trust	Cllr Michael	
Singleton Environment Centre Management Advisory Board	Cllr Barrett	Annual Meeting 2019 (4 year period)
South Ashford Youth Club – Management Committee	Cllr Howard	
South East Employers	Cllr Shorter	
SWAN Centre Site Management Committee	Cllr Smith	
Tenterden Folk Day Trust	Cllr Link	
Tenterden Leisure Centre Trust	Cllr Bennett	

NAME OF BODY	NEW REPRESENTATIVES/ NOMINEES	RETIREMENT DATE (UNLESS OTHERWISE STATED – ANNUAL MEETING 2016)
Tenterden Town Council – Tourism & Business Committee	Portfolio Holder for Public Interaction & Borough Presentation	Ongoing
Volunteering Ashford	Cllr Feacey	
Willesborough Windmill Trust Limited	Cllr Koowaree	
Wye Rural Museum Trust	Cllr Miss Martin	May 2016