



# SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on  
Thursday, 6th December, 2018 at the rising of the Cabinet meeting commencing at 7pm.

---

The Members of the Selection & Constitutional Review Committee are:-

Councillor Clarkson (Chairman)  
Councillor Bell (Vice-Chairman)

Cllrs. Barrett, Bennett, Bradford, Burgess, Chilton, Clokie, Galpin, Hicks, Koowaree,  
Ovenden

## Agenda

### Page Nos..

1. **Apologies/Substitutes**

To receive Notification of Substitutes in accordance with Procedure  
Rule 1.2 (iii)

2. **Declarations of Interest**

1 - 2

To declare any interests which fall under the following categories, as  
explained on the attached document:

- 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**

3 - 4

To approve the Minutes of the Meeting of this Committee held on the  
11<sup>th</sup> October 2018.

4. **Approval of Orders for New Parish (Community) Councils**

5 - 14

5. **Representatives on Outside Bodies/Organisations**

15 - 16

---

DS

28<sup>th</sup> November 2018

Queries concerning this agenda? Please contact: Member Services

Telephone: 01233 330349 Email: [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk)

Agendas, Reports and Minutes are available on: <https://ashford.moderngov.co.uk>

## 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/5962/2193362.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, 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 Corporate Director (Law and Governance) and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

This page is intentionally left blank

## 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 **11<sup>th</sup> October 2018**.

### **Present:**

Cllr. Clarkson (Chairman);  
Cllr. Bell (Vice-Chairman);

Cllrs. Barrett, Bennett, Bradford, Burgess, Clokie, Hicks, Koowaree, Ovenden.

### **Apology:**

Cllr. Galpin.

### **Also Present:**

Cllr. Link

Electoral Services Manager, Member Services Manager (Operational).

## **196 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 12<sup>th</sup> July 2018 be approved and confirmed as a correct record.**

## **197 Interim Review of Polling Districts and Places**

The Electoral Services Manager introduced the report which reviewed changes to Polling Districts and Polling Places in Ashford. These were proposed by an interim review following the Community Governance Review of 2016 and the review of Ashford's Ward boundaries conducted by the Local Government Boundary Commission for England. As part of the interim review a public consultation on the proposed Polling Districts and Places was held in the period beginning Friday 13<sup>th</sup> July and ending on Monday 10<sup>th</sup> August 2018. The changes had also been considered by the Local Government and Polling District Task Group.

Members welcomed the report and in particular the fact that schools were not being used for Polling Stations as this had previously necessitated their closure for the day. In response to questions, the Electoral Services Manager advised that disabled access at Polling Stations had been taken into account as part of the consultation.

### **Recommended:**

**That (i) the Polling Districts and Places set out at Appendix 2 to the report be adopted.**

- (ii) where the Polling Station is within the Ward, that the entire Ward be designated as the Polling Place.
- (iii) where the Polling Station is located outside the Ward that the entire Ward and the Polling Station building is designated as being the Polling Place.

## **198 Representatives on Outside Bodies/Organisations**

The Member Services Manager (Operational) introduced the report which advised of a need to make a nomination to a position on the River Stour Internal Drainage Board.

### **Resolved:**

**That Councillor Noel Ovenden be appointed as the Council's fifth representative on the River Stour Internal Drainage Board.**

---

DS

**Agenda Item No:** 4

**Report To:** Selection and Constitutional Review Committee



**Date of Meeting:** 6<sup>th</sup> December 2018

**Report Title:** Local Government and Public Involvement in Health Act 2007 – The Ashford Borough (Reorganisation of Community Governance) Orders 2018

**Report Author & Job Title:** Vivien Williams (Head of Legal and Democracy)

**Portfolio Holder** Cllr. Bell (Deputy Leader of the Council - Legal and  
**Portfolio Holder for:** Democracy)

**Summary:** To recommend that the Council make The Ashford Borough (Reorganisation of Community Governance) Orders 2018 relating to Kennington Community Council and South Willesborough and Newtown Community Council. In accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 the Council undertook a Community Governance Review and made recommendations dated 10<sup>th</sup> December 2015. Following consultation with Local Government electors and other interested persons it is now proposed that the recommendations be approved and the Orders made.

**Key Decision:** NO

**Significantly Affected Wards:** Kennington (Ashford);  
Little Burton Farm (Ashford);  
Bybrook (Ashford);  
Bockhanger;  
Aylesford Green;  
South Willesborough (Ashford)

**Recommendations:** **The Selection and Constitutional Review Committee be asked to:-**

- (i) **recommend approval of the Ashford Borough Council (Reorganisation of Community Governance) (Kennington Community Council) Order 2018 (Appendix A to the report refers).**
- (ii) **recommend approval of the Ashford Borough Council (Reorganisation of Community Governance) (South Willesborough & Newtown Community Council) Order 2018. (Appendix B to the report refers).**
- (iii) **recommend that approval of the required budget**

**sums for both new Community Councils be delegated to the Head of Legal and Democracy in consultation with the Head of Finance.**

<b>Policy Overview:</b>	<p>It is expected that the Borough will carry out a Community Governance Review (CGR) every 10 to 15 years. With the last one being done in 2006 and a review of the Borough ward boundaries during 2016, it was agreed that the 2015 CGR should consider all of the Parishes in the Borough.</p> <p>It is recommended that the Council make the Orders in exercise of the powers conferred by sections 86, 98 and 240(10) of the 2007 Act.</p>
<b>Financial Implications:</b>	N/A
<b>Legal Implications</b>	The proposals have been arrived at in accordance with sections 83, 93 and 100 of the Local Government and Public Involvement in Health Act 2007.
<b>Equalities Impact Assessment</b>	Undertaken in original report to Selection & Constitutional Review Committee – 3 <sup>rd</sup> December 2015.
<b>Other Material Implications:</b>	None
<b>Exempt from Publication:</b>	NO
<b>Background Papers:</b>	Selection & Constitutional Review Committee Report 11 <sup>th</sup> February 2015 and 3 <sup>rd</sup> December 2015 and subsequent recommendations to Council on 19 <sup>th</sup> February 2015 and 10 <sup>th</sup> December 2015.
<b>Contact:</b>	vivien.williams@ashford.gov.uk – Tel: (01233) 330230



# LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## The Ashford Borough (Reorganisation of Community Governance) (Kennington Community Council) Order 2018

*Made*

*Coming into force in accordance with article 1(2)*

Ashford Borough Council (“the council”), in accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), has undertaken a community governance review and made recommendations dated 10<sup>th</sup> December 2015

The council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient.

The council, in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section.

The council makes the following Order in exercise of the powers conferred by sections 86, 98 and 240(10) of the 2007 Act.

### **Citation and commencement**

1.—(1) This Order may be cited as the Ashford Borough (Reorganisation of Community Governance) (Kennington Community Council) Order 2018.

(2) Subject to paragraphs (3) and (4) below this Order shall come into force on 1st April 2019.

(3) Article 6 shall come into force on the ordinary day of election of councillors in 2019.

(4) For the purposes of:

(a) this article;

(b) article 5; and

(c) proceedings preliminary or relating to the election of parish councillors for the parish of Kennington to be held on the ordinary day of election of councillors in 2019

this Order shall come into force on the day on which it is made.

## **2. Interpretation**

In this Order—

“borough” means the borough of Ashford;

“map” means the map shown at Appendix 1 in accordance with section 96(4) of the 2007 Act;

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983 as amended; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

## **3. Effect of Order**

This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

## **4. Constitution of a new parish council**

- (1) A new parish, comprising the area outlined with a black line on the map, shall be constituted within the borough.
- (2) The new parish shall have the alternative style of community council and be known as Kennington Community Council.

## **5. Calculation of budget requirements**

For the purposes of Regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Kennington the sum of £ (to be decided).

## **6. Parish Council for the Parish of Kennington**

- (1) There shall be a parish council for the parish of Kennington.
- (2) The name of that council will be “The Kennington Community Council”.

## **7. Elections for the parish of Kennington**

Elections for all parish councillors for the parish of Kennington shall be held simultaneously on the ordinary day of election of councillors in 2019 and every four years thereafter.

## **8. Wards of the parish of Kennington and numbers of parish councillors**

- (1) The parish of Kennington shall be divided into five parish wards which shall be named: Grosvenor Hall, Kennington, Little Burton Farm, Bybrook, Kennington North.
- (2) Each ward shall comprise the area designated on the map by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected:

- for Grosvenor Hall parish ward shall be four;
- for Kennington parish ward shall be four;
- for Little Burton Farm parish ward shall be three;
- for Bybrook parish ward shall be four;
- for Kennington North parish ward shall be one.

## **9. Annual Meeting of parish council**

The annual meeting of the new parish council in 2019 shall be convened by the Monitoring Officer of Ashford Borough Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

## **10. Electoral register**

The registration officer for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

## **11. Transfer of property, rights and liabilities**

The transfer of property, rights and liabilities to be transferred to Kennington Community Council shall be arranged by separate agreement between Ashford Borough Council and Kennington Community Council.

## **12. Transitional provision**

Until the councillors elected to the council of the new parish of Kennington at the elections to be held on the ordinary day of election of councillors in 2019 come into office, the new parish shall be represented by those persons who immediately before 1<sup>st</sup> April 2019 are the elected councillors for the borough wards of Bockhanger, Kennington, Little Burton Farm, Bybrook, Boughton Aulph & Eastwell and North Willesborough.

## **13. Order date**

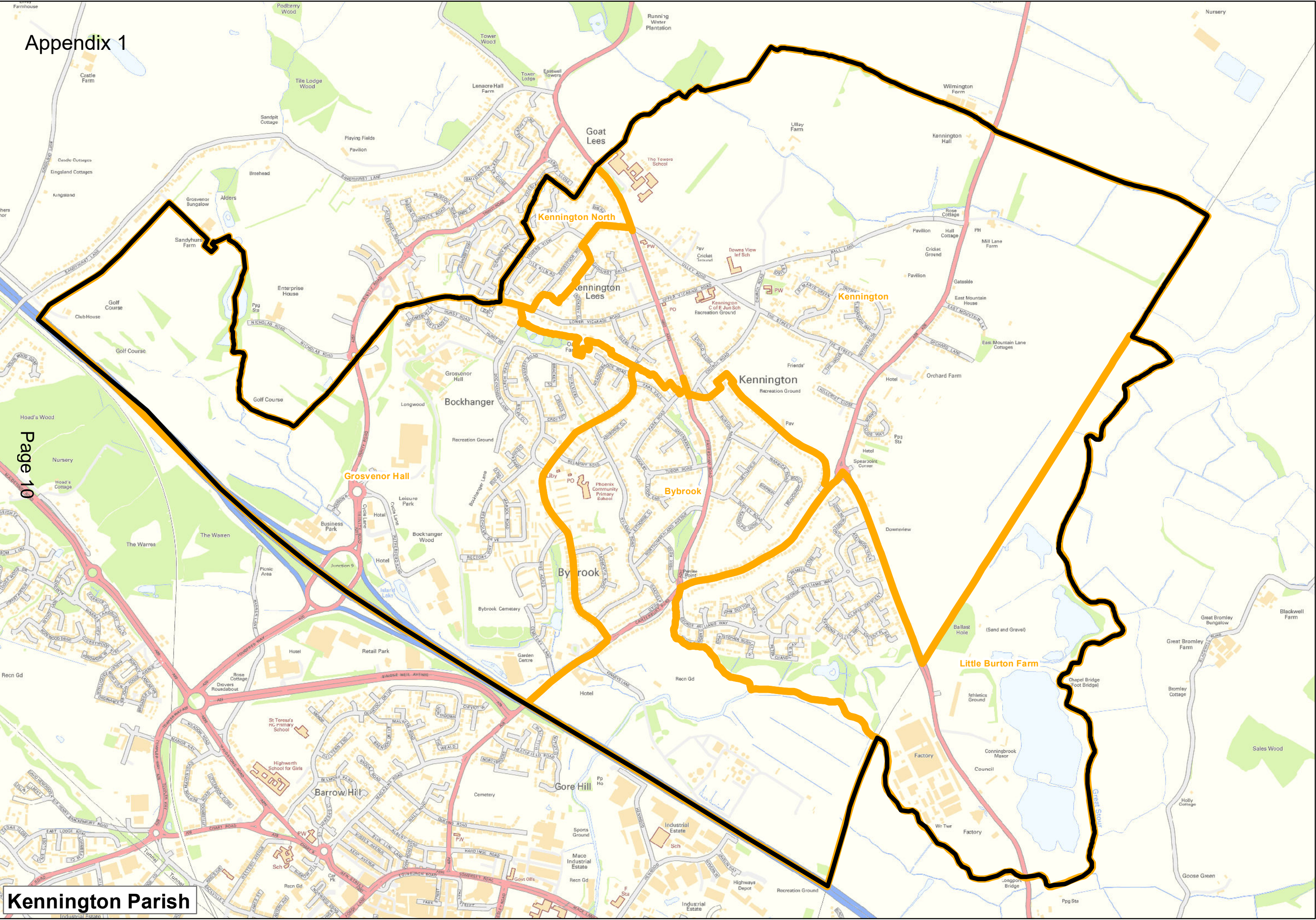
1<sup>st</sup> April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils (England) Regulations 2008.

**EXECUTED AS A DEED** by the affixing of     )

**THE COMMON SEAL of ASHFORD     )**

**BOROUGH COUNCIL** in the presence of:-     )







# LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## The Ashford Borough (Reorganisation of Community Governance) (South Willesborough & Newtown Community Council) Order 2018

*Made*

*Coming into force in accordance with article 1(2)*

Ashford Borough Council (“the council”), in accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), has undertaken a community governance review and made recommendations dated 10<sup>th</sup> December 2015.

The council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient.

The council, in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section.

The council makes the following Order in exercise of the powers conferred by sections 86, 98 and 240(10) of the 2007 Act.

### **Citation and commencement**

1.—(1) This Order may be cited as the Ashford Borough (Reorganisation of Community Governance) (South Willesborough & Newtown Community Council) Order 2018.

(2) Subject to paragraphs (3) and (4) below this Order shall come into force on 1st April 2019.

(3) Article 6 shall come into force on the ordinary day of election of councillors in 2019.

(4) For the purposes of:

(a) this article;

(b) article 5; and

(c) proceedings preliminary or relating to the election of parish councillors for the parish of South Willesborough & Newtown to be held on the ordinary day of election of councillors in 2019

this Order shall come into force on the day on which it is made.

## **2. Interpretation**

In this Order—

“borough” means the borough of Ashford;

“map” means the map shown at Appendix 1 in accordance with section 96(4) of the 2007 Act;

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983 as amended; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

## **3. Effect of Order**

This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

## **4. Constitution of a new parish council**

- (1) A new parish, comprising the area outlined with a black line on the map, shall be constituted within the borough.
- (2) The new parish shall have the alternative style of community council and be known as South Willesborough & Newtown Community Council.

## **5. Calculation of budget requirements**

For the purposes of Regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of South Willesborough & Newtown the sum of £ (to be agreed).

## **6. Parish Council for the Parish of South Willesborough & Newtown**

- (1) There shall be a parish council for the parish of South Willesborough & Newtown.
- (2) The name of that council will be “The Community Council of South Willesborough & Newtown”.

## **7. Elections for the parish of South Willesborough & Newtown**

Elections for all parish councillors for the parish of South Willesborough & Newtown shall be held simultaneously on the ordinary day of election of councillors in 2019 and every four years thereafter.

## **8. Wards of the parish of South Willesborough & Newtown and numbers of parish councillors**

- (1) The parish of South Willesborough & Newtown shall be divided into two parish wards which shall be named South Willesborough parish ward and Newtown parish ward.

- (2) Each ward shall comprise the area designated on the map by reference to the name of the ward and demarcated by orange lines.
- (3) The number of councillors to be elected:
- for South Willesborough parish ward shall be eight;
  - for Newtown parish ward shall be three.

## **9. Annual Meeting of parish council**

The annual meeting of the new parish council in 2019 shall be convened by the Monitoring Officer of Ashford Borough Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

## **10. Electoral register**

The registration officer for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

## **11. Transfer of property, rights and liabilities**

The transfer of property, rights and liabilities to be transferred to South Willesborough & Newtown Community Council shall be arranged by separate agreement between Ashford Borough Council and South Willesborough & Newtown Community Council.

## **12. Transitional provision**

Until the councillors elected to the council of the new parish of South Willesborough & Newtown at the elections to be held on the ordinary day of election of councillors in 2019 come into office, the new parish shall be represented by those persons who immediately before 1<sup>st</sup> April 2019 are the elected councillors for the borough wards of South Willesborough, Aylesford Green and Highfield.

## **13. Order date**

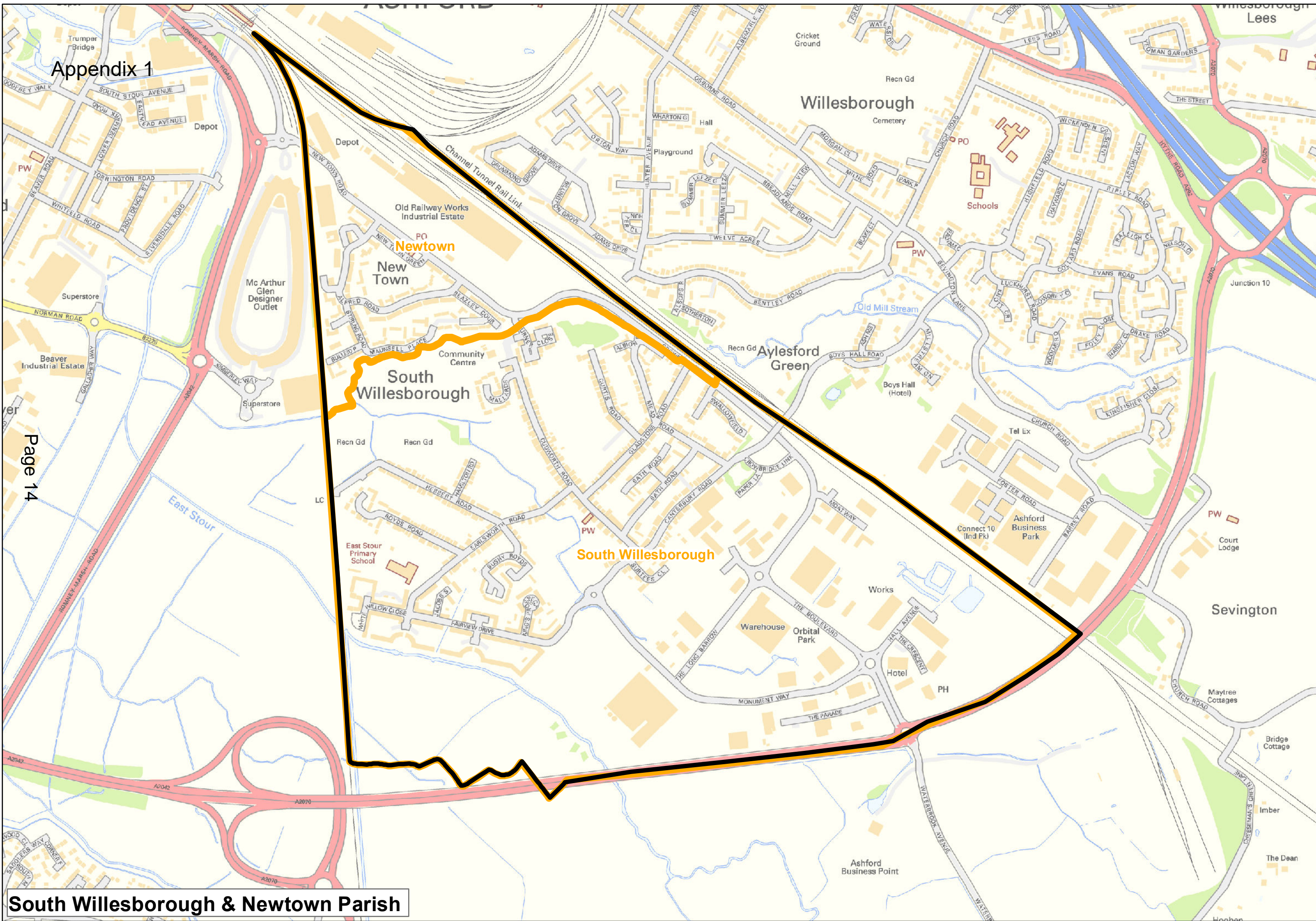
1<sup>st</sup> April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils (England) Regulations 2008.

**EXECUTED AS A DEED** by the affixing of                    )  
**THE COMMON SEAL of ASHFORD**                    )  
**BOROUGH COUNCIL** in the presence of:-                    )

**Mayor**

**Solicitor**







# Agenda Item 5



ASHFORD  
BOROUGH COUNCIL

<b>Agenda Item No:</b>	5
<b>Report To:</b>	Selection and Constitutional Review Committee
<b>Date of Meeting:</b>	6 <sup>th</sup> December 2018
<b>Report Title:</b>	Representatives on Outside Bodies/Organisations
<b>Report Author &amp; Job Title:</b>	Danny Sheppard – Member Services Manager (Operational)
<b>Portfolio Holder</b>	Cllr. Clarkson
<b>Portfolio Holder for:</b>	(Leader of the Council)

<b>Summary:</b>	To advise the Committee of the need to make a nomination to a position on the Kennington Parochial Charities following the resignation from the Council of Cllr Philip Sims.
-----------------	--

**Key Decision:** NO

**Significantly Affected Wards:** N/A

**Recommendations:** **The Committee is asked to make a nomination for the appointment of a Council representative to sit on the Kennington Parochial Charities.**

**Policy Overview:** The appointment of Members to outside bodies/organisations assists Councillors in their community engagement role.

**Financial Implications:** None

**Legal Implications** None

**Equalities Impact Assessment** Not Required

**Other Material Implications:** None

**Exempt from Publication:** NO

**Background Papers:** None

**Contact:** danny.sheppard@ashford.gov.uk – Tel: (01233) 330349

## **Representatives on Outside Bodies/Organisations**

### **Introduction and Background**

1. To advise the Committee of the need to make a nomination to a position on the Kennington Parochial Charities following the resignation from the Council of Councillor Philip Sims.

### **Current Position/Proposal**

2. The Council appoint two Members to the Kennington Parochial Charities. Following the resignation of Councillor Philip Sims, the Council's remaining representative is Councillor Buchanan.
3. The stated aim of the Board is to provide assistance to poor and needy persons resident in Kennington. Meetings are normally held on a week day afternoon.
4. Given that Councillor Nathan Iliffe has now been elected as the new Ward Member for Kennington it is considered that he would be the most suitable candidate for this role. Councillor Iliffe has been contacted and is agreeable to being appointed.

### **Implications and Risk Assessment**

5. The appointment of Members to outside bodies/organisations assists Councillors in their community engagement role.

### **Conclusion**

6. The Committee is asked to: -

**Make a nomination for the appointment of a Council representative to sit on the Kennington Parochial Charities.**

### **Portfolio Holder's Views**

7. The Leader of the Council is Chairman of this Committee and will give his views at the Meeting

### **Contact and Email**

Danny Sheppard (01233) 330349 – [danny.sheppard@ashford.gov.uk](mailto:danny.sheppard@ashford.gov.uk)