



SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on
Thursday, 25th May, 2023 at 7.00 pm.

The Solicitor to the Council and Monitoring Officer has delegated authority to determine the membership for this Meeting of the Committee, following consultation with Group Leaders.

The membership for this Meeting will be:-

5 Conservative Members, 3 Labour Members, 2 Ashford Independent Members, 2 Green Members.

Agenda

Page Nos..

1. **Election of Chairman**

2. **Election of Vice-Chairman**

3. **Apologies/Substitutes**

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

4. **Declarations of Interest**

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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 4 for further details.

5. **Minutes**

5 - 8

To approve the Minutes of the Meeting of this Committee held on the 29th September 2022.

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|----|--|---------|
| 6. | Background and Principles of Political Balance and Administrative Structure | 9 - 26 |
| 7. | Appointment of Members of, or Liaison Members to, Outside Bodies | 27 - 38 |
| 8. | Annual Meeting - Order of Proceedings | 39 - 42 |

18th May 2023

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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 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 alone, such as:

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, 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: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, or having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias and require the Member to take no part in any motion or vote.]

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
- (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 alongside the Council's Good Practice Protocol for Councillors dealing with Planning Matters. See <https://www.ashford.gov.uk/media/2098/z-word5-democratic-services-constitution-2019-constitution-of-abc-may-2019-part-5.pdf>
- (c) Where a Member declares a committee position or office within, or membership of, an outside body that has expressed views or made representations, this will be taken as a statement that the Member was not involved in compiling or making them and has retained an open mind on the item(s) in question. If this is not the case, the situation must be explained.

If any Member has any doubt about any interest which he/she may have in any item on this agenda, he/she should seek advice from the Director of Law and Governance and Monitoring Officer, or from other Solicitors in Legal and Democracy as early as possible, and in advance of the Meeting.

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Selection and Constitutional Review Committee

Minutes of a Meeting of the Selection and Constitutional Review Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **29th September 2022**.

Present:

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

Cllrs. Chilton, Feacey, Forest, Harman, Hayward, Meaden, Ovenden, Shorter.

In accordance with Procedure Rule 1.2 (c) Councillor Shorter attended as Substitute Member for Councillor Howard-Smith.

Apologies:

Cllrs. Farrell, Howard-Smith.

Also Present:

Electoral Services Manager, Member Services Manager.

147 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a Voluntary Announcement as a Member of Sevington with Finberry Parish Council and Kennington Community Council, who had both expressed an interest in these items	149, 150
Chilton	Made a Voluntary Announcement as a Member a Director of the Academies Trust, which had a number of schools that were used as Polling Stations.	150
Feacey	Made a Voluntary Announcement as Chairman of the Ashford International Development Company.	151
Hayward	Made a Voluntary Announcement as a Trustee of building which was a potential Polling Station.	150
Ovenden	Made a Voluntary Announcement as a Member of Wye with Hinxhill Parish Council who had expressed an interest in these items	149, 150

148 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 30th June 2022 be approved and confirmed as a correct record.

149 Community Governance Review – Final Recommendations

The report of the Electoral Services Manager set out the final recommendations resulting from a Community Governance Review as approved by the Local Government and Polling Districts Task Group. The report requested that this Committee now approve the final recommendations to be presented to Full Council

The Chairman said that had discussed this matter and understood there was general unanimity with the proposals amongst the Local Councils.

Recommended:

That the final recommendations as set out in the report, be agreed for submission to Full Council.

150 Interim Review of Parliamentary Polling Districts and Places 2022

The report of the Electoral Services Manager presented a review of the proposals arising from an interim review of Parliamentary Polling Districts and Places. A public consultation on the proposed Polling Districts and Places had been held in the period beginning 9th May 2022 and concluding on 27th June 2022.

Members made a couple of suggestions of potential new locations for Polling Stations in Furley and Bybrook Wards. The Electoral Services Manager advised that there was flexibility to change venues within a Polling 'Place' (area) so he would be more than happy to examine any opportunities for alternative venues that presented themselves.

Recommended:

That the proposed Polling Districts and Polling Places scheme as set out in Appendix 1 to the report be approved.

151 Update on Appointments to Cabinet Boards and Outside Bodies

The report asked the Committee to ratify a small number of updates to appointments reported to this Committee on 3rd May and 30th June 2022 and subsequently ratified by the Full Council. The Chairman clarified that Councillor Ovenden was being added as an Observer on the Ashford Strategic Delivery Board in his role as Chairman of the Overview and Scrutiny Committee.

Resolved:

That the following appointments be noted and approved: -

- **Ashford Strategic Delivery Board – Cllr Ovenden added as an Observer.**
- **KCC Superannuation Fund Committee – Cllr Clokie no longer the Conservative Rep for Kent Districts.**
- **NHS Kent and Medway Integrated Care Board – Cllr Bartlett – Rep for East Kent Districts.**

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Selection and Constitutional Review Committee

25th May 2023

Report of the Member Services Manager

Background and Principles of Political Balance and Administrative Structure and Changes to Committee Membership

Purpose of Report

To consider the political balance for the Authority for the 2023/24 Municipal Year, and to agree a number of other constitutional matters which need to be recommended to the Annual Meeting of the Council on 30th May 2023. The balance calculations as contained in the Appendix to this report have been agreed by Group Leaders.

External Consultees

None.

Internal Consultees

The Leaders of Groups on the Council.

Financial/Legal and Human Rights Implications

The Authority is required to adopt a political balance which complies with the Local Government and Housing Act 1989 and associated regulations. Alternative arrangements are permitted only if no individual Member votes against the proposal.

Staffing Implications

None.

Environmental Implications

None.

Corporate Strategy

Not relevant in the context of this report.

Introduction

1. Appendix A contains details of the draft political balance calculation for 2023/24 which needs to be recommended by this Committee for agreement at the Full Council. Appendices B and C set out details of Members to be appointed to seats on the various committees etc. by Group Leaders and recommendations for the appointment of Chairmen and Vice Chairmen.

Background and Principles of Political Balance

2. The Local Government and Housing Act 1989 (as amended) requires the Council to allocate seats on its Committees and Sub-Committees to political groups in proportion to their relative strengths on the Council.
3. In allocating seats a number of principles must be adhered to, namely:-
 - (a) A political group (where there is more than one) may not have all of the seats on a Committee or Sub-Committee.
 - (b) The majority of seats must be allocated to the majority group. This allocation is calculated by reference first, to the total number of seats available on ordinary Committees of the Authority and secondly, to the total number of seats available on ordinary Committees and Sub-Committees. The regulations further provide:-
 - (i) That the total number of seats on the Council's Ordinary Committees must be allocated in the proportion as is borne by the number of members of any group to the membership of the Authority as a whole.
 - (ii) The seats on the Council's Ordinary Committees and Sub-Committees as a whole must be allocated in proportion to the political groups' membership of the appointing Council.

Cabinet Portfolio Responsibilities

4. The number of Members to be appointed to the Cabinet and the names of their individual Portfolios will be confirmed by the Leader of the Council at the Annual Council Meeting on the 30th May 2023.

Cabinet Task Groups, Boards, Panels and Advisory Committees.

5. For completeness, the report at Appendix B2 shows the Task Group, Board and Panel appointments which are dealt with by the Selection and Constitutional Review Committee. These are considered separately within this report and are broadly politically balanced. At Appendix C are details of those Groups where membership or nominees are agreed by the Cabinet.

6. Group Leaders have been consulted on the draft Political Balance Calculation and will advise of any further changes to Committee Membership in terms of their Group's allocation at the meeting.

Standards Committee Independent Person – Re-Appointment

7. At its meeting in May 2018, the Council appointed Mrs Carol Vant as the Council's Independent Person under the Localism Act for a five year period to May 2023. The Localism Act does not prescribe a time limit on the term of office of the Independent Person and this is therefore within the discretion of the Council. The Independent Person has a statutory role in the context of Code of Conduct complaint handling. Mrs Vant has a wealth of experience and knowledge on Standards and ethical governance matters, and has performed the role of Independent Person diligently, as well as being an Independent Member of the Standards Committee under the previous regime. Mrs Vant has also confirmed that she is happy to continue undertaking this role. It is therefore proposed that she be re-appointed for a further period to the end of the next Council in May 2027.

Recommendations:

That (i) **the Committee recommends the adoption of the political balance of the Authority at Appendix A 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-Committees of the Licensing and Regulatory Committees 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:**

**Appeals
Appointments
Audit
Investigation and Disciplinary
Joint Arrangements – Joint Transportation Board
Licensing
Overview and Scrutiny
Planning
Regulatory
Selection and Constitutional Review
Standards.**

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

(iii) **the membership of Cabinet Boards, Advisory Committees and Task Groups for 2023/24, as set out in Appendix C, be noted.**

- (iv) the Council re-appoints Mrs Carol Vant as the Independent Person for a further period to the end of the next Council in May 2027.**

Danny Sheppard
Member Services Manager

**THE POLITICAL BALANCE CALCULATION
MAY 2023**

A.1 All Committees to which balance applies

	Committee	Seats/Committee		Total Seats
1 x 12	Overview and Scrutiny	12	=	12
1 x 14	Planning	14	=	14
1 x 13	Licensing	13	=	13
1 X 13	Regulatory	13	=	13
1 x 12	Selection	12	=	12
1 x 8	Audit	8	=	8
1 x 5	Appointments	5	=	5
			Total	<u>77</u>

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

47 members =		%
19 Conservative	=	40.4255319
11 Labour	=	23.4042553
9 Ashford Independent	=	19.1489362
8 Green	=	17.0212766
		<hr style="width: 10%; margin: 0 auto;"/>
		100

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

Committee	Con	Lab	AI	Green	Total
1 x 12 O&S	5	3	2	2	12
1 x 14 Planning	6	3	3	2	14
1 x 12 Selection	5	3	2	2	12
1 x 13 Licensing	5	3	2/3*	2/3*	13
1 x 13 Regulatory	5	3	2/3*	2/3*	13
1 x 8 Audit	3	2	2	1	8
1 x 5 Appointments	2	1	1	1	5
Totals	31 (31.13)	18 (18.02)	15 (14.74)	13 (13.11)	77

** Under the draft calculation the Ashford Independent Group has been allocated 14 seats when their overall entitlement across all Committees is 15. The Green Group has been allocated 12 seats when their overall entitlement across all Committees is 13. All other Groups have received their overall entitlement to seats. There is one seat on each of the Licensing and Regulatory Committees to be allocated so it is proposed to offer one each of these to the Ashford Independent and Green Groups.*

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

Political Group entitlement in relation to all seats: 77

Conservative	31.1276596	=	31
Labour	18.0212766	=	18
Ashford Independent	14.7446809	=	15
Green	13.1063829	=	13
	Total		77

D. Committees to which balance 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 15	Appeals	3 Members per meeting drawn on rota from a panel of 15 Members	=	3
* 1 x 7	Joint Transportation Board		=	7
*1 x 3	Licensing (3 Member Panels)		=	3

*1 x 3 Regulatory (3 Member Panels) = 3

* Council's choice as to whether balance will apply to this Committee. **This may only happen if no member votes against this arrangement.**

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

Committee	Con	Lab	AI	Green	Total
*1 x 15 Appeals	6	3	3	3	15
x1 x 7 Joint Transportation	3	2	1	1	7
**1 x 8 Standards	3	2	2	1	8

* **That the requirements of the 'Political Balance' regulations be not applied to the membership of the Appeals and the Licensing and Regulatory Panels of 3 Members which are drawn for each meeting.**

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

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

25TH MAY 2023

MEMBERSHIP OF COMMITTEES AND BOARDS 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 confirm the proposed identities of the Chairmen and Vice-Chairmen 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 (5)	Labour (3)	Ashford Independent (2)	Green (2)

Audit Committee (8 Members)

Conservative (3)	Labour (2)	Ashford Independent (2)	Green (1)

Planning Committee (14 Members) (plus 1 ex-officio)

Planning Committee training will be held on the 17th and 24th May 2023 at 6pm. All Members of the Council are encouraged to attend, however, Group Leaders are asked to ensure that their nominees for the Planning Committee, and any Members wishing to Substitute, do so.

Training is compulsory for anyone sitting on the Planning Committee.

Conservative (6)	Labour (3)	Ashford Independent (3)	Green (2)
(PH EO?)			

Selection & Constitutional Review Committee (12 Members)

Conservative (5)	Labour (3)	Ashford Independent (2)	Green (2)

Licensing 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. Ideally, membership of the Licensing and Regulatory Committees will be the same to aid continuity.

Training for Licensing and Regulatory Committees will be held on the 23rd June 2023 at 10am. Group Leaders are asked to ensure that their nominees for these Committees attend if they have not attended a session in the past as this training is compulsory for anyone sitting on these Committees.

Conservative (5)	Labour (3)	Ashford Independent (2/3?)	Green (2/3?)

Regulatory Committee (13 Members)

Group Leaders are reminded of the importance of nominating Members who are available to attend day-time hearings of the Regulatory Sub-Committee. Ideally, membership of the Licensing and Regulatory Committees will be the same to aid continuity.

Training for Licensing and Regulatory Committees will be held on the 23rd June 2023 at 10am. Group Leaders are asked to ensure that their nominees for these Committees attend if they have not attended a session in the past as this training is compulsory for anyone sitting on these Committees.

Conservative (5)	Labour (3)	Ashford Independent (2/3?)	Green (2/3?)

Appointments Committee (5 Members)

Conservative (2)	Labour (1)	Ashford Independent (1)	Green (1)

Appeals Committee (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 (6)	Labour (3)	Ashford Independent (3)	Green (3)

Investigation & Disciplinary Committee (15 Members – 3 Members to be drawn per meeting)

To include at least one Member of the Cabinet, Group Leaders and the Chairmen of the Overview & Scrutiny and Audit Committees.

Conservative (6)	Labour (3)	Ashford Independent (3)	Green (3)

Standards Committee (8 Members)

Broadly Political Balanced. Should include at least one Member of the Cabinet plus the Chairman and Vice-Chairman of the Overview & Scrutiny Committee.

Conservative (3)	Labour (2)	Ashford Independent (2)	Green (1)

Joint Transportation Board (7 Members)

Conservative (3)	Labour (2)	Ashford Independent (1)	Green (1)

APPENDIX B2

Community Grants Panel (7 Members including the relevant Portfolio Holder)

Conservative (3)	Labour (2)	Ashford Independent (1)	Green (1)

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 relevant Portfolio Holder.

Conservative (3)	Labour (1)	Ashford Independent (1)	Green (1)

Member Training Panel (8 Members)

Conservative (3)	Labour (2)	Ashford Independent (2)	Green (1)

Local Government and Polling Districts Task Group (10 Members)

Conservative (4)	Labour (2)	Ashford Independent (2)	Green (2)

Local Plan & Planning Policy Task Group (10 Members)

Conservative (4)	Labour (2)	Ashford Independent (2)	Green (2)

Trading and Enterprise Board (4 Members and 1 Observer) – Only Cabinet Members can be appointed as Members of this Board

?
(4)

* Councillor xxx to be appointed as Observer. (Leader of Largest Opposition Group)

** Councillor xxx (as Chairman) to be the Shareholder Representative under the Articles of Association of the Trading Companies.

APPENDIX C

MEMBERSHIP OF CABINET BOARDS, ADVISORY COMMITTEES AND TASK GROUPS FOR 2023/24

The following are set out for information only as establishment and appointments are in the gift of the Leader of the Council .

Boards

Ashford Strategic Delivery Board (6 Members)

Conservative (x)

Regeneration, Infrastructure and Improvement Co-Ordination Board (8 Members)

Conservative (x)	Ashford Independent (x)	Labour (x)	Green (x)

Economic Regeneration & Investment Board (6 Members)

Conservative (x)	Ashford Independent (x)	Labour (x)	Green (x)

Compliance & Enforcement Board (6 Members) (plus 1 ex-officio)

Conservative (x)	Ashford Independent (x)	Labour (x)	Green (x)

Civic and Ceremonial Programme Board (6 Members) (plus the Mayor as ex-officio)

Conservative (x)	Ashford Independent (x)	Labour (x)	Green (x)

Advisory Committees

Climate Change Advisory Committee (7 Members)

Conservative (x)	Ashford Independent (x)	Labour (x)	Green (x)

IT and Digital Transformation Advisory Committee (5 Members)

Conservative (x)	Ashford Independent (x)	Labour (x)	Green (x)

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Agenda Item 7



ASHFORD
BOROUGH COUNCIL

Agenda Item No: 7

Report To: Selection and Constitutional Review Committee

Date of Meeting: 25th May 2023

Report Title: Appointment of Members of, or Liaison Members to, Outside Bodies

Report Author: Danny Sheppard
Job Title: Member Services Manager

Summary: Details of Outside Bodies/Organisations to which the Council makes appointments, either as members of those bodies, or (in almost all cases) as Liaison Members to those bodies, are detailed in the attached Appendices.

All appointments (whether continuing or new) shall be made in line with the decision of the last Full Council meeting as explained in the report.

As this is the start of a new Four Year Council term, the Committee is asked to go through each of the appointments individually and make suggested nominations as indicated, for the Annual Meeting of the Council to consider.

Recommendations: I. That the Council is minded to appoint:-

- (i) the members and Replacement members as stated) of the organisations listed in Appendix A to this report, and
- (ii) the Liaison Members to work with the organisations listed in Appendix B to this report, in both cases subject to the prior receipt, to the satisfaction of the Solicitor to the Council & Monitoring Officer, of written confirmation from the organisation of the relevant matters as described in Paragraph 3 of this report.

II. That the Council delegate the making of the formal appointments as above to the Solicitor to the Council and Monitoring Officer and Member Services Manager, subject to receipt of the confirmation described above to his satisfaction.

III. That the Council delegate to the Solicitor to the Council and Monitoring Officer and Member Services Manager the powers to:-

- (i) formally confirm in writing to the

outside bodies and outgoing appointees the cessation of previous appointments which are being considered for replacement by new appointments;

- (ii) should the required confirmations not be received from the organisations after reasonable efforts have been exhausted, terminate previous appointments which are being considered for renewal as recommended in this report..**

Policy Overview:

The appointment of Liaison Members to work with outside bodies assists with Members' community engagement role, and helps to ensure that the Council is well connected with the wider community, while not affecting the ability of those Members to carry out their full roles as elected Members of the Council.

In a limited number of cases, the Council has determined it to be beneficial and appropriate to appoint a Member (or another person, such as an Officer) specifically to act as a Trustee or Director of an outside body, for example in order to strengthen the governance of that body, to provide an appropriate balance and breadth of background and experience to the board of management of that body, and/or to fulfil the expectations of specific charitable foundations of many years' standing.

Financial Implications:

None for the Council directly. The Recommendations are intended to avoid financial implications arising for Appointees and the Council.

Legal Implications:

*Text agreed by
Principal Solicitor –
Strategic
Development on
17/5/23*

Appointments should be made by the Full Council, on the advice of this Committee, on a 'minded to' basis in accordance with Paragraphs 2 and 3 of the report and Minute No C/401/4/23. The formal appointments should be delegated to the Solicitor to the Council and Monitoring Officer and Member Services Manager to make, subject to the receipt of relevant confirmation, so will not take effect until this has been received. New appointees do not commence, and should not act as if commencing, their appointed roles until formally appointed in writing by the Solicitor to the Council and Monitoring Officer and Member Services Manager.

At the same time as seeking the relevant confirmation from outside bodies, for clarity the Solicitor to the Council and Monitoring Officer and Member Services Manager will formally confirm in writing to the outside bodies and outgoing appointees the cessation of previous appointments which are

not being considered for extension (for example, where previous appointees are no longer Councillors), after which the previous appointees should immediately cease their roles.

**Background
Papers:**

None

Contact:

Danny Sheppard – Member Services Manager
danny.sheppard@ashford.gov.uk

Appointment of Members of, or Liaison Members to, Outside Bodies

Introduction and Background

1. Details of Outside Bodies/Organisations to which the Council makes appointments, either as Liaison Members or as members of the outside bodies, are detailed in the attached Appendices. Attendance details for 2022/23 are included where provided by the organisation in the form “x/y”, where x is the number of meetings attended by the appointee and y is the number of relevant meetings held by the body. This is less relevant to Liaison Members, as they are not expected to attend all meetings (see paragraph 6 below).

Proposal

2. Full Council on 27th April 2023 considered issues surrounding the appointment of members of, and Liaison Members to, outside bodies. Council agreed, and all appointees are reminded, that all appointments (whether continuing or new) to outside bodies shall be expressly made as Liaison Members only and on the express basis that appointees are not authorised to act as Directors, Trustees, Board or Management Committee members (unless the appointment expressly states to the contrary and the capacity in which the appointee is authorised to act - this applies to Appendix A only).
3. As requested by Full Council, Officers shall make the above position clear in writing to each relevant outside body and require written confirmation from the body as appropriate that (a) the appointment as a Liaison Member has been made on this basis and that it will not permit the appointee to act in the unauthorised capacities, or (b) for those organisations in Appendix A, the body evidences to the Council that it has appropriate insurance in place to protect the appointee against the risk of any personal liability. This position was agreed by Full Council on 27th April 2023 – Minute No. C/401/4/23 refers.
4. ‘Outside Bodies’ for the purpose of this report refers to outside organisations, being charitable, voluntary, or public-sector/ public-interest in nature, who have either (a) requested or require a Member of the Council to be appointed to act as a bridge between themselves and the Council (known as a Liaison Member), or (b) a specific requirement for a member of their board or other governing body to be appointed by the Council, pursuant to their Constitution. The Selection and Constitutional Review Committee normally has the power to appoint to such organisations as listed in Appendices A and B to this report (or to make recommendations on appointments to Full Council in an election year, as now). For the purposes of this report, “outside bodies” does NOT include Council-owned (or jointly-owned) trading Companies where the Companies are established pursuant to the Executive functions of the Council. In these cases the power to appoint representative Members to their

Boards lies with the Executive, through the Trading and Enterprise Board acting as a Committee of the Cabinet.

5. The appointments within this report fall in to two categories. Those at Appendix A are appointments as Trustees/Directors/Members of a Governing Body of a charity, where the charities have expressly stated that this is required and have specifically stated the capacity in which the appointee is to act and the Council has agreed to this. In these cases the charity will be written to requiring written evidence that it has appropriate insurance in place to protect the appointee against the risk of any personal liability. In these cases, it is accepted that under charity law, the appointed member's duty is to act as a member of that body and to that extent it is recognised that from time to time that role may come in to conflict with their role in Ashford Borough Council. In these cases, appointees are expected to make the appropriate Declarations of Interest at Council/Committee/Task Group etc. meetings and internal Council discussions, and recuse themselves from Council business/discussions on those occasions. Appointees should of course also comply with the codes of conduct/principles of governance that apply to their roles in the body to which they are appointed, and ensure that they do not come into possession of confidential information about the Council's business if their duties to the outside body would or might require it to be disclosed to that body. Appointees should seek early advice from the Solicitor to the Council or Legal Services if they are in any doubt on these matters or any circumstances that may arise.

6. The appointments at Appendix B are as Liaison Members to work with (but not as part of) the organisations concerned. As Liaison Members, Councillors will attend Board, Committee or other Meetings with the permission of the Board or Committee etc., and may offer views, assistance or practical help to the organisation, but are not permitted to vote on any decisions and must not be registered at the offices of the organisation, the Charity Commission or Companies House as a Director or Trustee or similar. Liaison Members are able to bring their invaluable experience and contacts, both within the Council and within the community, to the benefit of the organisation, and act as a bridge between the organisation and the Council, but are not hampered by possible conflicts of interest. Liaison Members are not expected to be party to any confidential discussions or information, nor to be involved in legal, financial or trustee matters within the organisations. A Liaison Member's first duty is still to Ashford Borough Council and is expected to be in a position to take a full part at Committee, Cabinet or other Council meetings/discussions. Therefore, Liaison Members should remove themselves from any discussions at Outside Body meetings that would or could put themselves or their Council position in conflict. Liaison Members should also take care not to be 'perceived' publicly as a Trustee/Director/Member of a Governing Body by the way they conduct themselves or take part in any meetings. Appointment as a Liaison Member should still be declared at relevant Council Meetings, but if the above requirements are followed this would just be by way of a 'Voluntary Announcement' rather than a DPI or OSI which would prevent participation in debates and voting. Again, appointees should seek early advice from the Solicitor to the Council or Legal Services if they are in any doubt on these matters.

7. In both cases above, the recommendations to appoint will be on the basis that the Council is “minded to appoint” the persons listed, and, in the case of Appendix A, to the positions listed, subject to the written confirmation from the organisation of the appropriate position described in Paragraph 3 above. The making of formal appointments is delegated to the Solicitor to the Council and Monitoring Officer and Member Services Manager subject to receipt of that confirmation. New appointees cannot commence their appointed roles until formally appointed in writing by the Solicitor to the Council and Monitoring Officer and Member Services Manager.
8. For clarity for all concerned, the Solicitor to the Council and Monitoring Officer and Member Services Manager will formally confirm in writing to the outside bodies and outgoing appointees the cessation of previous appointments, after which the previous appointees should immediately cease their roles. Should the required confirmation (i.e. as to insurance cover for Appendix A appointees, and as to the role for Liaison Member appointees) not be received from an organisation to which an existing appointment is being renewed, then after all reasonable efforts have been exhausted, the Solicitor to the Council and Member Services Manager shall have the discretion to terminate the appointment. This is in order to protect all concerned against ongoing uncertainty and possible financial and other risks.
9. Appendix C sets out other appointments, made by others, that have been in place during 2022/23, purely for information.
10. As this is the start of a new Four Year Council term, the Committee is asked to go through each of the suggested appointments at Appendices A and B individually and make nominations as indicated for Full Council to consider.

Consultation Planned or Undertaken

11. Consultation with Outside Bodies is not required. The basis on which appointments are being considered/made will be made clear to them in future correspondence.

Other Options Considered

12. In cases of doubt, there is always an option of not making an appointment at this time. This will be considered at the meeting if necessary.

Contact and Email

13. Danny Sheppard, Member Services Manager
danny.sheppard@ashford.gov.uk

Appendix A Trustee/Director/Management Committee Appointments

The following appointments are made to the named roles in the following organisations:

Name of Organisation and authorised role	Existing Appointee	Attendance at Meetings 2022/23	Suggested Appointee for 2023/24
Ashford Almshouses and Parochial Charities - Trustee	Cllr B Heyes Cllr Krause Cllr L Suddards Revd. Richard Bellamy	1/2 2/2 1/2 ?	_____ _____ _____ _____
Kennington Parochial Charities - Trustee	Cllr Buchanan Cllr Iliffe	1/2 0/2	<i>It is believed by Kennington Community Council that appointments are now to be made by Kennington Community Council under the Charities' Constitution. This is subject to legal confirmation. In the event that this is not confirmed, and the appointment responsibility remains with the Council, then Delegated Authority to the Solicitor to the Council to appoint – Cllr _____ and Cllr _____.</i>
Chilmington Management Organisation – Director and Trustee	Cllr Shorter <i>(Delegated Authority to the Solicitor to the Council to appoint a replacement if required – Cllr</i>		<i>Cllr _____ (with Delegated Authority to the Solicitor to the Council to appoint as a replacement if required – Cllr</i>

	<i>Blanford</i>).		____). Mr Ben Lockwood
St Mary's Arts Trust – Director and Trustee	Cllr Smith	2/6 (*Due to ill health)	_____ _____ (Under the Trust's Constitution, the Council may nominate two Directors/Trustees, at least one of whom should be a Councillor, and both of whom should be "active in the arts in the region".)

Appendix B Liaison Member Appointments

The following Liaison Member appointments are made to work with the following outside bodies.

(NB: the role of Liaison Member is as described in para. 6 of the report.)

Name of Organisation	Existing Representative	Attendance at Meetings 2022/23	Suggested Liaison Member for 2023/24
Action with Communities in Rural Kent	Cllr Burgess	0/0	NONE - Organisation being wound up.
Ashford Community Safety Partnership	Portfolio Holder for Safety and Wellbeing	3/3	Portfolio Holder for Safety and Wellbeing
Ashford Health and Wellbeing Partnership	Portfolio Holder for Safety and Wellbeing	3/3	Portfolio Holder for Safety and Wellbeing
Ashford Mediation Service	Cllr Krause		_____
Ashford Museum Committee	Cllr Smith		_____
Ashford Street Pastors Management Committee	Cllr Hayward	4/4	_____
Ashford Volunteer Centre	Cllr Feacey		_____
Ashford Youth Trust	Cllr Anckorn Cllr Pauley	0/0 0/0	NONE - Organisation no longer active.
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Clokie Cllr Mulholland	0/4 * (ill health) 3/4	_____ _____
Dungeness Power Station Site Stakeholder Group	Cllr Burgess		_____
Headcorn Aerodrome Consultative Committee	Member for Weald North Ward	0/2	Member for Weald North Ward
High Weald (AONB) Joint Advisory Group	Cllr Pickering	0/2	_____
Home-Start, Ashford: Management Committee	Cllr Webb	2/4	_____
Kent Downs (AONB) Joint Advisory Committee	Cllr Blanford		_____
Kent & Medway Police &	Cllr Feacey	3/4	_____

Crime Panel			
Kent Downs and Marshes Leader Project	Cllr Burgess	0/0	NONE - Organisation no longer active.
Kent Flood Risk Management Committee	Cllr Blanford		_____
Kent Invicta Chamber – Ashford Economic Development Group	Cllr Clokie		_____
Marshlink Steering Group	Cllr Burgess		_____
River Stour Internal Drainage Board	Cllr Burgess Cllr Buchanan Cllr Ovenden Cllr Smith Cllr Sparks	6/8 0/4 1/4 2/8 2/4	_____ _____ _____ _____ _____
Romney Marsh Partnership	Cllr Burgess		NONE – Appointment no longer required.
Romney Marshes Area Internal Drainage Board	Cllr Burgess	2/3	_____
Sandyacres Trust	Cllr Krause	2/2	_____
South East Local Enterprise Partnership	Leader of the Council		Leader of the Council
SWAN Site Management Committee	Cllr Smith		_____
Tenterden Folk Day Trust	Cllr Link	2/4	_____
Tenterden Town Council – Tourism & Business Committee	Portfolio Holder for Economic Development		NONE – Member Appointment no longer required. Attended by Officer.
Willesborough Windmill Trust	Cllr Wright		_____
Wye Rural Museum Trust	Cllr Howard		_____

Appendix C

Appointments made by others, for Information

The following appointments have been in place during 2022/23 and are set out purely for information.

OUTSIDE BODY	Appointee
NHS Kent and Medway Integrated Care Board	Cllr Bartlett (Representative for East Kent Districts)

MEMBER CHAMPIONS

TOPIC	APPOINTEE
Armed Forces Military Covenant & Civic and Ceremonial Liaison	Cllr Feacey
Safeguarding	Cllr Feacey
Twinning	Cllr Forest

LEAD MEMBERS

TOPIC	APPOINTEE
KCC and Highways Liaison	Cllr Barrett

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**ASHFORD BOROUGH COUNCIL
ANNUAL MEETING 30TH MAY 2023
ORDER OF PROCEEDINGS**

1. Election of Mayor

- (a) The Retiring Mayor enters the Council Chamber wearing robes and Chain and takes the Chair.
- (b) Presentation of certificates to each of the outgoing Mayor's Cadets
- (c) Retiring Mayor calls for nominations.
- (d) Nomination moved by **Councillor** _____
- (e) Nomination seconded by **Councillor** _____
- (f) Retiring Mayor declares the result of the election (even where one nomination only it must be put to the vote).

2. Declaration of Acceptance of Office by the Mayor

- (a) The Chief Executive will read out the Declaration of Acceptance of Office and the new Mayor signs the Declaration after signifying acceptance.
- (b) The Robing Party then retires from the Council Chamber in the following order:-

Mace Bearer
Retiring Mayor
Chief Executive
New Mayor
Chaplain
Retiring Mayor's Cadets
New Mayor's Cadets follow on from the gallery

NOTE: It is essential that the Retiring Mayor's Consort and the New Chaplain are present in the Council Chamber from the commencement of the Annual Meeting, and should leave the Council Chamber at the rear of the Robing Party. On return, in advance of the return of the newly elected Mayor, the Retiring Mayor's Consort and Retiring Chaplain should be escorted along with the Retiring Mayor, into the Council Chamber and take their seats.

- (c) The Robing Party then returns to the Council Chamber in the following order:-

Mace Bearer
Mayor
Chief Executive
Chaplain
New Mayor's Cadets
(Retiring Mayor's Cadets take seats in advance in the gallery)

3. Appointment of Mayor's Chaplain

- (a) Prayer.

4. **Vote of thanks by the Mayor for his Election**
 - (a) Deputy Mayoress presented with a gift by the Member Services Manager.
5. **Vote of thanks to the Retiring Mayor and Consort**
 - (a) Moved by **Councillor** _____
 - (b) Seconded by **Councillor** _____
6. **Election and Appointment of Deputy Mayor**
 - (a) Mayor calls for nominations.
 - (b) Proposed by **Councillor** _____
 - (c) Seconded by **Councillor** _____
 - (d) Following election, Mayor declares result of the vote.
7. **Declaration of Acceptance of Office by the Deputy Mayor**
 - (a) The Chief Executive will read out the Declaration of Acceptance of Office and the Deputy Mayor signs the Declaration after signifying acceptance.
 - (b) Deputy Mayor invested with Chain of Office by the Mayor.
 - (c) Deputy Mayoress/Mayor's Consort invested with Chain of Office and presented with a gift by the Mayor.
8. **Appointment of Mayor's Cadets for 2023/24 with presentation of Badges (on silver platter)**
9. **Apologies for Absence**
10. **Declarations of Interest**
11. **Minutes**

To consider the Minutes of the meeting of the Council held on the 27th April 2023.
12. **Announcements**

To receive any further announcements from the Mayor.
13. **Election of the Leader of the Council for a Four Year Term**
 - (a) Proposed by Councillor _____
 - (b) Seconded by Councillor _____
14. **To Note the Names of the Members to be Appointed by the Leader to the Cabinet and the Size of the Cabinet**
 - (a) **The Size of the Cabinet**

The Leader will advise that the Cabinet will be comprised of the Leader and a set number of Portfolio Holders.

(b) Members of the Cabinet

The Leader will advise of the appointment of Members to the Cabinet and their Portfolio titles.

15. **The Deputy Leader of the Council (from those Members appointed to the Cabinet)**

The Leader will advise which Member of the Cabinet he has appointed Deputy Leader of the Council.

16. To consider the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 25th May 2023.

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