

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 **13th July 2023**.

Present:

Cllr. Ovenden (Chairman);

Cllrs. Bell, Campkin, Chilton, Feacey, Forest, Gauder, Harman, Heyes, Spain, Wright.

Apologies:

Cllr. Michael.

Also Present:

Cllr. Ledger.

Solicitor to the Council and Monitoring Officer, Member Services Manager.

71 Election of Chairman

Resolved:

That Councillor Ovenden be elected as Chairman of the Committee for this Meeting.

72 Election of Vice-Chairman

Resolved:

That the Committee did not consider it necessary to elect a Vice-Chairman of the Committee for this Meeting.

73 Declarations of Interest

| Councillor | Interest | Minute No. |
|------------|--|------------|
| Feacey | Made a Voluntary Announcement as Chairman of the Ashford Volunteer Centre. | 76 |
| Gauder | Made a Voluntary Announcement as she worked for the Ashford Mediation Service. | 76 |

74 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 25th May 2023 be approved and confirmed as a correct record.

75 Background and Principles of Political Balance and Administrative Structure

The Member Services Manager introduced the report which presented the Political Balance for the Authority for the remainder of the 2023/24 Municipal Year, and sought to agree any other constitutional matters which needed to be recommended to the Meeting of the Full Council on the 20th July 2023. There was a change to the balance following the decision of Councillors Barrett and Buchanan to leave the Conservative Group and become Independent Councillors. The agreed Political Balance is contained at Appendix A to these Minutes.

The Member Services Manager ran through the membership of Committees and Board in Appendix B to the report one by one. With input from Members, the proposed membership for 2023/24 was completed including the nominations for Chairmen and Vice-Chairmen. This is contained at Appendix B to these Minutes.

Recommended:

That (i) the Committee recommends to Council the adoption of the Political Balance of the Authority as contained at Appendix A to these Minutes, and that the Council agrees that the requirements of the Political Balance Regulations be not applied to the Membership of the Joint Transportation Board, the Appeals Committee and its Panels, the Investigation and Disciplinary Committee (and its Panels), the Standards Committee, and the Sub-Committees of the Licensing and Regulatory Committees established under the Licensing Act 2003 and Gambling Act 2005.

(ii) the Committee recommends to Council that 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 at Appendix B to these Minutes. Note: This is subject to amendments from Group Leaders.

- (iii) the Committee recommends that the Council appoint the Chairmen and Vice-Chairmen for each Committee etc. as shown in Appendix B.**
- (iv) the remaining seat on the Overview and Scrutiny Committee be allocated to Councillor Buchanan.**
- (v) the remaining seat on the Planning Committee remain vacant and the Committee operate with 13 Voting Members and 1 ex-officio Member under the current Political Balance.**
- (vi) the remaining seat on the Selection and Constitutional Review Committee be allocated to Councillor Buchanan.**
- (vii) the make-up of the Cabinet for the remainder of 2023/24 be noted.**
- (viii) the membership of Cabinet Boards, Advisory Committees, Task Groups and Panels for the remainder of 2023/24, as set out in Appendix C to these Minutes, be noted.**

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

The report advised that further to the report to the last meeting of this Committee which sought a majority of Liaison Member appointments, a small number of the bodies the Council appoint to had come back explaining that they needed either Trustee Members or Voting Members for their own constitutional reasons. The Solicitor to the Council and Monitoring Officer explained that the report sought to extend the delegation previously given to him to make additional formal Trustee or Voting Member appointments, subject to the receipt of confirmation that they were reasonably required and that appropriate insurances were in place for each year of appointments to protect against risk of personal liability arising from undertaking the role.

Resolved:

That the Committee delegate the making of the formal Trustee or Voting Member annual appointments to those bodies now asking for the appointments to be made in capacities other than a Liaison Member, (or any other organisations who subsequently request), to the Solicitor to the Council and Monitoring Officer. Appointments will be subject to the Solicitor to the Council being satisfied that they are reasonably required by reason of

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statutory or constitutional provisions and that appropriate insurances are in place for each year of appointment to protect against risk of personal liability arising from undertaking the role in question.

Queries concerning these Minutes? Please contact Member Services:
Telephone: 01233 330349 Email: membersservices@ashford.gov.uk
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APPENDIX A
(Minute No. 75/7/23 refers)

THE POLITICAL BALANCE CALCULATION
JULY 2023

A 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 = | | % (to 2 decimal places) |
| 17 Conservative | = | 36.17 |
| 11 Labour | = | 23.40 |
| 9 Ashford Independent | = | 19.15 |
| 8 Green | = | 17.02 |
| 1 Independent | = | 2.13 |
| 1 Independent | = | 2.13 |
| | | <hr/> 100 <hr/> |

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

| Committee | Con | Lab | AI | Green | Ind | Total |
|--------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------|-----------|
| 1 x 12 O&S | 4 | 3 | 2 | 2 | 1 | 12 |
| 1 x 14 Planning | 5 | 3 | 3 | 2 | 1 | 14 |
| 1 x 12 Selection | 4 | 3 | 2 | 2 | 1 | 12 |
| 1 x 13 Licensing | 5 | 3 | 2 | 3 | | 13 |
| 1 x 13 Regulatory | 5 | 3 | 3 | 2 | | 13 |
| 1 x 8 Audit | 3 | 2 | 2 | 1 | | 8 |
| 1 x 5 Appointments | 2 | 1 | 1 | 1 | | 5 |
| Totals | 28 (27.85) | 18 (18.02) | 15 (14.74) | 13 (13.11) | 3* | 77 |

* Under the draft calculation all Groups have received their overall entitlement to seats across all Committees. There is one seat on each of the Overview and Scrutiny, Planning and Selection and Constitutional Review Committees to be allocated. It is therefore proposed to offer these seats to Independent Members. One of the Independent Members, Councillor Barrett is a Cabinet Member and so cannot sit on the Overview and Scrutiny Committee. It is therefore proposed that Councillor Buchanan is offered this seat. It is also proposed for Councillor Buchanan to be offered the seat on the Selection and Constitutional Review Committee. With regard to the vacant seat on the Planning Committee, both Independent Councillors have declined this seat. Given that all Groups have received their overall entitlement to seats across all Committees under the draft calculation, no other Group is entitled to take this seat. It is therefore proposed that this seat remain vacant and the Committee operate with 13 Voting Members and 1 ex-officio Member under the current Political Balance. These recommendations need to be agreed by the Full Council.

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

Political Group entitlement in relation to all seats: 77

| | | | |
|----------------------------|--------------|----------|-----------|
| Conservative | 27.85 | = | 28 |
| Labour | 18.02 | = | 18 |
| Ashford Independent | 14.74 | = | 15 |
| Green | 13.11 | = | 13 |

| | | | |
|--------------------|--|----------|----------|
| Independent | | = | 1 |
| Independent | | = | 1 |
| Independent | | = | 1 |

77

D. Committees etc. 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 (which does not meet as a Committee) | = | 3 |
| *1 x 15 | Investigation & Disciplinary | 3 Members per meeting drawn on rota from a Panel of 15 Members (which does not meet as a Committee) | = | 3 |
| * 1 x 7 | Joint Transportation Board | | = | 7 |
| *1 x 3 | Licensing Sub-Committee (3 Member Panels) | 3 Members per meeting drawn on rota from a Panel of 13 Members (which does meet as a Committee so is itself balanced) | = | 3 |
| *1 x 3 | Regulatory Sub-Committee (3 Member Panels) | 3 Members per meeting drawn on rota from a Panel of 13 Members (which does meet as a Committee so is itself balanced) | = | 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 an overall balanced allocation of seats.

| Committee | Con | Lab | AI | Green | Total |
|------------------------------------|----------|----------|----------|----------|-----------|
| *1 x 15 Appeals | 5 | 4 | 3 | 3 | 15 |
| *1 x 15 Inv & Dis | 5 | 4 | 3 | 3 | 15 |
| *1 x 7 Joint Transportation | 3 | 2 | 1 | 1 | 7 |
| **1 x 8 Standards | 3 | 2 | 2 | 1 | 8 |

- * **The requirements of the 'Political Balance' regulations be not applied to the membership of the Appeals Committee and its Panels, the Investigation and Disciplinary Committee and its Panels and the Licensing and Regulatory Panels of 3 Members which are drawn for each meeting.**

- 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.**

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

APPENDIX B

(Minute No. 75/7/23 refers)

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

13TH JULY 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 has recommended the Chairs and Vice-Chairs of each Committee etc, 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 (4) | Labour (3) | Ashford Independent (2) | Green (2) | Ind (1) |
|-----------------------------|-----------------------|--|----------------------|--------------------|
| Bartlett | Chilton (VC) | Ledger | Arnold | Buchanan |
| Bell (Ch) | Joseph | Michael | Meaden | |
| Feacey | C Suddards | | | |
| Shilton | | | | |

Audit Committee (8 Members)

| Conservative (3) | Labour (2) | Ashford Independent (2) | Green (1) |
|-----------------------------|-----------------------|--|----------------------|
| Feacey | Dean | Hayward | Gambling (VC) |
| Krause (Ch) | Hallett | McGeever | |
| Smith | | | |

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

Training is compulsory for anyone sitting on the Planning Committee.

| Conservative (5) | Labour (3) | Ashford Independent (3) | Green (2) | Ind (1) |
|-----------------------------|-----------------------|--|----------------------|--------------------|
| Blanford (Ch) | Chilton | Betty | Nilsson | Vacant |
| Brunger-Randall | Gathern | Ledger | Walder | |
| Heyes (VC) | Spain | McGeever | | |
| Mulholland | | Harman (EO) | | |
| Roden | | | | |

Selection & Constitutional Review Committee (12 Members)

| Conservative (4) | Labour (3) | Ashford Independent (2) | Green (2) | Ind (1) |
|-----------------------------|-----------------------|--|----------------------|--------------------|
| Bell (VC) | Chilton | Harman | Campkin | Buchanan |
| Feacey | Gauder | Ovenden (Ch) | Wright | |
| Forest | Spain | | | |
| Heyes | | | | |

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.

| Conservative (5) | Labour (3) | Ashford Independent (2) | Green (3) |
|-----------------------------|-----------------------|--|----------------------|
| Feacey (Ch) | Hallett | McGeever | Arnold |
| Krause | Leavey | Michael | Walder (VC) |
| Pickering | L Suddards | | Wright |
| Shilton | | | |
| Smith | | | |

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.

| Conservative (5) | Labour (3) | Ashford Independent (3) | Green (2) |
|-----------------------------|-----------------------|--|----------------------|
| Feacey (Ch) | Hallett | McGeever | Walder (VC) |
| Krause | Leavey | Michael | Wright |
| Pickering | L Suddards | Townend | |
| Shilton | | | |
| Smith | | | |

Appointments Committee (5 Members)

| Conservative (2) | Labour (1) | Ashford Independent (1) | Green (1) |
|-----------------------------|-----------------------|--|----------------------|
| Feacey | Chilton | Ovenden | Meaden (VC) |
| Pickering (Ch) | | | |

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 (5) | Labour (4) | Ashford Independent (3) | Green (3) |
|-----------------------------|-----------------------|--|----------------------|
| Blanford | Dean | Ledger | Arnold |
| Hicks | Hallett | McGeever | Giles |
| Mulholland | Leavey | Townend | Nilsson |
| Pickering | C Suddards | | |
| Shilton | | | |

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 (5) | Labour (4) | Ashford Independent (3) | Green (3) |
|-----------------------------|-----------------------|--|----------------------|
| Mrs Bell | Chilton | Hayward | Campkin |
| Bell | Dean | Ovenden | Giles |
| Blanford | Spain | Townend | Wright |
| Feacey | L Suddards | | |
| Krause | | | |

Standards Committee (8 Members)

Broadly Politically 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) |
|-----------------------------|-----------------------|--|----------------------|
| Bell | Chilton | Harman (Ch) | Gambling |
| Mrs Bell (VC) | Gathern | Pauley | |
| Pickering | | | |

Joint Transportation Board (7 Members)

| Conservative (3) | Labour (2) | Ashford Independent (1) | Green (1) |
|-----------------------------|-----------------------|--|----------------------|
| Feacey | Gathern | Michael | Meaden |
| Forest | Joseph | | |
| Heyes (Ch) | | | |

**MEMBERSHIP OF CABINET BOARDS, ADVISORY COMMITTEES, TASK
GROUPS AND PANELS 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

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

| |
|------------|
| (4) |
| Betty (Ch) |
| Harman |
| Ovenden |
| Walder |

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

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

Ashford Strategic Delivery Board (6 Members)

| |
|--------------|
| (6) |
| Betty |
| Campkin |
| Harman |
| Ovenden (Ch) |
| Walder |
| Bell* |

* Councillor Bell to be appointed as Chairman of the Overview and Scrutiny Committee.

Advisory Committees, Task Groups and Panels

Economic Regeneration and Investment Advisory Committee (5 Members)

| |
|--------------|
| (5) |
| Betty |
| Campkin |
| Ovenden (Ch) |
| Walder |
| Bartlett |

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

| Conservative (1) | Labour (1) | Ashford Independent (2) | Green (2) |
|-----------------------------|-----------------------|--|----------------------|
| Pickering | C Suddards | Ledger | Nilsson (Ch) |
| | | Michael | Wright |
| | | | |

Local Government and Polling Districts Task Group (10 Members)

| Conservative (4) | Labour (2) | Ashford Independent (2) | Green (2) |
|-----------------------------|-----------------------|--|----------------------|
| Mrs Bell | Anckorn | Harman (Ch) | Meaden |
| Hicks | Spain | Hayward | Walder |
| Mulholland | | | |
| Smith | | | |

Local Plan & Planning Policy Task Group (10 Members plus 1 ex-officio)

| Conservative (4) | Labour (2) | Ashford Independent (2) | Green (2) |
|-----------------------------|-----------------------|--|----------------------|
| Bartlett (Ch) | Hallett | Ledger (VC) | Meaden |
| Mrs Bell | Spain | Michael | Walder |
| Blanford | | Harman (EO) | |
| Roden | | | |

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

| Conservative (3) | Labour (2) | Ashford Independent (1) | Green (1) |
|-----------------------------|-----------------------|--|----------------------|
| Feacey | Dean | Hayward | Nilsson |
| Link | L Suddards | | |
| Smith | | | |

Member Training Panel (8 Members)

| Conservative (3) | Labour (2) | Ashford Independent (2) | Green (1) |
|-----------------------------|-----------------------|--|----------------------|
| Mrs Bell | Anckorn | Betty | Wright |
| Pickering | Gathern | Pauley (Ch) | |
| Smith | | | |