

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 **17th February 2022**.

Present:

Cllr. Clarkson (Chairman);

Cllrs. Clokie, Feacey, Forest, Harman, Hayward, Meaden, Ovenden, C Suddards.

In accordance with Procedure Rule 1.2 (c) Councillors Forest and C Suddards attended as Substitute Members for Councillors Bartlett and Farrell.

Apologies:

Cllrs. Barrett, Bartlett, Chilton, Farrell, Howard-Smith.

Also Present:

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

282 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 7th October 2021 be approved and confirmed as a correct record.

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

The Member Services Manager introduced the report which presented the Political Balance for the Authority for the remainder of the 2021/22 Municipal Year and other constitutional matters that needed to be recommended to the Meeting of the Full Council on the 3rd March 2022. There was a change to the Balance following the result of the by-election for the Highfield Ward in which Councillor Dawnie Nilsson (Green Party) was elected. The Balance calculations contained in the Appendix to the report had been agreed by Group Leaders.

The Member Services Manager directed attention to the Addendum Paper which detailed some updates to Committee Membership that had been received from Group Leaders since the publication of the original report. Group Leaders also verbally updated on a couple of further changes and the Member Services Manager clarified that the final agreed membership would be detailed in the Minutes of this Meeting.

The Leader drew attention to the Appointments Committee, which was responsible for the appointment of Chief Officers. This would become extremely important in the coming months as the Council looked to implementing the Council's new senior structure.

Recommended:

That (i) the Political Balance of the Authority 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 Panel, Standards Committee and the Sub Committees of the Licensing and Regulatory Committees established under the Licensing Act 2003 and the 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**

(iii) the remaining seat on the Planning Committee be allocated to Councillor Walder.

(iv) the remaining seats on the Licensing and Regulatory Committees be allocated to Councillor Michael.

(v) the changes in Committee membership for the remainder of 2021/22 as notified by Group Leaders, at Appendix B to these Minutes, be noted.

(vi) the Local Plan and Planning Policy Task Group be increased in size from 10 to 11 Members to ensure that all Groups continue to be represented.

(vii) the membership of Cabinet Boards, Advisory Committees and Task Groups for the remainder of 2021/22, at Appendix C to the Minutes, be noted.

284 Ashford Port Health Delegations

The report of the Solicitor to the Council and Monitoring Officer sought to formally delegate the necessary powers to the Head of Port Health so that the Council could

exercise the functions required to provide a Port Health Service at the Sevington Inland Border Facility.

The Leader said that the facility at Sevington would be one of the biggest of the 20 new facilities being created in the UK and also one of busiest. They had been successful in securing all of the funding requested from the Government and this report was the next step towards delivering this service. He asked if a provision could be added making it clear that the Head of Port Health would bring to the attention of the Leader and Cabinet or Council (as appropriate), any significant matters arising regarding the powers and duties of the Port Health Authority (exception reporting). This was agreed by the Committee.

Recommended:

That subject to the addition above, Full Council approve the delegated powers set out in the Annex to the report, in so far as the powers relate to non-executive functions.

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THE POLITICAL BALANCE CALCULATION
MARCH 2022

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 =		%
24 Conservative	=	51.06382979
11 Ashford Independent	=	23.40425533
6 Labour	=	12.76595746
4 Green	=	8.510638298

Note:

1 Independent		2.127659575
1 Independent		2.127659575

100

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

<i>Committee</i>	Con	AI	Lab	Green	To Be Allocated	Total
1 x 12 O&S	6	3	2	1	0	12
1 x 14 Planning	7	3	2	1	1*	14
1 x 12 Selection	6	3	2	1	0	12
1 x 13 Licensing	7	3	1*	1	1*	13
1 x 13 Regulatory	7	3	1*	1	1*	13
1 x 8 Audit	3*	2	1	2*	1	8
1 x 5 Appointments	3	1	1	0	0	5
Totals	39* (39.319)	18 (18.021)	10* (9.830)	7 (6.533)	3*	77

* Under the draft calculation the Labour Group had been allocated 12 seats when their overall entitlement across all Committees was 10. All other Groups had received their overall entitlement to seats. There was therefore a need for the Labour Group to gift two of their allocated seats to Independent Members. The Labour Group have offered their seats on the Licensing Committee and Regulatory Committee.

Under the draft calculation the Green Group had been allocated six seats when their overall entitlement across all Committees was seven. The Conservative Group had been allocated 40 seats when their overall entitlement was 39. There was therefore a need for the Conservative Group to gift one of their allocated seats to the Green Group. The Conservative Group have offered one of their seats on the Audit Committee.

There is one seat to be allocated on the Planning Committee. All other Groups have received their overall entitlement to seats so it is proposed to offer this seat to an Independent Member.

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

Political Group entitlement in relation to all seats: 77

Conservative	39.319	=	39
Ashford Independent	18.021	=	18
Labour	9.830	=	10
Green	6.533	=	7

Total	74
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1 Independent	=	2
1 Independent	=	1

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	AI	Lab	Green	
*1 x 15 Appeals	8	4	2	1	15
x1 x 7 Joint Transportation	4	2	1	0	7
**1 x 8 Standards	4	2	1	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.**

APPENDIX B

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 (6)	Ashford Independent (3)	Labour (2)	Green (1)
Blanford	Hayward	Chilton (VCh)	Meaden
Brooks	Ledger	Farrell	
Burgess	Ovenden (Ch)		
Howard-Smith			
Krause			
Mulholland			

Audit Committee (8 Members)

Conservative (3)	Ashford Independent (2)	Labour (1)	Green (2)
Buchanan (VCh)	Hayward	Spain	Campkin
Krause (Ch)	Smith		Wright
Shorter			

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

Training is compulsory for anyone sitting on the Planning Committee.

Conservative (7)	Ashford Independent (3)	Labour (2)	Green (1)	Independent (1*)
Blanford (VCh)	Harman	Chilton	Meaden	Walder
Burgess (Ch)	Ovenden	L Suddards		
Howard	Sparks			
Howard-Smith				
Iliffe				
Mulholland				
Shorter				
Bell (EO)				

*Seat allocated to Independent Member as all other Groups had received their allocation across all Committees as part of the Political Balance calculation.

Selection & Constitutional Review Committee (12 Members)

Conservative (6)	Ashford Independent (3)	Labour (2)	Green (1)
Barrett	Harman	Chilton	Meaden
Bartlett (VCh)	Hayward	Farrell	
Clarkson (Ch)	Ovenden		
Clokie			
Feacey			
Howard-Smith			

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.

Training is compulsory for anyone sitting on the Licensing Committee.

Conservative (7)	Ashford Independent (3)	Labour (1)	Green (1)	Independent (1*)
Buchanan	Ledger	L Suddards	Wright	Michael
Burgess	Rogers			
Feacey	Smith			
Krause (VCh)				
Pickering				
Shorter				
Webb (Ch)				

*Seat allocated to Independent Member as all other Groups had received their allocation across all Committees as part of the Political Balance calculation.

Regulatory 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.

Training is compulsory for anyone sitting on the Regulatory Committee.

Conservative (7)	Ashford Independent (3)	Labour (1)	Green (1)	Independent (1*)
Buchanan	Ledger	L Suddards	Wright	Michael
Burgess	Rogers			
Feacey	Smith			
Krause (VCh)				
Pickering				
Shorter				
Webb (Ch)				

*Seat allocated to Independent Member as all other Groups had received their allocation across all Committees as part of the Political Balance calculation.

Appointments Committee (5 Members)

Conservative (3)	Ashford Independent (1)	Labour (1)	Green (0)
Feacey	Ovenden	Chilton	
Clarkson (Ch)			
Pickering (VCh)			

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 (8)	Ashford Independent (4)	Labour (2)	Green (1)
Blanford	T Heyes	Anckorn	Campkin
Burgess	Ledger	L Suddards	
B Heyes	Sparks		
Howard	Turner		
Krause			
Link			
Mulholland			
Wedgbury			

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 (8)	Ashford Independent (4)	Labour (2)	Green (1)
Bartlett	Cornish	Anckorn	Campkin
Barrett	Ovenden	Chilton	
Mrs Bell	Sparks		
Bell	Turner		
Blanford			
Clarkson			
Feacey			
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 (4)	Ashford Independent (2)	Labour (1)	Green (1)
Mrs Bell (Ch)	Ovenden	Chilton	Meaden
Knowles	Turner		
Pickering			
Shorter (VCh)			

Joint Transportation Board (7 Members)

Conservative (4)	Ashford Independent (2)	Labour (1)	Green (0)
Burgess	Cornish	C Suddards	
Feacey	T Heyes		
B Heyes (Ch)			
Krause			

Community Grants Panel (7 Members including the Portfolio Holder for Culture)

Conservative (4)	Ashford Independent (2)	Labour (1)	Green (0)
Barrett	Pauley	L Suddards	
Forest	Smith		
Knowles (VCh)			
Webb (Ch)			

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 (3)	Ashford Independent (1)	Labour (1)	Green (1)
Mrs Bell	Smith	L Suddards	Wright
Mulholland			
Pickering (Ch)			

Member Training Panel (8 Members)

Conservative (4)	Ashford Independent (2)	Labour (1)	Green (1)
Mrs Bell (VCh)	Pauley	Spain	Wright
Blanford	Smith		
Howard			
Pickering (Ch)			

Local Government and Polling Districts Task Group (10 Members)

Conservative (5)	Ashford Independent (2)	Labour (1)	Green (1)	Independent (1)
Bell (Ch)	Rogers	Anckorn	Meaden	Michael
Blanford	Sparks			
B Heyes				
Knowles (VCh)				
Wedgbury				

Local Plan & Planning Policy Task Group (11 Members)

Conservative (6)	Ashford Independent (3)	Labour (1)	Green (1)
Bartlett (Ch)	Harman	Spain	Wright
Bell (VCh)	Ledger		
Mrs Bell	Sparks		
Blanford			
Clokie			
B Heyes			

Trading and Enterprise Board (4 Members and 1 Observer)

Conservative (4)
Bell (Ch)
Feacey
Pickering
Shorter

* Councillor Ovenden to be appointed as Observer.

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

MEMBERSHIP OF CABINET BOARDS, ADVISORY COMMITTEES AND TASK GROUPS FOR 2021/22

The following are set out for information only.

Boards

Ashford Strategic Delivery Board (4 Members)

Conservative
(4)
Bell
Clarkson (Ch)
Clokie
Shorter

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

Conservative	Ashford Independent	Labour	Green
(6)	(1)	(1)	(0)
Clarkson (Ch)	Ovenden	Spain	
Feacey			
Forest			
Iliffe (VCh)			
Shorter			
Webb			

Economic Regeneration & Investment Board (6 Members)

Conservative (5)	Ashford Independent (1*)	Labour (0*)	Green (0*)
Bartlett (VCh)	Ovenden		
Bell			
Clarkson (Ch)			
Iliffe			
Shorter			

*One seat allocated to the Leader of the largest Opposition Group

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

Conservative (5)	Ashford Independent (0)	Labour (1)	Green (0*)
Barrett		Spain	
Bell (Ch)			
Buchanan			
Feacey (VCh)			
Shorter			
Clarkson (EO)			

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

Conservative (4)	Ashford Independent (1)	Labour (1)	Green (0)
Burgess	Ovenden	L Suddards	
Clarkson (Ch)			
Forest (VCh)			
Webb			
Mayor (EO)			

Advisory Committees

Climate Change Advisory Committee (7 Members)

Conservative (4)	Ashford Independent (1)	Labour (1)	Green (1)
Barrett (Ch)	Ledger	Anckorn	Campkin
Blanford			
Feacey (VCh)			
Mulholland			

IT and Digital Transformation Advisory Committee (5 Members)

Conservative (4)	Ashford Independent (1)	Labour (0)	Green (0)
Bell (VCh)	Ovenden		
Forest (Ch)			
Krause			
Pickering			