

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 **30th June 2022**.

Present:

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

Cllrs. Farrell, Feacey, Forest, Harman, Hayward, Howard-Smith, Meaden, Ovenden, C Suddards.

In accordance with Procedure Rule 1.2 (c) Councillor C Suddards attended as Substitute Member for Councillor Chilton.

Apologies:

Cllrs. Barrett, Chilton.

Also Present:

Cllrs. Burgess, Shorter, Wright.

Solicitor to the Council and Monitoring Officer, Principal Solicitor (Strategic Development) and Deputy Monitoring Officer, Member Services Manager.

70 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 3rd May 2022 be approved and confirmed as a correct record.

71 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 2022/23 Municipal Year and other constitutional matters that needed to be recommended to the Meeting of the Full Council on the 21st July 2022. There was a change to the Balance following the decision of Councillor Knowles to leave the Conservative Group and become an Independent Councillor. The Balance calculations contained in the Appendix to the report had been agreed by Group Leaders.

The Chairman advised that since the publication of the original report Councillor Pickering had decided not to take on the post of Member Champion for Armed Forces

and the Military Covenant and that would pass to Councillor Feacey and be combined with his Member Champion post for Civic and Ceremonial Liaison.

Members pointed out a couple of typos in the document which would be amended in the final version.

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 Panels, 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 seats on the Licensing and Regulatory Committees be allocated to Councillors Michael and Walder.**
 - (iv) the changes in Committee membership for the remainder of 2022/23 as notified by Group Leaders, at Appendix B to these Minutes, be noted.**
 - (v) the membership of Cabinet Boards, Advisory Committees and Task Groups for the remainder of 2022/23, as set out in Appendix C to these Minutes, be noted.**
 - (vi) the make-up of the Cabinet for the remainder of 2022/23 be noted.**
 - (vii) Councillor Peter Feacey be appointed as Member Champion for Armed Forces and the Military Covenant and Civic and Ceremonial Liaison.**

72 Amending the Constitution to Reflect Improved Procedures Implemented During the Coronavirus Pandemic 2020-22.

The Principal Solicitor (Strategic Development) and Deputy Monitoring Officer introduced his report which sought the permanent retention of some new or revised procedures that were introduced during the Coronavirus pandemic. This was in the interests of increased efficiency, continued public health and improved public involvement in decision making.

Members said they particularly welcomed the increased flexibility for members of the public who wanted to attend meetings physically and deliver their speeches in person, to not have to submit speeches in advance and to a 400 word limit.

Recommended:

- That**
- (i) the changes to the Council’s Constitution as set out in paragraphs 8-11, 18, 19, 23 and 24 of the report be adopted.**
 - (ii) the Monitoring Officer and Deputy Monitoring Officer be authorised to make any necessary consequential changes to the wording of the Constitution (including all of its Parts, Articles, Appendices, Rules, Codes, Protocols, Schemes etc.) to give full effect to the above.**
 - (iii) the intention of the Chairman of the Planning Committee and Officers to operate the procedures recommended in this report for the next meeting of the Planning Committee on 13th July 2022 be noted.**

73 Notice of Forthcoming Updates and Re-Presentation of the Constitution

The Solicitor to the Council and Monitoring Officer introduced his report which advised of two separate work streams to improve the presentation of the Council’s Constitution. These related to more accurately reflecting the current legislation around Executive arrangements and a general “healthcheck” of the Constitution in terms of rationalising information and presenting it in a more modern way. Group Leaders would be consulted in the autumn on reformatted sections of the Constitution with a view to presenting a final version to this Committee in time for adoption prior to the election of the new Council in May 2023.

Resolved:

- That**
- (i) the report be received and noted.**
 - (ii) Members be informed when updated provisions on the Executive arrangements are finalised.**

- (iii) Group Leaders to be consulted on proposals for rationalisation and re-presentation of the Constitution following the proposed “healthcheck” exercise and a further report be presented to this Committee in the New Year in time for adoption of the Constitution by the Council prior to the elections on May 2023.**

Queries concerning these Minutes? Please contact Member Services:
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APPENDIX A
(Minute No. 71/6/22 refers)

THE POLITICAL BALANCE CALCULATION
JULY 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 =		%
23 Conservative	=	48.396
11 Ashford Independent	=	23.404
6 Labour	=	12.766
4 Green	=	8.5107

Note:

1 Independent		2.123
1 Independent		2.123
1 Independent		2.123

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	2	0	14
1 x 12 Selection	6	3	2	1	0	12
1 x 13 Licensing	6	3	1*	1	2*	13
1 x 13 Regulatory	6	3	1*	1	2*	13
1 x 8 Audit	4	2	1	1	0	8
1 x 5 Appointments	3	1	1	0	0	5
Totals	38 (37.681)	18 (18.021)	10* (9.830)	7 (6.533)	4*	77

* Under the draft calculation the Labour Group had been allocated 12 seats when their overall entitlement across all Committees is 10. All other Groups have 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.

There is one seat to be allocated on each of the Licensing and Regulatory Committees. All other Groups have received their overall entitlement to seats so it is proposed to offer these seats 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	37.681	=	38
Ashford Independent	18.021	=	18
Labour	9.830	=	10
Green	6.533	=	7

Total 73

1 Independent	=	2
1 Independent	=	2
1 Independent	=	0

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
x 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	Ind	Total
*1 x 15 Appeals	7	4	2	1	1	15
x1 x 7 Joint Transportation	3	2	1	1		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.**

**MEMBERSHIP OF COMMITTEES, PANELS, TASK GROUPS 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)
Barrett	Hayward	Chilton (VCh)	Meaden
Blanford	Ledger	Farrell	
Brooks	Ovenden (Ch)		
Burgess			
Howard-Smith			
Mulholland			

Audit Committee (8 Members)

Conservative (4)	Ashford Independent (2)	Labour (1)	Green (1)
Buchanan (VCh)	Hayward	Spain	Wright
Krause (Ch)	Smith		
Mulholland			
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 (2)
Blanford (VCh)	Harman	Chilton	Campkin
Burgess (Ch)	Ovenden	Spain	Meaden
Forest	Sparks		
Howard			
Iliffe			
Mulholland			
Shorter			
Bell (EO)			

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		
Feacey			
Forest			
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 (6)	Ashford Independent (3)	Labour (1)	Green (1)	Independent (2*)
Buchanan	Ledger	L Suddards	Wright	Michael
Burgess	Rogers			Walder
Feacey	Smith			
Howard (Ch)				
Krause (VCh)				
Pickering				

*Seats allocated to Independent Members 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 Licensing Committee.

Conservative (6)	Ashford Independent (3)	Labour (1)	Green (1)	Independent (2*)
Buchanan	Ledger	L Suddards	Wright	Michael
Burgess	Rogers			Walder
Feacey	Smith			
Howard (Ch)				
Krause (VCh)				
Pickering				

*Seats allocated to Independent Members 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 (7)	Ashford Independent (4)	Labour (2)	Green (1)	Independent (1)
Blanford	T Heyes	Anckorn	Campkin	Knowles
Burgess	Ledger	L Suddards		
Howard	Sparks			
Krause	Turner			
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 (7)	Ashford Independent (4)	Labour (2)	Green (1)	Independent (1)
Bartlett	Cornish	Anckorn	Campkin	Knowles
Mrs Bell	Ovenden	Chilton		
Bell	Sparks			
Blanford	Turner			
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
Buchanan	Turner		
Pickering			
Shorter (VCh)			

Joint Transportation Board (7 Members)

Conservative (3)	Ashford Independent (2)	Labour (1)	Green (1)
Feacey	Cornish	C Suddards	Meaden
B Heyes (Ch)	T Heyes		
Krause			

Community Grants Panel (7 Members)

Conservative (3)	Ashford Independent (2)	Labour (1)	Green (1)
Feacey	Pauley	L Suddards	Nilsson
Forest (VCh)	Smith		
Link (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				
Mulholland (VCh)				
Wedgbury				

Local Plan & Planning Policy Task Group (11 Members)

Conservative (5)	Ashford Independent (3)	Labour (1)	Green (1)	Independent (1)
Bartlett (Ch)	Harman	Spain	Wright	Walder
Bell (VCh)	Ledger			
Mrs Bell	Sparks			
Blanford				
B Heyes				

Trading and Enterprise Board (4 Members and 1 Observer)

Conservative (4)
Bell (Ch)
Forest
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.

APPENDIX C

MEMBERSHIP OF CABINET BOARDS AND ADVISORY COMMITTEES FOR 2022/23

The following are set out for information only.

Boards

Ashford Strategic Delivery Board (6 Members)

Conservative
(6)
Bell
Clarkson (Ch)
Feacey
Forest
Iliffe
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		
Clarkson (Ch)			
Forest			
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)
Bell (Ch)		Spain	
Buchanan			
Feacey (VCh)			
Forest			
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)			
Feacey			
Forest (VCh)			
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			