

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 **25th May 2023**

Present:

Cllr. Bell (Chairman);

Cllrs. Mrs Bell, Campkin, Chilton, Feacey, Gauder, Harman, Heyes, Iliffe, Joseph, Ovenden, Wright.

Apologies:

Cllrs. Forest, Spain.

Also Present:

Cllrs. Gathern, Leavey, Ledger, Nilsson, Pickering.

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Head of Policy and Performance, Principal Solicitor (Strategic Development), Member Services Manager.

402 Election of Chairman

Resolved:

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

403 Election of Vice-Chairman

Resolved:

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

404 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a Voluntary Announcement as Chairman of the Ashford Volunteer Centre.	407

405 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 29th September 2022 be approved and confirmed as a correct record.

406 Background and Principles of Political Balance and Administrative Structure

The Member Services Manager introduced the report which presented the Political Balance for the Authority and sought to agree a number of other constitutional matters which needed to be recommended to the Annual Meeting of the Council on the 30th May 2023. The agreed Political Balance is contained at Appendix A to these Minutes. He also drew the Committee's attention to the tabled paper which included some revised recommendations and consequential changes to the Appendices to the report. The new Appendices included proposals following input from Group Leaders.

The Chairman ran through the membership of Committees, Groups, Panels and Boards 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. The Chairman explained that given the unique circumstances of this year, the appointments could be considered as 'placeholders' with a recognition that these may need to be reviewed following the election of the Leader of the Council.

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 Committee recommends that 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.**

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

The report gave details of those outside bodies or organisations to which the Council made appointments, either as members of those bodies, or (in almost all cases) as Liaison Members to those bodies. It was explained that all appointments (whether continuing or new) would be made in line with the decision at the Council Meeting of 27th April 2023. This was explained further in the report. Details of attendance by the Council's appointed representatives at meetings of the organisations during the past year (where known) were also shown.

The Solicitor to the Council and Monitoring Officer advised that as Cllr Peter Feacey had been appointed to the Ashford Volunteer Centre as a Trustee in his own right, it would be sensible to leave the Liaison Member appointment vacant for the timebeing.

Recommended:

That (i) the Council is minded to appoint: -

- (a) the members and Replacement members (as stated) of the organisations listed in Appendix C to these Minutes, and**
- (b) the Liaison Members to work with the organisations listed in Appendix C to these Minutes,**

in both cases subject to the prior receipt, to the satisfaction of the Solicitor to the Council and Monitoring Officer, of written confirmation from the organisation of the relevant matters as described in Paragraph 3 of the report.

- (ii) **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) **the Council delegate to the Solicitor to the Council and Monitoring Officer and Member Services Manager the powers to:-**
 - (a) **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;**
 - (b) **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 the report.**

408 Annual Meeting – Order of Proceedings

The Committee considered the Order of Proceedings for the Annual Meeting of the Council including the movers and seconders of the Mayor, Deputy Mayor and the vote of thanks to the Retiring Mayor.

Resolved:

That the Solicitor to the Council and Monitoring Officer prepare the Order of Proceedings for the Annual Meeting of the Council on the basis of the advice of this Committee.

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APPENDIX A
(Minute No. 406/5/23 refers)

THE POLITICAL BALANCE CALCULATION
MAY 2013

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 =		%
19 Conservative	=	40.4255319
11 Labour	=	23.4042553
9 Ashford Independent	=	19.1489362
8 Green	=	17.0212766
		<u>100</u>

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*	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	31 (31.13)	18 (18.02)	15 (14.74)	13 (13.11)	77

* Under the draft calculation the Ashford Independent Group was allocated 14 seats when their overall entitlement across all Committees was 15. The Green Group was allocated 12 seats when their overall entitlement across all Committees is 13. All other Groups had received their overall entitlement to seats. There was 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. The Ashford Independents took the extra seat on the Regulatory Committee and the Greens took the extra seat on the Licensing Committee.

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
			77

D. Committees etc. to which balance cannot apply or 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
x 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	AI	Lab	Green	Total
*1 x 15 Appeals	6	3	3	3	15
*1 x 15 Inv & Dis	6	3	3	3	15
x1 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. 406/5/23 refers)

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 has recommended the Chairman and Vice-Chairman 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)
Mrs Bell	Chilton (VCh)	Betty	Campkin
Blanford	Joseph	Ovenden (Ch)	Meaden
Brunger-Randall	C Suddards		
Krause			
Mulholland			

Audit Committee (8 Members)

Conservative (3)	Labour (2)	Ashford Independent (2)	Green (1)
Bartlett	Dean	Hayward (VC)	Gambling
Buchanan	Hallett	McGeever	
Krause (Ch)			

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

Planning Committee training will be held on the 17th 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, who have not already attended a session, do so.

Training is compulsory for anyone sitting on the Planning Committee.

Conservative (6)	Labour (3)	Ashford Independent (3)	Green (2)
Blanford (VCh)	Chilton	Betty	Nilsson
Brunger-Randall	Gathern	Harman	Walder
Forest	Spain	Ovenden (Ch)	
Heyes			
Iliffe			
Mulholland			
<u>(PH EO?)</u>			

Selection & Constitutional Review Committee (12 Members)

Conservative (5)	Labour (3)	Ashford Independent (2)	Green (2)
Bell (Ch)	Chilton	Harman	Campkin
Feacey (VCh)	Gauder	Ovenden	Wright
Forest	Spain		
Heyes			
Iliffe			

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 the 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)	Green (3)
Buchanan	Hallett	McGeever	Arnold
Feacey (VCh)	Leavey	Michael	Walder (Ch)
Krause	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.

Training for the 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 (3)	Green (2)
Buchanan	Hallett	McGeever	Walder (Ch)
Feacey (VCh)	Leavey	Michael	Wright
Krause	L Suddards	Townend	
Shilton			
Smith			

Appointments Committee (5 Members)

Conservative	Labour	Ashford Independent	Green
(2)	(1)	(1)	(1)
Feacey	Chilton	Ovenden (VC)	Meaden
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	Labour	Ashford Independent	Green
(6)	(3)	(3)	(3)
Blanford	Dean	Ledger	Campkin
Buchanan	Hallett	Meaden	Giles
Hicks	Leavey	Townend	Nilsson
Mulholland			
Pickering			
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	Labour	Ashford Independent	Green
(6)	(3)	(3)	(3)
Mrs Bell	Chilton	Ledger	Campkin
Bell	Dean	Ovenden	Giles
Blanford	L Suddards	Townend	Wright
Feacey			
Krause			
Pickering			

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)
Mrs Bell (Ch)	Chilton	Ovenden (VC)	Gambling
Pickering	Gathern	Pauley	
Smith			

Joint Transportation Board (7 Members)

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

APPENDIX B2

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

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

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)	Labour (1)	Ashford Independent (1)	Green (1)
Mulholland	C Suddards	Michael	Wright
Pickering (Ch)			
Roden			

Member Training Panel (8 Members)

Conservative (3)	Labour (2)	Ashford Independent (2)	Green (1)
Barrett	Anckorn	McGeever	Wright
Mrs Bell (VCh)	Gathern	Pauley	
Pickering (Ch)			

Local Government and Polling Districts Task Group (10 Members)

Conservative (4)	Labour (2)	Ashford Independent (2)	Green (2)
Barrett	Anckorn	Harman (Ch)	Meaden
Buchanan (VCh)	Spain	Hayward	Walder
Hicks			
Smith			

Local Plan & Planning Policy Task Group (10 Members)

Conservative (4)	Labour (2)	Ashford Independent (2)	Green (2)
Bartlett (Ch)	Hallett	Harman (VCh)	Meaden
Mrs Bell	Spain	Ledger	Walder
Blanford			
Roden			

Trading and Enterprise Board (4 Members and 1 Observer)

?
(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.

ASHFORD BOROUGH COUNCIL

APPOINTMENT/NOMINATION TO OUTSIDE BODIES/ORGANISATIONS

**Appendix 1
Trustee/Director/Management Committee Appointments**

The following appointments are made to the following organisations.

Name of Organisation	New Representative for 2023/24
Ashford Almshouses and Parochial Charities (Trustee)	Cllr Heyes Cllr Krause Cllr L Suddards Cllr Wright
Kennington Parochial Charities (Trustee)	<i>It is believed that appointments should now be made by Kennington Community Council. This is subject to legal confirmation. In the event that the responsibility remain with the Council the nominations are Cllr Buchanan and Cllr Iliffe</i>
Chilmington Management Organisation (Director and Trustee)	Cllr Hayward <i>(Delegated authority to Solicitor to the Council to appoint a replacement if required – Cllr Mrs Blanford)</i> Mr Ben Lockwood (on behalf of KCC)
St Mary's Arts Trust (Director and Trustee)	Cllr Heyes 2nd position left vacant

**Appendix 2
Liaison Member Appointments**

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

Name of Organisation	New Representative for 2023/24
Ashford Community Safety Partnership	Portfolio Holder for Safety and Wellbeing

Ashford Health and Wellbeing Partnership	Portfolio Holder for Safety and Wellbeing
Ashford Mediation Service	Cllr Krause
Ashford Museum Committee	Cllr Heyes
Ashford Street Pastors Management Committee	Cllr L Suddards
Ashford Volunteer Centre	Leave Vacant
Citizens' Advice Bureau Ashford Branch Management Committee	Cllr Mulholland Cllr Wright
Dungeness Power Station Site Stakeholder Group	Cllr Shilton
Headcorn Aerodrome Consultative Committee	Member for Weald North Ward
High Weald (AONB) Joint Advisory Group	Cllr Pickering
Home-Start, Ashford: Management Committee	TBC
Kent Downs (AONB) Joint Advisory Committee	Cllr Blanford
Kent & Medway Police & Crime Panel	Cllr Feacey
Kent Invicta Chamber – Ashford Economic Development Group	Cllr Ovenden
Marshlink Steering Group	Cllr Shilton
River Stour Internal Drainage Board	Cllr Buchanan Cllr Hicks Cllr Ledger Cllr Meaden Cllr Ovenden
Romney Marshes Area Internal Drainage Board	Cllr Hicks
Sandyacres Trust	Cllr Krause
South East Local Enterprise Partnership	Leader of the Council
SWAN Site Management Committee	Cllr Smith
Tenterden Folk Day Trust	Cllr Mulholland
Willesborough Windmill Trust	Cllr Wright
Wye Rural Museum Trust	Cllr Betty