

KENT COUNTY COUNCIL

SELECTION AND MEMBER SERVICES COMMITTEE

MINUTES of a meeting of the Selection and Member Services Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 7 May 2026.

PRESENT: Mr T Prater, Mr A Kennedy, Ms L Kemkaran, Mr M Brown, Mr M Paul, Miss D Morton, Mrs M Fothergill, Mr M Mulvihill, Mr J Henderson, Mr R Palmer, Dr G Sturley, Mr M A J Hood and Mr A J Hook Ms L Kemkaran, Mr R Palmer, Mr J Henderson, Mr M Paul, Dr G Sturley, Mr M Mulvihill, Miss D Morton, Mr M Brown, Mr A Kennedy, Mr M Hood, Mr A Hook, Mr T Prater and Ms M Fothergill

IN ATTENDANCE: Ben Watts (Deputy Chief Executive) Joel Cook (Democratic Services Manager), Petra Der Man (Monitoring Officer) Lizzy Adam (Deputy County Returning Officer), Tristan Godfrey (Senior Governance Manager), Katy Reynolds (Governance Advisor)

UNRESTRICTED ITEMS

30. Election of Chair of the Committee

(Item 1)

1. It was proposed by Ms Linden Kemkaran and seconded by Mr Richard Palmer that Mr Martin Paul be elected as the Chair of the Selection and Member Services Committee.
2. RESOLVED Mr Martin Paul was elected as the Chair of the Selection and Member Services Committee.

31. Election of Vice Chair of the Committee

(Item 2)

1. It was proposed by Mr Jamie Henderson and seconded by Mr Mulvihill that Mr Spencer Dixon be elected as the Vice Chair of the Selection and Member Services Committee.
2. RESOLVED Mr Spencer Dixon was elected as the Vice Chair of the Selection and Member Services Committee.

32. Apologies and Substitutes

(Item 3)

Apologies were received from Mr Lehmann with Mr Hood attending as his substitute, Mr Moreland, with Mr Hook as his substitute, Mr Chapman with Dr Sturley as his substitute, Ms Foster with Mr Mulvihill as her substitute, Mr Harrison with Mr Palmer as his substitute and Mr Dixon with Mr Henderson attending as his substitute.

33. Declarations of Interest

(Item 4)

RESOLVED there were no Member declarations of interest in any items of the Agenda.

34. Minutes of the Meeting held on the 5 March 2026

(Item 5)

RESOLVED the minutes of the meeting held on the 5 March 2026 were a correct and accurate record and a paper copy to be signed by the Chair.

35. Election Spending Returns Update

(Item 6)

1. The Report was presented by Lizzy Adam, the Deputy County Returning Officer. The following key points were highlighted:
 - a) Following a previous request for a status report on incomplete or outstanding election spending returns, it was reported that, after the last meeting, correspondence had been sent to all candidates and agents with incomplete or outstanding returns. As at the date of the meeting, there remained ten incomplete or outstanding spending returns, noting that one further return had been received since the agenda had been published.
 - b) Members were advised that, following the 2017 and 2021 Kent County Council elections, the Electoral Commission had previously been notified of outstanding returns and no further action had been taken at that time. However, updated advice from the Electoral Commission now stated that suspected breaches of the rules should be referred directly to the police. This decision ultimately rested with the Monitoring Officer
2. The Committee discussed the matter at length. Several Members expressed the view that outstanding election expenses constituted a potential criminal offence and that failure to disclose such matters to the police could place the authority in a difficult position. It was highlighted to the Committee that the vast majority of candidates and agents had complied fully with their legal obligations and that the requirements should be upheld consistently. Members emphasised the importance of maintaining public confidence in the electoral process and ensuring that legal requirements were treated seriously and enforced appropriately.
3. In answer to Member comments and questions, the following was said:
 - a) It was explained that the individuals involved had been written to and that, from a procedural perspective, feedback was now being requested from the Committee, while recognising that the Monitoring Officer would take her own professional view. It was confirmed that the update had been

returned to the Committee in line with its earlier request that all reasonable steps be taken to ensure candidates were aware of their obligations.

- b) Further comments highlighted that there were known consequences for failing to submit election expense returns correctly and that a reasonable period had elapsed since the election. It was therefore considered appropriate that the matter should be referred onwards in accordance with the updated guidance.
4. It was proposed and seconded that the Committee recommend that the Monitoring Officer consider referring the outstanding election expenses, and the individuals concerned, to the police.
5. It was agreed that, given the seriousness of the matter, the decision should be recorded formally. The Committee voted unanimously for the recommendation.
6. RESOLVED that the Committee noted the report and requested that the Monitoring Officer consider follow-up actions to include referral to the police, in relation to the outstanding election spending returns

36. Outside Bodies Update

(Item 7)

1. The report was presented by Joel Cook, Manager of Democratic Services. The following key points were highlighted:
 - a) It was reported that, following discussion at the previous meeting, all Members had again been written to in order to seek further nominations for the 17 outside bodies covered by the agreed protocol. An updated position statement had been published in the agenda papers, reflecting ongoing engagement with Members and political groups.
 - b) Members were advised that, as at the date of the meeting, 12 of the 17 outside bodies had received a single nomination. Engagement with those nominated Members was progressing and these appointments were being taken forward under the delegated authority previously agreed by the Committee. It was further reported that three bodies continued to have multiple expressions of interest and that discussions were ongoing with the relevant political groups, with the aim of resolving these under the agreed delegation.
 - c) It was noted that one outside body, the Gabriel Richards Charity, had not received any expressions of interest. The Committee was advised that further correspondence would be issued to Members to invite expressions of interest, together with background and contact information about the charity.
 - d) The Committee was advised that two further bodies, the Gatwick Airport Consultative Committee and the Rochester Bridge Trust, each had 1 seat available, but had received multiple expressions of interest. The Democratic Services Manager therefore asked whether the Committee

wished to determine the appointments at the meeting or whether he should continue engagement with the Political Groups to seek an agreed outcome and report back. It was explained that, while it had been hoped that these matters could be resolved prior to the meeting, this had not proved possible, and details of all nominations would be circulated to Members following the meeting to support further discussions.

2. In response to Member comments and questions, the following was said:
 - a) There was no single set of formal criteria applied where multiple expressions of interest were received. Appointments were usually resolved through discussion between individual Members and political groups, taking into account factors such as relevant skills, experience, locality and the specific requirements of the outside body concerned.
 - b) Where Members were appointed as trustees, additional considerations applied, including personal liability and that appropriate support, training and advice would be provided, including legal advice and guidance on insurance and indemnity arrangements.
 - c) On this occasion, appointments were being made only from among elected Members and that no non-Members were being appointed through the process. The Committee agreed that those non-Members who had previously served on outside bodies should be formally thanked for their contribution as they stood down from their roles.
3. RESOLVED the Committee noted the Outside Bodies Update and to agree that the Democratic Services Manager be authorised to determine the approach for resolving and progressing the remaining outstanding appointments through continued engagement and, where necessary, to bring any unresolved matters back to a future meeting.

37. Proposals for Constitutional Changes (Item 8)

1. The report was presented by Monitoring Officer, Petra Der Man. As the report contained 12 recommendations, it was agreed that the Monitoring Officer would introduce the recommendations one at a time, in order, then allow the Committee to discuss and vote before moving on.
2. The Committee was asked to consider the report which contained a series of proposals from the Monitoring Officer, concerning proposed amendments to the Constitution. Members were advised that the Constitution was a living document and that agreed recommendations would be referred to County Council on 21 May 2026.

The Committee considered each proposal in turn as follows:

Recommendation A: The Committee is asked whether to recommend to County Council that the Constitution be amended to require that the Chairman of the Council be drawn from the ruling Group and opposition Groups in alternate years.

- a) The Committee considered a proposal that the Chairman of the Council alternate between the administration and opposition groups. The Monitoring Officer confirmed that there was no legal barrier to such an arrangement, but practical implications would need to be considered.
- b) During debate, a Member argued that the administration, as the democratically elected majority, should retain the right to elect the Chairman. It was stated that the Chairman should be chosen by the majority of the Council, and that introducing a rotation system risked creating a quota-based approach that could undermine democratic principles. Concerns were raised that smaller groups might form tactical alliances to secure the position.
- c) Other Members expressed the opposite view, arguing that alternating the Chairman would reinforce the political neutrality of the role. It was noted that the Chairman represented all Members equally and that the role was civic rather than political. It was argued that experienced Members outside the administration should not be permanently excluded from serving.
- d) It was highlighted that the Chairman's casting vote was rarely used and that the role's impartiality was more important than its political alignment. It was suggested that alternating the Chairman position between Groups could strengthen public confidence in the neutrality of Council proceedings.

RESOLVED the proposal to alternate the Chairman of the Council between Political Groups was not agreed.

Recommendation B: The Committee is asked to determine which, if any, of suggestions i-iii in 3d above, are to be recommended to County Council for their approval (see section 3d).

- i)
- a) The Committee considered a proposal to increase the deadline for submitting County Council questions to ten days. Supporters argued that the additional time would allow Cabinet Members and officers to prepare more detailed and accurate responses, reducing pressure on staff and improving the quality of information provided.
- b) Opposing views were expressed that extending the deadline would significantly reduce Members' ability to raise timely or urgent matters. It was noted that the Council had no mechanism for emergency questions, meaning that issues arising shortly before a meeting could not be raised if the deadline were extended. Examples were given of local incidents, such as service

failures or emergencies, that might require a shorter gap between incident and question.

- c) It was argued that the additional time would allow Cabinet Members and officers to prepare more detailed and accurate responses, reducing pressure on staff and improving the quality of information provided.
- d) Some Members countered that the existing deadline had functioned effectively for many years and that Cabinet Members had not previously indicated difficulty in responding within the current timeframe.

RESOLVED that the deadline for submitting County Council questions be increased to 10 days.

ii)

- a) The Committee considered a proposal to reduce each opposition Group's response time to the Leader's report by one minute. It was argued that the overall length of Council meetings needed to be managed more effectively and that the reduction was modest and proportionate.
- b) Opposing views were expressed that reducing speaking time would weaken scrutiny and could be perceived negatively by the public. It was argued that the Leader's report covered a wide range of issues and that opposition Groups required sufficient time to respond meaningfully.
- c) Some Members questioned whether reducing debate time was an appropriate method of managing meeting length, suggesting that other procedural efficiencies might be preferable.

RESOLVED that the response time for opposition Groups to the Leader's report be reduced by 1 minute.

iii)

- a) The Committee debated whether the Leader should circulate a summary of their report prior to the meeting. Supporters argued that advance circulation would allow members to prepare more focused responses and improve the quality of debate.
- b) Opposing views were expressed that the Leader's report often reflected current issues and might be finalised close to the meeting date. It was argued that requiring advance circulation could reduce flexibility and create administrative burdens.
- c) Some Members noted that the Leader's report was traditionally delivered orally and that altering this practice might change the character of the meeting.

RESOLVED that the proposal requiring advance circulation of the Leader's report summary was not agreed.

Recommendation C: Request that the Monitoring Officer work with Democratic Services and Finance with the s.151 officer, to review the effectiveness of the Budget County Council Meeting arrangements, and present the findings for consideration with proposed recommendations to a future meeting of this Committee

- a) The Committee considered proposals relating to the structure of the annual budget meeting. The Monitoring Officer advised that statutory requirements and the need for consultation with the Section 151 Officer meant further work was required before any changes could be recommended.
- b) An amendment was proposed to include the Chairman of the Council in the review. Supporters argued that the Chairman played a central role in managing the meeting and should therefore be involved in discussions about its structure. The Monitoring Officer confirmed that there would be wider engagement on this issue with a wider range of relevant Members and Officers. The Committee agreed the amendment and approved the proposal as amended.

RESOLVED that the Monitoring Officer, in consultation with the Section 151 Officer and the Chairman of the Council, review the structure of the annual budget meeting and report back.

Recommendation D: Members are asked to determine between the following options on prayers/religious observance:

- i) making no recommendation of this issue; or
 - ii) recommend that County Council amend the rules on County Council Meetings to include an item for recital of the Lord's Prayer which is not mandatory and may only happen off camera
- a) The Committee considered a proposal to begin Council meetings with the Lord's Prayer. The Monitoring Officer advised that, if adopted, the prayer would need to be conducted off-camera due to privacy and equality considerations.
 - b) Some Members expressed concern that broadcasting the prayer could be inappropriate or exclusionary, particularly for members or viewers who did not share the same faith. It was argued that the Council should remain sensitive to religious diversity.
 - c) Other Members argued that the prayer should be visible as part of the civic proceedings and that broadcasting it would reflect longstanding traditions. It

was suggested that the prayer was a unifying element rather than a religious imposition.

- d) An amendment was proposed to allow the prayer to be broadcast on camera. The Monitoring Officer set out some of the legal and governance issues related to the proposal that members needed to be aware of when considering this matter. After extensive debate, the Committee voted in favour of the amendment.

RESOLVED that a recital of the Lord's Prayer be introduced at the start of Council Meetings.

Recommendation E - Members are asked whether to recommend to County Council that the Constitution be amended to record that, after each formal County Council Meeting, the opportunity to sing the national anthem will be provided, again off camera:

- a) The Committee considered a proposal to conclude Council meetings with the National Anthem. The Monitoring Officer advised that, as with prayers, the activity should occur off-camera, with similar reasons applying.
- b) An amendment was proposed to allow the anthem to be broadcast on camera. Supporters argued that the anthem was a unifying civic tradition and that broadcasting it would enhance public engagement.
- c) The Committee voted in favour of the amendment.

RESOLVED that the National Anthem be sung at the conclusion of Council meetings.

Recommendation F: Request that the Monitoring Officer lead on the development of a council flag policy/protocol for discussion at a future meeting

- a) The Committee considered a proposal for the Monitoring Officer to develop a Council flag-flying protocol. An amendment was proposed to place responsibility for flag-flying with the Chairman of the Council.
- b) The Monitoring Officer advised that such a change was not appropriate for inclusion in the Constitution and should return to a future meeting. It was noted that flag-flying policies often required detailed operational guidance.
- c) The Committee therefore voted on the original proposal, which was not carried.

RESOLVED that the proposal to develop a Council flag policy be not agreed at this time.

Recommendation G: The Committee is asked to recommend that the Constitution be updated to reflect that Members should always sign an attendance sheet or ensure that the clerk records their presence.

- a) The Committee considered a clarification to the Constitution to reflect current practice whereby the clerk records attendance rather than requiring members to sign a physical register.
- b) The Committee agreed the amendment without further debate.

RESOLVED that the Constitution be updated to reflect that attendance is recorded by the clerk.

Recommendation H: The Committee is asked to recommend that the Constitution be updated to make it explicit that ceasing to be a part of a Political Group means ceasing to be part of a Committee where political proportionality rules apply.

- a) The Committee agreed that the Constitution should explicitly state that ceasing to be part of a Political Group also results in ceasing to be part of any committee allocated on the basis of political proportionality rules.

RESOLVED that the Constitution be updated to clarify that leaving a Political Group results in that Member losing any places on a committee held due to political proportionality rules being in place

Recommendation I – The Committee is asked to determine whether to recommend to County Council that the Constitution be amended to require chairing positions be assumed on a politically proportional basis

- a) The Committee considered a proposal to allocate committee chairing roles proportionally between Political Groups. Supporters argued that this could improve fairness and representation.
- b) Opposing views were expressed that chairing positions should remain a matter for the majority Group and that proportional allocation could undermine the administration's ability to deliver its programme.

RESOLVED that the proposal for proportional allocation of chairing positions be not agreed.

Recommendation J – Request that the Monitoring Officer work with Democratic Services and the Scrutiny Committee, to review the effectiveness of the call-in arrangements, and present the findings to a future meeting:

- a) The Committee considered whether the Monitoring Officer should review the effectiveness of current call-in procedures.

- b) Mr Hood, Mr Prater, Mr Hook, Mr Kennedy and Ms Fothergill were in favour of the Resolution and requested that their vote be recorded.

RESOLVED it was not agreed that the Monitoring Officer, Democratic Services, and the Scrutiny Committee should review the effectiveness of call-in arrangements and report back.

Recommendation K – Request that the Monitoring Officer work with Democratic Services to review the options for public participation, and present the findings to a future meeting

- a) The Committee considered a proposal to review options for public participation at Council meetings. A recorded vote was requested.
- b) Mr Kennedy, Mr Hood, Mr Prater, Mr Hook, Ms Fothergill, Mr Paul, Mr Henderson, Ms Kemkaran, Mr Palmer, Miss Morton, Dr Sturley, Mr Mulvihill and Mr Brown all voted in favour. There were no opposed votes. There were no abstentions.

RESOLVED that the Monitoring Officer and Democratic Services review options for public participation and report back.

Recommendation L: This Committee is asked to recommend the proposal to amend the Constitution as set out in Section 2 (a) of the current Constitution.

- a) The Committee considered a proposal to amend the wording reflect a revised description of the Council's role. The Committee agreed the proposal.

RESOLVED that Section 2(a) of the Constitution be amended as proposed.

Summary of all Resolutions

- A. RESOLVED the proposal to alternate the Chairman of the Council between political groups was not agreed.
- B (i). RESOLVED that the deadline for submitting County Council questions be increased to 10 days.
- B (ii). RESOLVED that the response time for opposition Groups to the Leader's report be reduced by 1 minute.
- B (iii). RESOLVED that the proposal requiring advance circulation of the Leader's report summary was not agreed.
- C. RESOLVED that the Monitoring Officer, in consultation with the Section 151 Officer and the Chairman of the Council, review the structure of the annual budget meeting and report back.

- D. RESOLVED that a recital of the Lord's Prayer be introduced at the start of Council Meetings.
- E. RESOLVED that the National Anthem be sung at the conclusion of Council meetings.
- F. RESOLVED that the proposal to develop a Council flag policy be not agreed at this time.
- G. RESOLVED that the Constitution be updated to reflect that attendance is recorded by the clerk.
- H. RESOLVED that the Constitution be updated to clarify that leaving a Political Group results in that Member losing any places on a committee held due to political proportionality rules being in place
- I. RESOLVED that the proposal for proportional allocation of chairing positions be not agreed.
- J. RESOLVED it was not agreed that the Monitoring Officer, Democratic Services, and the Scrutiny Committee should review the effectiveness of call-in arrangements and report back.
- K. RESOLVED that the Monitoring Officer and Democratic Services review options for public participation and report back.
- L. RESOLVED that Section 2(a) of the Constitution be amended as proposed.