



**Sevenoaks**  
DISTRICT COUNCIL  
Despatched: 21.01.14

**GOVERNANCE COMMITTEE**  
**29 January 2014 at 7.00 pm**  
**Conference Room, Argyle Road, Sevenoaks**

**AGENDA**

**Membership:**

Chairman: Cllr. Mrs. Davison Vice-Chairman: Cllr. Scholey  
Cllrs. Mrs. Cook, Fittock, London, Mrs. Morris and Walshe

	<b><u>Pages</u></b>	<b><u>Contact</u></b>
<b>Apologies for Absence</b>		
1. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 5 November 2013, as a correct record.	(Pages 1 - 6)	
2. <b>Declarations of Interest</b> Any interest not already registered		
3. <b>Actions arising from the last meeting</b>	(Pages 7 - 8)	
4. <b>Review of Members' Allowances</b>	(Pages 9 - 12)	Helen Martin Tel: 01732 227483
5. <b>Openness and transparency on personal interests</b>	(Pages 13 - 32)	Christine Nuttall Tel: 01732 227245
6. <b>Recording of meetings</b>	(Pages 33 - 36)	C Nuttall/ M Laver-Smith 01732227245/7156
7. <b>Review of New Governance Arrangements - Members' Survey</b>	(Pages 37 - 58)	Lee Banks Tel: 01732 227161
8. <b>Work Plan</b>	(Pages 59 - 60)	

**EXEMPT ITEMS**

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

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**The Democratic Services Team (01732 227241)**

**GOVERNANCE COMMITTEE**

Minutes of the meeting held on 5 November 2013 commencing at 7.00 pm

Present: Cllr. Mrs. Davison (Chairman)

Cllr. Scholey (Vice-Chairman)

Cllrs. Mrs. Cook, Fittock and Walshe

Apologies for absence were received from Cllrs. Mrs. Morris

Cllrs. Brookbank, Davison, Firth, Mrs. Hunter and Miss. Stack were also present.

15. Minutes

Resolved: That the minutes of the meeting of the Governance Committee held on 19<sup>th</sup> September 2013 be approved as signed as a correct record.

16. Declarations of Interest

There were no additional declarations of interest.

17. Actions arising from the last meeting

The Committee noted that the governance questionnaire had been circulated on 25<sup>th</sup> October and responses were due back by 15<sup>th</sup> November.

18. Review of New Governance Arrangements

The Committee considered a report providing a review of the new governance arrangements which were introduced at the Annual Council meeting in May 2013. The new governance structure was intended to address concerns with the previous structure in the following areas - Perception of remoteness/ inaccessibility of portfolios; feeling of disengagement from influence and decision-making; lack of training and development (succession planning for future Cabinet members); and the need to streamline the system to match the resource available.

The report also outlined alternative governance options such as a Committee System or a hybrid model requiring Secretary of State approval.

At its meeting on 10<sup>th</sup> July 2013, the Governance Committee asked the Head of Transformation and Strategy to develop a questionnaire seeking Members' views of the new governance structure. The questionnaire was circulated to all Councillors on 25<sup>th</sup> October 2013. To date 20 responses to the questionnaire had been received.

The Monitoring Officer reported that she had spoken to Kathy Billington at the Department for Communities and Local Government who had confirmed that to date no

## Agenda Item 1

### Governance Committee - 5 November 2013

applications for hybrid models had been received. There was no clear definition of a hybrid model however, if a Council opted to pursue this route an application for approval of the model would have to be made to the Secretary of State. Once this approval had been granted the application would have to follow a process through the House of Commons and House of Lords as any proposed system would have to be suitable for any Local Authority. If a new system were introduced it would also have to remain in place for a minimum of five years meaning that any decision taken this year would bind a future Council.

The Committee felt that in light of the information reported by the Monitoring Officer it would not be practical or cost effective to pursue a hybrid model at this time.

It was generally felt that Members still did not feel involved in the decision making process and there was a lack of engagement. One of the main issues with the new system was that there was not sufficient opportunity for Members to debate issues before decisions were taken. Members reported that they now felt less aware of decisions that were being taken than was the case under the previous system.

A Member suggested that at the beginning of the municipal year there had been teething problems with the new system as there had been a long gap between the new system being approved and the first cycle of meetings. Once the meetings were underway there had not been any real business to consider and instead Members had been presented with information as if there had been a change in Council rather than a change in Committee structure. Members also questioned why business from the work plans of the previous Select Committees had not been transferred to the work plans of the Cabinet Advisory Committees.

A visiting Member expressed disappointment that some Councillors were making very little effort to engage with the new committee structure and stressed that Councillors had a responsibility to attend meetings and involve themselves when opportunities were presented.

The Committee felt that any decisions that were taken surrounding whether to recommend a further change to governance arrangements should be informed by the responses to the questionnaire that had been circulated. The Committee agreed that the Governance Working Group should be established to review the responses to the questionnaire and asked Officers to fix a suitable date for the first meeting.

*Action 1: That Officers arrange a suitable date for the first meeting of the Governance Working Group where the responses to the governance questionnaire could be considered.*

Resolved: That the Governance Working Group be established to review the responses to the Governance Questionnaire circulated on 25<sup>th</sup> October 2013.

#### 19. Review of the Allocation of Special Responsibility Allowances

At the Council meeting on 1 October 2013 the Governance Committee was asked to review the allocation of special responsibility allowances and consider all options within the budget available. The Committee considered a report proposing that a working group be established to review the allocation of the available budget.

The Head of Finance reported that the table referenced in paragraph 2 of the report was missing some information. It was confirmed that special responsibility allowances were payable to Chairmen of the Scrutiny Committee, Audit Committee and the Cabinet Advisory Committees and these allowances were 50% of the basic allowance.

The Monitoring Officer reminded the Committee that any amendments to the Members' Allowances Scheme would have to be referred to the Joint Independent Remuneration Panel for consideration.

The Chairman reminded members that the allowance scheme had been agreed by Council and only minor changes were being considered.

Members felt that any further changes that were made to the Members' Allowance Scheme should be evidenced based. It was suggested that job specifications for different roles could be drawn up in order to provide the required evidence.

The Committee considered the issue of allowances for Vice-Chairmen. There was agreement that the Vice-Chairman of the Development Control Committee had unique responsibilities and these should be recognised through a special responsibility allowance.

Resolved: That a Working Group be established to further review the allocation of special responsibility allowances.

20. Amendments to the Council's Constitution: Part 13 - Officer Responsibilities and Delegations

The Committee considered a report setting out changes that had been made to Part 13 of the Council's Constitution. The main changes were as follows:

- The Director posts were deleted.
- All Heads of Service posts were deleted.
- The Head of Paid Service and s.151 Officer responsibilities were amalgamated under the Chief Executive post.
- Paragraph 4.6 was updated to reflect the fact that Ethical Standards Officers no longer exist under current legislation with the Monitoring Officer having delegated authority in relation to investigations. A cross reference in a foot note to Appendix S of the Constitution "Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011" can be made for clarification purposes.
- Following the creation of the new Chief Officer posts generic delegations to such officers were set out under paragraph 11.
- All new Chief Officers were asked to set out their responsibilities and to check and where necessary update their legal powers.
- A typographical error was spotted in relation to the sum set out for writing off debts. This read £500 and should have read £5,000 in line with Appendix D "Financial Procedure Rules". A cross reference in a foot note to Appendix D of the Constitution "Financial Procedure Rules" can be made for clarification purposes.

## Agenda Item 1

### Governance Committee - 5 November 2013

The Monitoring Officer reported that the new delegations had been operating since 1<sup>st</sup> September 2013 and no issues had arisen. If any problems were to occur with the arrangements the delegation scheme would be referred back to the Governance Committee for consideration.

The Chairman reported that she had reviewed all the changes that had been made to Part 13 of the Constitution and thanked the Monitoring Officer for the care and accuracy with which the changes had been made.

Resolved: That the changes to delegations made within the Constitution following the senior management restructure as approved by Council on the 1<sup>st</sup> October 2013 be noted.

#### 21. Amendments to the Constitution relating to the Licensing function

The Committee considered a report setting out proposed amendments to Part 8 and Part 13 of the Council's Constitution relating to the Licensing Function. It was necessary to update the constitution to reflect changes that had been made to legislation and new legislation that had been implemented.

In Part 8 – Licensing Committee, the Committee's Terms of Reference had been amended to reflect new legislation in the Police Reform and Social Responsibility Act 2011 – to enable the Local Authority to set a Late Night Levy or an Early Morning Restriction Order should they wish. It was also being suggested that the Licensing Committee should delegate powers to the Licensing Sub-Committees for the determination of an application for Sexual Establishment licences. The report also proposed a minor amendment to the Terms of Reference for the Licensing Sub-Committee to enable some reports concerning the licensing of hackney carriages and private hire vehicles to be referred to a Licensing Sub-Committee at the discretion of Officers.

The proposed changes to Part 13 – Officer Responsibilities and Delegations, clarify that the delegations to Officers to determine applications under the Licensing Act 2003 and Gambling Act 2005, exist only when no relevant representations have been received. Licensing Officers would be able to make representations on Licensing Act 2003 applications and call for a review of a licence.

A Member expressed concern that the quorum for Licensing Hearings was only two Members as problems could arise if the two Members did not agree. Officers explained that it was very rare that a situation arose where there were only two Members at a hearing as a Member was kept on standby to attend at late notice and Members were substituted if necessary. The Committee suggested that it would be helpful to have some wording in the Constitution to formalise these arrangements.

Resolved: That Full Council be recommended to approve the amendments to Part 8 and Part 13 of the Council's constitution attached at Appendix A and Appendix B of the report.

22. Work Plan

The Committee considered its work plan for the year. Members felt that it would be necessary to hold an additional meeting on Wednesday 29<sup>th</sup> January 2014 in order for the responses to the governance questionnaire to be formally considered by the Committee. At this meeting Members could also consider the recommendations from the Working Group set up to review Special Responsibility Allowances and a report on Options for Recording Council Meetings.

Resolved: That an additional meeting of the Governance Committee be scheduled for 29 January 2014.

THE MEETING WAS CONCLUDED AT 8.12 PM

CHAIRMAN

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**ACTIONS FROM THE MEETING HELD ON 5 DECEMBER 2013**

<b>Action</b>	<b>Description</b>	<b>Status and last updated</b>	<b>Contact Officer</b>
ACTION 1	That Officers arrange a suitable date for the first meeting of the Governance Working Group where the responses to the governance questionnaire could be considered.	Meetings of the working group have taken place.	C Nuttall

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## REVIEW OF MEMBERS' ALLOWANCES

### Governance Committee – 29 January 2014

Report of Chief Officer – Legal and Governance

Chief Finance Officer

Status: For Decision

Also considered by: Council– 18 February 2014

Key Decision: No

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**This report supports the Key Aim of** Effective Use of Council Resources

**Portfolio Holder** Cllr. Fleming

**Contact Officer(s)** Christine Nuttall Ext. 7245

Helen Martin Ext. 7483

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**Working Group Recommendation to Governance Committee:** That special responsibility allowances be paid to vice-chairman of committees

**Governance Committee Recommendation to Council:** To be reported at the Council meeting on 18 February 2014.

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**Reason for recommendation:** Following changes to the Governance arrangements and a review of Members allowances, Council asked this Committee to review the allocation of special responsibility allowances.

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### Background

- 1 At the Council meeting on 1 October 2013 the Governance Committee was asked to review the allocation of special responsibility allowances and consider all options within the budget available.
- 2 This Committee considered the issue of allowances for Vice-Chairmen at the meeting on 5 November 2013, and agreed that the Vice-Chairman of the Development Control Committee had unique responsibilities and these should be recognised through a special responsibility allowance. It was further agreed that a Working Group be established to further review the allocation of special responsibility allowances.

## Agenda Item 4

- 3 The Working Group recommend that a special responsibility allowance should be paid to all vice-chairmen to reflect their share of the workload and level of responsibility.
- 4 The remit for any review of Members Allowances has always been on the basis that any new allowances scheme would have to be contained within budget.
- 5 The Working Group recommendation is for the allowances for Chairmen agreed by Council on 1 October 2013, now be 'top-sliced' by 20% and that amount be paid to the Vice Chairman. Details of the cash amounts are shown in Appendix A
- 6 The Local Authorities (Members' Allowances)(England) Regulations 2003, states that before an authority make or amends a Members' Allowance scheme, the authority shall have regard to the recommendations made in relation to it by the Independent Remuneration Panel. The Panel have been consulted on this proposal and they raised no issues and have stated that in future they will consider this allowance as part of their recommendations if supporting evidence of workload is provided.
- 7 The JIRP have recommended that Members should not receive more than one Special Responsibility Allowance (SRA) and the Working Group did not propose any changes to that recommendation.
- 8 This amendment to the scheme can be funded within the current budget.
- 9 It is further recommended that any revisions to the special responsibility allowances take effect from next Council meeting.

### **Key Implications**

#### Legal

- 10 Section 20 of The Local Authorities (Members' Allowances) (England) Regulations 2003 requires each authority to establish an Independent Remuneration Panel.
- 11 Section 17 of the 2003 Regulations places a duty on the Council to publish as soon as reasonably practicable after making any amendments to the current Members' Allowance Scheme a notice in one or more newspapers circulating in its area. The Council must also ensure that copies of the Scheme are available for inspection by members of the public at the principal office of the Authority, at all reasonable hours.

#### Financial

- 12 The financial implications of the JIRP recommendations are set out in the report and its appendices.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The proposed decision does not have any adverse effect upon any protected group as identified in the legislation.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

**Appendices**

Appendix 1 – Schedule of all Allowances

**Background Papers**

[JIRP Review of Sevenoaks District Council Members Allowances – June 2013](#)

[Constitution - Appendix G - Members Allowances Scheme 2013/14](#)

**Mrs Christine Nuttall**  
**Chief Officer for Legal and Governance &**

**Adrian Rowbotham**  
**Chief Finance Officer**

## Agenda Item 4

### Appendix 1

#### Members' Allowances Scheme (2013/14)

Description of Allowance	Allowance per Member Original	Proposed Allowances per Member/ Responsibility
	2013/14	2013/14 Revisions in shaded boxes
	(£)	(£)
Basic Allowance (all Members)	5,140	5,140
<b>Special Responsibility Allowances:</b>		
<b>Opposition Group Leaders:</b>		
Liberal Democrat (2 Members)	1,277	1,277
Labour (4 Members)	1,277	1,277
Cabinet Chairman (Council Leader)	15,422	15,422
Cabinet Members	6,426	6,426
Deputy Cabinet Members -	643	643
<b>Chairmen</b>		
Advisory Committees (x5) -	2,571	2,057
Audit - (no vice chair)	2,571	2,571
Development Control	3,856	3,085
Governance -	2,571	2,057
Health Liaison Board -	2,571	2,057
Licensing -	2,571	2,057
Sevenoaks Joint Transportation Board	2,571	2,057
Scrutiny		2,057
Standards	-	-
<b>Vice Chairmen</b>		
Advisory Committees (x5)	-	514
Development Control	-	771
Governance, Health Liaison Board, Licensing, Scrutiny, Standards, Joint Transportation Board		514
<b>Committee Members:</b>		
Development Control members	257	257
Licensing Committee members	129	129

**OPENNESS AND TRANSPARENCY ON PERSONAL INTERESTS**

**Governance Committee – 29 January 2014**

Report of	Monitoring Officer
Status:	For consideration and decision
Also considered by:	Standards Committee – 16 January 2014 Council – 18 February 2013
Key Decision	No

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**This report supports the Key Aim of** effective management of Council resources

**Contact Officer(s)** Mrs Christine Nuttall – Chief Officer Legal and Governance

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**Recommendation to the Standards Committee:**

- (a) to consider whether the DCLG amendment underlined in red and highlighted in the Illustrative Text, as set out in Appendix A in this report be incorporated into the Sevenoaks District Council’s Code of Conduct;
- (b) to note the amended Department for Communities and Local Government (DCLG) “guide for councillors” set out at Appendix B regarding “Openness and transparency on personal interests”; and

**Recommendation to the Governance Committee:**

- (a) to consider whether the DCLG amendment underlined in red and highlighted in the Illustrative Text, as set out in Appendix A in this report be incorporated into the Sevenoaks District Council’s Code of Conduct;
- (b) to note the amended Department for Communities and Local Government (DCLG) “guide for councillors” set out at Appendix B regarding “Openness and transparency on personal interests”; and

**Recommendation to Full Council:**

- (a) to consider whether the DCLG amendment underlined in red and highlighted in the Illustrative Text, as set out in Appendix A in this report be incorporated into the Sevenoaks District Council’s Code of Conduct;
  - (b) to note the amended Department for Communities and Local Government (DCLG) “guide for councillors” set out at Appendix B regarding “Openness and transparency on personal interests”.
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**Reason for recommendation:** To keep the Council's Code of Conduct (the Code) under review and to ensure that Members of the Council receive up to date guidance on the Code of Conduct.

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### **Introduction and Background**

- 1 Following the introduction of the Localism Act 2011 and subordinate legislation extensive changes were made to the Standards regime. The changes were brought in to achieve high standards of conduct and to put in place an appropriate regime. Under the new regime Councils were obliged to adopt a Code of Conduct for their Members and Co-opted Members in order to promote and maintain high standards of conduct. These included provisions relating to the registration and disclosure of interests and authorities were no longer required to adopt codes based on a national model. Most authorities chose to adopt codes which reflected models suggested by various recognised organisations. Sevenoaks District Council chose the text published by the Department for Communities and Local Government (DCLG).
- 2 The DCLG has published revised guidance on Personal Interests, with respect to membership of a Trades Union. The covering letter from DCLG and the Guidance to which it relates concludes that it is a legal requirement that such membership should be 'registered and declared'. The covering letter from DCLG and the changes that would need to be incorporated into our Code of Conduct are shown in red within the DCLG Illustrative Text as set out at Appendix A.
- 3 When it comes to registering and declaring pecuniary and non-pecuniary interests the illustrative text from the DCLG takes the view that membership of a Trade Union is a Non-Pecuniary interest and is not prescribed as a Disclosable Pecuniary Interest. Therefore there is no enforceable criminal legal power to back compliance with this requirement.
- 4 However, the revised guidance as set out at Appendix B explains that any payment or financial benefit from a trade union is a Disclosable Pecuniary Interest. Therefore non disclosure could result in a criminal sanction. The Council's Notification of Disclosable Pecuniary Interests Form does require under Part B Sponsorship disclosure of "Any payment or provision of any other financial benefit (other than from Sevenoaks District Council) ... in respect of any expenses incurred by you in carrying out duties as a member, or towards the election expenses of yourself. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992".

### **Registering Membership of a Trade Union**

- 5 It has always been the position of this Council and the Standards Committee that openness and transparency are key to maintaining public confidence in the office of Councillor. With that in mind, when the Council adopted its new Code of Conduct, it continued to be a requirement of the Code that all Members give notification of Non Pecuniary Interests that include "Bodies whose principle purpose include the influence of public opinion or policy of which you are a member or in a position of general control or management (including any political

party or trade union)". In conclusion, the Council's policy position on transparency with respect to Trades Union membership is consistent with the DCLG position.

**Is a Dispensation necessary to take part in Setting Council Tax or a Precept**

6 The position on this has been made clear in the revised guidance which confirms DCLG's view that a dispensation is not required to take part in the business of setting council tax or a precept, simply by virtue of being a homeowner or tenant within the Authority's area. The Committee is asked to note this clarification as this was a matter under discussion at the last meeting of the Standards Committee.

**Key Implications**

Financial

None.

Legal Implications and Risk Assessment Statement.

Under section 28(2) of the Localism Act 2011, "A relevant authority must secure that its code of conduct includes the provision the authority considers appropriate in respect of the registration in its register, and disclosure of-

- (a) pecuniary interests, and
- (b) interests other than pecuniary interests".

Accordingly, Members and Co-opted Members must notify the Monitoring Officer of any interests that the Council has decided should be included in the register.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	This report provides insight into the high ethical standards applied across all levels of the authority.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

## Agenda Item 5

### **Conclusions**

The Committee is asked to consider whether the DCLG amendments as set out in red within their illustrative text within Appendix A to this report should be recommended to the Governance Committee for adoption by Council.

### **Appendices**

Appendix A – Letter from DCLG dated 20<sup>th</sup> September 2013 with illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity with amendments shown in red for possible incorporation in the Members' Code of Conduct.

Appendix B – DCLG's "Openness and transparency on personal interests A guide for councillors"

### **Background Papers:**

[The Council's Constitution in particular Appendix O "Notification of Disclosable Pecuniary Interests \(Sevenoaks District Council\)" and Appendix Q "Sevenoaks District Council Members' Code of Conduct".](#)

[The Localism Act 2011](#)

**Mrs Christine Nuttall**  
**Chief Officer for Legal and Governance**



Department for  
Communities and  
Local Government

Appendix A

Chief Executives  
Principal Local Authorities in England  
Greater London Authority  
Fire and Rescue Authorities in England  
The London Fire and Emergency Planning Authority  
The Broads Authority  
National Park Authorities in England  
Council of the Isles of Scilly

20 September 2013

Dear Chief Executive,

**OPENNESS AND TRANSPARENCY ON PERSONAL INTERESTS:  
A GUIDE FOR COUNCILLORS**

I enclose a copy of the revised plain English guide for councillors on openness and transparency on personal interests, and a copy of a revised illustrative text for a code of conduct for members and co-opted members of local authorities, both of which the Department has today published on its website.

The guide gives straightforward information about how councillors should be open and transparent about their personal interests. It has been revised with new guidance making it clear that councillors should treat Trade Union membership as a personal, non-pecuniary interest. The illustrative code has been revised to reflect the same guidance.

Where a councillor is sponsored by a Trade Union, this constitutes a disclosable pecuniary interest and as such must be registered and declared. The guide now makes it clear that membership of a Trade Union constitutes a personal interest which should be registered and declared. The Government believes that this new guidance will give local people the confidence that their councillors are putting residents' interests before their own and before those of any particular group. I should be grateful if you would please draw the guide and this correspondence to the attention of your monitoring officer.

Yours sincerely

**Paul Rowsell**

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**Appendix A**

**Illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity**

You are a member or co-opted member of the [name] council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

You must declare any private interests, both pecuniary and non-pecuniary, **including your membership of any Trade Union**, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

**Registering and declaring pecuniary and non-pecuniary interests**

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. **These non-pecuniary interests will necessarily include your membership of any Trade Union.**

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.<sup>1</sup>

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

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<sup>1</sup> A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.



Department for  
Communities and  
Local Government

**Appendix B**

## Openness and transparency on personal interests

A guide for councillors

## Agenda Item 5

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September 2013

ISBN: 978-1-4098--3604-9

## The Guide

This guide on personal interests gives basic practical information about how to be open and transparent about your personal interests. It is designed to help councillors, including parish councillors, now that new standards arrangements have been introduced by the Localism Act 2011<sup>1</sup>.

### Why are there new rules?

Parliament has abolished the Standards Board regime and all the rules under it. It has done this because that centrally-imposed, bureaucratic regime had become a vehicle for petty, malicious and politically-motivated complaints against councillors. Rather than creating a culture of trust and openness between councillors and those they represent, it was damaging, without justification, the public's confidence in local democratic governance.

The new standards arrangements that Parliament has put in place mean that it is largely for councils themselves to decide their own local rules. It is essential that there is confidence that councillors everywhere are putting the public interest first and are not benefiting their own financial affairs from being a councillor. Accordingly, within the new standards arrangements there are national rules about councillors' interests.<sup>2</sup>

Such rules, in one form or another, have existed for decades. The new rules are similar to the rules that were in place prior to the Standards Board regime. Those rules, originating in the Local Government Act 1972 and the Local Government and Housing Act 1989, involved local authority members registering their pecuniary interests in a publicly available register, and disclosing their interests and withdrawing from meetings in certain circumstances. Failure to comply with those rules was in certain circumstances a criminal offence, as is failure to comply in certain circumstances with the new rules.

### Does this affect me?

Yes, if you are an elected, co-opted, or appointed member of:

- a district, unitary, metropolitan, county or London borough council
- a parish or town council
- a fire and rescue authority
- a transport or other joint authority
- a combined authority or an economic prosperity board
- the London Fire and Emergency Planning Authority
- the Broads Authority

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<sup>1</sup> The Guide should not be taken as providing any definitive interpretation of the statutory requirements; those wishing to address such issues should seek their own legal advice.

<sup>2</sup> The national rules are in Chapter 7 of the Localism Act 2011 and in the secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464).

## Agenda Item 5

- a National Park authority
- the Greater London Authority
- the Common Council of the City of London
- the Council of the Isles of Scilly

### How will there be openness and transparency about my personal interests?

The national rules require your council or authority to adopt a code of conduct for its members and to have a register of members' interests.

The national rules require your council's code of conduct to comply with the Seven Principles of Public Life, and to set out how, in conformity with the rules, you will have to disclose and register your pecuniary and your other interests. Within these rules it is for your council to decide what its code of conduct says. An illustrative text for such a code is available on the Department's web site.<sup>3</sup>

Your council's or authority's monitoring officer (or in the case of a parish council the monitoring officer of the district or borough council) must establish and maintain your council's register of members' interests. Within the requirements of the national rules it is for your council or authority to determine what is to be entered in its register of members' interests.

### What personal interests should be entered in my council's or authority's register of members' interests?

Disclosable pecuniary interests, and any other of your personal interests which your council or authority, in particular through its code of conduct, has determined should be registered.

Any other of your personal interests which you have asked the monitoring officer, who is responsible for your council's or authority's register of members' interests, to enter in the register.

As explained in the following section, your registration of personal interests should be guided by your duty to act in conformity with the seven principles of public life. You should ensure that you register all personal interests that conformity with the seven principles requires. These interests will necessarily include your membership of any Trade Union.

### What must I do about registering my personal interests?

Under your council's code of conduct you must act in conformity with the Seven Principles of Public Life. One of these is the principle of integrity – that 'Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in

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<sup>3</sup> <https://www.gov.uk/government/publications/illustrative-text-for-local-code-of-conduct--2>

**Appendix B**

order to gain financial or other material benefits for themselves, their family, or their friends. **They must declare and resolve any interests and relationships.**<sup>4</sup>

Your registration of personal interests should be guided by this duty and you should give the monitoring officer who is responsible for your council's or authority's register of members' interests any information he or she requests in order to keep that register up to date and any other information which you consider should be entered in the register.

All sitting councillors need to register their declarable interests – both declarable pecuniary interests, and other interests that must be declared and registered as required by your authority's code, or your duty to act in conformity with the Seven Principles of Public Life, such as your membership of any Trade Union. Any suggestion that you should tell the monitoring officer about your pecuniary interests only in the immediate aftermath of your being elected is wholly incompatible with this duty, with which you must comply.

If you have a disclosable pecuniary interest which is not recorded in the register and which relates to any business that is or will be considered at a meeting where you are present, you must disclose<sup>5</sup> this to the meeting and tell the monitoring officer about it, if you have not already done so, so that it can be added to the register. You must tell the monitoring officer within 28 days of disclosing the interest. For this purpose a meeting includes any meeting of your council or authority, of its executive or any committee of the executive, and of any committee, sub-committee, joint committee or joint sub-committee of your authority.

If you have a disclosable pecuniary interest which is not shown in the register and relates to any business on which you are acting alone, you must, within 28 days of becoming aware of this, tell the monitoring officer about it, if you have not already done so, so that it can be added to the register. You must also stop dealing with the matter as soon as you become aware of having a disclosable pecuniary interest relating to the business.

When you are first elected, co-opted, or appointed a member to your council or authority, you must, within 28 days of becoming a member, tell the monitoring officer who is responsible for your council's or authority's register of members' interests about your disclosable pecuniary interests. If you are re-elected, re-co-opted, or reappointed a member, you need to tell the monitoring officer about only those disclosable pecuniary interests that are not already recorded in the register.

## What are pecuniary interests?

A person's pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are associated) and wider

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<sup>4</sup> <http://www.public-standards.gov.uk/about-us/what-we-do/the-seven-principles/>

<sup>5</sup> If the interest is a sensitive interest you should disclose merely the fact that you have such a disclosable pecuniary interest, rather than the interest. A sensitive interest is one which the member and the monitoring officer, who is responsible for the register of members' interests, consider that disclosure of its details could lead to the member, or a person connected to the member, being subject to violence or intimidation.

## Agenda Item 5

financial interests they might have (for example trust funds, investments, and assets including land and property).

### Do I have any disclosable pecuniary interests?

You have a disclosable pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest listed in the national rules (see annex). Interests of your spouse or civil partner, following the approach of the rules under the 1972 and 1989 Acts, are included to ensure that the public can have confidence that councillors are putting the public interest first and not benefiting the financial affairs of themselves or their spouse or civil partner from which the councillor would stand to gain. For this purpose your spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

### Does my spouse's or civil partner's name need to appear on the register of interests?

No. For the purposes of the register, an interest of your spouse or civil partner, which is listed in the national rules, is **your** disclosable pecuniary interest. Whilst the detailed format of the register of members' interests is for your council to decide, there is no requirement to differentiate your disclosable pecuniary interests between those which relate to you personally and those that relate to your spouse or civil partner.

### Does my signature need to be published online? Won't this put me at risk of identity theft?

There is no legal requirement for the personal signatures of councillors to be published online.

### Who can see the register of members' interests?

Except for parish councils, a council's or authority's register of members' interests must be available for inspection in the local area, and must be published on the council's or authority's website.

For parish councils, the monitoring officer who is responsible for the council's register of members' interests must arrange for the parish council's register of members' interests to be available for inspection in the district of borough, and must be published on the district or borough council's website.

Where the parish council has its own website, its register of members' interests must also be published on that website.

This is in line with the Government's policies of transparency and accountability, ensuring that the public have ready access to publicly available information.

**Appendix B**

## Is there any scope for withholding information on the published register?

Copies of the register of members' interests which are available for inspection or published must not include details of a member's sensitive interest, other than stating that the member has an interest the details of which are withheld. A sensitive interest is one which the member and the monitoring officer, who is responsible for the register of members' interests, consider that disclosure of its details could lead to the member, or a person connected to the member, being subject to violence or intimidation.

## When is information about my interests removed from my council's register of members' interests?

If you cease to have an interest, that interest can be removed from the register. If you cease to be a member of the authority, all of your interests can be removed from the register.

## What does having a disclosable pecuniary interest stop me doing?

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

In certain circumstances you can request a dispensation from these prohibitions.

## Where these prohibitions apply, do I also have to leave the room?

Where your council's or authority's standing orders require this, you must leave the room. Even where there are no such standing orders, you must leave the room if you consider your continued presence is incompatible with your council's code of conduct or the Seven Principles of Public Life.

## Do I need a dispensation to take part in the business of setting council tax or a precept?

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Any payment of, or liability to pay, council tax does not create a disclosable pecuniary interest as defined in the national rules; hence being a council tax payer does not mean that you need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support.

If you are a homeowner or tenant in the area of your council you will have registered, in accordance with the national rules, that beneficial interest in land. However, this disclosable pecuniary interest is not a disclosable pecuniary interest in the matter of setting the council tax or precept since decisions on the council tax or precept do not materially affect your interest in the land. For example, it does not materially affect the value of your home, your prospects of selling that home, or how you might use or enjoy that land.

Accordingly, you will not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support, which is in any event a decision affecting the generality of the public in the area of your council, rather than you as an individual.

### When and how can I apply for a dispensation?

The rules allow your council or authority in certain circumstances to grant a dispensation to permit a member to take part in the business of the authority even if the member has a disclosable pecuniary interest relating to that business. These circumstances are where the council or authority considers that:

- without the dispensation so great a proportion of the council or authority would be prohibited from participating in that business as to impede the council's or authority's transaction of that business,
- without the dispensation the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote,
- the granting of the dispensation is in the interests of people living in the council's or authority's area,
- without the dispensation each member of the council's executive would be prohibited from participating in the business, or
- it is otherwise appropriate to grant a dispensation.

If you would like your council or authority to grant you a dispensation, you must make a written request to the officer responsible for handling such requests in the case of your council or authority.

### What happens if I don't follow the rules on disclosable pecuniary interests?

It is a criminal offence if, without a reasonable excuse, you fail to tell the monitoring officer about your disclosable pecuniary interests, either for inclusion on the register if you are a newly elected, co-opted or appointed member, or to update the register if you are re-elected or re-appointed, or when you become aware of a disclosable pecuniary interest which is not recorded in the register but which relates to any matter;

**Appendix B**

- that will be or is being considered at a meeting where you are present, or
- on which you are acting alone.

It is also a criminal offence to knowingly or recklessly provide false or misleading information, or to participate in the business of your authority where that business involves a disclosable pecuniary interest. It is also a criminal offence to continue working on a matter which can be discharged by a single member and in which you have a disclosable pecuniary interest.

If you are found guilty of such a criminal offence, you can be fined up to £5,000 and disqualified from holding office as a councillor for up to five years.

## Where can I look at the national rules on pecuniary interests?

The national rules about pecuniary interests are set out in Chapter 7 of the Localism Act 2011, which is available on the internet here:

<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7/enacted>

and in the secondary legislation made under the Act, in particular The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 which can be found here:

<http://www.legislation.gov.uk/uksi/2012/1464/contents/made>

## Annex A

### Description of Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the monitoring officer about your disclosable pecuniary interests following your election or re-election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.
- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

**Appendix B**

- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where –
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either –
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



## RECORDING OF MEETINGS

### Governance Committee - 29 January 2014

Report of Chief Officer Legal and Governance

Status: For Decision

Key Decision: No

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This report supports the Key Aim of Effective Use of Council Resources

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**Portfolio Holder** Cllr. Fleming

**Contact Officer(s)** Mrs Christine Nuttall – Chief Officer Legal and Governance

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#### **Recommendation to the Governance Committee:**

To consider the benefits and practicalities of the audio recording of certain meetings.

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**Reason for recommendation:** With present technology anyone can record any meetings undetected which opens the possibility of challenge.

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#### **Introduction and Background**

1 The Council's Constitution states that in relation to the Photography and Recording of Meetings the consent of Members present at any meeting shall be required before any person may record, broadcast or photograph proceedings at the meeting. Any recording, broadcasting or photography shall be conducted in a manner to be directed by the Chairman and shall cease immediately if either:

- Members so resolve; or
- The Chairman so directs.

3 The Department for Communities and Local Government are encouraging the public to report on meetings, allowing the filming of councillors and officers at meetings that are open to the public including the social media reporting of meetings.

As a result of the above information the Governance Committee Working Group looked into the benefits of recording Council meetings which were concluded to be as follows:

- With present technology anyone can record any meeting undetected which opens the possibility of challenge as to what was said at the meeting.

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- The Council will have a true record of what was said in the event of an edited version being produced.

### **Matters to be Considered**

4. The Governance Committee Working Group considered that the recording of Council meetings in the Council Chamber could be feasible as this is an area already wired for sound.
5. The I.T. Department of the Council are looking into the practicalities of recording in the Council Chamber with some testing needing to take place and the cost evaluated.
6. The recording could be made available to the public in the event of a challenge by the public taking place.
7. Information in relation to what recording is taking place at other councils indicates that Dartford Council and Tonbridge and Malling Council currently undertake no recording of meetings. Tunbridge Wells Council is undertaking a trial run in relation to recording Full Council.
8. The Governance Committee Working Group considered how attendees could be informed that recording was taking place. They concluded that this could be achieved by an explanation being given at the bottom of the Agenda warning people that recording may take place.

### **Key Implications**

#### Financial

The financial cost and feasibility of recording will need to take place. On balance the investment needed to install recording equipment would need to be justified against the benefit of an audio recording.

#### Legal Implications and Risk Assessment Statement.

The Governance Committee Working Group considered that with present technology anyone can record any meeting undetected which opens the possibility of challenge as to what was said if we do not have our own recording which the Council can guarantee has not been 'edited'.

#### Resource (non financial)

Members of the public may on occasion ask to listen to recordings and Freedom of Information requests may be submitted in this regard. These requests would need to be accommodated where at the time of the request the relevant recording still exists and has not been deleted. The costs, in terms of officer time, could become an issue if they were regularly requested to search for individual comments made by Members.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The introduction of recording certain Council Meetings enables there to be a true copy of what was said.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

**Conclusions**

The Governance Committee Working Group concluded that the need on occasion to clarify what may have taken place at a council meeting, if issues of accuracy are raised, may make it desirable for some Council meetings to be recorded in the future.

**Background Papers:**

[Sevenoaks District Council Constitution](#)

[Department for Community and Local Government  
"Your council's cabinet – going to its meetings,  
seeing how it works – a guide for local people"](#)

**Mrs Christine Nuttall  
Chief Officer for Legal and Governance**

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## REVIEW OF NEW GOVERNANCE ARRANGEMENTS – MEMBERS SURVEY

### Governance Committee – 29 January 2014

Report of Chief Officer Legal and Governance

Status: For Consideration

Key Decision: No

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**Executive Summary:** The Governance Committee is tasked with reviewing the new governance arrangements which were introduced at Annual Council in May 2013. As part of this review a survey of Members was carried out between 25 October and 15 November and this report provides Members with an update on the results of the survey and sets out a proposal for a follow up survey in the coming months.

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**Portfolio Holder** Cllr. Fleming

**Contact Officer(s)** Christine Nuttall Ext. 7245

Lee Banks Ext. 7161

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### Recommendation to Governance Committee:

Members note the results of the Governance Survey and approve that a further survey on Governance arrangements be carried out in March 2014.

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**Reason for recommendation:** To ensure that the Governance Committee considers the results of the Members survey on the Council's Governance arrangements and that those results inform the review of the new governance arrangements as tasked by Council in May 2013.

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### Introduction and Background

- 1 The Governance Committee was tasked with reviewing the new governance arrangements which were introduced at Annual Council in May 2013 in addition to looking at options such as the Committee System or a Hybrid Model requiring Secretary of State approval and to report back to Council by April 2014.
- 2 At their meeting of 5 November the Governance Committee approved that a survey of Members would be carried out to help develop "First Impressions of the New Governance Structure". The Committee agreed that the survey be circulated to all Members on or around Friday 25th October 2013 after all Advisory Committees had held their second meetings, with responses to be received by the 15th November 2013.

## Agenda Item 7

- 3 The Members Governance Working Group met in December 2013 to consider the Governance Arrangement questionnaire responses and this report details those results and provides a summary of the initial views of the Working Group.

### Members Governance Survey

- 4 Provided as Appendix A to this report is a copy of the survey that was sent to Members on Friday 25 October 2013. The survey was open for a period of 3 weeks and received 29 responses, a response rate of 55%.
- 5 A summary of results and a short narrative summarising the findings against each of the 12 questions asked is available as Appendix B to this report.
- 6 The Members Working Group concluded that it may be helpful to run a further, simpler survey, in March this year to follow up and clarify some of the points raised from the survey results presented at Appendix B. It is proposed that this recommendation be discussed at the Governance Committee meeting.

### Other Options Considered and/or Rejected

None

### Key Implications

#### Financial

None. There are no financial implications arising from the Members Survey on Governance Arrangements.

#### Legal Implications and Risk Assessment Statement.

None. There are no legal or risk implications arising from the Members Survey on Governance Arrangements.

#### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The decision as to whether to run an additional Member survey on the Council's Governance arrangements does not raise any equality issues.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable

**Conclusions**

The survey of Members on the Council's Governance Arrangements has provided a range of information that may be helpful in the Committees task of reviewing the effectiveness of those arrangements. In considering the results from the survey Members are asked to consider running a second survey in March this year in order to follow up and clarify some of the points raised from the initial survey.

**Appendices**

Appendix A – Members Survey Questionnaire

Appendix B – Members Survey – Summary of Results

**Background Papers:**

[Review of New Governance Arrangements – Report to the Governance Committee 5 November 2013](#)

**Mrs Christine Nuttall**  
**Chief Officer for Legal and Governance**

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## Governance Arrangements - Members' Survey

### Introduction

As set out at the Full Council meeting in April the basic premise of the Council's governance review was the need to review both member and officer resource in response to the future challenges facing Sevenoaks, the efficiency and transparency of decision-making, and in part the extended governance opportunities afforded by the Localism Act 2011.

From meetings held with Members the general tenor of their concerns with the previous structure were summarised as:

- perception of remoteness/inaccessibility of portfolios;
- feeling of disengagement from influence and decision-making;
- lack of training and development (succession planning for future Cabinet members); and
- need to streamline the system to match the resource available.

It was agreed that a review of the new governance arrangements would be undertaken and a report would go back to Full Council in April 2014.

Members are invited to give their views on the new governance arrangements through this survey. The questions are focused on whether the new arrangements meet with the initial aims and have suitably addressed Members concerns.

The survey will close on 15 November 2013. The results will first be considered by the Governance Committee and will go on to inform the report back to Full Council in April 2014.

# Governance Arrangements - Members' Survey

## 1. Please tell us to what extent you agree with each of the following questions about the new governance structure.

	Yes - I strongly agree	Yes - I agree	I neither agree nor disagree	No - I disagree	No - I strongly disagree	Too early to say	Do not know
Do you feel that the Council is performing more effectively and efficiently?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that the Cabinet is more accountable under the new arrangements?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel more engaged and involved in Council business?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel more engaged and involved in the decision making process?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that you have been more able to influence decision making?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that the new governance structure provides more opportunities for training and for your future development?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that Portfolios are now less remote and more accessible than before?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that the role of Scrutiny has been enhanced?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## 2. Do you think you are made aware of items under consideration before a recommendation is made?

- Yes - I strongly agree
- Yes - I agree
- I neither agree nor disagree
- No - I disagree
- No - I strongly disagree
- Do not know

## Governance Arrangements - Members' Survey

**3. If you would like to comment further about questions 1 and 2 above please use the space provided below**



# Governance Arrangements - Members' Survey

## Advisory Committees

### 4. Please tell us to what extent do you agree with the following questions about the Cabinet Advisory Committees.

	Yes - I strongly agree	Yes - I agree	I neither agree nor disagree	No - I disagree	No - I strongly disagree	Too early to say	Not applicable
Do you feel that Portfolio Holders should be able to Chair Advisory Committees?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that you have been consulted about policy matters through an Advisory Committee?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that advisory Committees have made it easier for you to influence Council policy?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that you have been able to contribute your ideas for initiatives the Council could undertake?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you feel that you have been encouraged to contribute your ideas through the Advisory Committees?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### 5. If you would like to comment further about the questions about the Advisory Committees please use the space provided below

**Governance Arrangements - Members' Survey****Meetings & Working Groups**

**6. To ensure proper consideration of the range of services within the remit of each committee, the current number of scheduled meetings is...**

- ... too few
- ... about right
- ... too many

**7. To what extent do you agree that working groups improve Council policy and / or performance?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Too early to say
- Do not know

**8. To what extent do you agree that working groups represent value for money?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Do not know

**9. From your experience do you feel that the number of meetings and working groups require a greater involvement of officers under the new governance arrangements?**

- Yes - I strongly agree
- Yes - I agree
- I neither agree nor disagree
- No - I disagree
- No - I strongly disagree
- Too early to say
- Do not know

## Governance Arrangements - Members' Survey

**10. If you would like to comment further about questions 6 to 9 above please use the space provided below**



## Governance Arrangements - Members' Survey

**11. Overall in my opinion the main strength of the new governance arrangements is...**

**12. Overall in my opinion the main weakness of the new governance arrangements is...**

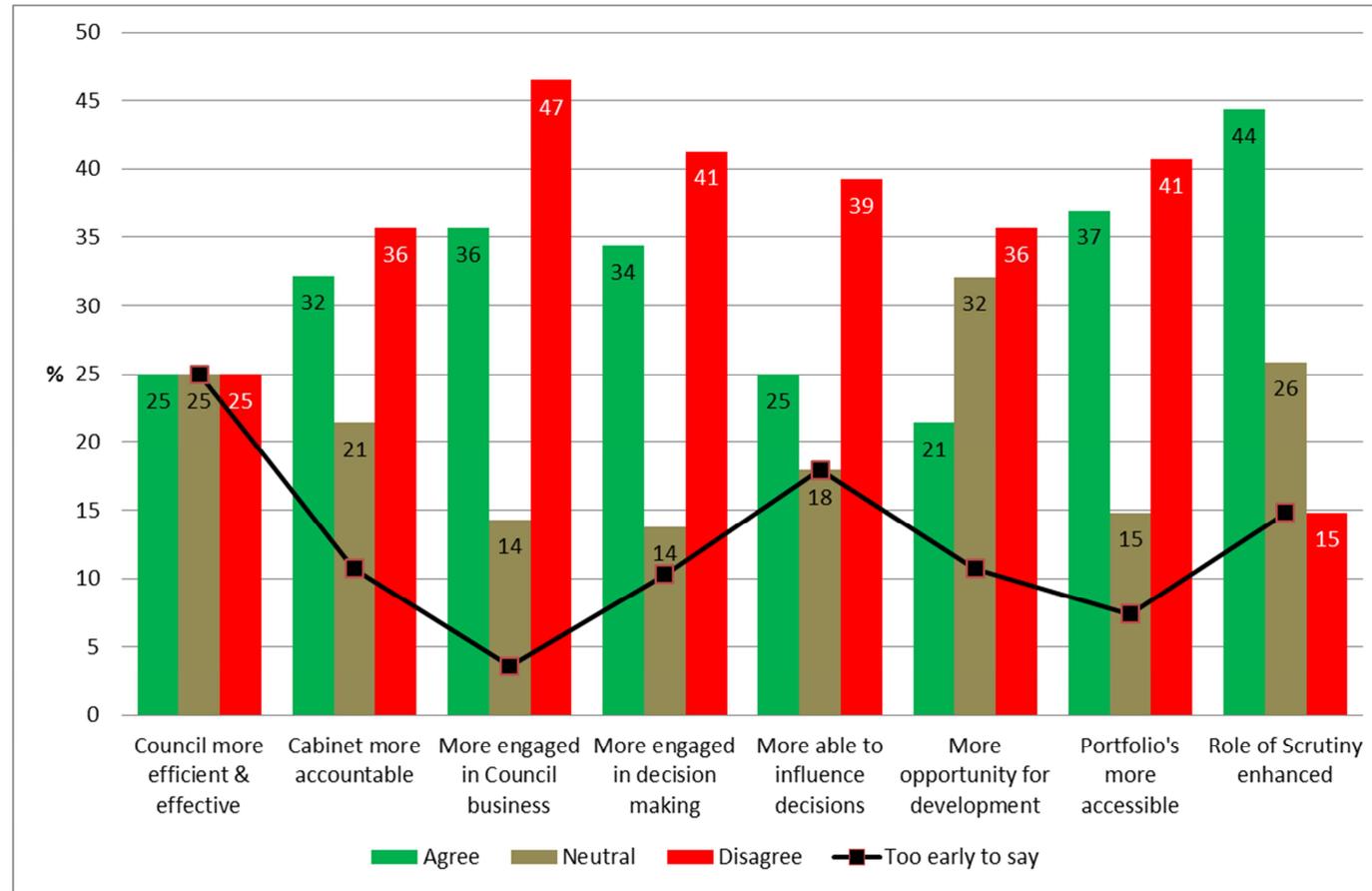
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**Governance Arrangements – Members’ Survey**  
**Summary of Results**

**Response Rate – 55% (29 of 53 Members)**

**Question 1 – Governance Structure**

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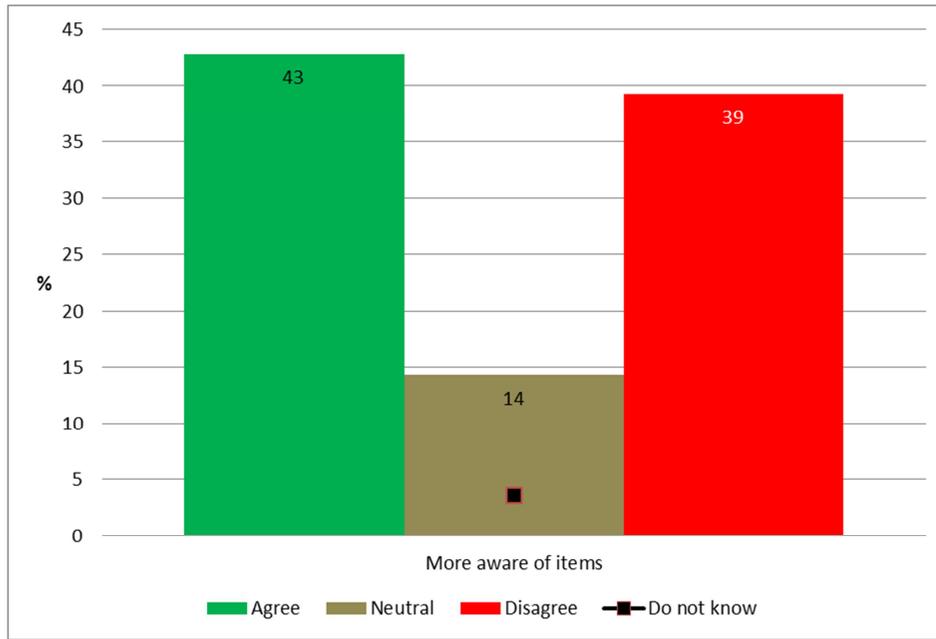


By evaluating the totality of the responses provided to each question in part 1 it is possible to say that there is no strong outcome for the effectiveness of the new governance structure against its initial objectives.

- On average 32% of respondents agreed to their being an improvement.
- On average 35% of respondents disagree to their being an improvement.
- On average 21% of respondents were neutral and neither agreed or disagreed that there had been an improvement.
- On average 12% of respondents felt that it was too early to say if there had been an improvement.
- Respondents most strongly agreed that the role of scrutiny had been enhanced.
- Grouped together respondents most strongly disagreed that they were more engaged or more able to influence decision making.

Agenda Item 7

**Question 2 – Do you think you are made more aware of items under consideration before a recommendation is made?**



- 4% more respondents agree that they are more aware of items under consideration before a recommendation is made.
- 14% of respondents neither agreed nor disagreed and 4% of respondents did not know.

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**Question 3 – Open text response to questions 1 & 2 above**

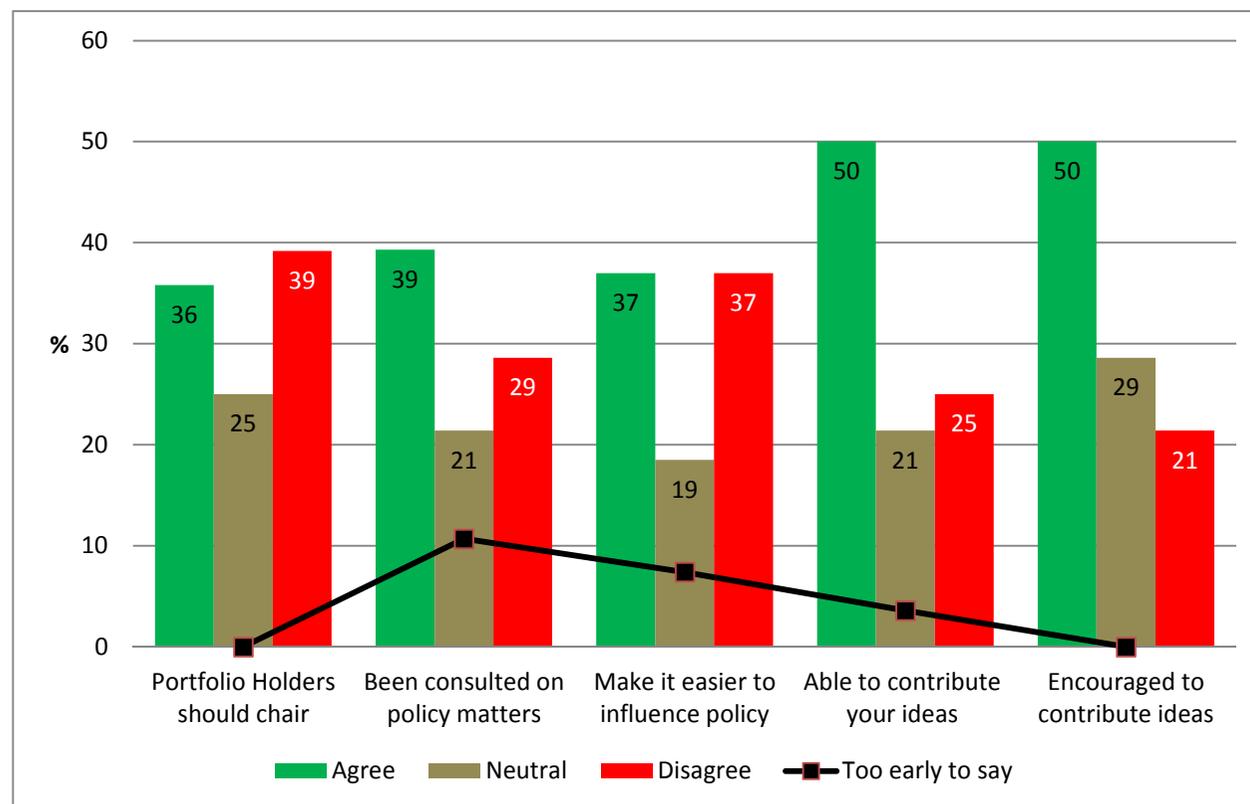
12 comments were provided

Comments included:

- Portfolio holders should not Chair Advisory Committees
- Too many Advisory Committees
- Cabinet been reduced in size (so less Members involved at that level)
- Select Committees seem to be more effective than Advisory Committees

Agenda Item 7

### Question 4 – Cabinet Advisory Committees



By evaluating the totality of the responses provided to each question about Advisory Committees it is possible to say that there is no strong outcome, but responses lean toward being supportive of them.

- On average 42% of respondents agreed that Advisory Committees are meeting their purpose.
- On average 30% of respondents disagree that Advisory Committees are meeting their purpose.
- On average 23% of respondents were neutral and neither agreed or disagreed that Advisory Committees are meeting their purpose.
- On average 4% of respondents felt that it was too early to say if the Advisory Committees are meeting their purpose.
- Grouped together respondents most strongly agreed they are both encouraged and more able to contribute their ideas.
- Respondents most strongly disagreed, albeit by a margin of 3%, that Portfolio Holders should be able to chair Advisory Committees.

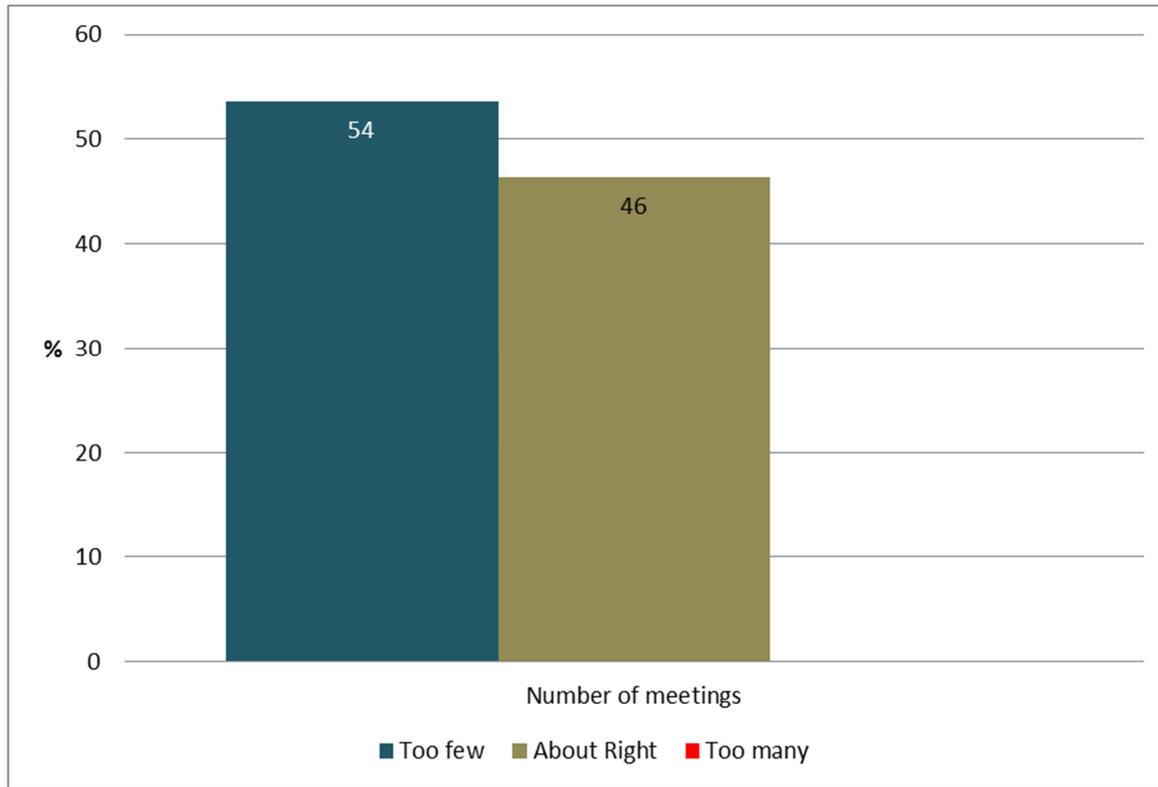
### Question 5 – Open text comments about the Advisory Committees

7 comments were provided

Comments included:

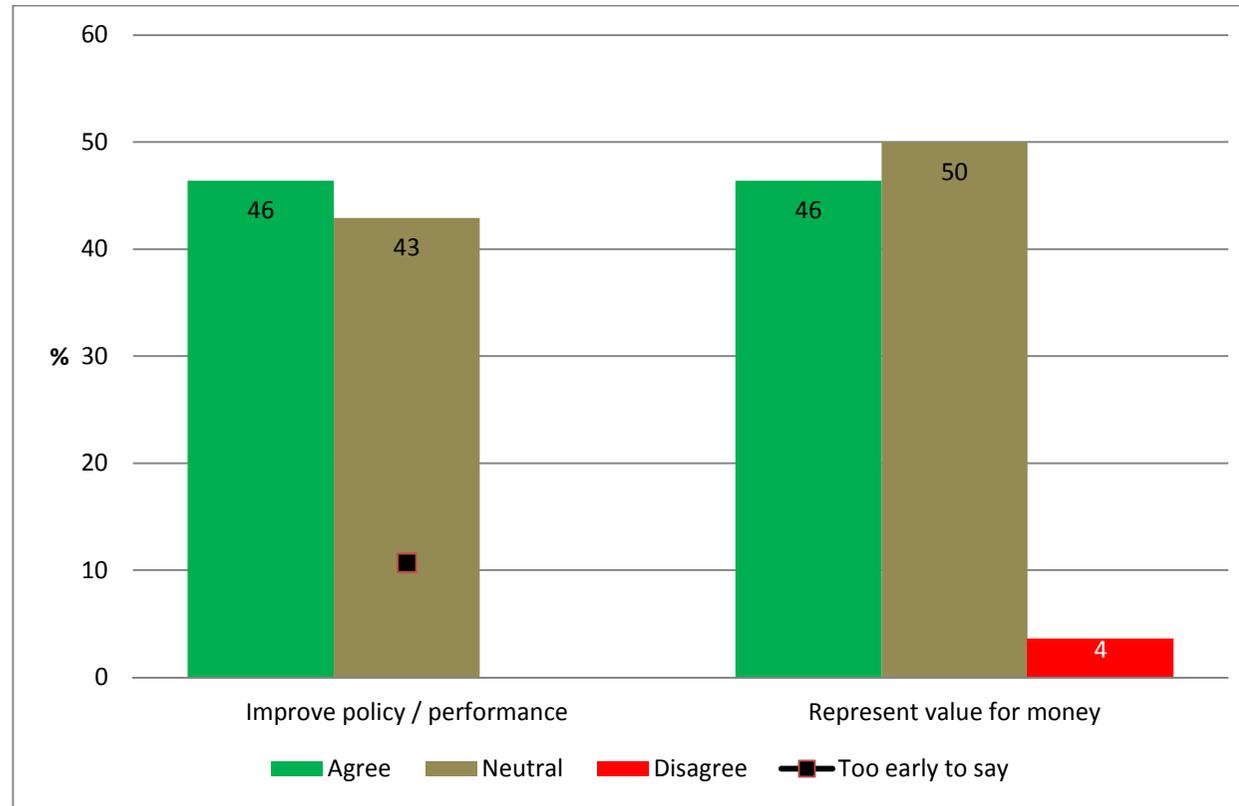
- Not enough meetings
- Portfolio holders should not chair Advisory Committees
- Less effective than Select Committees

### Question 6 – Number of scheduled meetings



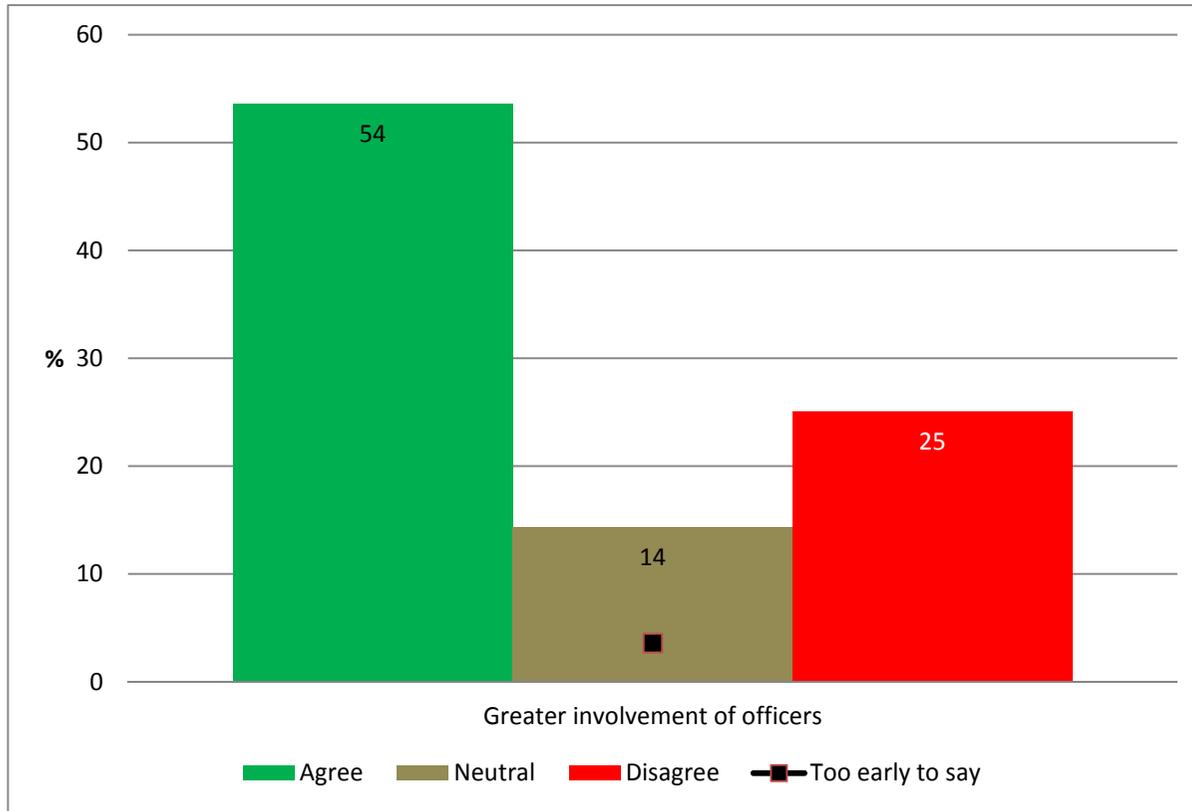
- 54% of respondents felt that the number of meetings being held was too few.
- 46% of respondents felt that the number of meetings being held was about right.
- No respondents felt that too many meetings were being held.

### Questions 7 & 8 – Working Groups



- 46% of respondents agree that working groups improve Council policy and / or performance. No respondents disagreed.
- 46% of respondents agree that working groups represent value for money. 4% of respondents disagreed.

### Question 9 – Involvement of officers



- 54% of respondents agreed that the number of meetings and working groups require a greater involvement of officers.
- 25% of respondents disagreed that the number of meetings and working groups require a greater involvement of officers.
- 14% of respondents neither agreed nor disagreed that the number of meetings and working groups require a greater involvement of officers.
- 4% of respondents said too early to say or do not know.

**Question 10 – Open text comments about questions 6 to 9 above**

6 comments were provided

Comments included:

- Working groups – are not new, were used under previous system
- Working groups – exist because of shortage of proper meetings
- More demand on officers

**Question 11 – Open text comments on the main strength of the new governance arrangements**

21 comments were provided

Comments included:

- No strengths
- More opportunity to participate
- No significant improvement
- Working groups have been a positive
- Improved Scrutiny Committee
- Provides for succession planning
- Too soon to say
- Members can contribute effectively and more meaningfully
- Better engagement

**Question 12 – Open text comments on the main weakness of the new governance arrangements**

22 comments were provided

Comments included:

- Less effective than Select Committee process
- Not enough meetings
- Too few Portfolio Holders
- Too many Deputy Portfolio Holders
- Less effective / efficient decision making process
- Too much demand on a lean workforce
- Cabinet Members chairing Advisory Committees
- Too soon to say
- Small number of people making most decisions
- Responsibility for matters unclear
- Too few Advisory Committees

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**Governance Committee Work Plan 2013/14**

<b>13 March 2014</b>	<b>July 2014</b>	<b>September 2014</b>	<b>November 2014</b>
Outcome of review of new governance arrangements  Review of Constitution			

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