

14 May 2024 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks



Annual Council

Supplementary Agenda

	Pages
6. Scheme of Delegations	
a) To note the delegations of Executive Functions and appointments to Cabinet made by the Leader (Appendix marked To Follow)	(Pages 1 - 8)
8. To appoint the Chairmen, Vice-Chairmen and Membership of Committees for the ensuing year (Appendix marked To Follow)	(Pages 9 - 12)
9. To confirm the calendar of ordinary meetings or the ensuing year (Amended Calendar)	(Pages 13 - 14)
10. To appoint representatives on other organisations (Appendix marked To Follow)	(Pages 15 - 16)
12. Election of Leader of the Council URGENT ITEM: In accordance with Section 100B (4) of the Local Government Act 1972, the Chairman of the Council has agreed to accept the urgent matter for consideration.	(Pages 17 - 18)
Reason for Urgency: Following the resignation of the Leader, the matter is urgent as delay would prejudice the public interest.	

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

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APPENDIX U - SCHEME OF DELEGATIONS OF EXECUTIVE FUNCTIONS BY THE LEADER OF THE COUNCIL (MAY 2024)

1. Scope of the Scheme of Delegations of Executive Functions by the Leader of the Council

1.1 This Scheme of Delegations is made pursuant to paragraph 9.2 of Part 2 of the Council's Constitution which requires that a written record of delegations of executive functions be presented by the Leader of the Council at the first meeting of the Council following whole Council elections.

1.2 Thereafter this Scheme of Delegations of Executive Functions may be amended at any time by the Leader of the Council on written notice to the Chief Executive and to the person, body or Committee concerned. The notice must set out the extent of the amendment to the scheme of delegation and whether it entails the withdrawal of delegation from any body, Committee or the Cabinet as a whole. The changes will be reported to the next ordinary meeting of the Council.

1.3 This Scheme of Delegations has regard to the Council's Constitution and should be read in the context of the procedure rules contained in Part 4 of the Constitution. Should there be any conflict between this Scheme of Delegations and the Council's Constitution then the Constitution will prevail.

2. Role

2.1 The Cabinet (the Executive) will carry out all of the District Council's functions which are not the responsibility of any other part of the District Council, whether by law or under the Constitution. Please see table below for those functions delegated to Officers of the Council:

Function	Delegation of functions
Any function relating to contaminated land.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services
The discharge of any function relating to the control of pollution or the management of air quality.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services
The service of an abatement notice in respect of a statutory nuisance.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services

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Function	Delegation of functions
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services
The inspection of the Authority's area to detect any statutory nuisance.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services
The investigation of any complaint as to the existence of a statutory nuisance.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services
The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services
The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Deputy Chief Executive and Chief Officer Planning & Regulatory Services

3. Form and Composition

3.1 The Cabinet will consist of the Leader of the Council together with further Members appointed by the Leader of the Council (the Leader). The membership of the Cabinet and individual portfolios will be reported to the Annual Meeting of the Council.

4. Leader

4.1 The Leader will be a Member elected to the position of Leader by the Council at the first meeting of the Council following whole Council elections. The Leader will chair the Cabinet (if present) and will hold office until:

- (a) he/she resigns from the office; or
- (b) he/she is no longer a Member; or
- (c) the expiry date of his/her fixed term of office as Leader, which is the date of the post-election annual meeting which follows his/her election as Leader (e.g. for a Leader elected at the Annual Council in May 2011, the period of election will continue to the Annual Meeting in May 2015); or
- (d) he/she is removed from office by resolution of the Council.

4.2 In the event of the Leader being removed from office by resolution of the Council, the new Leader may be appointed at the same or a subsequent meeting.

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5. Other Executive Members

- 5.1 The Leader will appoint one member of the Executive as Deputy Leader, who will hold office until the end of the Leader's term of office, unless:
- (a) he/she resigns from the office; or
 - (c) he/she is no longer a Councillor; or
 - (d) he/she is removed from office by the Leader, who must give written notice of any removal to the Chief Executive. The removal will take effect two clear working days after receipt of the notice by the Chief Executive.
- 5.2 Where a vacancy occurs, the Leader will appoint another Deputy Leader.
- 5.3 If for any reason the Leader is unable to act or the office of Leader becomes vacant (and pending the election of a new Leader) the Deputy Leader shall discharge all roles and functions of the Leader.
- 5.4 If, for any reason, both the Leader and Deputy Leader are unable to act or both offices become vacant, the Executive shall act in the Leader's place or arrange for another Member of the Executive to act in his/her place.
- 5.5 Other Cabinet members shall be appointed by the Leader who shall notify the Council of their appointment and they shall hold office until:
- (a) they resign from office; or
 - (b) they are no longer Members; or
 - (c) they are removed from office on the expiry date of their appointed term of office, save that the Leader may remove the Cabinet Member from office at an earlier date if he/she so decides. The Leader must give written notice of any early removal of a Cabinet Member to the Chief Executive and the removal will take effect two clear working days after receipt of the notice by the Chief Executive.

6. Delegation to Executive and Portfolio Holders

Introduction

- 6.1 The Cabinet and Portfolio Holders or Officers must take all decisions within the context of the Budget and Policy Framework.

Who may Make Executive Decisions?

- 6.2 All key decisions will be taken by the Executive as a whole.
- 6.3 Individual members of the Cabinet may take decisions which are not key

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decisions.

Principles of Delegation

6.4 The Executive should focus on:

- (a) co-ordination of decisions with a corporate-wide implication;
- (b) major or key decisions;
- (c) decisions which are recommendations on change in policy – and hence need Council approval;
- (d) monitoring progress on key tasks; and
- (e) developing new policy.

6.5 Portfolio Holders have full delegated authority from the Executive to take all decisions within the remit of their portfolio (outlined in the Annex to Appendix H of the Constitution (attached to this scheme of delegations)) except:

- (a) key decisions which:
 - (i) result in the District Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates i.e. decisions which exceed £50,000 in value (but procurement decisions within the budget e.g. refuse vehicles can be undertaken within delegated powers); or
 - (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the District Council.
- (b) decisions outside the agreed policy framework;
- (c) decisions which cut across two or more portfolios; and
- (d) proposals for new or amended policies or strategies.

Note: The fact that a decision could be made by a Portfolio Holder would not preclude that individual bringing the matter to the Cabinet for decision.

Portfolios

6.6 Portfolio Holders should be aware that the allocation of functions indicates an area of responsibility but does not automatically grant decision-making powers in that area. It is within the remit of each Portfolio Holder to:

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- (a) provide direction and support to Chief Officers and Heads of Service in the management of the resources supporting their respective portfolios – including approval for filling vacancies and other minor personnel changes within agreed budgets;
- (b) oversee partnership working and external relationships within their portfolio areas; and
- (c) keeping their colleagues informed of significant or important issues as they emerge and develop.

Further Delegation of Executive Functions

- 6.7 Where the Cabinet, a Committee of the Cabinet (if one is established) or an individual member of the Cabinet is responsible for an executive function, they may delegate further to joint arrangements or an Officer.
- 6.8 Unless the Council directs otherwise, if the Leader delegates functions to the Cabinet, then the Cabinet may delegate further to a Committee of the Cabinet or to an Officer.
- 6.9 Unless the Leader directs otherwise, a Committee of the Cabinet to whom functions have been delegated by the Leader may delegate further to an Officer.
- 6.10 Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.
- 6.11 The Leader may amend the scheme of delegation relating to executive functions at any time during the year. To do so, the Leader must give written notice to the Chief Executive and to the person, body or Committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, Committee or the Executive as a whole. The Chief Executive will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.
- 6.12 Where the Leader seeks to withdraw delegation from a Committee, notice will be deemed to be served on that Committee when he/she has served it on its Chairman.
- 6.13 Where a Cabinet member would normally exercise executive functions delegated to him/her in respect of any matter but is unable to do so because of absence or indisposition, a decision on the matter may be taken by the Leader, by the Cabinet or by a Committee of the Cabinet.
- 6.14 Where a Cabinet member would normally exercise executive functions

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delegated to him/her in respect of any matter but has a prejudicial interest in that matter as defined in the Members' Code of Conduct he/she shall not exercise those delegated powers in respect of that matter. A decision on the matter shall be taken by the Cabinet or a Committee of the Cabinet and the normal rules for declaration of interests at meetings shall apply.

Conflicts of Interest

- 6.15 Where the Leader has a conflict of interest this should be dealt with as set out in the Members' Code of Conduct.
- 6.16 If every member of the Cabinet has a conflict of interest this should be dealt with as set out in the Members' Code of Conduct.
- 6.17 If the exercise of an executive function has been delegated to a Committee of the Cabinet, an individual Member or an Officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Member' Code of Conduct.

Cabinet Membership and Portfolios

(7 Members) Cllrs. Hogarth (Chairman), Perry Cole, Dyball, Horwood, Maskell, Roy, and Thornton.

Portfolios for 2024/25

Cllr Michael Horwood - Portfolio Holder for Improvement & Innovation

Policy, Performance, Communications, Customer Service, Business Transformation, Special Projects, Digital, Workforce, Economic Development & Regeneration, Equalities, Members, Wellbeing

Cllr Kevin Maskell- Portfolio Holder for Finance & Investments

Corporate Governance, Financial Strategy, Local Tax, Procurement, Strategic Risk, Tax & Benefits, Fraud Prevention, Operational Assets. Business Continuity, Investments, Legal, Wellbeing

Cllr Lesley Dyball - Portfolio Holder for People & Places

Community Plan, Community Safety, Town Centres, Tourism, West Kent Partnership, WK Leader, Community Grants, Safeguarding, Youth, Parishes, Leisure Activities, Wellbeing

Cllr Perry Cole - Portfolio Holder for Housing & Health

Housing Strategy & Policy, Housing Standards, Housing Needs, Homelessness, Empty Homes, Gypsy and Traveller, DFG, Health, Energy Efficiency, Fuel Poverty, HERO, Wellbeing

Cllr Irene Roy - Portfolio Holder for Cleaner & Greener

Direct Services, Street Cleansing, Waste & Recycling, CCTV, Environmental Health, Green Spaces, Parking, Pest Control, Licensing, Emergency Planning, Air Quality, Delivery Partner Assurance, Climate Change, Wellbeing

Cllr Julia Thornton - Portfolio Holder for Development & Conservation

Development Control, Local Plan, Planning Policy, Conservation, Development Services, Building Control, Transport Policy, Planning Enforcement, Wellbeing

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APPENDIX

Chairmen, Vice-Chairmen and Membership of Council Committees

2024-25

Appointments Committee

(10 Members: 6 Conservatives, 3 Liberal Democrats, 1 Green Party)

Cllrs: Perry Cole, Dyball, Horwood, Hogarth, Leaman, Maskell, Manamperi, Shea, Skinner and Thornton

(Please note the election of the Chairman will take place at the first meeting of the Committee in the municipal year.)

Audit Committee

(9 Members: 6 Conservatives, 2 Liberal Democrat, 1 Green Party, Plus 2 Non-Voting, Co-opted)

Chairman: Cllr Penny Cole

Vice Chairman: Cllr Malone

Cllrs. Baker, Haslam, Layland, Lindop, Skinner, Robinson and Williamson

Non-voting Co-opted Members: Mo Chughtai and a Vacancy

Development Management Committee

(19 Members: 12 Conservatives, 5 Liberal Democrats, 1 Green Party, 1 Sevenoaks Independent)

Chairman: Cllr Williamson

Vice-Chairman: Cllr Williams

Cllrs. Baker, Ball, Barnett, Barker, Bayley, Camp, P. Darrington, Edwards-Winser, Granville, Horwood, Hudson, Layland, Malone, Reay, Silander, Purves, Shea

Governance Committee

(7 Members: 5 Conservatives, 2 Liberal Democrat)

Chairman: Cllr McArthur

Vice-Chairman: Penny Cole

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Cllrs. Barnes, Barnett, Clayton, Scott and Skinner

Health Liaison Board

(8 Members: 5 Conservatives, 2 Liberal Democrat, 1 Green Party)

Chairman: Cllr Scott

Vice-Chairman: Cllr Penny Cole

Cllrs. Perry Cole, G. Darrington, Ferrari, Manston, Shea, Streatfeild

Homelessness Review Board

(3 Members: to be drawn from the Council – 2 Conservatives, 1 Liberal Democrat)

Cllrs. Gustard, Harrison and Perry Cole (PH)

Licensing Committee

(13 Members: 8 Conservatives, 3 Liberal Democrat, 1 Green, 1 Independent)

Chairman: Cllr Clack

Vice-Chairman: Cllr Abraham

Cllrs. Barnes, Barnett, Clayton, Edwards-Winsor, Esler, Haslam, Ferrari, Leaman, Lindop, Skinner and Waterton

Scrutiny Committee

(11 Members: 7 Conservatives, 3 Liberal Democrat, 1 Green Party)

Chairman: Cllr Esler

Vice-Chairman: Cllr Haslam

Cllrs. Penny Cole, Ferrari, Leaman, Lindop, Layland, McArthur, Robinson, Skinner and Williamson

Standards Committee

The Standards Committee will be composed of:

7 Members other than the Leader of the Council and no more than 1 Member selected from a particular Parish Boundary.

(7 Members: 4 Conservatives, 2 Liberal Democrat, 1 Green Party)

Only one Member out of the above seven Members to be an Executive Member without being a Chair of the Committee as Standards is a Council function as opposed to an Executive function (s.27(8), Part 1, Chapter 7 of the Localism Act 2011.

Up to 2 co-opted Members of a parish or town council (a parish/town council member)

Chairman: Cllr. Bulford

Vice-Chairman: Cllr Grint

Cllrs. Penny Cole, Barker, Leaman, Maskell and Robinson

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SEVENOAKS DISTRICT COUNCIL - DRAFT CALENDAR OF MEETINGS 2024/25

	APRIL 2024			MAY 2024				JUNE 2024					JULY 2024			
MONDAY	15	22	29	6 PUBLIC HOLIDAY	13	20	27 PUBLIC HOLIDAY	3	10	17	24	1	8	15	22	
TUESDAY	16 Audit	23 Council	30	7	14 Annual Council Sp. Cabinet Sp. Licensing Sp. Audit	21 Finance & Investment Advisory Cttee	28 PUBLIC HOLIDAY	4 Housing & Health Advisory Cttee	11 Seveoaks JTB	18 People & Places Advisory Cttee	25	2 Scrutiny	9 Audit Cttee	16 Cabinet	23	
WEDNESDAY	17	24	1	8	15	22	29	5 Health Liaison Board (2pm)	12 Licensing Cttee	19	26	3	10	17	24	
THURSDAY	18 Cabinet	25 DMC	2 PCC elections	9	16	23 DMC	30	6	13 Cabinet	20 DMC	27 Improvement & Innovation Advisory Cttee	4 Cleaner & Greener Advisory Cttee	11 Governance (2:30pm)	18 Development and Conservation Advisory Cttee	25 Council	
FRIDAY	19	26	3	10	17	24	31	7	14	21	28	5	12	19	26	

	AUGUST 2024					SEPTEMBER 2024					OCTOBER 2024				NOVEMBER 2024	
MONDAY	29	5	12	19	26 PUBLIC HOLIDAY	2	9	16	23	30	7	14	21	28	4	
TUESDAY	30	6	13	20	27	3	10	17 Finance & Investment Advisory Cttee	24 Housing & Health Advisory Cttee	Development and Conservation Advisory Cttee	1 People & Places Advisory Committee	8 Audit Cttee	15 Cabinet	22	29 Housing & Health Advisory Cttee	
WEDNESDAY	31	7	14	21	28	4	11	18 Seveoaks Joint Transportation Board	25	2 Seveoaks Joint Transportation Board	9	16	23	30	6	
THURSDAY	1	8	15 DMC	22	29	5 DMC	12 Licensing Cttee	19 Cabinet	26 DMC	3 Improvement & Innovation Advisory Cttee	10	17 DMC	24 Finance & Investment Advisory Cttee	31	7 DMC	
FRIDAY	2	9	16	23	30	6	13	20	27	11	18	25	1	8		

Key (Most meetings start at 7pm UNLESS indicated otherwise and are held at the Council Offices in Argyle Road - please check the Council website for details.)

- Council
- Development Mangement Committee (DMC)
- Licensing Committee
- Audit Committee
- Scrutiny Committee
- Governance Committee
- Standards Committee
- Cabinet
- Finance & Investment Advisory Committee
- Improvement & Innovation Advisory Committee
- Housing & Health Advisory Committee
- People & Places Advisory Committee
- Cleaner & Greener Advisory Committee
- Development & Conservation Advisory Committee
- Joint Transportation board
- Health Liaison Board - 2pm

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SEVENOAKS DISTRICT COUNCIL - DRAFT CALENDAR OF MEETINGS 2024/25

As at 23/04/24

NOVEMBER 2024				Dec-24				JANUARY 2025					FEBRUARY 2025	
MONDAY	11	18	25	2	9	16	23	30	6	13	20	27	3	10
TUESDAY	12	19	26	3	10	17	24	31	7	14	21	28	4	11
	Cleaner & Greener Advisory Cttee	Council	Improvement & Innovation Advisory Cttee		People & Places Advisory Committee	Sevenoaks Joint Transportation Board			Finance & Investment Advisory Cttee	Licensing Cttee	Housing & Health Advisory Cttee	Governance Committee	Standards	Scrutiny Cttee
WEDNESDAY	13	20	27	4	11	18	25	1	8	15	22	29	5	12
				CIL Spending Board			Public Holiday	Public Holiday		Health Liaison Board (2pm)				
THURSDAY	14	21	28	5	12	19	26	2	9	16	23	30	6	13
	Cabinet	Scrutiny Cttee	DMC	Development & Conservation Advisory Cttee	Cabinet	DMC	Public Holiday		DMC	Cabinet	audit	DMC	Governance (2:30p) Developmet and Conservation Advisory Cttee	Cabinet
FRIDAY	15	22	29	6	13	20	27	3	10	17	24	31	7	14
MONDAY	17	24	3	10	17	24	31	7	14	21	28	5	12	19
TUESDAY	18	25	4	11	18	25	1	8	15	22	29	6	13	20
		Council (budget)	People & Places Advisory Cttee	Licensing Cttee	Scrutiny Cttee	Sevenoaks Joint Transportation Board	Development & Conservation Advisory Cttee		Development and Conservation Advisory Cttee	Cabinet	Council		Annual Council Sp. Cabinet Sp. Licensing Sp. Audit	
WEDNESDAY	19	26	5	12	19	26	2	9	16	23	30	7	14	21
THURSDAY	20	27	6	13	20	27	3	10	17	24	1	8	15	22
	DMC	Improvement & Innovation Advisory Cttee	Audit	DMC	Cabinet	Finance & Investment Advisory Cttee	DMC			Improvement Advisory Cttee	KCC elections			DMC
FRIDAY	21	28	7	14	21	28	4	11	18	25	2	9	16	23
								Public Holiday						

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Key (Most meetings start at 7pm and are held at the Council Offices in Argyle Road - please check the Council website for details.)

- Council
- Development Mangement Committee (DMC)
- Licensing Committee
- Audit Committee
- Scrutiny Committee
- Governance Committee
- Standards Committee
- Cabinet
- Improvement & Innovation Advisory Committee
- Housing & Health Advisory Committee
- People & Places Advisory Committee
- Cleaner & Greener Advisory Committee
- Development & Conservation Advisory Committee
- Development & Conservation Advisory Committee
- Joint Transportation board
- Health Liaison Board - 2pm

APPOINTMENTS TO OTHER ORGANISATIONS 2024/25 – NON-EXECUTIVE

Organisation	Appointed	Period of appointment	No. of Reps	Appointee(s) 2024/25
Age UK: Sevenoaks, Tonbridge & District	yearly	May 2024 - 25	1	Cllr Edwards-Winser
Armed Forces Representative	Yearly	May 2023 – 24	1	Cllr Abraham
Biggin Hill Airport Consultative Committee	yearly	May 2024 - 25	1	Cllr Williams
Bough Beech Reservoir Recreation Consultative and Management Advisory Committee	yearly	May 2024 - 25	1	Cllr Williams
Citizens Advice:				
Edenbridge & Westerham	yearly	May 2024 - 25	2	Cllr Layland Cllr Maskell
North & West Kent	yearly	May 2024 - 25	1	Cllr Dyball
Council for Voluntary Service: Northwest Kent	Yearly	May 2024 - 25	1	Cllr C. Morgan
Dartford & Gravesham NHS Trust Stakeholder Council	yearly	May 2024 - 25	2	Cllr Perry Cole Cllr Harrison
Dartford, Gravesham & Swanley Health and Care Partnership Ageing Well and Dying Well Board	yearly	May 2024 - 25	1	Cllr Perry Cole
RELATE: West Kent & Tunbridge Wells	yearly	May 2024 - 25	1	Vacancy
Sevenoaks District Access Group	yearly	May 2024 - 25	2	Cllr Scott Cllr C. Morgan
Sevenoaks Town Neighbourhood Plan Monitoring and Implementation Group	yearly	May 2024 - 25	1	Cllr Hogarth

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Organisation	Appointed	Period of appointment	No. of Reps	Appointee(s) 2024/25
Volunteer Bureau:				
Sevenoaks Volunteer Transport Group	yearly	May 2024 - 25	1	Cllr Clack
Edenbridge Volunteer Transport Service	yearly	May 2024 - 25	1	Cllr Layland
North West Kent Volunteer Centre (Swanley)	yearly	May 2024 - 25	1	Vacancy

Election of Leader of the Council

Annual Council – 14 May 2024

Report of: Deputy Chief Executive and Chief Officer Customer & Resources

Status: For Decision

Key Decision: No

Contact Officer: Charlie Sinclair, Ext.7165

Recommendation to Annual Council:

To elect the Leader of the Council.

Introduction and Background

Following notification of the resignation of the Leader of the Council, as set out within the Constitution it is a function of Full Council to make the appointment.

Key Implications

Financial

None directly arising from this report.

Legal Implications and Risk Assessment Statement

None directly arising from this report.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero 2030

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

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Appendices

None

Background Papers

[Council's Constitution](#)

Jim Carrington-West

Deputy Chief Executive and Chief Officer Customer & Resources