

COUNCIL
21 July 2015 at 7.00 pm

Further to the recent despatch of agenda and papers for the above meeting, please find the following item(s) which were marked as 'to follow':

- 6. a) Otford Palace Tower (replacement page 19)
- 6. b) Property Investment Strategy (replacement page 63)
- 7. a) The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 - Appointment and Dismissal of Senior Officers (replacement page 75)
- 7. b) Kent County Council Electoral Division Review (replacement page 89)

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Item 6 (a) – Otford Palace Tower

The attached report was considered by the Cabinet. The relevant minute extract is below:

Cabinet – 16 July 2015 (Minute 15)

The Portfolio Holder for Finance presented a report which outlined the immediate requirement to maintain the structural stability of the Otford Palace Tower and requested that Cabinet recommend to Council that the works be authorised with the appropriate budget totalling £130,699 allocated from the General Fund Reserve. These works would stabilise the fabric of the Otford Palace Tower, and future use of the building and any subsequent works required would be looked at separately with Members and in conjunction with the community.

The Chief Officer Corporate Support further confirmed the Council had a responsibility to maintain any scheduled monuments it owned. The proposal covered those works considered urgent and essential stabilisation works as set out in paragraphs 6.1 and 6.3 of the recommendation in the Appendix to the report.

The Cabinet was addressed by a local Member in support of the recommendation to Council and by a representative of the Otford Society asking that Otford Tower be brought to good health for the community.

Public Sector Equality Duty

Members noted the consideration given to impacts under the Public Sector Equality Duty.

Resolved: **That it be recommended to Council** to approve allocation of £130,699 from the General Fund Reserve for the completion of essential stabilisation works at the Otford Palace Tower.

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Item 6 (b) – Property Investment Strategy

The attached report was considered by the Cabinet. The relevant minute extract is below:

Cabinet – 16 July 2015 (Minute 16)

The Portfolio Holder for Finance presented a report which requested additional funding to enable further property acquisitions to help ensure that the Council remained in a financially sustainable position going forwards. The Property Investment Strategy had been approved by Council on 22 July 2014 to support the aim of becoming more financially self-sufficient as Government Support continued to reduce. Initial acquisitions had been successful in taking the Council some way towards this aim. The Treasury Management Strategy would be amended to allow a further £10 million to be invested in 2015/16. The Chairman added that he considered financial self-sufficiency was essential.

In response to a question the Chief Finance Officer advised that a business case would need to be presented for each investment and the appropriate funding options would be considered.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: **That it be recommended to Council** that

- a) a further £10m for the Property Investment Strategy be set aside from borrowing; and
- b) the Amendment to the Treasury Management Strategy 2015/16, be approved.

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Item 7 (a) – The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 – Dismissal of Statutory Officers

The attached report was considered by the Governance Committee, relevant minute extract below:

Governance Committee – 13 July 2015 (Minute 6)

The Chief Officer Legal & Governance introduced a report which advised that, due to recent legislative changes, the Council was required to amend its standing orders with regard to the dismissal of its Head of Paid Service, Monitoring Officer or Section 151 Officer (the statutory officers) no later than the first ordinary meeting of the Council falling after 11 May 2015.

The Chief Officer Legal & Governance advised that previously disciplinary action had to be in accordance with a report of a designated independent person, who had to be appointed jointly by the Council and the statutory officer. This joint appointment process could cause delays. There was now instead to be a panel appointed which would include the two independent persons appointed for the Member Conduct regime.

In response to questions the Officer confirmed that there was no limit to the number of further appointments which could be made to the panel which could also include Members or non-Members. Any Members would have to be appointed on a politically proportional basis. Further clarification on how the panels would work in practice was expected in any future guidance published by the Department for Communities and Local Government.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: **That Council be recommended** to approve the amendments to Officer Employment Procedure Rules (Appendix M of the Constitution) and paragraph 6 of the Constitution entitled “Functions of the Full Council” within Part 2 – The Council and District Council Members, in relation to the dismissal of statutory officers, attached as an appendix to the report.

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Item 7 (b) – Kent County Council Electoral Division Review

The attached report was considered by the Legal & Democratic Advisory Committee on 2 July 2015 and the Governance Committee on 13 July 2015, relevant minute extracts below:

Governance Committee – 13 July 2015 (Minute 4)

The Electoral Services Manager presented a report which advised that on 12 May 2015 the Local Government Boundary Commission for England (LGBCE) had issued a consultation document on its draft proposals for new county council division boundaries for Kent County Council (KCC). The review was being conducted as KCC currently had high levels of electoral inequality where some councillors represented many more or many fewer voters than others. The aims of the review were to improve electoral equality, reflect community identities and provide for effective and convenient local government. There was proposed to be a reduction of one division and one member for representation within the Sevenoaks District.

The consultation period was due to end on 6 July (an eight-week period) which would not have allowed time for a formal response from this Council without special meetings of Governance Committee and Full Council being called. The Chief Executive had written to the LGBCE who had agreed to an extension to 22 July (the day after full Council on 21 July 2015) on the basis that a draft of what would be considered by Council on that date could be sent to them by 6 July and notified on 22 July of any changes made at Council. To this effect the report had been considered by the Legal & Democratic Advisory Committee on 2 July 2015 in order to inform the Portfolio Holder for Legal and Governance and allow a holding response to be sent. The [minute](#) from that meeting was tabled along with the [holding response](#) which had been sent, expressing that meeting's preference for alternative option 3.

Members considered and discussed all the proposals, in particular whether they agreed with the preference given in the holding response.

With regards to the alternative option 3 it was noted that it made sense for the denser population centres of Swanley and Sevenoaks to be clearly represented by single County Council members while Westerham would fit neatly into an "A25 corridor" division together with Brasted and Sundridge with Ide Hill. The suggested Sevenoaks Rural North East division, in this option, appeared a cohesive area. It was agreed that the Rural designations of Sevenoaks Rural South and Sevenoaks Rural North East helped to provide distinction for these areas from Sevenoaks Town.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

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Resolved: **That it be recommended to Council** that Council confirm the holding response sent to the Local Government Boundary Commission for England on 3 July 2015 with alternative option 3, along with the alternative proposed division names also detailed on that map, as the preferred option.

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