



Sevenoaks
DISTRICT COUNCIL
Despatched: 05.03.14

GOVERNANCE COMMITTEE
13 March 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

	<u>Pages</u>	<u>Contact</u>
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Committee held on 29 January 2014, as a correct record.	(Pages 1 - 4)	
2. Declarations of Interest Any interest not already registered		
3. Actions arising from the last meeting (if any)		
4. Community Governance Review	(Pages 5 - 14)	Ian Bigwood Tel: 01732 227242
5. Polling Districts and Polling Places Review	(Pages 15 - 38)	Ian Bigwood Tel: 01732 227242
6. Review of New Governance Arrangements	(Pages 39 - 60)	Christine Nuttall Tel: 01732 227245
7. Recorded Votes at Budget Meetings	(Pages 61 - 68)	Lee Banks Tel: 01732 227161
8. Recording of meetings	(Pages 69 - 74)	Christine Nuttall Tel: 01732 227245
9. Work Plan	(Pages 75 - 76)	

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.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

The Democratic Services Team (01732 227241)

GOVERNANCE COMMITTEE

Minutes of the meeting held on 29 January 2014 commencing at 7.00 pm

Present: Cllr. Mrs. Davison (Chairman)

Cllr. Scholey

Cllrs. Mrs. Cook, London, Mrs. Morris, and Walshe

An apology for absence was received from Cllr. Fittock.

23. Minutes

Resolved: That the minutes of the meeting of the Governance Committee held on 5 November 2013 be approved and signed as a correct record.

24. Declarations of Interest

Councillor London declared an interest in that he was a member of a trade union and did not believe this was on his current disclosable interest form.

25. Actions arising from the last meeting

The actions from the last meeting were noted.

26. Review of Members' Allowances

The Head of Finance presented the report which reminded Members that 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 had 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. A Working Group had been established to further review the allocation of special responsibility allowances and was recommending that a special responsibility allowance should be paid to all vice-chairmen to reflect their share of the workload and level of responsibility. The Working Group recommendation was for the allowances for Chairmen agreed by Council on 1 October 2013, to now be 'top-sliced' by 20% and that amount be paid to the Vice Chairman.

In relation to the Audit Committee as there was currently no Vice Chairman no top slicing would take place at this moment in time.

The Committee further considered whether an allowance should be paid to the Chairman of Standards Committee as an allowance had not been agreed for this role at the meeting of Council on 1 October. It was proposed that as the Committee met only once a year only a proportion of the sum already paid to other Chairmen should be made. It was felt that half of this allowance would be most appropriate and this allowance would be top-sliced in the same way and paid to the Vice Chairman

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Governance Committee - 29 January 2014

It was noted that the Scrutiny Chairman had been given an allowance at Council and that there was an error on the appendix to the report. This has now been rectified as set out below.

Resolved: That it be recommended to Council that, from the date of the resolution,

- a) an allowance be paid to the Chairman of Standards Committee, half of that currently paid to the other committee chairmen; and
- b) the allowances for all Chairmen be 'top-sliced' by 20% and paid to the Vice Chairman as set out below:

Description of Allowance	Proposed Allowances per Member/ Responsibility
	(£)
Chairmen	
Advisory Committees (x5) -	2,057
Audit – (*top sliced if a Vice Chairman appointed)	2,571*
Development Control	3,085
Governance	2,057
Health Liaison Board	2,057
Licensing	2,057
Sevenoaks Joint Transportation Board	2,057
Scrutiny	2,057
Standards	1,029
Vice Chairmen	
Advisory Committees (x5)	514
Development Control	771
*Audit (if a Vice Chairman appointed), Governance, Health Liaison Board, Licensing, Scrutiny, Joint Transportation Board	514
Standards	257

27. Openness and transparency on personal interests

The Chief Legal and Governance Officer presented a report which advised that the Department for Communities and Local Government (DCLG) had published revised guidance on personal interests with respect to membership of trade unions which required a slight amendment to the Council's Code of Conduct. Also attached for information was additional guidance that had been published in relation to openness and transparency on personal interests, which confirmed that the DCLG's view was that a dispensation was 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 noted this clarification.

Resolved: That it be recommended to Council that

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

28. Recording of meetings

The Chief Officer Legal & Governance presented a report outlining the recommendations of the working group who considered that the recording of Council meetings in the Council Chamber could be feasible as this was an area already wired for sound. The I.T. Department were looking into the practicalities some testing needing to take place and the costs evaluated. Members also discussed the need for a retention policy on the recordings. It was confirmed that storage would not be an issue.

Resolved: That the recording of meetings held in the Council Chamber be recommended for approval in principle subject to final details on feasibility and costings.

29. Review of New Governance Arrangements - Members' Survey

The Chief Officer Legal and Governance, presented a report detailing the "First Impressions of the New Governance Structure" questionnaire results and providing a summary of the initial views of the Working Group. The Governance Committee had been 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 1 April 2014.

The Working Group had agreed that a further simpler survey was needed to help clarify some points. The response to the first survey had also been disappointing. The Chairman had also contacted all deputy cabinet members and had received only two responses. Councillor Mrs Morris tabled a draft questionnaire which Members discussed and made a number of amendments to. Members thanked her for her work.

Members discussed the current 'pool' membership system of the Scrutiny Committee and agreed it was difficult to work and led to confusion. The Chief Officer Legal and Governance advised that whilst it had not been legally tested in the courts, the current system may not delineate sufficiently between the roles of Scrutiny and Cabinet. Members were in agreement that a fixed membership of 11 members not on any advisory committee would be more desirable and effective. A fixed pool would allow knowledge and training to be built upon. Legally there would be a clear demarcation between Cabinet and Scrutiny. Less cabinet advisory committees meeting more regularly

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may also be more appropriate and would allow a member to sit on more than one cabinet advisory committee.

It was agreed that the Working Group would need to meet again before the next committee meeting in order to formulate recommendations to be considered at that meeting ready to report to Council on 1 April 2014. Meetings of the working group were agreed as Thursday 13 February 2014 at 5 p.m., and Monday 24 February 2014 at 2 p.m.

Resolved: That the report be noted and the new questionnaire given to the Head of Transportation and Strategy to circulate as soon as possible with a two week return date.

30. Work Plan

The work plan was noted.

THE MEETING WAS CONCLUDED AT 8.17 PM

CHAIRMAN

COMMUNITY GOVERNANCE REVIEW

Governance Committee – 13 March 2014

Report of Chief Officer for Legal and Governance

Status: For Decision

Also considered by: Council - 1 April 2014

Key Decision: No

Portfolio Holder Cllr. Fleming

Contact Officer(s) Ian Bigwood – Ext. 7242

Recommendation to Governance committee: That it be recommended to Council that

- (a) a community governance review be undertaken in the Parish of Shoreham to investigate the creation of a new parish ward;
- (b) a community governance review be undertaken to investigate the boundary between the parishes of Chevening and Sevenoaks Weald in the vicinity of Bowzell Green; and
- (c) the terms of reference for the review set out in appendix C to the report be adopted.

Recommendation to Council: That

- (a) that a community governance review be undertaken in the Parish of Shoreham to investigate the creation of a new parish ward;
- (b) that a community governance review be undertaken to investigate the boundary between the parishes of Chevening and Sevenoaks Weald in the vicinity of Bowzell Green; and
- (c) that the terms of reference for the review set out in appendix C to the report be adopted.

Reason for recommendation: representations have been received from Shoreham Parish Council to create a new ward of the parish and from Chevening Parish Council to amend its boundary.

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Introduction

- 1 District Councils are required to keep parish council governance under constant review. Representations have been received from the parish councils of Shoreham and Chevening.
- 2 Notwithstanding that a community governance review for the whole of the Sevenoaks District was carried out in 2012, there is an opportunity to deal with these requests and make any recommended changes in time for the local government elections in May 2015.

Shoreham Parish Council Proposal

- 3 The Shoreham Parish Council proposal to create an additional ward (The Romney Street Ward) of the parish is at appendix A and a map showing the proposed boundary is at appendix B (the plotted parish boundaries are effective from 1st April 2015). The number of electors within the proposed new ward is 159 (February 2014). There is support from one of the local District Council members and there appears to be support from some local residents.

Recommendation

- 4 There appears to be sufficient interest in the creation of a new parish ward for the District Council to undertake a community governance review. The District Council is required to consult interested parties. There are costs involved in having wards within parishes (e.g. separate elections) so it is suggested that all households within the Parish of Shoreham are written to, asking for their views on this proposal.

Chevening Parish Council Proposal

- 5 The occupants of four properties in the Bowzell Green area have suggested they transfer from Chevening Parish into Sevenoaks Weald Parish as they have a greater affinity with the Weald community. Both Chevening Parish Council and Sevenoaks Weald Parish Council support the proposal.

Recommendation

- 6 This is a minor proposal from a handful of residents which has the support of the two parish councils involved. A community governance review can be held alongside the Shoreham Parish Council review.

Recommendation

- 7 The Local Government and Public Involvement in Health Act 2007 (LGPIH) requires the District Council to draw up terms of reference for a community governance review. The review begins when the District Council publishes the terms of reference. The suggested terms are attached as appendix C and include a timetable for the review and intended consultees.

Key Implications

Financial

There are no cost implications for the District Council in conducting a community governance review apart from staff resources.

Legal Implications and Risk Assessment Statement.

District Councils are required to keep parish council governance under review. There is an opportunity to review these two matters before the next scheduled parish council elections.

Equality Impacts

Part of the purpose of the LGPIH is to ensure that from time to time a review of boundaries is undertaken to bring about better local democracy and fair representation within communities. The review therefore has a positive contribution of promoting equality.

Conclusions

The proposals from Shoreham and Chevening Parish Councils appear to have merit and it seems sensible for the District Council to conduct a community governance review ahead of the next full parish council elections in May 2015 when any amendments to existing arrangements can be made effective.

Appendices

Appendix A – Shoreham Parish Council proposal

Appendix B – Proposed boundary of Romney Street Ward

Appendix C – Proposed terms of reference

Background Papers:

[Local Government and Public Involvement in Health Act 2007](#)

[Guidance on community governance reviews \(published jointly by the Department for Communities and Local Government and the Electoral Commission\) – April 2008](#)

Christine Nuttall
Chief Officer for Legal and Governance

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Shoreham Parish Council



Badgers Mount Shoreham Well Hill

Mr I Bigwood
Electoral Services Manager
Sevenoaks District Council
Council Offices
Argyle Road
Sevenoaks Kent TN13 1HG

2 October 2013

Dear Mr Bigwood

Re: Shoreham Parish Council

Shoreham Parish Council would like Sevenoaks District Council to consider making East Hill a separate ward within the Parish.

At present, the Parish consists of Badgers Mount, Well Hill, Shoreham Village and East Hill. Badgers Mount will be splitting off to form a separate Parish. Well Hill is already a separate ward. Shoreham Village and East Hill form the other ward.

East Hill is similar to Well Hill in both size and that it is separate from the village of Shoreham. It is a hamlet of houses with no meeting rooms or social areas. There is one pub and a church nearby. There is no Residents Association. Shoreham Parish Council is very concerned that East Hill and Romney Street is somewhat isolated and to be designated as a ward with a Parish Councillor to represent the residents would be beneficial. District Councillor M Lowe has also indicated that she would support the proposal.

The Parish Council has sent out an additional newsletter at East Hill asking for the opinions of residents to this change and also attended a local fete to enable Parish Councillors to speak to local residents about the possibility of becoming a separate ward. The only responses that have been received have been positive.

The eastern boundary of the new ward is suggested to follow the footpath from Upper Austen Lodge to the area between Magpie Bottom and Fackenden Lane.

The number of Parish Councillors for the new Shoreham Parish would be as follows:
6 Parish Councillors for Shoreham Ward, 1 Parish Councillor for Well Hill Ward and 1 Parish Councillor for East Hill Ward – 8 in total.

The Polling Station for East Hill Ward is proposed to be the Fox and Hounds Public House in Romney Street.

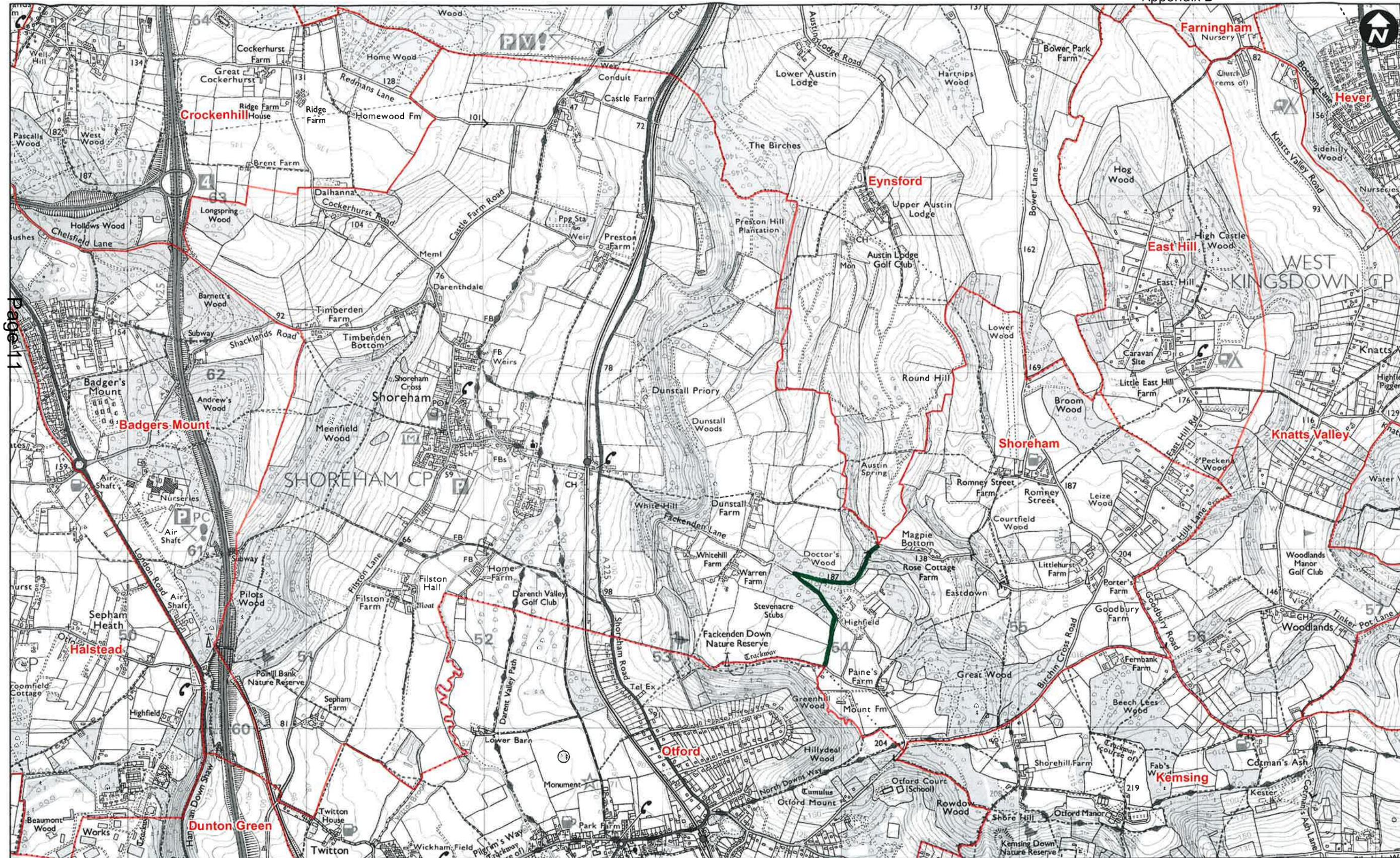
Shoreham Parish Council would appreciate it if this proposal could be looked at favourably.

Yours sincerely

Sharon Palmer
Clerk to Shoreham Parish Council

Clerk: Mrs S Palmer, 3 St Edith Court, Kemsing, Sevenoaks, Kent, TN15 6JQ
Tel: 07912 611048, E-mail: clerk2012@shorehamparishcouncil.gov.uk
www.shoreham.org.uk

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Shoreham Parish Ward

Scale: 1:20,000
Date: December 2013

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Sevenoaks District Council, 100019426, 2012.

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Community Governance Review

Terms of Reference

Sevenoaks District Council has resolved to undertake a community governance review to consider the creation of a new ward of the Parish of Shoreham and the boundary between the parishes of Chevening and Sevenoaks Weald in the vicinity of Bowzell Green. The District Council will be guided by the relevant legislation and guidance, in particular the Local Government and Public Involvement in Health Act 2007 and Guidance on Community Governance Reviews (published jointly by the Department for Communities and Local Government and the Electoral Commission).

Why is the District Council undertaking the review?

Although the District Council carried out a review of the whole of the Sevenoaks District in 2011/12, there is an opportunity to consider a couple of minor issues raised subsequently by Shoreham and Chevening Parish Councils and implement any recommended changes ahead of the parish council elections in May 2015.

What is a community governance review?

It is an opportunity for interested persons to consider how local communities are represented by considering:

- creating, merging, grouping, altering or abolishing parishes
- the naming of parishes and the style of new parishes
- the electoral arrangements for parishes (overall number of councillors, parish warding and number of councillors for those wards)

Parish governance in the Sevenoaks District Council area

Parish councils, representing local communities, cover the whole of the Sevenoaks District Council area. The District Council believes that parish councils play an important role in terms of community empowerment at the local level and is keen to ensure that parish governance in the Sevenoaks District continues to be robust, representative and enabled to meet the challenges ahead. Government guidance states that “Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.”

How will the District Council publicise the review?

The District Council will publicise the review by displaying a notice at the Council Offices in Sevenoaks and Swanley, placing articles on the District Council’s website and by issuing local news releases. Specifically, the District Council will write to all households in the existing Shoreham and Well Hill wards of Shoreham Parish and those affected in the vicinity of Bowzell Green, to the relevant parish councils, District Councillors, County Councillors and MP and also to Kent County Council.

Cont. over

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What does the District Council expect from interested persons?

Anyone may make representations to the District Council and those views will be put before Members of the District Council at meetings of the Governance Committee. The District Council would like to ensure that:

- electors are able to identify clearly with the parish in which they are resident because it considers this sense of identity and community gives strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government and generates a strong, inclusive community with a sense of civic values, responsibility and pride
- parishes reflect distinctive and recognisable communities of interest, with their own sense of identity
- boundaries between parishes will normally reflect the “no-man’s land” between communities represented by areas of low population or pronounced physical barriers

Timetable for the review

Action	Date
Commencement of review	Wednesday, 2 nd April 2014
Deadline for submitting views	Friday, 30 th May 2014
Submissions considered by the District Council’s Governance Committee and by Council	July 2014
Publication of the District Council’s draft proposals	End of July 2014
Deadline for submitting views on the District Council’s draft proposals	End of August 2014
Further submissions considered by the Governance Committee	September 2014
Meeting of the full Council to confirm the District Council’s final proposals	November 2014
Publication of the District Council’s recommendations	Before end November 2014
Effective date of any changes to parish boundaries and electoral arrangements	Thursday, 7 th May 2015 (next full parish council elections)

How to submit your views

In writing to	Ian Bigwood, Electoral Services Manager, Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks TN13 1HG
By e-mail to	elreg@sevenoaks.gov.uk

Dated 2nd April 2014

POLLING DISTRICTS AND POLLING PLACES REVIEW

Governance Committee – 13 March 2014

Report of Chief Officer for Legal and Governance

Status: For Decision

Also considered by: Council – 1 April 2014

Key Decision: No

Portfolio Holder Cllr. Fleming

Contact Officer(s) Ian Bigwood – Ext. 7242

Recommendation to Governance Committee: That the polling scheme shown as appendix A be approved.

Recommendation to Council: That the polling scheme shown as appendix A be approved.

Reason for recommendation: a review of polling districts and polling places is required by law to be carried out by 31st January 2015.

Introduction and Background

- 1 District councils are required to complete a review of polling districts and polling places ahead of each five yearly Parliamentary General election; the deadline for completion of this particular review is 31st January 2015. The Electoral Commission recommends that this review should be undertaken outside other busy periods of the electoral timetable and should be effective with the publication of the next revised register of electors on 1st December 2014.
- 2 District councils are required to divide their area into polling districts for the purpose of elections and to designate polling places for these polling districts. The aim should be to provide a polling place for every polling district that is easily accessible to all electors, including those with disabilities. Each parish has to have a separate polling district.
- 3 In Sevenoaks, we have taken the view over the years that we should avoid the use of school premises wherever possible because of the potential disruption to schooling. As a result, at the May 2013 elections only four schools were used as polling places and in each instance the school was able to continue as near normal. Also, when selecting new venues, consideration must be given to the assured availability of the premises even at short notice.

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- 4 Wherever possible at polling places that have access issues, polling staff direct voters to an alternative entrance or set up ramps (where appropriate) in liaison with the caretaker of the premises.
- 5 As part of this review, the Returning Officer (RO) for the Sevenoaks District is required to comment upon the existing polling stations (i.e. the room or building where polling takes place) and upon any new proposals. Generally, the RO considers that no more than 1800 electors should be allocated to one polling station as it would be administratively difficult for the usual team of polling staff (comprising one presiding officer and two poll clerks) to handle more than this number. However, on the occasion of polling for multiple elections on the same day (as in 2011 and again in 2015), the RO always reviews staffing levels.

The Process to Date

- 6 The review commenced on 25th November 2013 and notice was given in the following ways:
 - Publishing a notice in each of the 3 parliamentary constituencies comprising the Sevenoaks District
 - Entry on the District Council's website
 - Local news release
 - Letter to all elected representatives covering the Sevenoaks District Council area (except parish councillors)
 - Letter to all parish councils
 - Letter to local political associations
- 7 The notice (appendix B) invited electors within the Sevenoaks District and all the above consultees to submit representations by 28th February 2014. Persons or bodies making representations were requested to give alternative places that may be used for polling.

Options (and Reasons for the Recommendation)

- 8 Appendix A contains details of electorates by polling district, the proposed polling place and reason for the choice and details of the number of polling stations at each polling place. Consideration has been given to any forthcoming developments in the Sevenoaks District that might affect electorates over the next few years. As with all new developments of any significant size, the impact will be kept under constant review. There is no need to wait until the next five yearly review before taking action.

- 9 Bough Beech Polling District

Polling for Bough Beech residents has been held at Chiddingstone Village Hall since the closure of the Wheatsheaf Inn. This temporary arrangement will continue for 2014 pending more information as to the future of this building. If there is no long term solution by the autumn of 2014, then this polling district will be merged with Chiddingstone Village polling district with effect from the publication of the revised register of electors on 1st December 2014.

10 Dunton Green Polling District

The electorate of this polling district is approaching the threshold for a second polling station or an additional polling place. However, for 2014, the present arrangement of one polling station will be sufficient to deal with the likely turnout at this May's European Parliamentary election. Further study will be made ahead of the 2015 elections.

11 (Edenbridge) Spitals Cross Polling District

The newly built Eden Centre provides better polling facilities than the present venue of the Fircroft Tenants Association building and will be used for the first time at the European Parliamentary election.

12 (Sevenoaks) Holly Bush Polling District

St. John's C.E.P. School is no longer available to use as a polling venue. Walthamstow Hall is not available for this use. St. John's Church Hall provides good facilities and has been used as a polling place in the past. This change will be effective from the European Parliamentary election.

13 (Swanley) Birchwood Polling District

We have run out of polling venues in this polling district (3 having fallen by the wayside in recent years) and we are now suggesting that this polling district merges with White Oak polling district with effect from the publication of the revised register of electors on 1st December 2014. Birchwood electors will have to vote at the White Oak Bowls Centre at future elections, starting with the European Parliamentary election in May 2014.

14 West Kingsdown – Hever Polling District

The new West Kingsdown Village Hall is near completion and will be available for polling purposes with effect from the May 2015 elections (for May 2014 we have to continue to use the Pavilion/Library); we will be able to have two polling stations at this venue which is warranted by the number of electors.

Representations

15 Representations have been received as follows:

- The Tonbridge & Malling Constituency Association of the United Kingdom Independence Party supports the District Council's proposals in respect of the Tonbridge & Malling constituency;
- Edenbridge Town Council supports the change of polling venue from the Fircroft Tenants Association building to the Eden Centre; and
- Westerham Town Council supports the existing polling arrangements for Westerham and Crockham Hill.

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Key Implications

Financial

The proposed changes to polling arrangements may lead to a small saving in hire charges.

Legal Implications and Risk Assessment Statement.

There are no legal or human rights implications in this report.

There is a statutory obligation on district councils to conduct reviews of polling districts and polling places every five years. The present review has to be carried out between 1st October 2013 and 31st January 2015.

Equality Impacts

District councils are required to divide their area into polling districts for the purposes of elections and to designate polling places for these polling districts. The aim should be to provide a polling place for every polling district that is easily accessible to all electors, including those with disabilities.

Conclusions

There have been many reviews of polling arrangements over the years, often as a result of boundary changes or the implementation of policies, e.g. alternatives to schools and an increase in the provision of polling places to encourage turn-out. In between, a constant watch is kept on providing the best facilities available. Not surprisingly, therefore, this review proposes a minimum of changes; some have been enforced due to the non-availability of venues and some due to better facilities being available at alternative venues.

Appendices

Appendix A – polling scheme

Appendix B – notice of review

Background Papers:

[Review of Polling Districts and Polling Places \(Parliamentary Elections\) Regulations 2006](#)

[Representation of the People Act 1983](#)

[Electoral Commission Guidance](#)

Christine Nuttall
Chief Officer for Legal and Governance

Review of Polling Districts, Polling Places and Polling Stations

Proposals by Sevenoaks District Council

March 2014

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Ash (AA)	299	Ash Village Hall, The Street, Ash	In use at least since 1974 and well located in the village.	1	Electorate warrants only one station
Hodsoll Street & Ridley (AB)	429	Hodsoll Street & Ridley Village Hall, Hodsoll Street	In use at least since 1974 and situated in the heart of Hodsoll Street Village (though some distance from other community off the Gravesend Road).	1	Electorate warrants only one station
New Ash Green North West (AC)	2069	New Ash Green Youth Centre, Ash Road, New Ash Green	First used in 1981, replacing a mobile polling station situated elsewhere. Although located at one end of the polling district it is still close to all electors.	2	Electors exceed 1800
New Ash Green South East (AD)	2264	New Ash Green Village Hall, Centre Road, New Ash Green	Replaced school in 1976. Although located to one end of the polling district it is still close to all electors.	2	Electors exceed 1800

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Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Brasted (AE)	768	Brasted Village Hall, High Street, Brasted	Replaced school in 1977. Well located in village but poor parking. Tried pavilion at recreation ground (better parking) at 1997 by-election but, overall, this did not find favour with electors.	1	Electorate warrants only one station
Toys Hill (AF)	370	Toys Hill Hall & Chancel Kitchen, Puddledock Lane, Toys Hill	Venue for new polling district since 2003. Previously, part of Brasted polling district which meant a very long journey to the polling station. Poor access only marginally improved by setting up polling station in kitchen (so less steps) and providing hand rail. Not possible to install a ramp. Poll cards to electors state "Difficult access for disabled or infirm".	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Chevening (AG)	2364	Chevening Church Hall, Homedean Road, Chipstead	In use at least since 1974. Located at one end of main body of electors in Chipstead and Bessels Green. Suggestion of separate polling district for Bessels Green did not find favour locally in 2002.	2	Electors exceed 1800
Bough Beech (AH) This polling district was created following a periodic electoral (PER) review in 2001. Since then the designated polling place has become unavailable on two occasions and there are no further alternatives at present within this polling district.	239	Chiddingstone Primary School, Chiddingstone Village	Chiddingstone Village is adjacent to Bough Beech and this polling arrangement was used at the County Council elections in 2013 because the Wheatsheaf Public House had closed. We intend to continue this arrangement for the present.	1	Electorate warrants only one station
Chiddingstone Causeway (AI)	300	Chiddingstone Causeway Village Hall, Chiddingstone Causeway	To one end of polling district but no known alternative in rural area. Ramp provided by owners.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Chiddingstone Hoath (AJ)	169	The Rock Inn Public House, Chiddingstone Hoath	Replaced dilapidated hall in 1981. Access not ideal and site is to one end of polling district but no known alternative in rural area.	1	Electorate warrants only one station
Chiddingstone Village (AK)	205	Chiddingstone Primary School, Chiddingstone Village	Well located. School prefers this arrangement to the alternative of adjacent parish hall as latter is used by school for meals.	1	Electorate warrants only one station
Cowden (AL)	627	Cowden Memorial Hall, Chantlers Mead, Cowden	Replaced school (closed down) in 1983. Well located in village.	1	Electorate warrants only one station
Crockenhill (AM)	1336	Crockenhill Village Hall, Stones Cross Road, Crockenhill	Replaced school in 1981. Quite central to the village.	1	Electorate warrants only one station
Dunton Green (AN)	1754	Dunton Green Village Hall, London Road, Dunton Green	Replaced school in 1979. A little way away from the main body of electors but no alternatives have been suggested.	1	Electorate warrants only one station. Need to consider a second polling station upon the completion of the Cold Stores development and for 2015 also.

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Marlpit Hill (AO)	1572	St. Paulinus Church Centre, Hillcrest Road, Edenbridge	Replaced Men's Club in 1979. Well located in main area of electorate.	1	Electorate warrants only one station (for the 2015 triple election an additional poll clerk is required).
Marsh Green (AP)	336	St. John's United Reformed Church, Marsh Green	Venue for new polling district since review of Edenbridge polling arrangements in 1997. Located close to main area of electorate.	1	Electorate warrants only one station
Pound Green (AQ)	1080	Edenbridge Sports Pavilion, Lingfield Road, Edenbridge	Venue for new polling district since review of Edenbridge polling arrangements in 1997. Located at edge of main body of electors but not aware of any alternative.	1	Electorate warrants only one station
CHANGE OF POLLING PLACE Spitals Cross (AR)	1210	The Eden Centre, Four Elms Road, Edenbridge	A new build providing better facilities for the purposes of polling than the Fircroft Tenants' Assn.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Stangrove & South End (AS)	1760	Edenbridge Scout HQ, Station Road, Edenbridge	New site in 2003 after changes to District Ward boundaries. Not quite central to elongated polling district. Small step access – purpose built ramp provided.	1	Electorate warrants only one station (for the 2015 triple election consider a second polling station or additional poll clerks).
Town (Edenbridge) (AT)	924	Edenbridge W.I.Hall, Station Road, Edenbridge	Replaced school (no longer wished to be used) in 1981. Quite well located within polling district.	1	Electorate warrants only one station
Eynsford (AU)	1451	Eynsford Village Hall, High Street, Eynsford	Replaced school in 1981. Central to village.	1	Electorate warrants only one station
Farningham (AV)	1062	Farningham Village Hall, High Street, Farningham	In use at least since 1974 and well located in the village.	1	Electorate warrants only one station
Fawkham (AW)	447	Fawkham Village Hall, Valley Road, Fawkham	Central within Parish. Good parking. Replaced school in 1977.	1	Electorate warrants only one station
Halstead (AX)	1260	Halstead Pavilion, Station Road, Halstead	Replaced parish hall in 1997. Though not as central in village, it does provide better parking and facilities.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Hartley North (AY)	2251	Longfield & Hartley Scout HQ, Larkwell Lane, Hartley	Well located within polling district. First used in 1987 following boundary changes.	2	Electorate exceeds 1800
Hartley South (AZ)	2174	All Saints Church Centre, Ash Road, Hartley	Well located within polling district. Good parking. Replaced school in 1976.	2	Electorate exceeds 1800
Four Elms (BA)	487	Four Elms Village Hall, Ide Hill Road, Four Elms	Replaced school (no longer wished to be used) in 1981. Well located in village.	1	Electorate warrants only one station
Hever (BB)	487	Hever Village Hall, Hever Road, Hever	Replaced school (no longer wished to be used) in 1981. Ramp provided by owners.	1	Electorate warrants only one station
Hextable (BC)	3306	St. Peter's Church Hall, College Road, Hextable	In use at least since 1974. Very well located.	2	Electorate exceeds 1800. 3 polling station in one location is likely to confuse electors, so for 2015 consider additional polling staff.
Horton Kirby (BD)	972	Fighting Cocks Public House, The Street, Horton Kirby	Replaced school in 1995. Electors enter via rear of building; disabled access via the bar. Quite central to village.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
South Darent (BE)	1724	Horton Kirby & South Darent Jubilee Hall, Horton Road, South Darent	New facilities in 2012 replacing adjacent Village Hall. Although outside village, no known alternative.	1	Electorate warrants only one station. For 2015 consider additional polling station.
Kemsing East & Kemsing West (BF/BG)	1713/1564	The St. Edith Hall, High Street, Kemsing (For 2015 must use main hall, not the small hall.)	Replaced school in 1981. Good facilities but situated at eastern end of village. Second polling district created in 1999 for the western end and polling took place at the Town Church, Dynes Road, but Town Church pulled down in 2000. The Dynes Residential Care Home was used on one occasion after this but is no longer available. Retain two polling districts and continue to seek polling place for western end (though none apparent presently)	2	One polling station for each of the two polling districts.
Knockholt (BH)	985	Knockholt Village Centre, Main Road, Knockholt	In use at least since 1974. Good parking. At edge of village but close to the main body of electors.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Leigh (BI)	1413	Leigh Small Village Hall, High Street, Leigh	Replaced school (no longer wished to be used) in 1977. Ramp provided by owners. Located in village; some distance from electors in the communities of Charcott and Powdermills but no known alternatives available in these rural areas.	1	Electorate warrants only one station
Otford (BJ)	2699	Otford Village Memorial Hall, High Street, Otford	Replaced school in 1981. Centrally located, good facilities.	2	Electorate exceeds 1800
Fordcombe (BK)	578	Fordcombe Village Hall, Fordcombe	Replaced school (no longer wished to be used) in 1981. Well located in village.	1	Electorate warrants only one station
Penshurst (BL)	750	Penshurst Village Hall, Penshurst	Replaced school (no longer wished to be used) in 1981. Good location in village.	1	Electorate warrants only one station
Riverhead (BM)	1866	Riverhead Village Hall, Amherst Hill, Riverhead	Replaced school in 1979. Central site but no parking; not aware of any alternatives.	2	Electorate exceeds 1800
Seal – St. Lawrence (BN)	341	St. Lawrence Village Hall, Church Road, Stone Street	New site in 1991 after creation of new Parish Ward. Well positioned in village.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Seal (BO)	1294	Seal Village Hall, High Street, Seal	Replaced school (probably in 1979). Quite central to village.	1	Electorate warrants only one station
Underriver (BP)	267	Underriver Village Hall, Carters Hill, Underriver	Replaced school (probably in 1979). Situated in village.	1	Electorate warrants only one station
Bat & Ball (BQ)	806	Sevenoaks Community Centre, Oxford Road, Sevenoaks	This polling district was most recently altered in 2003 as a result of the PER. This polling place has been used since 1984; good parking and access and close to main body of electors.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Bradbourne (BR)	1212	Sevenoaks Town Council Offices, Bradbourne Vale Road, Sevenoaks	Minimal change to polling district in 2003 following PER. Previous venue at Bradbourne School (now Knole Academy West), is not now available. In the absence of any alternative in the polling district, the offices of the Sevenoaks Town Council have been used since 2003. Whilst this venue is located outside the polling district, it is not much further for voters to travel than the former venue.	1	Electorate warrants only one station
Greatness (BS)	1194	Greatness Club House, Mill Lane, Sevenoaks	Replaced St. John Ambulance Hall in 1993 (which had difficult access). Central to polling district.	1	Electorate warrants only one station
High Street (Sevenoaks) (BT)	1306	The STAG Community Arts Centre (Plaza Suite), London Road, Sevenoaks	Replaced St. Nicholas Parish Hall (demolished) in 1997. Good access and well located within polling district.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Hillingdon (BU)	1288	Main Hall, Knole Academy East (formerly Wildernesse School), Seal Hollow Road, Sevenoaks	The former Wildernesse School, was in use at least since 1974. The classroom was used so that the school was able to function. Since the 2003 PER, this venue has been situated outside the polling district but after extensive consultation, it was agreed that voters should continue to use this venue. The school prefers to use the main hall for polling but is still able to function.	1	Electorate warrants only one station
CHANGE OF POLLING PLACE Holly Bush (BV)	1749	St. John's Church Hall, Quaker's Hall Lane, Sevenoaks	The school is no longer available. This alternative has been used as a polling place in the past and provides good facilities. Although it is situated to one end of the polling district. Walthamstow Hall is not available for this use.	1	Electorate warrants only one station For 2015 consider an extra poll clerk.
Kippington North (BW)	1099	Christ Church United Reformed Church, Littlecourt Road, Sevenoaks	Revised polling district in 2003 (following PER). Good access and parking.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Kippington South (BX)	1143	Kippington Community Centre, Kippington Road, Sevenoaks	Revised polling district in 2003 (following PER) The venue has been in use at least since 1981; newly built in 2004. Good access and parking.	1	Electorate warrants only one station
Lower St. John's (BY)	842	British Red Cross Centre, Bradbourne Vale Road, Sevenoaks	New polling district following 2003 PER. Good access and parking and well located.	1	Electorate warrants only one station
Sevenoaks Common (BZ)	1444	Solefield School, Solefields Road, Sevenoaks	In use at least since 1974. Classroom used, so school able to function. There are steps and a narrow entrance which makes access less than ideal.	1	Electorate warrants only one station
Tubs Hill (CA)	1251	St. Luke's Church Hall, Eardley Road, Sevenoaks	New polling district following 2003 PER. Good access and well located.	1	Electorate warrants only one station
Upper St. John's (CB)	1379	United Reformed Church, St. John's Road, Sevenoaks	New polling district following 2003 PER. Good access, only on-street parking. Located slightly to one side of polling district.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Wilderness (CC)	330	Main Hall, Knole Academy East (formerly Wilderness School), Seal Hollow Road, Sevenoaks	The former Wilderness School, now known as Knole Academy East, has been used since 1974. Classroom used, so school able to function. The school prefers to use the main hall for polling but is still able to function.	1	Electorate warrants only one station
Sevenoaks Weald (CD)	944	Weald Memorial Hall, Long Barn Road, Sevenoaks Weald	Venue in use since 1983, replacing school. Centrally located within village.	1	Electorate warrants only one station
Badgers Mount (CE)	525	Badgers Mount Memorial Hall, Orpington-By-Pass, Badgers Mount	In use at least since 1974. Close to main body of voters.	1	Electorate warrants only one station
Shoreham (CF)	872	Shoreham Village Hall, High Street, Shoreham	Replaced school in 1977. Good access and well located.	1	Electorate warrants only one station
Well Hill (CG)	211	Well Hill Mission Church, Well Hill	New polling district following 2003 PER. Venue in use since 2003; Residents' Association preferred location over public house alternative.	1	Electorate warrants only one station
Ide Hill (CH)	528	Ide Hill Village Hall (Wheatsheaf Room), Ide Hill	Replaced school in 1985. Quite close to village; good parking.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Sundridge (CI)	1000	Sundridge Village Hall, Main Road, Sundridge	In use at least since 1974. Quite central to village.	1	Electorate warrants only one station
CHANGE OF POLLING DISTRICT Birchwood (CJ)		White Oak Bowls Centre, Garrolds Close, Swanley	Three former venues (Birchwood School, Birchwood Public House and The Bull Beefeater & Swanley Premier Inn) are all no longer available. White Oak Leisure Centre was used in 2010 but was not popular. In 2011 White Oak Bowls Centre was used. It is proposed to use this venue once again by merging this polling district with White Oak CP.	0	
Christ Church (CK)	2030	Christ Church Centre, Kingswood Avenue, Swanley	Replaced school in 1981. Good location; separate polling booth provided for voters with disabilities so as to avoid steps inside the building. Limited on-street parking opposite with a two hour waiting restriction; blue badge holders can park outside hall.	2	Electorate exceeds 1800

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
High Firs (CL)	2092	High Firs Primary School, Court Crescent, Swanley	In use at least since 1981. Classroom used, so school able to function. Good location.	2	Electorate exceeds 1800
St. Mary's (CM)	3093	Swanley Youth Centre, St. Mary's Road, Swanley	In use since 1985. Located to one end of polling district but no known alternative closer to a central point.	2	Electorate exceeds 1800
Swanley Lane (CN)	1603	Swanley ACF Hall, Swanley Lane, Swanley	In use at least since 1974. Located at the extremity of the polling district but convenient for voters on their way to the station and shops. Rough ground on approach to hall. No alternative within the polling district.	1	Electorate warrants only one station Consider extra poll clerk in 2015
Swanley Village (CO)	344	The Lamb Inn, Swanley Village Road, Swanley Village	In use since 2005. Located a little to one end of village, quite good access, some parking.	1	Electorate warrants only one station
White Oak (CP)	2055 + 1019 from Birchwood = 3074	White Oak Bowls Centre, Garrolds Close, Swanley	In use since 1999. Quite well located, good access, parking available.	2	Electorate exceeds 1800

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
Crockham Hill (CQ)	576	Crockham Hill Village Hall, Crockham Hill	In use since 1997, after demolition of WI Hall. Located close to main body of voters with good access and parking.	1	Electorate warrants only one station
Westerham (CR)	2884	Westerham Hall, Quebec Avenue, Westerham	In use at least since 1974 (excepting for a few years during re-construction and because of prior bookings). Quite central to town, good access and parking.	2	Electorate exceeds 1800
East Hill (CS)	276	Woodlands Manor Golf Club, Tinkerpot Lane, West Kingsdown	For several years East Hill electors have had to poll in the Knatts Valley polling district in the absence of any suitable venue in East Hill itself.	1	Electorate warrants only one station
Knatts Valley (CT)	219	Woodlands Manor Golf Club, Tinkerpot Lane, West Kingsdown	The venue has been in use since 2012. It provides better facilities, in particular parking, than the previous venue of Woodlands Church Hall.	1	Electorate warrants only one station
West Kingsdown East (CU)	1217	The Portobello Inn, London Road, West Kingsdown	This venue has been in use since 2012 as the West Kingsdown Village Hall became unavailable.	1	Electorate warrants only one station

Polling district (& letters)	Electorate – February 2014	Proposed polling place	Reason for choice	No. of polling stations	Reason
<p>CHANGE OF POLLING PLACE</p> <p>West Kingsdown – Hever (CV)</p>	2665	New West Kingsdown Village Hall, London Road, West Kingsdown	Not well located, being on the opposite side of the A20 from most voters, but provides better facilities than the previous venue of The Pavilion and there is no alternative within polling district.	2	Electorate exceeds 1800



Notice of Review of Polling Districts, Polling Places and Polling Stations

Sevenoaks District Council is conducting a review of polling districts and polling places as required by the Electoral Registration and Administration Act 2013. Acting Returning Officers for the three parliamentary constituencies that make up the Sevenoaks District Council area (Dartford, Sevenoaks and Tonbridge & Malling) will contribute to the review and decide on the number of polling stations for each polling place.

Electors within the Parliamentary Constituencies of Sevenoaks, Dartford and Tonbridge & Malling may make representations, in writing, to Sevenoaks District Council. The District Council would also welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment on the District Council's proposals, the Acting Returning Officers' representations or on any other matter. Persons or bodies making representations should, if relevant, give alternative places that may be used as polling places.

All representations are required by law to be published. Individuals not wanting their representation attributed to them will need to let me know at the time of making their representation.

The addresses at which relevant information and documents can be inspected and representations made are as follows:

e-mail address elreg@sevenoaks.gov.uk

postal address: Mr. C Everett
Senior Electoral Officer
Council Offices
Argyle Road
SEVENOAKS
TN13 1HG

website address www.sevenoaks.gov.uk

The deadline for making representations is Friday, 28th February 2014.

Officers of the District Council will then investigate the representations and report to Members of the District Council. The Council will publish its findings at the conclusion of the review, expected in April 2014.

Dr. Pav Ramewal, Chief Executive
Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks TN13 1HG
November 2013

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REVIEW OF NEW GOVERNANCE ARRANGEMENTS

Governance Committee – 13 March 2014

Report of Chief Officer Legal and Governance

Status: For decision

Also considered by: Council – 1 April 2014

Key Decision: No

Executive Summary: The Governance Committee is 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.

Portfolio Holder Cllr. Fleming

Contact Officer(s) Christine Nuttall Ext. 7245 / Lee Banks Ext. 7161

Recommendation to Governance Committee: That the implementation of the following recommendations take effect from the date of Annual Council on 13 May 2014 and

- (a) the Scrutiny Committee changes to a fixed membership of 9 members plus a Chairman and Vice Chairman with all members of the Committee being independent of the Cabinet Advisory Committees;
 - (b) the Membership of the Cabinet Advisory Committees increases from 10 members to 12 members including the relevant Cabinet and Deputy Cabinet members on each of the Cabinet Advisory Committees;
 - (c) Members will be able to sit on more than 1 Cabinet Advisory Committee;
 - (d) with the number of Cabinet Advisory Committees remaining at 5 the Committees should normally meet 4 times a year;
 - (e) the Advisory Committees are able to choose their own Chairman;
 - (f) the Governance Committee continue to investigate future Governance arrangements in general to allow the newly elected administration in 2015 to consider future governance;
 - (g) Portfolio Holders to individually present a report to each ordinary Full Council meeting in the same way the Chairmen of the Select Committees did previously;
 - (h) a comprehensive training plan for members to be developed for implementation in May 2015.
-

Recommendation to Full Council: That the implementation of the following recommendations take effect from the date of Annual Council on 13 May 2014 and

- (a) That the Scrutiny Committee changes to a fixed membership of 9 members plus a Chairman and Vice Chairman with all members of the Committee being independent of the Cabinet Advisory Committees;
- (b) The Membership of the Cabinet Advisory Committees increases from 10 members to 12 members including the relevant Cabinet and Deputy Cabinet members on each of the Cabinet Advisory Committees;
- (c) Members will be able to sit on more than 1 Cabinet Advisory Committee;
- (d) With the number of Cabinet Advisory Committees remaining at 5 the Committees should normally meet 4 times a year;
- (e) The Advisory Committees are able to choose their own Chairman;
- (f) The Committee continue to investigate future Governance arrangements in general to allow the newly elected administration in 2015 to consider future governance;
- (g) Portfolio Holders to individually present a report to each ordinary Full Council meeting in the same way the Chairmen of the Select Committees did previously;
- (h) A comprehensive training plan for members to be developed for implementation in May 2015.

Reason for recommendation: The Governance Committee is tasked with reviewing the new governance arrangements which were introduced at Annual Council in May 2013 as well as looking at options for future governance.

Introduction and Background

- 1 On the 23rd April Council approved a proposed new governance structure following Members concerns with the previous structure in the following areas:

Perception of remoteness/inaccessibility of portfolios; feeling of disengagement from the 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.
- 2 The approval was subject to detailed mechanisms being brought back to the Annual Council in May 2013 to enable implementation of the structure with a review of the new governance arrangements being undertaken and reported back to Full Council by April 2014.
- 3 This report reviews the work undertaken by the Governance Committee Working Group who has been reporting to the Governance Committee throughout the municipal year with the Committee now tasked with making their final recommendations to Council on the 1st April 2014.

Surveys

- 4 At the Governance Committee meeting on the 10th July 2013 it was agreed that a survey to obtain first impressions of the New Governance Structure be formulated and a draft questionnaire was circulated at the Governance Committee meeting on the 19th September 2013 where it was explained that the purpose of the survey was to ask Members their opinion of the current governance arrangements. The survey had been formulated from information received from Members on what they wanted surveyed. The survey was duly sent out to Members on the 25th October 2013 with responses to be received by 15th November 2013.
- 5 The results of the survey were considered by the Governance Committee on the 29th January 2014 and the survey results are set out at Appendix A to this report.
- 6 The survey was open for a period of 3 weeks and received 29 responses, a response rate of 55%.
- 7 The Governance Committee Working Group had agreed that a further simpler survey was needed to help clarify some points. The response to the first survey had been disappointing. A further draft survey was tabled by a Member of the Governance Committee Working Group at the Governance Committee meeting that took place on the 29th January 2014 where the draft survey was discussed with some amendments made. The new survey was given to officers to circulate as soon as possible with a two week return date. The results of this second survey are set out at Appendix B to this report.
- 8 The second survey was open for a period of 2 weeks and received 37 responses, a response rate of 69%.

Scrutiny Committee

- 9 The Governance Committee at its meeting on the 29th January 2014 discussed the current 'pool' membership system of the Scrutiny Committee and agreed that it was difficult to work and led to confusion. Members were in agreement that a fixed membership of 11 members not on any advisory committee would be more desirable and effective. A fixed pool would allow knowledge and training to be built upon. Legally there would be a clear demarcation between Cabinet and Scrutiny and conflicts of interest for members would be avoided.

Other options such as the Committee System or a Hybrid Model

- 10 The Localism Act 2011 ("the 2011 Act") gives Councils greater freedoms over their governance arrangements.
- 11 If Council wished to put forward proposals for some novel form of governance arrangements such as a hybrid system that was entirely new, then the Council would need to put its proposals to the Secretary of State inviting him to use his regulation making powers to make these novel governance arrangements available to councils.
- 12 In September of last year the Monitoring Officer spoke to the Department for Communities and Local Government ("DCLG") who informed her that no Councils

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in England had put forward proposals to the Secretary of State to consider any novel form of governance arrangements. Even if proposals passed the requirements test set out under the above bullet points there would still need to be House of Commons approval and House of Lords approval to any novel form of governance arrangements.

- 13 All Councils in Kent are working under some form of Cabinet governance model. Only Tandridge District Council over the border in Surrey is working under the Leader and Committee System as a result of their population falling under the threshold for the previous requirement to change to the Cabinet system of governance.
- 14 If a resolution is passed that makes a change to a Committee system of governance then the local authority may not pass another resolution changing back to the Cabinet system until the end of the period of 5 years beginning with the date the original resolution was passed.

Other Options Considered and/or Rejected

- 15 The Governance Committee for the reasons set out above rejected the option of changing to the Committee system instead of the Executive governance model.
- 16 However, the Governance Committee did consider it appropriate to make a recommendation to the newly elected administration in 2015 to consider the Governance arrangements in general.
- 17 In relation to reviewing the existing governance arrangements the following options were considered taking into account the results from the members' surveys. These were as follows:
 - a) to keep the existing arrangements;
 - b) to reduce the number of advisory committees to 3 whilst increasing the number of times that they meet and allowing members to sit on more than one advisory committee; with non of the portfolio holders being able to chair such committees; in addition to reducing the number of Deputy Portfolio Holders;
 - c) to have a fixed membership on the Scrutiny Committee of 11 members who would not sit on any of the advisory committees;
 - d) Increasing the number of portfolio holders.

Option a) was not considered acceptable as the survey results suggested that changes to the present system were needed as there was some member dissatisfaction with how the present system was working.

Option b) was not considered acceptable as the only way the advisory committees could meet more often would be to reduce the number of advisory committees. The survey results did not consider this to be desirable and it was difficult to see how the advisory committees could be amalgamated and how this would increase member involvement. It was considered to be a good idea for members to be able to sit on more than 1 Cabinet Advisory

Committee which would increase member involvement. It was not considered desirable to reduce the number of Deputy Portfolio Holders although it was considered beneficial to increase membership of the Cabinet Advisory Committees to 12 members instead of 10 thus contributing to increasing member participation.

Option c) was considered acceptable as the current 'pool' membership of the Scrutiny Committee was difficult to work and led to confusion. A fixed pool would allow knowledge and training to be built upon. Legally there would be a clear demarcation between Cabinet and Scrutiny without any conflicts of interest arising.

Option d) this was not something that was in the remit of the Governance Committee.

Training and Development

- 18 Training and development was considered to be of vital importance when discussed by the Governance Committee Working Group.
- 19 The Governance Committee considered that one of its tasks for the next municipal year would be to put a plan in place in relation to training needs with emphasis upon what training would be beneficial for members following the 2015 elections.

Key Implications

Financial

- 20 The new governance arrangements were thought to deliver a more streamlined system. However, the results from the Members' surveys indicate that more meetings are desired. The Democratic Services Team is under extreme pressure to cope with the increased demand for more meetings and if this demand increases still further then the need for an increased workforce in Democratic Services will be inevitable. In addition, it will be extremely difficult to find any more space in the Calendar of meetings in order to accommodate any extra evening meetings. The changes suggested by this report should not increase the number of meetings presently taking place but will increase member involvement.

Legal Implications and Risk Assessment Statement

- 21 The pool system for the Scrutiny Committee results in members of the pool having to agree minutes of the previous meeting to which they had often not attended. In addition, member engagement through loss of continuity is diminished and conflicts of interest often occur with members of the Cabinet Advisory Committees sitting on the Scrutiny Committee. One of the key roles of the Scrutiny Committee is to provide a "critical friend" challenge to the executive policy makers and decision makers and therefore the present system of overlap between Scrutiny and the Cabinet Advisory Members may be judicially considered inappropriate.

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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 to change the present 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 Members' surveys on the Council's Governance Arrangements have provided a range of information that has been helpful in the Committee's task of reviewing the effectiveness of those arrangements.

The Governance Committee through its working group has undertaken work to look at the practicalities and appropriateness of moving to the Committee System or a Hybrid Model.

All the above work has helped the committee in providing an evidential basis for the recommendations set out in this report.

Appendices

Appendix A 1st Members' survey results

Appendix B 2nd Members' survey results

Background Papers:

[Sevenoaks District Council Constitution](#)

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

[Review of New Governance Arrangements – Members Survey – Report to the Governance Committee 29th January 2014](#)

[E-mail letter dated 9th March 2012 entitled “Localism Act 2011; Governance Arrangements Available To Principal Councils in England as attached to Report to Governance Committee dated](#)

[5th November 2013](#)

[List of Councils in Kent and surrounding areas showing the kinds of governance models in operation as attached to Report to Governance Committee dated 5th November 2013](#)

[Localism Act 2011](#)

[Local Government Act 1972](#)

[Article by Ed Hammond entitled “Changing lanes”](#)

[Rethinking governance – Practical steps for councils considering changes to their governance arrangements – Local Government Association](#)

Christine Nuttall
Chief Officer for Legal and Governance

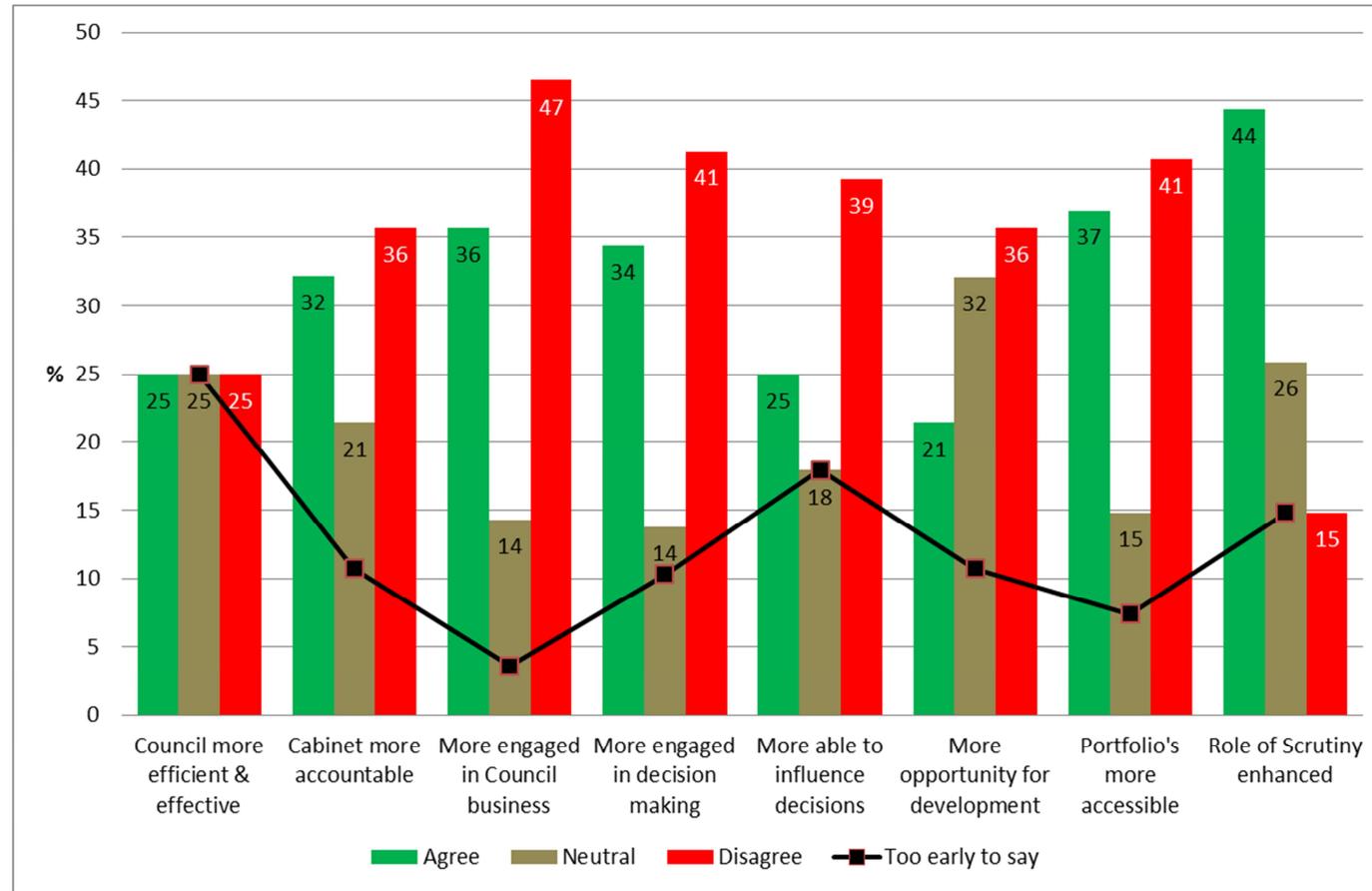
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Governance Arrangements – Members’ Survey
Summary of Results

Response Rate – 55% (29 of 53 Members)

Governance Structure

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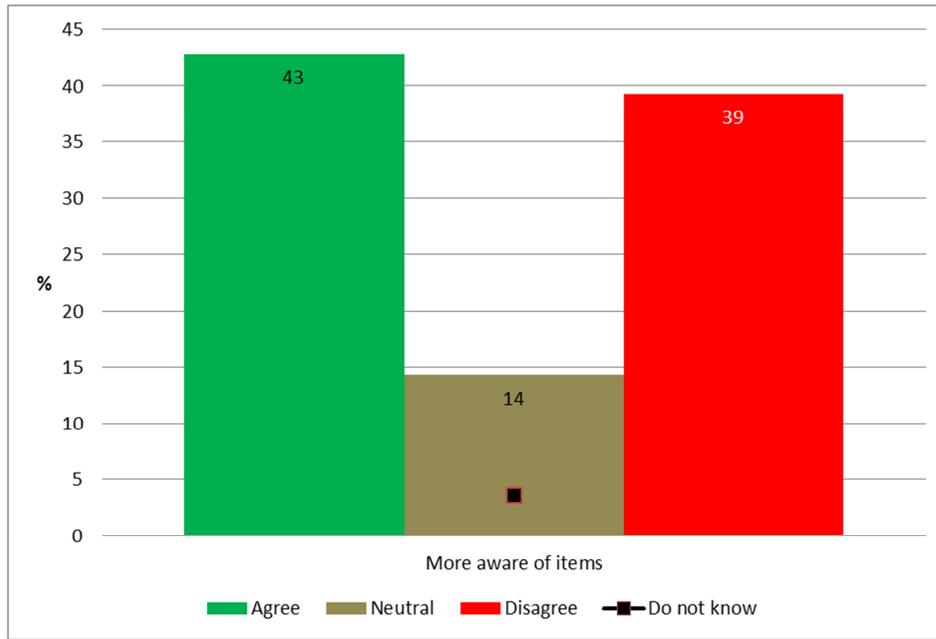


By evaluating the totality of the responses provided to each question in part 1 it is possible to say that there is no strong outcome for the effectiveness of the new governance structure against its initial objectives.

- 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.

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Awareness of Council business



- 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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Open text responses relating to the new Governance Structure and awareness of Council business

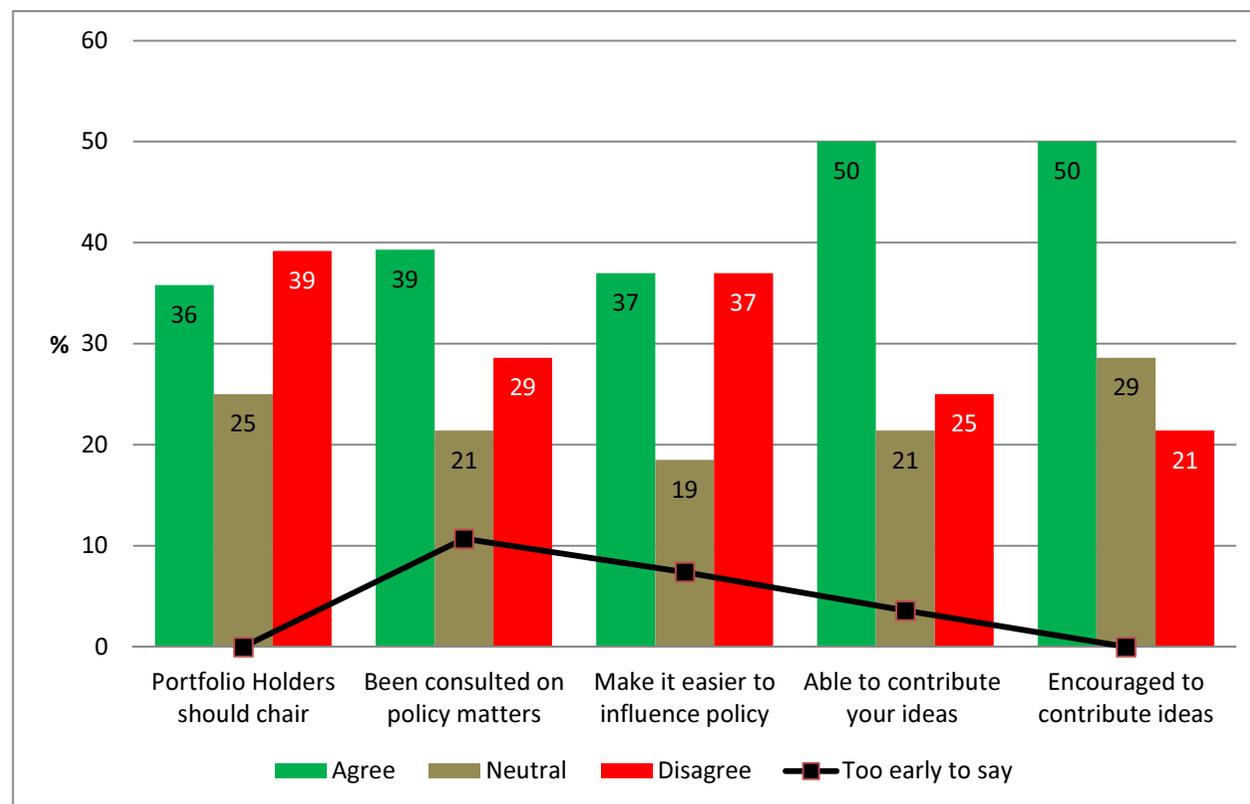
12 comments were provided

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

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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.

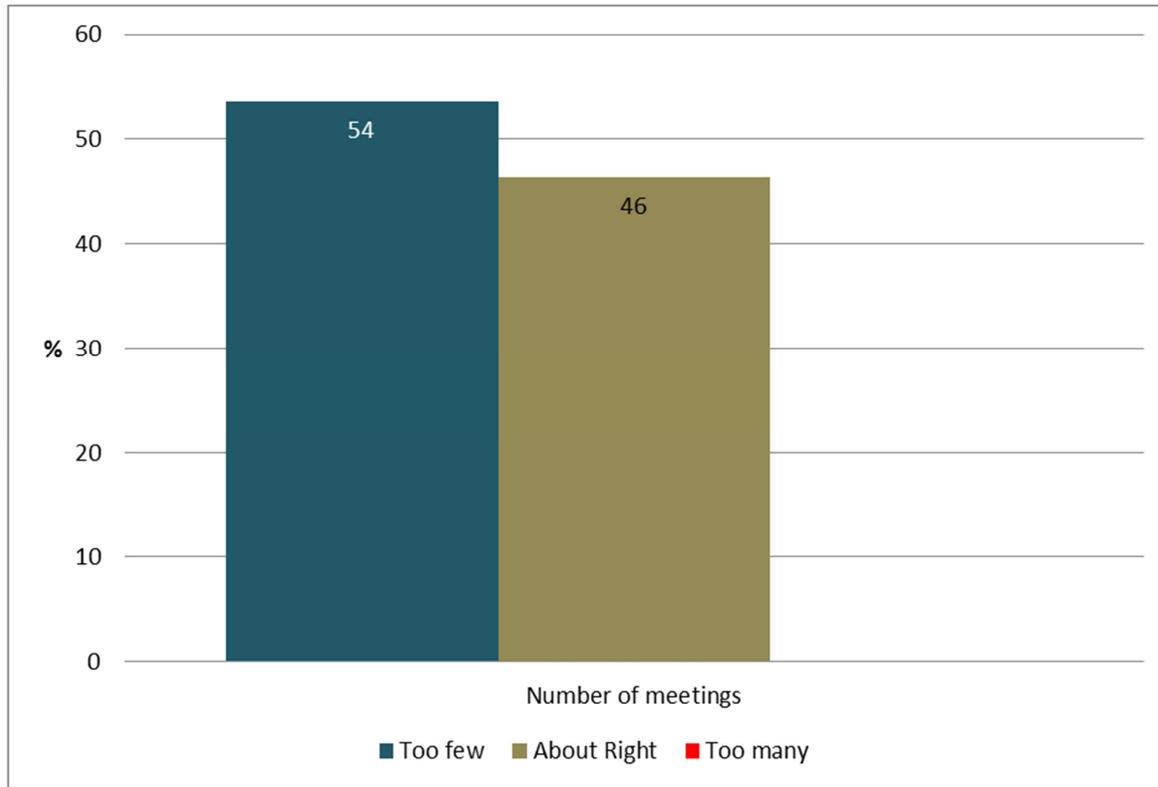
Open text comments about the Advisory Committees

7 comments were provided

Comments included:

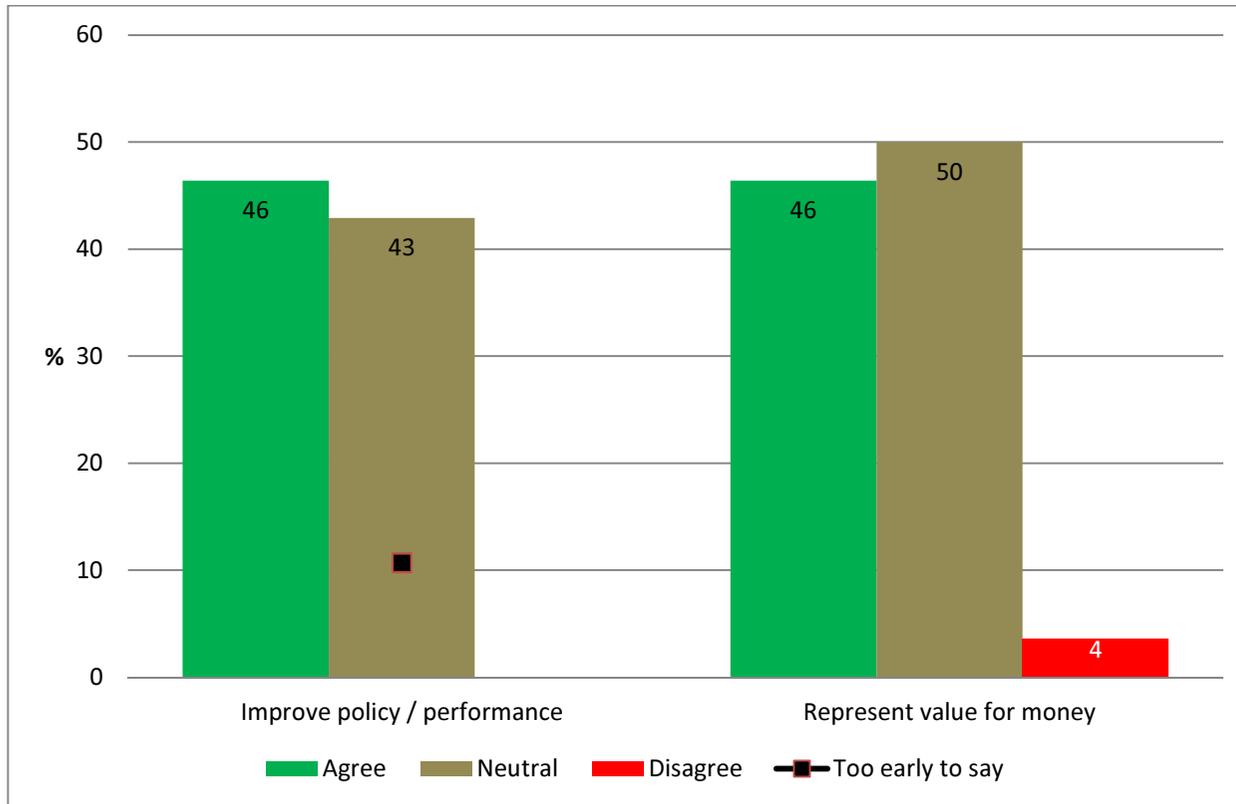
- Not enough meetings
- Portfolio holders should not chair Advisory Committees
- Less effective than Select Committees

Number of scheduled meetings



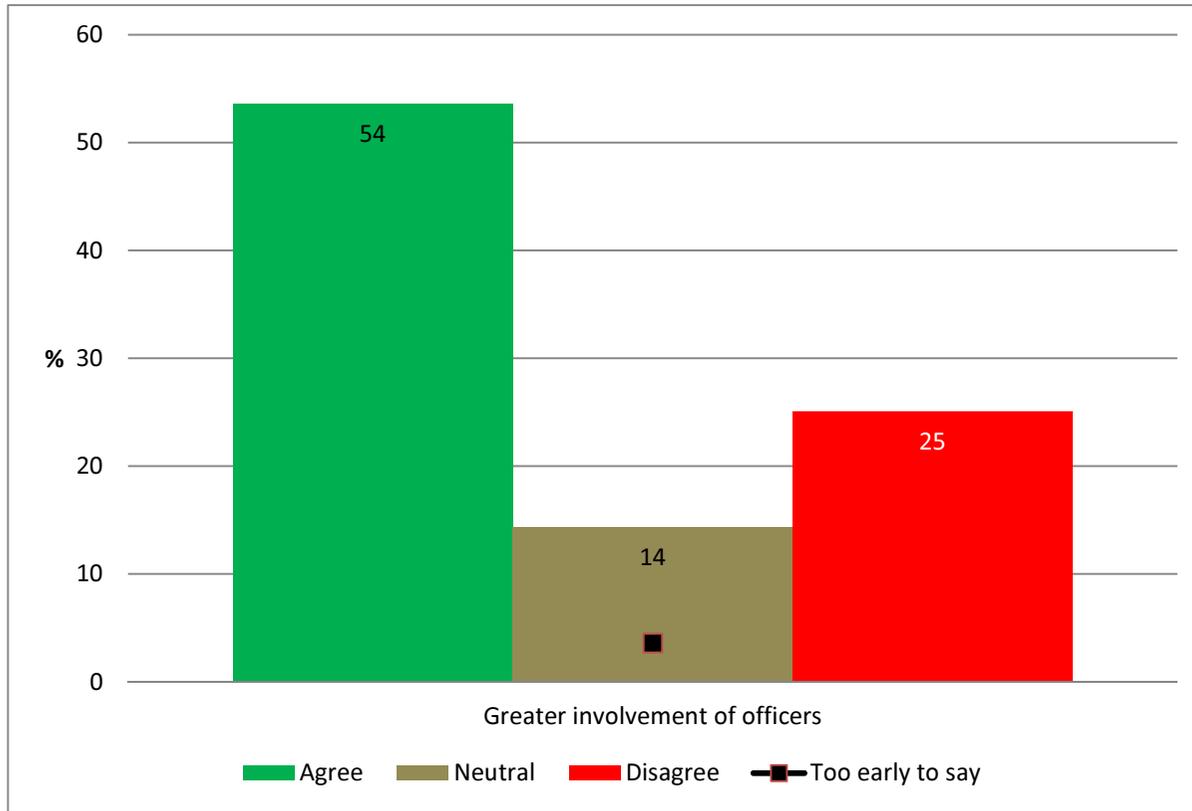
- 54% of respondents felt that the number of meetings being held was too few.
- 46% of respondents felt that the number of meetings being held was about right.
- No respondents felt that too many meetings were being held.

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.

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.

Open text comments on Meetings, Working Groups & Involvement of Officers

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

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

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 Arrangements – 2nd Members Survey

Final results

The governance structure of the Council changed in May 2013, with an ‘early indication’ survey undertaken in October 2013.

This second survey was open from the 3 February to the 14 February, with a response rate of 68.5% (37 of 54 members have responded).

Context

- 70% of respondents had completed the earlier survey, with 72% not having changed their opinion since the last survey;
- Of those responding 86.5% said that they had formed an opinion on how the new governance arrangements were working;
- 54% of respondents had no special responsibility; and
- A majority of respondents (56%) were backbenchers.

Advisory Committees

- A majority (60%) did not think that Portfolio Holders should Chair Advisory Committees;
- 68% said there should be more meetings of the Advisory Committees, with 65% agreeing that 6 Advisory Committee meetings would be about right;
- 27% of respondents agreed that the Council would work better with 3 Advisory Committees with more frequent meetings;
- 57% of respondents would prefer if Councillors were allowed to sit on 2 Advisory Committees, with 70% of all respondents saying that they think they would have a wider understanding of the work of the Council if they were able to sit on more than one Advisory Committee.

Working Groups

- 60% of respondents believe that working groups work effectively.

Cabinet & Portfolio Holders

- 51% of respondents think there should be more Portfolio Holders (43% disagree);
- 51% believe responsibility for matters would be clearer with smaller Portfolio Briefs and more Portfolio Holders (43% disagree); and
- 51% think there should be fewer Deputy Portfolio Holders (41% disagree).

Agenda Item 6

Scrutiny Committee

- 46% of respondents would prefer Scrutiny to change to a fixed membership rather than the current 'Pool' system (32% disagree, with 22% saying that they do not know).

Effectiveness

- 56% of respondents believe that the new working arrangements do not improve accessibility of Portfolios and reduce remoteness;
- 62% do not feel more engaged in decision making or more able to influence decisions made;
- 60% do not feel that training and councillor development has improved;
- 58% do not believe that succession planning for Cabinet has improved;
- When asked whether the new system has led to an improvement on the previous working arrangements 43% said yes, 43% said no, with the remaining 14% saying that they do not know.

Comments

Respondents were provided with an opportunity to record any comments they had in relation to the questions in the survey. Set out below is a summary of the issues raised in the 19 comments provided.

Advisory Committees

- They are there to advise the Portfolio and it is therefore right that the Portfolio Holder is able to chair the meeting
- Advisory Groups should be able to choose their own Chairman but not adverse to this being the Portfolio Holder if so selected
- Preference that they are independently chaired to improve backbencher involvement
- Concern that 4 meetings is insufficient
- Preference for sitting on more than one Advisory Committee

Working Groups

- Are really helpful in reducing feelings of remoteness and add value to the Council at no additional financial cost
- Are a way in which member involvement can increase
- Are a way of keeping down the number of Advisory Committee meetings as work can be carried out between meetings
- Suggested that all Advisory Committee Members should be involved in working groups
- Not all working groups have been effective
- Working group subjects could be more substantial

- Could be seen as a demotion of the role of Councillors

Cabinet & Portfolio Holders

- Leader should decide on Cabinet and Portfolios
- Cabinet is not big enough
- Size of Cabinet limits opportunities for advancement of backbenchers
- Less Deputy Cabinet Members
- Cabinet positions should be rotated and changed every 4 years
- Number of Portfolio Holders is about right
- Portfolio of services could be more equal in size to prevent some being overloaded

Scrutiny Committee

- Gives backbenchers a chance to hold Cabinet Members to account

Other comments

- Member involvement in decision making seems to have declined
- Councillors seem more remote from council business
- Unclear why the original decision to not remunerate Vice Chairman has been reversed
- Training and development for Councillors is an area that needs to be addressed
- Survey questions did not all appear to be neutral
- The new system has more roles for Councillors so everyone should be more involved

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RECORDED VOTES AT BUDGET MEETINGS

Governance Committee – 13 March 2014

Report of Chief Officer Legal and Governance

Status: For Consideration

Also considered by: Council – 1 April 2014

Key Decision: No

Portfolio Holder Cllr. Fleming

Contact Officer(s) Christine Nuttall Ext. 7245

Lee Banks Ext. 7161

Recommendation to Governance Committee: Recommend that Council note the requirement to hold a recorded vote at future budget setting meetings of Full Council.

Recommendation to Council: Council note the requirement to hold a recorded vote at future budget setting meetings of Full Council.

Reason for recommendation: As a result of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 all councils are required to adopt the practice of recorded votes on any decision relating to the budget or council tax at the relevant budget setting meeting of Full Council.

Introduction and Background

- 1 On 4 February 2014 the Department for Communities and Local Government wrote to the Leaders of all Principal Councils in England setting out their intentions to introduce legislation to require recorded votes to be taken at all future budget setting meetings of Full Council for any decision relating to the budget or council tax.
- 2 It is the Governments view that “Local people should be able to see how those they have elected to represent them have voted on these critical decisions” and “If local people are to continue to have confidence in their councils and their elected representatives, then the practice of recorded votes needs to be followed everywhere...”
- 3 To facilitate this, ‘The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014’ were introduced and brought in to force from 25 February 2015. A copy of these Regulations is made available at Appendix A to this report.

Agenda Item 7

- 4 The Regulations make it mandatory for councils as soon as is practicable after the Regulations are in force, to amend their Standing Orders so as to include provisions requiring recorded votes at budget meetings.
- 5 The Regulations sets out the following requirement:

“Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting”
- 6 This is to be adopted in setting the Council Tax precept, setting the budget or in voting on any proposed amendments that could result in the budget or precept being amended for the coming year.
- 7 As the change to Standing Orders is brought about by a change in legislation delegated authority is granted to the Monitoring Officer to ensure the Council’s Constitution is updated to reflect the new requirements. The Council is required to adopt recorded votes at its budget setting meeting, likely to be held in February 2015.

Other Options Considered and/or Rejected

None. As a new Regulation the Council is required to implement changes to its Standing Orders and adopt recorded votes at its next budget setting meeting of Full Council.

Key Implications

Financial

None.

Legal Implications and Risk Assessment Statement.

It is a requirement of new Regulations that the Council adopts recorded votes on all matter relating to the setting of the Council budget or the Council Tax precept at future meetings of Full Council.

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	
b. Does the decision being made or recommended through this paper have the potential to promote equality of	No	

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
opportunity?		
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

Conclusions

The Council is required through The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 to ensure that recorded votes are taken at all future budget setting meetings of Full Council for any decision relating to the budget or council tax. The Council’s Constitution is required to be updated to reflect the new arrangements and this will be undertaken under delegated authority by the Monitoring Officer.

Appendices

Appendix A – The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014

Background Papers:

None.

Christine Nuttall

Chief Officer for Legal and Governance

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S T A T U T O R Y I N S T R U M E N T S

2014 No. 165

LOCAL GOVERNMENT, ENGLAND

**The Local Authorities (Standing Orders) (England)
(Amendment) Regulations 2014**

<i>Made</i> - - - -	<i>29th January 2014</i>
<i>Laid before Parliament</i>	<i>31st January 2014</i>
<i>Coming into force</i> - -	<i>25th February 2014</i>

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 8, 20 and 190 of the Local Government and Housing Act 1989(a), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 and come into force on 25th February 2014.

(2) In these Regulations “the 2001 Regulations” means the Local Authorities (Standing Orders) (England) Regulations 2001(b).

Amendments relating to recording votes for budget meetings

2.—(1) The 2001 Regulations are amended as follows—

(2) In regulation 4(c) (alternative arrangements – standing orders relating to staff)—

(a) for the heading substitute “Committee system – standing orders relating to staff, proceedings and business”;

(b) after paragraph (a) insert—

“(aa) incorporate in standing orders the provisions set out in Part 3 of Schedule 2 or provisions to the like effect;”;

(c) in paragraph (b) after “(a)” insert “or (aa)”.

(3) In Schedule 2 (provisions to be incorporated in standing orders regulating proceedings and business)—

(a) after paragraph 14 of Part 1 insert—

“15. Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the

(a) 1989 c. 42. Section 20 was amended by section 119 of, and Schedule 6 to, the Local Democracy, Economic Development and Construction Act 2009 (c. 20).

(b) S.I. 2001/3384.

(c) See regulation 3(4) of these Regulations for a further amendment to regulation 4 of the 2001 Regulations.

Agenda Item 7

persons who cast a vote for the decision or against the decision or who abstained from voting.

16. In paragraph 15—

- (a) “budget decision meeting” means a meeting of the relevant body at which—
 - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992(a); or
 - (ii) issues a precept under Chapter 4 of Part 1 of that Act,and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting;
- (b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.”;

(b) after paragraph 10 of Part 2 insert—

“**11.** Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

12. In paragraph 11—

- (a) “budget decision” means a meeting of the relevant body at which—
 - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992(b); or
 - (ii) issues a precept under Chapter 4 of Part 1 of that Act,and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting;
- (b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.”;

(c) after Part 2 insert—

“PART 3

Authority operating committee system

1. Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

2. In paragraph 1—

- (a) “budget decision” means a meeting of the authority at which—
 - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992(c); or
 - (ii) issues a precept under Chapter 4 of Part 1 of that Act,

(a) 1992 c. 14. Relevant amendments were made by the Localism Act 2011 (c. 20), sections 72, 74, 75 and 79 and Schedules 6 and 7.

(b) 1992 c. 14. Relevant amendments were made by the Localism Act 2011 (c. 20), sections 72, 74, 75 and 79 and Schedules 6 and 7.

(c) 1992 c. 14. Relevant amendments were made by the Localism Act 2011 (c. 20), sections 72, 74, 75 and 79 and Schedules 6 and 7.

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting;

- (b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.”.

Amendments consequential on the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011

3.—(1) The 2001 Regulations are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) omit the definitions of “alternative arrangements” and “council manager”;
- (b) after the definition of “chief finance officer” insert—
““committee system” has the same meaning as in Part 1A(a) of the 2000 Act”;
- (c) in the definition of “elected mayor”, “executive”, “executive arrangements” and “executive leader” for “Part II” substitute “Part 1A”.

(3) In regulation 3 (executive arrangements – standing orders relating to staff, proceedings and business)—

- (a) in paragraph (1)—
- (i) for “Part II” substitute “Part 1A”;
- (ii) in sub-paragraph (a) for “11(2)” substitute “9C(2)”;
- (iii) in sub-paragraph (b) for “11(3)” substitute “9C(3)” and at the end of the sub-paragraph insert “and”;
- (iv) omit sub-paragraph (c);
- (v) in sub-paragraph (d) for “(a), (b) and (c)” substitute “(a) and (b)”; and
- (b) in paragraph (2) for “(a), (b), (c) or (d)” substitute “(a), (b) or (d)”.

(4) In regulation 4 for “alternative arrangements under Part II” substitute “committee system under Part 1A”.

(5) In Schedule 1—

- (a) in Part 1—
- (i) in paragraph 1 in the definition of “elected mayor” and “executive” for “Part II” substitute “Part 1A”;
- (ii) in paragraph 3(f) for “paragraph 6 of Schedule 1” substitute “paragraph 5 of Schedule A1”;
- (b) in Part 2 in paragraph 1 in the definition of “elected mayor” and “executive” for “Part II” substitute “Part 1A”;
- (c) omit Part 3; and
- (d) in Part 4 in the heading for “Alternative Arrangements” substitute “Committee System”.

(6) In Schedule 2—

- (a) in Part 1—
- (i) in the heading omit “or Mayor and Council Manager Executive”;
- (ii) in paragraph 1 in the definition of “elected mayor” and “executive” for “Part II” substitute “Part 1A”;
- (iii) in paragraph 8(a) for “32 to 37 or 43 to 49” substitute “31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ(b)”;

(a) Part 1A was inserted by the Localism Act 2011 (c. 20), section 21 and Schedule 2.

(b) Relevant amendments were to the Local Government Finance Act 1992 (c. 14) were made by the Localism Act 2011 (c. 20), sections 72, 74, 75 and 79 and Schedules 6 and 7.

Agenda Item 7

(b) in Part 2—

- (i) in paragraph 1 in the definition of “executive” and “executive leader” for “Part II” substitute “Part 1A”;
- (ii) in paragraph 6(a) for “32 to 37 or 43 to 49” substitute “31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ”.

Transitional provision

4.—(1) A relevant authority which is already operating executive arrangements or the committee system, as the case may be, shall modify its standing orders in accordance with the amendments made to the 2001 Regulations by these Regulations as soon as reasonably practicable after the day on which these Regulations come into force.

(2) In paragraph (1), “relevant authority” means a county council, a district council or a London borough council.

Signed by authority of the Secretary of State for Communities and Local Government

29th January 2014

Brandon Lewis
Parliamentary Under Secretary of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Standing Orders) (England) Regulations 2001 which require certain local authorities in England to make or modify standing orders so that they include certain provisions relating to staff and other matters.

Regulation 2 provides that the votes at key budget decision meetings by local authorities are recorded. Regulation 3 makes amendments consequential on Part 3 of the Local Government and Public Involvement in Health Act 2007 (which provided for the discontinuance of the mayor and council manager form of executive) and Part 1 of the Localism Act 2011 (which provided for local authorities to adopt either executive arrangements or the committee system).

Regulation 4 makes transitional provision.

No impact assessment has been prepared in relation to these Regulations because no impact on the private or voluntary sectors is foreseen.

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RECORDING OF MEETINGS

Governance Committee – 13 March 2014

Report of Chief Officer Legal and Governance

Status: For decision

Also considered by: Council – 1 April

Key Decision: No

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

Portfolio Holder Cllr. Fleming

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

Recommendation to Governance Committee: That Full Council meetings to be recorded on a trial basis for the month of May and July 2014 and if successful Full Council will be asked to ratify the roll out of recording all meetings of Full Council, Development Control Committee and Licensing Hearings.

Recommendation to Full Council: That Full Council meetings to be recorded on a trial basis for the month of May and July 2014 and if successful Full Council will be asked to ratify the roll out of recording all meetings of Full Council, Development Control Committee and Licensing Hearings.

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

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.
- 2 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.

Agenda Item 8

- 3 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.
 - The Council will have a true record of what was said in the event of an edited version being produced.

Matters to Consider

- 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 have looked into the feasibility of recording meetings that are held within the Council Chamber. Testing has confirmed that the recordings are clear when using the Chambers microphone system. Should two members be speaking into the microphones concurrently it will pick up both sets of voices. However, in testing, the recordings did also pick up the voices of those nearby, which could mean that some 'off-microphone' comments could be picked up.
- 6 The meetings would be recorded in an audio format called MP3. This is the format that audio is typically stored in and can be listened back on a collection of devices including PC's, laptops, tablet computers and MP3 players like iPods and iPhones.
- 7 As MP3 requires a small amount of disk space for storage, this would mean that storage for many meetings could take place.
- 8 A copy of the recording could be made available to the public upon request.
- 9 Information in relation to what recording is taking place at other councils indicates that Dartford Council and Tonbridge and Malling Council do not currently record any of their meetings. Tunbridge Wells Council is undertaking a trial run in relation to recording Full Council.

Policy Statement

- 10 The Governance Committee Working Group concluded that it was important to devise a Policy Statement that would set out the purpose of recording, how information on recording would be relayed to the public and the retention periods for recording. A draft Policy Statement is attached as an Appendix to this report.

Key Implications

Financial

In the testing the I.T department used a Philips digital Dictaphone which was easy to plug into the existing audio/visual (AV) solution in the chamber. This Dictaphone cost approximately £60 and could continue to be used for this purpose in the future.

The cost of providing the disk space includes the cost of securing the recording through the use of backup technology which will store the data both on-site and off-site.

Assuming that a meeting lasting three hours and the recording is retained for 6 months the cost would be £20 per meeting.

Example of costs

Meeting	Meetings / Year	6 Months Retention Cost	Retention Period (Years)		
			1	2	3
Council	7	£140	£280	£560	£840
Development Control	17 (approx)	£340	£680	£1,360	£2,040
			If retention periods are increased		

The retention periods shown above are examples.

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)

There would be a cost in officer time as an officer would need to setup the recording device at the start of the meeting and then store it away at the end of the meeting. This entire process is likely to take only a matter of minutes. An officer would also need to copy the audio recording onto the Council's IT systems, although this should take no long than 10 minutes to complete. Additionally an officer may need to review the entire meeting content to ensure that the recording is fit for purpose and this would take as long as the original meeting took place.

On occasion members of the public may ask for a copy of the recording in order to listen to what was said. This would be available on a CD and could be supplied on a cost recovery basis only.

Agenda Item 8

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	
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	The introduction of recording certain meetings enables there to be a true copy of what was said.
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.

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"](#)

Christine Nuttall

Chief Officer for Legal and Governance

Audio Recording of Meetings

Policy Statement

DRAFT

Introduction

Audio recording of meetings held in the Council Chamber was agreed by Council in April 2014.

This Policy Statement sets out the rules the Council will apply to undertaking audio recordings and its policies for the retention, sharing and disposal of those recording.

Purpose

Meetings are to be recorded to provide a full and accurate record of the discussions held at meetings held in the Council Chamber including Full Council, Development Control and Licensing Hearings.

The recordings will enable the Council to respond to any requests for clarification of items discussed. They will not be routinely reviewed or in anyway replace the process of the taking of Minutes at meetings.

The recordings will not be routinely published.

Policies

Signs will be posted on the entrance ways to meetings stating that the meeting may be recorded

Before commencing the meeting the Chairman of that meeting will inform attendees if the meeting is to be recorded

Recordings will be retained on the Council's network for a period of 6 months commencing on the day of the meeting.

At the end of the 6 month period the recordings will be deleted from the Council's network and no further record will be kept except in exceptional circumstances.

In exceptional circumstances, where a need is identified to retain the full recording for a period more than 6 months, the Council may make arrangements for the recording to be fully transcribed.

Transcribed documents, in line with best practice, will be retained until their useful life has ceased, before being properly disposed of.

Where the Council receives a request for a copy of the recording this will be made available on CD. The Council reserves the right to request payment for each copy of a recording produced based on cost recovery only.

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Governance Committee Work Plan 2013/14

13 March 2014	July 2014	September 2014	November 2014
Outcome of review of new governance arrangements	Review of Constitution		

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