

20 March 2018 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks

Despatched: 12.03.18



Legal & Democratic Services Advisory Committee

Membership:

Chairman, Cllr. Firth; Vice-Chairman, Cllr. Pett

Cllrs. Barnes, Bosley, Dr. Canet, Dyball, Eyre, Halford, Mrs. Hunter, Lake, McGarvey and Raikes

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting held on 23 January 2018, as a correct record.	(Pages 1 - 2)	
2. Declarations of Interest Any interests not already registered.		
3. Actions from Previous Meeting (if any)		
4. Update from Portfolio Holder		
5. Referrals from Cabinet or the Audit Committee (if any)		
6. Voter registration and engagement	(Pages 3 - 6)	Nicola Fletcher Tel: 01732 227188
7. Equalities Action plan update	(Pages 7 - 12)	Lee Banks Tel: 01732 227161
8. Brexit Update	(Pages 13 - 16)	Margaret Carr Tel: 01732 227341
9. Work Plan	(Pages 17 - 18)	

EXEMPT INFORMATION

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.

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

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

LEGAL & DEMOCRATIC SERVICES ADVISORY COMMITTEE

Minutes of the meeting held on 23 January 2018 commencing at 7.30 pm

Present: Cllr. Firth (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Barnes, Bosley, Dr. Canet, Dyball, Eyre, Mrs. Hunter, Lake and Pett

Apologies for absence were received from Cllrs. Halford, McGarvey and Raikes

Cllr. Hogarth was also present.

23. Minutes

Resolved: That the minutes of the meeting of the Committee held on 17 October 2017, and 14 December 2017 be approved and signed by the Chairman as a correct record.

24. Declarations of Interest

No additional declarations of interest were made.

25. Actions from Previous Meeting

The actions were noted.

26. Update from Portfolio Holder

The Portfolio Holder, and Chairman, advised that: she had held regular portfolio holder meetings since the last meeting; had signed off the written evidence submission to the CLG Committee Inquiry on 'The Impact of Brexit on Local Government'; had attended the Scrutiny Committee; had held one additional meeting on the affordable housing company on 19 December 2017 which had scoped out issues that needed to be looked, with another due to be held soon; and would be launching the second wellbeing walk in West Kingsdown the following week.

27. Referrals from Cabinet or the Audit Committee

There were none.

28. Impact of Brexit on Sevenoaks District Council

The Chairman welcomed Professor Ameila Hadfield Professor of European and International Relations who was accompanied by Christian Turner and Noora Virtanen, and David Firth, Policy Adviser along with the Director of Strategy, Policy, Relationships and Corporate Assurance, David Whittle both from Kent County Council (KCC).

Professor Hadfield gave a [presentation](#) on 'Kent and Medway - Making a success of Brexit: A sectoral analysis of Small and Medium-sized Enterprises and the Rural Economy', and Members took the opportunity to ask questions.

The Director of Strategy, Policy, Relationships and Corporate Assurance (KCC) addressed the Committee advising that KCC were looking at how Brexit would impact on their range of services, however at the moment it was difficult to plan with so many unknown factors.

The Chairman thanked all guests for attending and the Committee showed their appreciation.

The Policy Officer presented a report advising with information on the challenges of Brexit and advising that Officers would continue to monitor developments.

Resolved: That the report be noted.

29. Electoral Registration and Elections

The Elections Manager presented the report which set out the improvements which had been made to Electoral Services for electoral registration and elections within the scope of the current legislative framework. Further improvements would be made in 2018 to enable the Council to deliver efficiencies, enhance and automate processes and further improve the service delivered to customers.

Resolved: That the report be noted.

30. Work Plan

Subject to the deletion of 'Quercus 7 update on activities' and the addition on an update on Land Charges and Brexit developments, the work plan was noted.

THE MEETING WAS CONCLUDED AT 9.25 PM

CHAIRMAN

VOTER REGISTRATION AND ENGAGEMENT

Legal and Democratic Services Advisory Committee - 20 March 2018

Report of Chief Officer Corporate Services

Status For Information

Key Decision No

Executive Summary: This report sets out the current proposed plan for encouraging electoral registration and elector engagement in the electoral process. It outlines some of the activities which will be undertaken.

Portfolio Holder Cllr. Anna Firth

Contact Officer Nicola Fletcher, Ext. 7188

Recommendation to Legal and Democratic Services Advisory Committee:

The report be noted.

Introduction and Background

- 1 It is the duty of councils to look at ways of promoting high levels of registration to support democracy and engagement in civic life. Research conducted by the Cabinet Office in 2013 identified several demographic groups that are least likely to be registered to vote. These are:

Students and younger people (under 35);

People living in the private rented sector;

Certain Black and Minority Ethnic (BME) groups;

British citizens living abroad;

Commonwealth and EU citizens, and

Those classified as social grade DE (as defined by the Office for National Statistics as semi-skilled and unskilled manual occupations, unemployed and lowest grade occupations).

- 2 The Portfolio Holder has requested that Electoral Services investigate options for youth engagement in particular, and look at ways to increase levels of youth voter registration.

Agenda Item 6

- 3 A comparison of the 2011 Census data and the current ward elector totals has shown that registration levels across the district are extremely high at approximately 95%, compared to a national average of 84.7%. Using the same 2011 Census data, there are, on average 125 people not registered in each of the 26 wards across the District. Census data figures will include individuals who are not eligible to register because of nationality or people who have chosen to register at a different address if they have a second home.
- 4 The voter registration process did not require disclosure of a date of birth for all applicants until Individual Electoral Registration was introduced in 2014. We are therefore unable to determine an accurate age profile of those not registered to vote in each ward.

Engagement Activities

- 5 At present a new Public Engagement Strategy for electoral registration is being developed which will focus on engaging with electors and encouraging registration in line with the Electoral Commission's performance standards for Electoral Registration Officers (ERO). This new strategy will include making more effective use of social media and be in place to encourage registrations in advance of the next scheduled elections in 2019.
- 6 The Political and Constitutional Reform Committee (House of Commons Select Committee) produced a report in November 2014 on Voter Engagement in the UK, with recommendations that included the engagement of young people. The Government's response in February 2015 indicated that they felt there was a strong case for making greater efforts to register 16 to 18 year olds at school and in college—particularly as registration now takes place on an individual basis and can be done, easily, on-line, from school. The Cabinet Office is working with the Department for Education on promoting this in schools.
- 7 The response also stated that effective citizenship education is an important part of the process of becoming an engaged voter, and should continue to be a part of the national curriculum. Schools' citizenship education courses specifically include discussion of the political and governmental structures of the UK and the electoral systems that operate in the UK, and also the practicalities of registering to vote and actually participating at an election.
- 8 Electoral Services officers are planning to liaise with Kent County Council (KCC) to ascertain to what extent local democracy is included in the national curriculum delivered in local schools.
- 9 As Members will be aware three new posts have been created for Electoral Outreach Canvassers who carry out the door to door canvassing and work on encouraging participation in the electoral process.
- 10 The Outreach Canvassers will also be able to deliver workshops and information sessions on electoral registration to a range of audiences.

- 11 Electoral registration forms and letters will continue to be modified, where legislation allows, to deliver the most appropriate message and call to action for residents. A recent successful example of this has been the review letter testing where three revised legislatively compliant and more customer focused letters were sent out. There has been no adverse feedback from any of the three versions.
- 12 The new Electoral Outreach Canvassers will continue the liaison and close working relationships with care homes to help facilitate the resident's participation in the electoral process.
- 13 Mencap received Government funding to look at ways of increasing voter registration and voting, and has developed an easy-to-read guide to registering to vote and voting, to be used in a one-to-one setting for with people with learning disabilities, their families and carers. Mencap is also adapting the Government's freely available resource for engaging young people in the democratic process, specifically for young people with a learning disability.
- 14 Representatives from support groups and charities like Mencap and the RNIB will be invited in to discuss with officers the registration process and any support or resources which could be offered by Electoral Services.
- 15 Electoral Services officers will also liaise with organisations such as the Citizens Advice Bureau and Porchlight to discuss ideas for improving registration rates.
- 16 Electoral Services will continue to work with other Council departments to help promote electoral registration and to offer registration assistance.
- 17 Bite the Ballot is a national, youth-led movement which works to engage communities by working in schools and community settings, choosing a current national issue to stimulate debate. They have a Community Engagement and Insight Programme taking place during National Democracy Week (2nd - 6th July 2018). This Programme has been reviewed and it has been concluded that it would not be appropriate to take this particular initiative forward.

Other Options Considered and/or Rejected

- 18 None

Key Implications

Financial

Any activities undertaken to encourage electors to register and to participate in the electoral process will be met from existing budgets.

Agenda Item 6

Legal Implications and Risk Assessment Statement

Under Section 8 of the RPA 1983 it is a requirement for every district council and London Borough to appoint an Electoral Registration Officer (ERO). Whilst the ERO is appointed by the council, the ERO's responsibilities are personal. The ERO is required to take steps to encourage participation by electors in the electoral process and meet the performance standards set by the Electoral Commission.

Failure to adhere to the legislative requirements on the ERO and the Returning Officer would be a significant risk to the Council.

Equality Assessment

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

Conclusions

This report sets out for Members information the approach and actions which will be taken by Electoral Services to improve levels of voter registration.

There are a number of further improvements to be made and these will be introduced during 2018.

Members are recommended to consider the information provided within the report and note the actions the service will take to deliver higher levels of voter registration.

Appendices None

Background Papers Cabinet Office Electoral Registration Analysis -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/226739/Electoral-Registration-Analysis-CO.pdf

Political and Constitutional Reform Report -

<https://publications.parliament.uk/pa/cm201415/cmselect/cmpolcon/1037/103704.htm>

Jim Carrington-West

Chief Officer Corporate Services

EQUALITIES ACTION PLAN UPDATE

Legal and Democratic Advisory Committee - 20 March 2018

Report of Chief Executive
Status: For Consideration
Key Decision: No

Executive Summary: Public authorities are required to prepare and publish equality objectives at least every four years. The Council's current equality policy statement and objectives for 2016-2020, which reflects priorities identified from a Members' Equality Action Plan workshop, was adopted by Cabinet in April 2016. This report provides a summary of progress against the actions set out by Members at their meeting in June 2017.

This report supports the Council's promise to provide value for money.

Portfolio Holder Cllr. Anna Firth
Contact Officers Lee Banks, Ext 7161.

Recommendations to Legal and Democratic Advisory Committee:

Note the progress made against the Council's Equalities actions in 2017-18.

Reason for recommendation: To comply with our obligations under the Equality Act (2010), based on Members' priorities.

Introduction and Background

- 1 The Equality Act (2010) sets out a 'Public Sector Equality Duty' which requires public authorities to have 'due regard' to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their day to day work - in shaping policy, in delivering services and in relation to their own employees.
- 2 As part of the duty, public authorities are required to prepare and publish one or more objectives and review these at least every four years. Public authorities are also required to publish information to demonstrate how they are complying with the duty.
- 3 The approval of an equality policy statement and objectives is within the Council's policy framework and is a matter for Cabinet. The Council has a strong record of ensuring its services are responsive to the needs of residents

Agenda Item 7

and customers, whilst taking a proportionate response to implementing equalities legislation. The Council's current equality policy statement and objectives for 2016-2020, which reflects priorities identified from a Members' Equality Action Plan workshop, was adopted by Cabinet in April 2016.

Equalities Action Plan 2017-18

- 4 The Council continues to take a proportionate approach to responding to its duties under the Equality Act (2010), reflecting the demographics of its communities and within current resource constraints.
- 5 There Council's Equality Policy Statement sets out five equality objectives relating to its roles as a community leader, service provider and employer. The objectives relate to the protected characteristics of disability, age and sex (gender) to reflect the priorities identified in a Member workshop and broadly focus on catering for the needs an ageing population.
- 6 The Council is determined to continue to meet the objectives it has set out in its Equality Policy and Objectives. To this end it is important that there is clarity about the actions we will take each year. At its meeting on 19 June 2017 Members set out additional actions they would wish to see the Council take. These are set out below with a corresponding update from services on the progress to date.
- 7 **To deliver a Trusted Friend engagement scheme.**

Action: The Council would work with the Accessibility Group to deliver a new Sevenoaks Trusted Friend engagement scheme aimed at "helping the helpers" to better help residents who need help to access our services. The aim is to provide a contact point for those who are currently acting as trusted friends for those with physical or educational disabilities so that they can get information and/or support about what we currently provide and, secondly, to enable us through the trusted friend to better understand the access needs of our residents and thereby improve our services.

Update: The principles of the trusted friend scheme have been built in to the Council's work to redesign its services around the customer. Central to this is working to create a single customer database that can be accessible to multiple departments to enable them to understand the individual needs of customers. Work with the Accessibility Group has unfortunately been delayed as the member of the group with a keen interest in accessible information standards has been unable to attend recent meetings. Work continues to progress, but it is unlikely that the new scheme will be able to be delivered until later in 2018.

8 Increase the number of carers assessments and respite placements offered in our District.

Action: Through actions in our Community Plan and Health Action Plan we will increase the number of carers assessments and respite placements offered.

Update: Kent County Council are responsible for the commissioning of carers assessments and respite placements across the County, including in Sevenoaks District. Data on the level of provision was not available at the time of writing this report. However, Imago, who are commissioned by the County Council for respite for young carers are now providing workshops in Sevenoaks and Swanley focused on 'improving life at home' and provide six respite activities in the District each year, for groups of carers. Imago's current active case load in the Sevenoaks district is 489 Young Carers who are accessing their services at present.

9 Deliver a new health walk aimed at those recovering from illness and those that through age or fitness are unable to tackle more strenuous exercise.

Action: Work with the Communities and Business team to deliver a new free health walk aimed at those who due to illness (chronic or recent), age, lack of opportunity are too unfit for one of our existing health walks (up to 2 miles and up to an hour) but who whose physical and mental health would benefit enormously from getting out in the fresh air and walking, talking and moving over a shorter distance (up to 1 mile and up to half an hour)

Update: Two new health walks have been delivered in the District. The Council supported the creation of the first 'Every Step Counts' walk in Otford in September 2017, with walk leaders Cllr Anna Firth, Jo Kingston and Irene Collins. The second new walk takes place in West Kingsdown and was launched in January 2017.

10 Increase access to health activities by implementing a multi-agency signposting service for older and vulnerable people.

Action: Work with the Health Board to increase access to our health activities by implementing a multi-agency signposting service (including GP's) for older and vulnerable people.

Update: Through the Councils HandyHERO service and the launch of the One You service that arose from the Council's West Kent Devolution deal there is significantly new resource being dedicated to ensuring people, including older and vulnerable people have access to the support they need. The Council's achievements in Health and Social Care have also been recognised with a Gold Award in the national iESE Awards, with the Council's work being competing alongside the work of two large Scottish Unitary Councils.

Agenda Item 7

11 **Recognise equalities achievements in our District through the Making it Happen awards.**

Action: Introduce two new Making It Happen awards; Carer of the Year and Equalities Champion of the Year (for a business or organisation that has really pushed the envelope to advance equality or eliminate discrimination or prejudice in their line of work).

Update: Each of the two new categories has been agreed for inclusion in the next Making it Happen Awards. These are scheduled to take place in 2019.

Other Options Considered and/or Rejected

12 None.

Key Implications

Financial

Understanding the needs of people with protected characteristics under the Equality Act (2010) will assist the Council in allocating resources to areas or services where it is considered to be a greater priority.

Legal Implications and Risk Assessment Statement

The Council is required to comply with the Equality Act 2010. Failure to do so may result in the Council not being able to demonstrate what steps it is taking to tackle inequalities and action being taken by the Equality and Human Rights Commission.

Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. This report sets out some of the action the Council has taken in 2017/18 to address key areas of discrimination and disadvantage.

Community Impact and Outcomes

The equality actions are intended to have a positive impact on our communities and people who use our services.

Conclusions

This report sets out the progress the Council has made in delivering actions against its Equality Policy and Objectives in 2017. A further report will be provided in June this year setting out all of the Council's actions in the year and to agree its priorities for 2018/19.

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BREXIT UPDATE

Legal and Democratic Services Advisory Committee - 20 March 2018

Report of	Chief Executive
Status	For consideration
Key Decision	No

Portfolio Holder	Cllr. Anna Firth
Contact Officer	Margaret Carr, Ext. 7341

Recommendation to Legal and Democratic Services Advisory Committee:

To note the contents of the report.

Reason for recommendation: Assessing the impact of Brexit on the Council is part of an on-going role for the Chairman of the Legal and Democratic Services Advisory Group and supports Members in identifying any preparation that might be necessary to meet the challenges and opportunities ahead.

Introduction and Background

- 1 At the meeting on 23 January 2018, the Legal and Democratic Services Advisory Committee were provided with an update on the work of the Portfolio Holder and Officers on measuring the impact of Brexit on the council.
- 2 Members heard from Professor Amelia Hadfield, from the University of Christ Church, Canterbury, on the work by the university to assess the impact of Brexit on the rural economy and SMEs in Kent. Members were also advised at the meeting of the response that had been submitted by the Portfolio Holder to the Housing, Communities & Local Governments (HCLG) inquiry into the impact of Brexit on Local Government, and the work of officers on assessing some of the legislative changes that could occur as a result of leaving the EU.
- 3 This report updates Members of the Legal and Democratic Advisory Services Committee on further activity since that meeting.

Update on UK Government negotiations

- 4 On 18th January 2018, the UK/France Summit set out plans for closer co-operation and collaboration on migration and economic development in the Calais and Dover regions, at which, among other actions, both countries

Agenda Item 8

signed a new treaty on migration management, promised loser joint working in defence, security, foreign policy, science and research and education, cultural and civic cooperation, and the UK promised a further £44 million to reinforce security around French channel ports and accommodation facilities outside the Calais and Dunkirk area.

- 6 Transition talks have been the focus of the next phase of negotiations. The UK has proposed a transition period (also referred to as an “Implementation Period”) of “around two years”, that is essentially full EU membership minus participation in EU decision-making bodies, offices and agencies. This means the UK could continue to participate in the Customs Union and the Single Market during the transition period but would have to apply EU law, and accept the jurisdiction of the European Court of Justice.
- 7 Formal talks on the framework for a future relationship can only begin after the next Heads of Government summit in March 2018.

Update on activity by Kent County Council (KCC)

- 8 Brexit was an agenda item on the Kent Policy Officers Network meeting held in Maidstone on 26 February 2018. At this meeting, KCC officers shared their current activity regarding preparation for Brexit.
- 9 In addition to on-going tracking of development in the negotiations KCC are providing informal briefings for Scrutiny Committee and Cabinet Members, and looking to analyse both the potential scale of workforce impacts for key sectors, and Kent businesses which are currently dependent on EU trade but could explore other new domestic and international trade opportunities. They are also seeking Kent’s business community perspective on business resilience and sector impacts, and seeking to influence the forthcoming Shared Prosperity Fund which will replace current EU funding programmes.

District Councils Network (DCN)

- 10 Officers contacted the DCN in February to find out what additional activity they may have planned regarding Brexit and the HCLG Inquiry into Brexit. The Director of the DCN was clear that “now was not the right time to speak in a different voice from that of the LGA” and that they were supporting the LGA’s approach and identification of challenges and opportunities.

HCLG Inquiry into Brexit and Local Government

- 11 On 15 January 2018 The Secretary of State for Housing, Communities and Local Government responded to the Committee Chair’s letter of 18 December 2017, summarising the main findings of the evidence thus far. The response letter is provided as a background document to this report.
- 12 Officers contacted the Committee Clerk to find out what, if any, additional oral evidence they were seeking to hear as part of the on-going inquiry. The Committee’s intention is to hear next from an urban/city perspective,

and subsequently a rural/semi-rural one; however, the Committee have not yet decided who to call for these sessions, nor released any dates.

Sevenoaks Business Survey

- 14 Officers have drafted a survey to enable businesses in the district to give their views about the challenges and opportunities for Brexit which will be distributed as part of RealBusiness, the council's e-bulletin for employers in the district. The Portfolio Holders for Legal & Democratic Services and Economic & Community Development have provided helpful commentary on the draft survey. It is anticipated that this will be distributed towards the end of March with results available from early June.

Key Implications

Financial

N/A

Legal Implications and Risk Assessment Statement.

N/A

Equality Assessment

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

Conclusions

There is still significant progress to be made by the UK Government on both the deal to leave the EU, the nature of the "Implementation Phase" and the UK's future trading relationship with Member states. Officers will continue to track the progress of the negotiations and the work of the HCLG Committee Inquiry; continue to liaise with the LGA and KCC regarding Brexit research or analysis that could affect local government and share the results of the survey of Sevenoaks Businesses when it has concluded.

Background Papers

<http://www.parliament.uk/documents/commons-committees/communities-and-local-government/Correspondence/Letter-from-the-SoS-for-Housing-Communities-and-Local-Government-relating-to-Brexit-and-local-government-15-January-2018.pdf>

Dr Pav Ramewal
Chief Executive

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Legal & Democratic Advisory Committee Work Plan 2016/17 (as at 23/02/18)

20 March 2018	28 June 2018	4 October 2018	19 March 2019
Elections Youth Registration project Equalities Action plan update Brexit developments	Update on Land Charges		

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