

04 October 2018 at 7.00 pm

**Conference Room, Argyle Road, Sevenoaks
Despatched: 26.09.18**



Legal & Democratic Services Advisory Committee

Membership:

Chairman, Cllr. Firth; Vice-Chairman, Cllr. Pett
Cllrs. Abraham, Barnes, Bosley, Coleman, 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	(Pages 1 - 6)	
To agree the Minutes of the meeting held on 28 June 2018, as a correct record.		
2. Declarations of Interest		
Any interests not already registered.		
3. Actions from Previous Meeting (if any)		
4. Update from Portfolio Holder	(Pages 7 - 8)	Cllr. Firth
5. Referrals from Cabinet or the Audit Committee (if any)		
6. Legal Successes	(Pages 9 - 12)	Martin Goodman Tel: 01732 227245
7. GDPR Update	(Pages 13 - 14)	Martin Goodman Tel: 01732 227245
8. Budget 2019/20: Service Dashboard and Service Change Impact Assessments (SCIAs)	(Pages 15 - 38)	Adrian Rowbotham Tel: 01732 227153
9. Shared Services Update	(Pages 39 - 44)	Adrian Rowbotham Tel: 01732 227153

10. Brexit Update	(Pages 45 - 48)	Lee Banks Tel: 01732 227161
11. Local Land Charges - Update	(Pages 49 - 56)	Jim Carrington-West Tel: 01732 227286
12. Electoral Services update	(Pages 57 - 62)	Mark Avis Tel: 01732 227429
13. Work Plan	(Pages 63 - 64)	

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 28 June 2018 commencing at 7.00 pm

Present: Cllr. Firth (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Abraham, Barnes, Bosley, Eyre, Halford, Mrs. Hunter, Pett and Raikes

Apologies for absence were received from Cllrs. Coleman, Lake and McGarvey

Cllrs. Mrs. Bosley, Dr. Canet and Purves were also present.

1. Appointment of Chairman

Resolved: That Cllr. Firth be appointed as Chairman of the Advisory Committee for 2018/19.

Cllr. Firth in the Chair

2. Appointment of Vice Chairman

Resolved: That Cllr. Pett be appointed as Vice Chairman of the Advisory Committee for 2018/19.

3. Minutes

Resolved: That the Minutes of the meeting of the Advisory Committee, held on 20 March 2018, be approved and signed by the Chairman as a correct record.

4. Declarations of Interest

The Chairman declared that she had a non-pecuniary interest in the already launched Every Step Counts initiative.

5. Actions from Previous Meeting

The Chief Officer Corporate Services confirmed that the Action from the previous meeting had been completed. Review letters that had been tested had been sent to Members, with some feedback received. He also confirmed the Annual Canvass would start in August.

6. Update from Portfolio Holder

The Portfolio Holder's update was noted. She confirmed that the first 'Democracy Roadshow' - as part of National Democracy Week, would take place on Monday 2 July at Orchards Academy, Swanley. The roadshow would visit three schools during July. Sir Michael Fallon and the Chairman of the District, along with other local Members had helped promote the roadshow.

The Portfolio Holder also confirmed that the Licensing Partnership were exploring a new partnership with the London Borough of Bromley.

7. Referrals from Cabinet or the Audit Committee

There were none.

8. Affordable Housing Company - Update

The Chief Officer Communities & Business presented an update to Members on the setting up of an Affordable Housing Company. The Council had agreed the setting up of the Company at Council on 21 November 2017 subject to a sound business case being established. A special meeting of the Legal & Democratic Services Advisory Committee had been held on 14 December 2017 to consider the commissioned business case. Members identified Option G as the preferred option, based on an investment of £3million. Further work was needed to look at whether, with a higher level of investment, as anticipated, sufficient surpluses would be generated to cover the running costs of the company.

The Chief Officer for Community & Business reported on activity that had taken place since that meeting, including the remodelling of the business case using a higher level of investment, potential end of life replacement costs, the company running costs, whether S106 monies could be used for running costs, potential for Right to Buy and void rates. This information was summarised in the report and appendices. Members and Officers with delegated authority had subsequently confirmed that there was a sound business case and the company had been incorporated.

Members questioned the age of current housing stock in the District and whether 60 years would be a reasonable lifetime for the stock and whether surpluses would be used for housing alone. The Chief Officer Communities & Business confirmed that the industry standard is 60 years and the surpluses obtained after running costs could only be used on housing.

She also confirmed to Members that the company was looking at several potential sites to be discussed at the first meeting of the Board at the end of July.

Members questioned what percentage of houses built would be affordable housing. The Chairman confirmed that the intention was that all houses built would be affordable housing. The Chief Officer Communities & Business said that in some

cases it may be necessary to invest in market housing alongside the affordable in order to make the project as a whole viable.

Members also queried whether affordable housing projects would be built on land owned by the District Council. The Chief Officer Communities & Business confirmed that the company would always consider using District Council-owned land if it were offered. However, the decision to provide the land would be one for Members to make at the time; it was not something within the control of the Company. The business case modelling included paying full market price for the land used.

Public Sector Equality Duty

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

Resolved: That the report be noted.

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement, the Chairman brought forward the consideration of agenda item 11.

9. Licensing and How It Impacts Public Health

The Head of Licensing Partnership gave a presentation to Members providing them with information on how licensing can affect the health and wellbeing of residents.

The presentation provided figures on the sale of alcohol, taxi licensing and gambling.

She explained to Members that the Licensing Partnership has associated itself with a Metropolitan Police initiative called WAVE (Welfare and Vulnerability Engagement). This initiative was set up to remind/train the industry and officers about having a positive impact on health outcomes.

For taxi drivers in the District, the aim was to educate, and to understand “red flag issues” that taxi drivers may see when at work.

The Head of Licensing Partnership explained that no new betting shop applications would be likely as this type of shop was on the decline due to the competition with online gaming. She did however confirm that some betting shops across the country were turning into Adult Gaming Centres.

Members thanked the Head of Licensing Partnership for her presentation.

Public Sector Equality Duty

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

Resolved: That the report be noted.

10. Equalities Action Plan

The Head of Transformation & Strategy provided an update of the progress made by the Council concerning the equality policy adopted by Cabinet in April 2016.

He explained that the actions taken in 2017-18, as set out in the report, had made a positive difference to the District and its residents.

The Chairman questioned whether the Council had addressed the gender pay gap seen across the country.

The Head of Transformation & Strategy confirmed that the Council's gender pay gap is relatively low when compared to other organisations, and the Council recruited on ability, irrespective of gender, and the recruitment process followed equalities requirements.

The Chief Officer Corporate Services told Members of the Committee that the Scrutiny Committee had a working group that looked into areas relating to staffing and have had numerous meetings including that with external agencies.

He also confirmed that, in relation to the Council's workforce, the balance was near to 50-50, with 52% male and 48% female working for the Council.

Public Sector Equality Duty

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

Resolved: That the report be noted and ideas for any priorities for action in 2018-19 be made known to the Head of Transformation and Strategy at a later date.

11. Brexit Update

The Head of Transformation & Strategy provided an update to Members about how Brexit will affect the District and the challenges and opportunities that lie ahead.

He confirmed that the Prime Minister will be meeting with her Cabinet on 6 July and, more information on the customs agreement with the EU is expected shortly afterwards.

Members questioned what impact Brexit would have on the Council. The Head of Transformation & Strategy said it was his view that there would be no significant impact in the short to medium term. He also confirmed that Brexit would likely have an impact on the District's economy and the Council has prioritised supporting and developing its local economy through its Corporate Plan.

Public Sector Equality Duty

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

Resolved: That the report be noted.

12. National Democracy Week - update

The Chief Officer Corporate Services confirmed to Members that the inaugural National Democracy Week would take place from 2 to 6 July 2018 and that a number of activities were undertaken involving District Councillors, the Member of Parliament for Sevenoaks and officers from the Council itself.

As per the Portfolio Holder's update, there would be a 'democracy roadshow' across the District, going to schools and giving them the information necessary to be a part of future democracy and elections. This would include electoral registration and a mock poll would be held.

Public Sector Equality Duty

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

Resolved: That the report be noted.

13. Work Plan

The Chairman wanted it to be noted of the appreciation and congratulations to the Legal team for the successful implementation of GDPR across the Council.

The following amendments were made to the work plan:

22 January 2019

Update on the Licensing Policies

THE MEETING WAS CONCLUDED AT 8.56 PM

CHAIRMAN

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LEGAL AND DEMOCRATIC SERVICES - 21 SEPTEMBER 2018

Cllr Anna Firth, Cabinet member for Legal & Democratic Services

Quercus Housing

On the 13 September the first guarantor board meeting of Quercus Housing took place at which the business plan was agreed in line with the recommendations of the property consultant and this committee. £6m from our section 106 affordable housing contributions has since been committed to Quercus Housing to provide fund affordable housing across the district. Quercus Housing is working on its first purchase and I hope to update members and this committee at our next meeting if it goes ahead.

Quercus 7

Quercus 7 have now had an offer accepted on a new build property in Gravesend (5 residential flats) which achieves the Quercus 7 investment return criteria. Again, I hope to inform this committee that the deal has been completed and Q7 is generating investment income for the Council at our next meeting.

Legal / Lexcel

The legal team continue to be extremely busy providing legal assistance to all areas of the Council - see the attached table of recent legal successes. In addition, I am delighted to report that the Legal team has once again been awarded full Lexcel accreditation following an in depth 3 year review. No mean feat!

Elections / National democracy week - “Inspiring the next generation of voters”

The three “Democracy Roadshows” that were rolled out as part of National Democracy week in July were hugely well received by pupils and teachers alike. The roadshows involved pupils taking part in a democracy quiz, voting in a real live voting station, listening to presentations from Sir Michael Fallon, the Chairman and local members and watching a pre-recorded video from Lizzy Yarnold OBE. The Cabinet office paid particular interest and sent along various representatives to watch/take part and the Schools. Repeat performances have been requested next year!

Lizzie Yarnold National Democracy Week Video:

<https://www.youtube.com/watch?v=jDQ05bnERDU>

Orchards Academy Swanley:

https://twitter.com/SDC_newsdesk/status/1014118381287550976

Trinity School Sevenoaks:

https://twitter.com/SDC_newsdesk/status/1015248035230765058

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Licensing

Bromley joining licensing partnership - our initial quote was well received and is now proceeding through their committee structure and I hope to have more news by the next committee meeting.

Neverworld Festival - licensing successfully managed their side of the application process and subsequent compliance monitoring and the event. This was a huge effort all round (hampered by road closures at the opening and close of the event).

Gambling Policy - out for consultation and due to go to Licensing Committee 1st November. A minor refresh is proposed, nothing new or radical, in line with the policies for Maidstone and Tunbridge Wells.

Hackney carriage drivers - we currently have a consultation out with Hackney carriage drivers following a request to raise the tariff. Findings will be reported to Licensing Committee on 1st November so a decision can be made.

Animal Licensing - this has dominated the licensing team in the last few weeks with every council rushing to try and set fees and get training as new legislation came in on 1st October 2018. DEFRA released guidance so late that everyone is rushing to try and get set up. The Licensing Partnership Manager, Sharon Bamborough, has taken a lead in trying to co-ordinate with other authorities (not just those in the partnership) and share info.

Brexit

The terms of our eventual trade that are so necessary for our local businesses to plan ahead are still no clearer although we are finally approaching “crunch time”. The LGA are conducting a series of regional roadshows regarding their Post-Brexit Commission and there is one scheduled for the 18 December in London if anybody is interested.

[https://lgaevents.local.gov.uk/lga/frontend/reg/thome.csp?pageID=209442&eventID=619&CSPCHD=00000100000wXTXQa1nscAPFEdodzhaEW89Kv1DHZkH6\\$RLEK](https://lgaevents.local.gov.uk/lga/frontend/reg/thome.csp?pageID=209442&eventID=619&CSPCHD=00000100000wXTXQa1nscAPFEdodzhaEW89Kv1DHZkH6$RLEK)

Democratic services / Chairman

The democratic services team continue to support the many Council committees as well as the Chairman’s diary.

Shared services

Recently I reviewed the Council’s list of shared services which support the Council’s on-going aspiration to provide first class services at the most reasonable price. Additional contracts have been won during the year resulting in the amount saved from sharing services now exceeding £700,000. I still believe there is much more that could be achieved across the whole sector especially with so many first tier authorities in trouble, however, finding suitable local partners continues to be challenging.

LEGAL SUCCESSES

Legal and Democratic Services Advisory Committee - 4 October 2018

Report of Chief Officer Corporate Services

Status For information

Key Decision No

Executive Summary: A table showing the successes of the Legal team is appended to this report.

Portfolio Holder Cllr. Anna Firth

Contact Officer Martin Goodman, Ext. 7245

Recommendation to Legal and Democratic Services Committee:

That the report be noted.

Introduction and Background

- 1 The Legal team provides an in-house service to the Council, covering a wide range of contentious and non-contentious work.
- 2 The appended table is a snapshot of significant 'legal successes' since the last meeting of the Advisory Committee.
- 3 This report is to be noted.

Key Implications

Financial

None arising from this report.

Legal Implications and Risk Assessment Statement.

None arising from this report.

Equality Assessment

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

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Appendices Appendix A - Table of Legal successes.

Background Papers None.

Jim Carrington-West

Chief Officer Corporate Services

LEGAL SUCCESSES
28/06/2018 TO 04/10/2018

DATE	LEGAL ACTION	RESULTS	FINANCIAL IMPLICATIONS	FOLLOW-UP
30/06/2018	Lexcel accreditation achieved	Full compliance	Lexcel fees only	Annual assessments
05/07/2018	Ryewood, Rye Lane, Dunton Green - S106 Deed of Variation and new s106 Agreement (for AH provision on site)	Deeds completed	£500 income for DoV £500 income for Agreement	None
12/07/2018	Oakview Stud Farm, Horton Kirby - Injunction	Injunction granted by the High Court against the development of a part of the site	Costs of counsel, agent and court fee of approximately £6,000 (not recoverable until/unless final Order)	Planning to monitor compliance
27/07/2018	Hopgarden Farm, Telston Lane, Otford - prosecution of two occupants for failure to comply with Enforcement Notice to remove caravan and use for residential occupancy	Guilty pleas in Magistrates' Court	Each defendant fined £125 + order to each pay a contribution of £250 towards Council's costs. Victim Surcharge Levy of £30 each. Total financial penalty of £405 each.	Receipt of costs (by instalments), following the collection by the court of the fine + levy at £70 per month.
07/08/2018	Completion of Premier Inn, Sevenoaks lease together with outside representation	Successful completion	Within existing budgets	None required
10/08/2018	The Convent of Mercy, Swanley - application for Extension to Closure Order under the Anti-social Behaviour, Crime & Policing Act 2014	Obtained Extension to Closure Order for further three months	Appointment of counsel to defend appeal proceedings in Crown Court 24-25 Oct	Report court result

LEGAL SUCCESSES
28/06/2018 TO 04/10/2018

DATE	LEGAL ACTION	RESULTS	FINANCIAL IMPLICATIONS	FOLLOW-UP
05/09/2018	Emergency High Court injunction to prevent occupation or further development of Land west of 1 Wood Street, Swanley	Injunction successfully awarded one day after receiving instructions	Normal litigation costs	Appropriate follow up enforcement measures being considered
14/09/2018	Payment of sum for release of covenant	Completion of deed and payment	£20,000 income plus full legal costs	None required
18/09/2018	Successful tender for construction of Buckhurst 2 town houses	Tender awarded	Within existing budgets	Contract documents being finalised

GDPR UPDATE

Legal and Democratic Services Advisory Committee - 4 October 2018

Report of Chief Officer Corporate Services

Status For information

Key Decision No

Executive Summary: This is an update on GDPR, to be noted.

Portfolio Holder Cllr. Anna Firth

Contact Officer Martin Goodman, Ext. 7245

Introduction and Background

- 1 The General Data Protection Regulation (GDPR) came into force on 25 May 2018. This was enacted in the UK as the Data Protection Act 2018. It provides individuals with greater rights over the use of their personal information and ensures organisations use the information fairly, transparently and securely. It sets out the lawful ways in which the Council can use information.
- 2 The Council has fully implemented GDPR and its core business has not been affected by the new regime.

The provisions

- 3 GDPR applies to information that we collect and use about living individuals, known as personal data. This covers a wide range of information but the most common example is a person's name and address.
- 4 The council has a responsibility to tell individuals it is going to use their personal data. We do this through a document called a Privacy Notice which is available on the Council's website here: www.sevenoaks.gov.uk/privacy. A link to this notice is now on the footer of every external Council email, along with a link which allows users to 'unsubscribe' from any email lists.
- 5 GDPR gives individuals a number of rights over their personal data, such as the right to see the information the Council holds about them ('subject access'), the right to correct inaccurate information and the 'right to be forgotten'. The Council has processes in place to respond to an exercise of these rights.

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- 6 As required by GDPR the Council protects the privacy and security of all data that it controls and processes. The technical and physical security measures in place are sufficient to ensure compliance.
 - 7 GDPR compliance at the Council was managed by a small working group of officers. Training was rolled out to Officers and made available to Members. As part of the implementation process every service area carried out a data audit and considered the lawful and necessary retention period for the data it held. All relevant internal processes and policies were reviewed. The Council is confident that it implemented GDPR in an effective manner and that full compliance was achieved.

The ICO

- 8 The Information Commissioner's Office is the supervisory authority which regulates data protection law in the UK. The ICO can be contacted through its website www.ico.org.uk and most questions relating to data protection can be answered by visiting the site. The Council has notified the ICO that it processes personal data and this notification covers its Officers and Members while acting on Council business.

Key Implications

Financial

None arising from this report.

Legal Implications and Risk Assessment Statement.

None arising from this report.

Equality Assessment

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

Conclusions

This report is for noting only.

Appendices

Background Papers None.

Jim Carrington-West

Chief Officer Corporate Services

BUDGET 2019/20: SERVICE DASHBOARDS AND SERVICE CHANGE IMPACT ASSESSMENTS (SCIAs)

Legal and Democratic Services Advisory Committee - 4 October 2018

Report of	Chief Finance Officer
Status	For comment
Also considered by	Economic and Community Development Advisory Committee - 25 September 2018
	Planning Advisory Committee - 2 October 2018
	Direct and Trading Advisory Committee - 9 October 2018
	Finance Advisory Committee - 30 October 2018
	Housing and Health Advisory Committee - 27 November 2018
	Policy and Performance Advisory Committee - 29 November 2018
Key Decision	No

Executive Summary:

This report sets out updates to the 2019/20 budget within the existing framework of the 10-year budget and savings plan. The report presents growth and savings proposals that have been identified which need to be considered (if applicable to this Committee), and requests further suggestions from the Advisory Committees, before finalising the budget for 2019/20.

Informed by the latest information from Government and discussions with Cabinet, it is proposed that the Council continues to set a revenue budget which assumes no direct funding from Government through the Revenue Support Grant or New Homes Bonus. This will result in the Council continuing to be financially self-sufficient as set out in its Corporate Plan.

To achieve this aim and to ensure a balanced budget position over the next 10-year period, whilst also increasing the Council's ability to be sustainable beyond that time, a savings requirement of £100,000 per annum is included.

Other pressures may result in a requirement for further savings. Officers will continue to monitor these pressures and report the latest position to Cabinet in December.

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Portfolio Holder Cllr. John Scholey

Contact Officer(s) Adrian Rowbotham, Ext. 7153

Alan Mitchell, Ext. 7483

Recommendation to each Advisory Committee:

- (a) Advise Cabinet with views on the growth and savings proposals identified in Appendix D applicable to this Advisory Committee.
 - (b) Advise Cabinet with further suggestions for growth and savings applicable to this Advisory Committee.
-

Reason for recommendation: It is important that the views of the Advisory Committees are taken into account in the budget process to ensure that the Council's resources are used in the most suitable manner.

Introduction and Background

- 1 The Council's financial strategy over the past fourteen years has worked towards increasing financial sustainability and it has been successful through the use of a number of strategies including:
 - implementing efficiency initiatives;
 - significantly reducing the back office function;
 - improved value for money;
 - maximising external income;
 - the movement of resources away from low priority services; and
 - an emphasis on statutory rather than non-statutory services.
- 2 Over this period, the Council has focused on delivering high quality services based on Members' priorities and consultation with residents and stakeholders. In financial terms, the adoption of this strategy has to date allowed the Council to move away from its reliance on general fund reserves.
- 3 Using the data sources available to the Council, this report sets out a budget over the 10-year period but recognises that it is likely that more accurate data will become available in future months and current assumptions may need to be updated.
- 4 In setting its budget for 2011/12 onwards, the Council recognised the need to address both the short-term reduction in Government funding as well as the longer-term need to reduce its reliance on reserves. The outcome was a 10-year budget, together with a four-year savings plan, that ensured the

Council's finances were placed on a stable footing but that also allowed for flexibility between budget years.

- 5 With the Revenue Support Grant provided by Government ceasing from 2017/18 it is important that the council remains financially self-sufficient by having a balanced economy and a financial strategy that is focused on local solutions. These solutions include:
 - continuing to deliver financial savings and service efficiencies;
 - growing the council tax and business rate base; and
 - generating more income.
- 6 The intention of this report is to provide Members of each Advisory Committee an opportunity to give their views on potential growth and savings items that could be included in the updated 10-year budget that will be presented to Council on 26 February 2019.
- 7 The 'Financial Prospects and Budget Strategy 2019/20 and Beyond' report has been presented to Cabinet to start the budget setting process for 2019/20.

Financial Self-Sufficiency

- 8 The Council's Corporate Plan, introduced in 2013, set out an ambition for the Council to become financially self-sufficient which was achieved in 2016/17. This means that the Council no longer requires direct funding from Government, through Revenue Support Grant or New Homes Bonus, to deliver its services.
- 9 This approach was adopted in response to the financial challenges the Country is faced with in bringing its public spending down to ensure it is able to live within its means. In practice this has seen Government funding to local authorities dramatically reduced since 2010/11 with Sevenoaks District Council receiving no Revenue Support Grant from 2017/8.
- 10 The decision to become financially self-sufficient is intended to give the Council greater control over its services, reducing the potential for decision making to be influenced by the level of funding provided by government to local authorities.
- 11 The Council's decision to seek to become financially self-sufficient was subject to scrutiny by the Local Government Associations Peer Challenge of the District Council during December 2013. In their closing letter to the Council they concluded that they 'fully support that aspiration and given the existing and anticipated squeeze upon public finances this makes much sense'.
- 12 With the Council receiving no Revenue Support Grant from 2017/18 and New Homes Bonus reducing from 2018/19, this approach remains appropriate. The attached 10-year budget assumes no Revenue Support Grant or New

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Homes Bonus. Any funding received from these sources will be put into the Financial Plan Reserve which can be used to support the 10-year budget by funding investment to save initiatives and supporting the Property Investment Strategy. One of the aims of the Property Investment Strategy is to achieve returns of 5%+ when not borrowing or in excess of 3% for schemes that include some external borrowing; therefore using funding for this purpose will result in additional year on year income that is not impacted by Government decisions.

- 13 Cabinet are keen to remain financially self-sufficient and be ahead of the game. This allows this Council to move ahead in the knowledge that it has the financial resources to provide the services that the district's residents want into the future.

Service Dashboards

- 14 The intention of service dashboards is to provide Members with improved information during the budget setting process to provide context and inform any growth and savings ideas that Members may put forward.
- 15 The Service Dashboards cover a summary of the services provided, objectives, achievements and opportunities, challenges and risks and performance.
- 16 Appendix A contains the Service Dashboard for this Advisory Committee and Appendix B contains the budget for those services.

Savings Plan

- 17 Appendix C to this report sets out a summary of the savings and growth items approved by Council since the 10-year budget strategy was first used in 2011/12, which have allowed the Council to deliver a 10 year balanced budget.
- 18 The savings plan requires a total of over £7 million to be saved between 2011/12 and 2018/19 which is an average saving of nearly £900,000 per annum. In the fourteen years from 2005/06, over £10m of savings will then have been made.
- 19 The 10-year budget attached shows a net saving or additional income requirement of £100,000 per annum to deliver a long-term sustainable budget.
- 20 Other pressures may result in a requirement for further savings. Officers will continue to monitor these pressures and report the latest position to Cabinet in December.

Proposed Growth and Savings Items

- 21 Growth items are items that are in addition to non-service issues and risks, such as grant settlements, impacts of economic change and other pressures

highlighted in the ‘Financial Prospects and Budget Strategy 2019/20 and Beyond’ report considered by Cabinet on 13 September 2018.

- 22 A number of growth and savings items will be proposed at the seven Advisory Committees with the aim of achieving the £100,000 mentioned above. The £100,000 does not necessarily have to all be achieved in 2019/20 but the impact is required to be £1m (i.e. £100,000 x 10 years) over the 10-year budget period.
- 23 The proposed growth and savings items relating to this Advisory Committee are listed in **Appendix D**.
- 24 Service Change Impact Assessments (SCIAs) contain further details for all proposed growth and savings items. SCIAs applicable to this Advisory Committee can be found in **Appendix E**.
- 25 During the budget process last year, each Advisory Committee was asked to provide further growth and savings suggestions to Cabinet. Some suggestions were approved as part of the 2018/19 budget but Cabinet indicated that some other suggestions would be worth keeping on a list for future investigation. The suggestions for future investigation relating to this Advisory Committee are included in **Appendix F** and Members may wish to consider these ideas when proposing growth and savings suggestions.

Financial Summary

- 26 The assumptions currently included take into account the latest information available but a number of assumptions may change before the final budget meeting in February 2018.
- 27 The 10-year budget attached at **Appendix G** includes the changes that were included in the ‘Financial Prospects and Budget Strategy 2019/20 and Beyond’ report.

Role of the Advisory Committees

- 28 Training sessions on the budget process have been provided to Members in previous years to ensure that they have an understanding of the process and relevant issues to allow them to play an active part in the budget setting process. If Members require refresher training, please contact Adrian Rowbotham, Chief Finance Officer.
- 29 Views of the Advisory Committees on the growth and savings items proposed together with any additional suggestions will be considered by Cabinet at its meeting on 6 December 2018.

Process and Timetable

- 30 This report is the second stage of the budget process as shown in the Budget Timetable (**Appendix H**).

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- 31 It is possible that Advisory Committees may have to re-address service budgets in January if significant changes have taken place leading to a large and unmanageable deficit.

Key Implications

Financial

All financial implications are covered elsewhere in this report.

Legal Implications and Risk Assessment Statement.

There are no legal implications.

For the effective management of our resources and in order to achieve a sustainable budget it is essential that all service cost changes and risks are identified and considered.

Challenges and risks are included in the Service Dashboards and each Service Change Impact Assessment (SCIA) includes the likely impacts including a risk analysis.

Financial risks will be reviewed again when the Cabinet publishes its proposals for the annual budget.

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.

Individual equality impact assessments have been completed for all Service Change Impact Assessments (SCIAs) to ensure the decision making process is fair and transparent.

Conclusions

The Strategic Financial and Business Planning process has ensured that the Council follows a logical and well considered process and approach in dealing with the many difficult financial challenges that it has faced. The 10-year budget has further improved this process and helped to ensure that the Council is well placed in dealing with more immediate and longer-term financial challenges.

By becoming financially self-sufficient at an early stage, this Council has become much more in control of its own destiny as the Property Investment Strategy should provide a much more stable income stream than the reducing direct government funding streams.

The attached 10-year budget shows that this Council can continue to be financially stable going into the future with a level of assurance that any council would aspire to.

This budget process will once again be a major financial challenge for a Council that already provides value for money services to a high standard. In making any budget proposals, Members will need to consider the impact on service quality and staff well-being, to ensure that these proposals lead to an achievable 10-year budget that supports the Council's aspirations for customer-focused services.

Members' consideration and scrutiny of the relevant services is an essential and key element in the business and financial planning process. If the net total of growth and savings proposals identified by the Advisory Committees and approved by Cabinet does not reach the £100,000 savings target, additional savings will be required that may result in service changes, to ensure a balanced budget position.

Appendices Appendix A - Service Dashboards relating to this Advisory Committee.

Appendix B - 2017/18 Budget by Service relating to this Advisory Committee.

Appendix C - Summary of the Council's agreed savings plan and growth items.

Appendix D - New growth and savings items proposed relating to this Advisory Committee (if applicable).

Appendix E - Service Change Impact Assessment forms (SCIAs) for the new growth and savings items relating to this Advisory Committee (if applicable).

Appendix F - Update on growth and savings suggestions made last year relating to this Advisory Committee (if applicable)

Appendix G - 10-year budget.

Appendix H - Budget timetable.

Background Papers None

Adrian Rowbotham

Chief Finance Officer

Agenda Item 8

Service Dashboard

Portfolio for Legal & Democratic Services

The services we provide

Corporate health and safety, equality, democratic services, elections, legal, licensing, land charges, trading company, shared service programme, governance

Service contribution

Statutory service



Income generating



Working in partnership



Corporate priorities

Self-sufficiency ✓

Value for Money ✓

Safe district ✓

Collect rubbish effectively ✗

Green Belt ✗

Local economy ✓

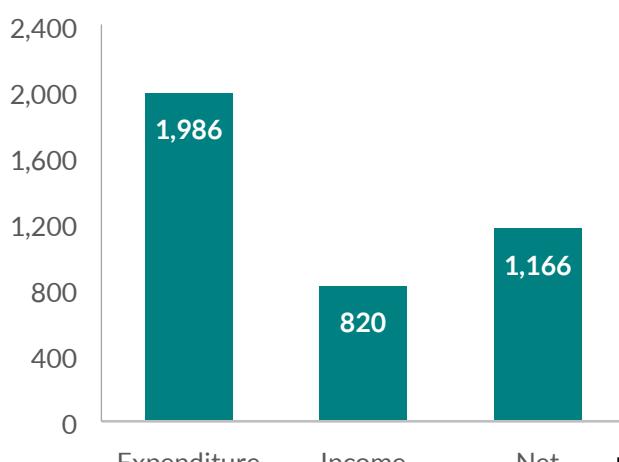
Performance



Achievements & Opportunities

- In advanced discussions to extend the Licensing Partnership to five partners
- Successful delivery of four by-elections and review of canvass process to ensure efficient delivery of canvassing
- Retained the Lexcel Accreditation of the Legal Service for a sixth year
- Ongoing review of all H&S policies and risk assessments, embedding best practice across the Council

Portfolio Budget (£000)



Challenges & Risks

- Seeking a willing partner to further extend the Licensing Partnership
- Centralisation of the land charges service by Government
- Successful delivery of the District and Town & Parish Council elections in 2019
- To continue to maintain successful partnerships and shared services
- To deliver on the Council's equality objectives

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Legal and Democratic Services Advisory Committee: 2018/19 Budget by Service

Revenue		2018/19 Expenditure £'000	2018/19 Income £'000	2018/19 Net £'000
Chief Officer	Description			
Corporate Services	Administrative Expenses - Legal and Governance	51	0	51
Corporate Services	Civic Expenses	16	0	16
Corporate Services	Democratic Services	143	0	143
Corporate Services	Elections	129	0	129
Corporate Services	Land Charges	106	(205)	(99)
Corporate Services	Register of Electors	236	(2)	234
Corporate Services	Support - Legal Function	234	(8)	226
Env & Op Svs	Administrative Expenses - Licensing	10	0	10
Env & Op Svs	Licensing Partnership Hub (Trading)	357	(357)	0
Env & Op Svs	Licensing Regime	101	(98)	3
Env & Op Svs	Support - Health and Safety	17	0	17
Env & Op Svs	Taxis	139	(150)	(11)
Financial Services	Equalities Legislation	19	0	19
Financial Services	Members	428	0	428
		1,986	(820)	1,166

Capital		2018/19 Expenditure £'000
Chief Officer	Description	
		0
		0

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SCIA Year	No.	Description	2011/12 - 2018/19 £000	2019/20 £000	Later Years £000	Total £000
		Direct and Trading Advisory Committee				
2016/17	8	Playgrounds: reduction in asset maintenance (reversal of temporary saving item)			7	
2016/17	9	Public Conveniences: reduction in asset maintenance (reversal of temporary saving item)			8	
		Economic and Community Development Advisory Committee				
		No savings or growth agreed from 2019/20 onwards				
		Finance Advisory Committee				
2011/12	62,63	Staff terms and conditions - savings agreed by Council 18/10/11		(186)	(187)	
2018/19	11	Members Allowances: increase following JIRP review		15		
		Housing and Health Advisory Committee				
		No savings or growth agreed from 2019/20 onwards				
		Legal and Democratic Services Advisory Committee				
		No savings or growth agreed from 2019/20 onwards				
		Planning Advisory Committee				
		No savings or growth agreed from 2019/20 onwards				
		Policy and Performance Advisory Committee				
2017/18	10	Apprenticeship Levy (reversal of temporary growth item)			(45)	
2018/19	3	Swanley Local Office contract		(10)	(15)	
2018/19	13	IT Developers: funding for two years (reversal of temporary growth item)			(51)	
		Minor movements between years			(1)	
		Total Savings	(7,051)	(196)	(188)	(7,435)
		Total Growth	1,930	15	(96)	1,849
		Net Savings	(5,121)	(181)	(284)	(5,586)

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New Growth and Savings Proposals: Legal and Democratic Services Advisory Committee

SCIA Year Growth	Description	Year	Ongoing	2019/20 Impact £000	Budget Impact £000
2019/20	1 Land Charges - reduced searches income	2019/20	Yes	40	400
	Sub Total			40	400
Savings					
	none				
	Sub Total			0	0
	Net Savings Total			40	400

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SERVICE CHANGE IMPACT ASSESSMENT

SCIA 01 (19/20)

Chief Officer:	Jim Carrington-West	Service:	Land Charges
Activity	Land Charges Searches	No. of Staff:	2.85 fte

Activity Budget Change	Year: 2019/20	Later Years Comments (ongoing, one-off, etc.)
	Growth £000	
Con29 and Public Rights of Way (PROW) search questions answered by KCC	40	Ongoing

Reasons for and explanation of proposed change in service	Elements of Land Charges Search requests are now passed to KCC for answering as they are owners of and hold the relevant datasets. The customer receives accurate information in a timely manner provided within the cost of the fees provided for the search request.
---	---

Key Stakeholders Affected	None
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Likely impacts and implications of the change in service (include Risk Analysis)	Land Charges is a statutory function that operates on a cost recovery basis. In this instance, failing to account for the income passed on to KCC results in the budget for the service being reported as overspent.
--	--

Risk to Service Objectives (High / Medium / Low)	Medium
--	--------

SERVICE CHANGE IMPACT ASSESSMENT

2018/19 Budget	£'000	Performance Indicators		
		Code & Description	Actual	Target
Operational Cost	106	LPI_BC LC001 Average number of days to process a land charge search	7.73	10
Income	(205)			
Net Cost	(99)			

The above budget figure excludes support service recharges.

Equality Impacts

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.

Update on Growth and Savings Suggestions made last year relating to this Advisory Committees

Cabinet 07/12/17:

Cabinet discussed the further growth and savings items suggested by Advisory Committees and indicated that the following items be kept on the list for future investigation.

Legal and Democratic Services Advisory Committee

Growth
none
Savings
none

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Expenditure	Plan 2018/19	Plan 2019/20	Plan 2020/21	Plan 2021/22	Plan 2022/23	Plan 2023/24	Plan 2024/25	Plan 2025/26	Plan 2026/27	Plan 2027/28	Plan 2028/29
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Net Service Expenditure c/f	14,470	14,687	14,966	15,321	15,705	16,083	16,468	16,859	17,254	17,655	18,166
Inflation	732	560	653	470	478	485	491	496	501	510	517
Superannuation Fund deficit and staff recruitment & retention	0	0	100	0	0	0	0	0	0	0	0
Net savings (approved in previous years)	(427)	(186)	(232)	14	0	0	0	(1)	0	1	0
<i>New growth</i>	<i>292</i>	<i>15</i>	<i>(51)</i>	<i>0</i>							
<i>New savings/Income</i>	<i>(380)</i>	<i>(110)</i>	<i>(115)</i>	<i>(100)</i>	<i>(100)</i>	<i>(100)</i>	<i>(100)</i>	<i>(100)</i>	<i>(100)</i>	<i>0</i>	<i>0</i>
Net Service Expenditure b/f	14,687	14,966	15,321	15,705	16,083	16,468	16,859	17,254	17,655	18,166	18,683
Financing Sources											
Govt Support: Revenue Support Grant	0	0	0	0	0	0	0	0	0	0	0
New Homes Bonus	0	0	0	0	0	0	0	0	0	0	0
Council Tax	(10,420)	(10,816)	(11,157)	(11,508)	(11,869)	(12,239)	(12,619)	(13,010)	(13,411)	(13,798)	(14,196)
Business Rates Retention	(2,700)	(2,096)	(2,138)	(2,181)	(2,225)	(2,270)	(2,315)	(2,361)	(2,408)	(2,456)	(2,505)
Collection Fund Surplus	(255)	0	0	0	0	0	0	0	0	0	0
Interest Receipts	(130)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)
Property Investment Strategy Income	(735)	(1,185)	(1,185)	(1,185)	(1,185)	(1,285)	(1,329)	(1,329)	(1,529)	(1,529)	(1,529)
Contributions to/(from) Reserves	(14)	(353)	(353)	(353)	(179)	(179)	(635)	148	148	148	148
Total Financing	(14,254)	(14,700)	(15,083)	(15,477)	(15,708)	(16,223)	(17,148)	(16,802)	(17,450)	(17,885)	(18,332)
Budget Gap (surplus)/deficit	433	266	238	228	375	245	(289)	452	205	281	351
Contribution to/(from) Stabilisation Reserve	(433)	(266)	(238)	(228)	(375)	(245)	289	(452)	(205)	(281)	(351)
Unfunded Budget Gap (surplus)/deficit	0	0	0	0	0	0	0	0	0	0	0

Assumptions	
Revenue Support Grant:	nil all years
Business Rates Retention:	Business Rates Retention pilot estimate in 18/19, safety-net in 19/20 plus 2% in later years
Council Tax:	2.97% in 18/19, 2% in later years
Council Tax Base:	Increase of 580 Band D equivalent properties per annum in 19/20 - 26/27, 480 from 27/28
Interest Receipts:	£130,000 in 18/19, £250,000 in later years
Property Investment Strategy:	£735,000 from 18/19, £1.185m from 19/20, £1.285m from 23/24, £1.329m from 24/25, £1.529m from 26/27 onwards. Sennocke Hotel income included from 2019/20.
Pay award:	2% in all years
Other costs:	2.25% in all years
Income:	2.5% in all years except for off-street car parks which are 3.5% from 19/20 -23/24.

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2019/20 Budget Setting Timetable

	Date	Committee
Stage 1		
Financial Prospects and Budget Strategy 2019/20 and Beyond	4 September 13 September	Finance AC Cabinet
Stage 2		
Review of Service Dashboards and Service Change Impact Assessments (SCIAs)	25 September 2 October 4 October 9 October 30 October 27 November 29 November	Economic & Comm. Dev. AC Planning AC Legal & Dem. Svs AC Direct & Trading AC Finance AC Housing & Health AC Policy & Performance AC
Stage 3		
Budget Update (incl. Service Change Impact Assessments (SCIAs), feedback from Advisory Committees)	6 December	Cabinet
Stage 4		
Budget Update (incl. Government Settlement information)	10 January	Cabinet
Stage 5		
<i>Budget Update and further review of Service Change Impact Assessments (if required)</i>	January - February	Advisory Committees
Stage 6		
Budget Setting Meeting (Recommendations to Council)	14 February	Cabinet
Stage 7		
Budget Setting Meeting (incl. Council Tax setting)	26 February	Council

Note: The Scrutiny Committee may ‘call in’ items concerning the budget setting process.

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SHARED SERVICES UPDATE

Legal and Democratic Services Advisory Committee - 4 October 2018

Report of Chief Finance Officer

Status For Information

Key Decision No

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

Portfolio Holder Cllr. Anna Firth

Contact Officer Adrian Rowbotham, Ext. 7153

Recommendation to Legal and Democratic Services Advisory Committee: That the report be noted.

Introduction and Background

- 1 This is an annual report that was last presented to this committee on 19 June 2017. Shared services is within the terms of reference of this Advisory Committee.
- 2 As financial pressures continue to grow for all local authorities, shared services are often a method to be investigated to help deliver efficiency savings. The external auditors, Grant Thornton review the council's arrangements for Value for Money each year, and once again in their last review concluded that the Council had proper arrangements in all significant respects to ensure it delivered value for money in its use of resources. Therefore, this council should be an attractive partner for other local authorities looking to take this route.
- 3 Experience has shown that it is beneficial to have back office services operating as a shared service first as there are then fewer barriers to front line services being shared with the same partner. This is because back office differences, e.g. not having the same IT systems, can significantly increase implementation costs and time, which can make any change less viable.
- 4 Economies of scale are also an important factor where the costs of some services can have stepped increases, such as having to purchase an additional piece of equipment when work volumes increase above a certain level. The size of some teams can also be a factor in deciding whether it is practical or beneficial to share.

Agenda Item 9

5 The following principles are required to ensure that becoming a shared service is the right option:

- Willing partners;
- Quality of service is not adversely affected;
- Increased resilience;
- Savings or additional income;
- Pay-back period for any implementation costs.

Current Partnerships in Place

6 Appendix A lists all of the shared services arrangements currently in place and also those that have ended.

Changes since the last report

- 7 Parking Services were successful in winning the contact to provide enforcement in car parks for Tandridge DC for £28,000 per annum. The contract started in September 2017 and will be for two years.
- 8 Moat Housing moved out of Argyle Road on 10 November 2017. They had undertaken a reorganisation of their company, re-designing their structure and rationalising their locations. They are now concentrated on four larger offices in locations strategically placed to serve the social housing properties that they own. Staff from Sevenoaks moved to their offices in Dartford and Croydon.
- 9 Kent County Council vacated Argyle Road on 31 May 2018. This was due to a reorganisation of their Social Services operation.
- 10 A further saving of £50,000 (plus £50,000 for Dartford BC) from the Revenues and Benefits shared service was agreed by Members as part of the 2018/19 budget setting process. The staff consultation has recently concluded and the staffing re-structure approved by port partners. The majority of the savings will be from management posts. The intention had been to try to attract more business but this has not been possible as other councils are not considering changing their current situation. By reducing the number of management posts it is recognised that future expansion of the service will be unlikely.
- 11 The ‘One You’ service started in December. The Council is working with key partners including Kent Public Health team, GP Clinical Commissioning Groups (CCGs), neighbouring councils, local health and social care providers and the voluntary sector. The service aims to improve the health and wellbeing of residents and reduce health inequalities through targeted assessments and interventions. The service is funded by Public Health funding from Kent County Council.

Future Partnerships and the Strategy going forward

- 12 Discussions with LB Bromley are continuing regarding joining the Licensing and Environmental Health partnerships.
- 13 Following the departure of the Acting Audit Manager, Members of the Audit Committee have asked that the method of delivering the Internal Audit Service should be reviewed. An Interim Audit Manager from the Mid Kent Audit Partnership has been appointed for six months starting on 1 August 2018. During this period the future delivery method for the service will be decided. Options include continuing in partnership with Dartford BC, ending the partnership or joining a wider partnership.
- 14 Opportunities will continue to be investigated for expanding current shared services and other services that may be possible to share in the future.
- 15 Managers are continuing to look for opportunities within the surrounding areas and because of this council's reputation are therefore also more likely to be approached. Many managers are in regional or national groups and so are able to promote our services and appetite for partnership working, they are therefore also likely to be aware when other councils are considering taking the shared services route.
- 16 When opportunities arise we must remain mindful of the following issues when considering sharing a service:
 - It may cost more to pursue a partnership than the benefits derived.
 - This council has a balanced 10-year budget with very tight costings so we have to be careful that we do not lose economies of scale.
 - A number of other councils are faced with severe financial pressures and may at short notice need to scale down their services, which could have an impact on partnerships.
 - Although there could be opportunities available, SDC is recognised as a high performing council and therefore must ensure that we are careful not to create deterioration in service for a small benefit.
- 17 Fewer shared service opportunities are currently arising but with many councils looking for further efficiencies it is possible that more opportunities for shared services will arise in the coming years. However, due to the uncertain impacts of local government devolution, some councils will be reluctant to engage in long term commitments.

Agenda Item 9

Key Implications

Financial

This report is for information only and there are, therefore, no financial implications arising from this report. The listed partnership arrangements have been entered into by the Council in order to achieve financial savings, deliver increased efficiencies and to improve resilience of service delivery.

Legal Implications and Risk Assessment Statement.

There are no legal implications.

There are no new risks associated with this report. Each partnership proposal would include a risk assessment.

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.

Community Impact and Outcomes

The partnership working arrangements in Appendix A have delivered financial savings usually through reducing the cost of management or back office services, thus delivering a financial benefit to local residents whilst maintaining customer-facing services.

Appendices

Appendix A - Register of shared working arrangements

Background Papers

None

Adrian Rowbotham

Chief Finance Officer

Sevenoaks District Council

Register of Shared Working Arrangements (in chronological order)

Description	Type	Start Date	Partner Organisation(s)	Implementation Costs £000	Annual Savings £000
Financial Management System	Contractual	Nov-01	Tandridge	Nil	6
Licensing Partnership	Shared Service	May-06	Tunbridge Wells, Maidstone	50	38
Bottle Bank Emptying	Contractual	Dec-08	Dartford	Nil	3
Out of Hours Service	Contractual	Sep-09	Tonbridge & Malling	Nil	12
Print Services	Contractual	Jan-10	Dartford	Nil	10
Police co-location	Shared Service	Jun-10	Kent Police	Nil	4
Revenues, Benefits, Audit & Anti-Fraud	Shared Service	Dec-10	Dartford	417	250
Procurement & Risk Management	Shared Service	Apr-11	Dartford	Nil	Cost Neutral
Shared CCTV Manager	Shared Management	Apr-11	Tunbridge Wells	Nil	25
Environmental Health	Shared Service	Apr-12	Dartford	243	150
Police Reception	Shared Service	Oct-12	Kent Police	180	18
Product Support (Shared Fin Mgt System)	Contractual	Apr-13	Tandridge	Nil	3
Building Control Service	Shared Service	Oct-14	Tonbridge & Malling	10	41
West Kent Leader Programme	Contractual	Apr-15	Tunbridge Wells, Tonbridge & Malling, DEFRA	Nil	Cost Neutral
Housing, Energy & Retraining Options (HERO) Service	Contractual	Sep-15	Dartford	Nil	7
Counter Fraud	Contractual	Apr-16	Kent CC, Fire, Police	Nil	46
Licensing Partnership	Shared Service	Oct-16	Bexley	Nil	15
WK Health Integration Hub	Shared Service	Oct-17	Tunbridge Wells, Tonbridge & Malling, Kent CC	Nil	Cost Neutral
Parking Enforcement	Contractual	Sep-17	Tandridge	Nil	28
One You	Contractual	Dec-17	Health, Councils	Nil	Cost Neutral
Revenues & Benefits (additional savings)	Shared Service	Nov-18	Dartford	Nil	50
TOTAL					706

Agenda Item 9

Appendix A

Register of Ended Shared Working Arrangements (in chronological order)

Description	Type	Start and End Dates	Partner Organisation(s)	Implementation Costs £000	Annual Savings £000
Internal Audit (replaced by Shared Service)	Shared Management	Oct-08 to Oct-10	Dartford	n/a	n/a
Benefit Fraud (replaced by Shared Service)	Shared Management	Apr-09 to Oct-10	Dartford	n/a	n/a
Shared Env. Health Manager (replaced by Shared Service)	Shared Management	Sep-08 to Mar-11	Dartford	n/a	n/a
Legal Services	Shared Management	Apr-09 to Mar-11	Tonbridge & Malling	Nil	25
Democratic Services	Shared Management	Nov-10 to Jan-12	Dartford	Nil	20
GIS Service	Contractual	Oct-09 to Mar-12	Dartford	Nil	15
Shared Head of Development Services	Shared Management	Oct-08 to May-12	Tunbridge Wells	Nil	20
Shared Building Control Manager	Shared Management	Oct-11 to Sep-13	Tonbridge & Malling	Nil	26
STAG maintenance	Contractual	Jan-09 to Jun-14	Sevenoaks TC	Nil	14
Shared Senior Parking Engineer	Shared Officer	Apr-11 to Apr-15	Tonbridge & Malling	Nil	24
Property Services - Asset Management	Contractual	Apr-11 to Apr-15	Tandridge	Nil	13
Tree Advice	Contractual	Apr-12 to Mar-16	Dartford	Nil	7
Public Convenience Cleaning	Contractual	Apr-08 to May-16	Tandridge	Nil	12
Equalities Officer	Shared Service	Jan-10 to Mar-17	Tunbridge Wells, Tonbridge & Malling	Nil	15
Moat Housing co-location	Shared Service	Nov-11 to Nov-17	Moat	30	9
Kent CC co-location	Shared Service	Dec-12 to May-18	Kent CC	Nil	5

Annual savings Made as at:	£000
31/03/2006	6
31/03/2007	44
31/03/2008	44
31/03/2009	93
31/03/2010	170
31/03/2011	444
31/03/2012	496
31/03/2013	641
31/03/2014	618
31/03/2015	645
31/03/2016	615
31/03/2017	642
31/03/2018	661
31/03/2019	706

BREXIT UPDATE

Legal and Democratic Services Advisory Committee - 20 June 2018

Report of Chief Officer Corporate Services

Status For Information

Key Decision No

Portfolio Holder Cllr. Anna Firth

Contact Officer Margaret Carr, Ext. 7341

Recommendation to Legal and Democratic Advisory Committee:

The Brexit Update report is noted.

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

Introduction and Background

- 1 This report is the fourth one Members of the Legal and Democratic Services Advisory Committee have received on Brexit. It aims to identify any actions or preparation that might be necessary for the Council and the District in order to meet the challenges, and maximise the opportunities of, the UK leaving the EU. Previous reports are available in the background papers to this meeting.
- 2 This report updates Members on the latest events in relation to the UK Government's preparations for Brexit, and the work of the LGA.

UK-EU Negotiations

- 3 The UK-EU negotiations are currently focused on what is known at the Chequers plan. In essence, this is a plan for Brexit which was agreed by the Cabinet at the Prime Minister's country residence, Chequers, on 6 July 2018. It includes: a "common rulebook" for all goods trade with the EU and a "facilitated customs arrangement" which aims to maintain frictionless trade in goods between the UK and EU whilst allowing Britain to develop an independent trade policy with the rest of the world. The plan would end free movement of people. By October there would not be a legal text but there would be a detailed politically binding agreement, with the aim of a formal trade treaty by March 2019.

Agenda Item 10

- 4 Following the summer Parliamentary recess, the Prime Minister has reiterated her determination to stick with the Chequers plan, together with her commitment to avoiding a hard border between the Irish Republic and Northern Ireland.
- 5 It is this plan on which she is aiming to get agreement at the EU Summit on 18 October 2018.
- 6 In recent weeks the Government has published an Agriculture Bill, a proposed pilot scheme for Seasonal Agricultural Workers, and there have been announcements regarding mobile phone roaming charges in the EU for UK citizens post-Brexit.
- 7 On 18 September 2018 The Migration Advisory Committee published a report commissioned by Government on EEA migration, with a series of proposals that could shape Government immigration policy post-Brexit. The Government is now considering these proposals and intends to “put in an immigration system that works for the whole of the UK”.

Local Government

- 8 At the LGA Annual Conference in July 2018, the Secretary of State for Communities announced the formation of a Brexit Ministerial Local Government Delivery Board, which held its inaugural meeting shortly afterwards on Thursday 19 July.
- 9 The meeting, which was chaired by the Secretary of State for Communities, provided an opportunity for Government Ministers and local government sector representatives from the LGA, County Councils Network, District Councils Network and the Core and Key Cities Groups to share updates and views on latest developments.
- 10 Council leaders placed on record their concerns relating to the timely replacement for EU funding, the potential to review EU laws post EU-Exit and stressed the need for joined-up engagement across Whitehall to ensure that the issues and opportunities facing communities up and down the country are properly captured and considered by Government.
- 11 Since the last report to the Advisory Committee, there has been a further evidence session held for the Housing, Communities and Local Government inquiry into Brexit and local government. This took place on 28 July 2018 and focused on rural councils. Cllr Paul Carter, Leader of Kent County Council, was one of those called to give evidence, as was the District Councils Network. There have been no further oral evidence sessions.
- 12 On 5 September 2018, the Chair of the Housing, Communities and Local Government Committee (HCLG) wrote to the Secretary of State for HCLG, raising three questions as a result of the evidence thus far:
 - to ask if the Ministry has been a beneficiary of the £3m Brexit fund, announced by the Chancellor in the Autumn Budget 2017 to help with

Brexit contingency planning and transition, referring to concerns raised during the inquiry into the capacity challenges some councils are facing in preparing for Brexit

- To express concern regarding the representation of all tiers of local government and the geographical spread of engagement in the Brexit negotiations regarding the Brexit Local Government Delivery Board (as referred to above)
 - To indicate whether the Government intends to devolve skills funding post-Brexit, in response to consistent requests to do so heard at the inquiry evidence sessions.
- 13 The previous report to the Legal and Democratic Services Advisory Committee referred to the ‘Post-Brexit England Commission’ established by the LGA, with the aim of presenting solutions to issues raised by Brexit for Local Government and chaired by Mark Hawthorne, the leader of Gloucestershire County Council.
- 14 The Commission aims to evaluate the role of Local Government in England in the period following the transition phase. It will principally investigate issues surrounding skills and productivity challenges, and infrastructure pressures. In order to facilitate this, a series of regional roadshows has been taking place, with one planned for the South East on 18 December 2018 at Smith Square. The findings of the Commission will be published in Spring 2019.

Commentary

- 15 The EU Summit on 18 October will be a key date for the Brexit negotiations. The Prime Minister has indicated that it is either “her deal (Chequers) or no deal” and contingency planning (Operation Yellowhammer) is taking place should a no deal situation arise. The Government, however, remains committed and confident of being able to agree a withdrawal agreement within the necessary timescale.
- 16 The EU’s chief negotiator has said negotiations must be complete before the end of October to give the 27 EU countries time to sign off the deal. MPs in the UK Parliament will also get to vote on the final deal. If a deal is not reached by October, there is a final EU summit on 13 December 2018; this is the fall back option if both feel they are close to an agreement.
- 17 Council Officers will continue to monitor the situation and report back as necessary.

Agenda Item 10

Key Implications

Financial

There are no financial implications for this report

Legal Implications and Risk Assessment Statement.

There are no legal implications for this report

Equality Assessment

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

Appendices None.

Background Papers Report to Legal and Democratic Services Advisory Committee, January 2018:

<http://cds.sevenoaks.gov.uk/documents/s32939/06%20Brexit%20Committee%20Report%20January>

Report to Legal and Democratic Services Advisory Committee, March 2018:

<http://cds.sevenoaks.gov.uk/documents/s33721/08%20Brexit%20Update.pdf?J=1>

Report to Legal and Democratic Services Advisory Committee, June 2018:

<https://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=325&MId=2287&Ver=4&J=2>

Jim Carrington-West
Chief Officer Corporate Services

LOCAL LAND CHARGES - UPDATE

LEGAL & DEMOCRATIC SERVICES ADVISORY COMMITTEE- 4 OCTOBER 2018

Report of Chief Officer Corporate Services

Status: For information

Key Decision: No

Executive Summary: This report provides an overview of the Local Land Charges Service, background, performance and future considerations.

This report supports the Key Aim of Effective management of resources

Portfolio Holder Cllr. Firth

Contact Officer Matt Mitchell, Ext. 7156

Jim Carrington-West, Ext. 7286

Recommendation to Legal & Democratic Services Advisory Committee:

That the contents of the report be noted.

Introduction and Background

- 1 When a property or parcel of land is bought, leased, mortgaged or a valuation carried out, a request for a search is sent to the Local Land Charges (LLC) team, the search is usually submitted by a solicitor or licensed conveyancer, either electronically or by a paper application form.
- 2 Local Land Charges inform potential buyers of property or land whether they will inherit any obligations or restrictions such as a tree preservation order or enforcement notice.
- 3 A search consists of three parts:

Part one - LLC1 - the Official Certificate of Search Form, which covers obligations and restrictions on the property imposed by the Local Authority which will be inherited by any subsequent owner - for example financial charges (registered against the property by the local authority), improvement grants, tree preservation orders or listed building status.

Part two - CON29R - the Enquiries of Local Authorities Form covers things like planning history of the property, whether the road is publicly or

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privately maintained and whether there are any major road or rail proposals in the vicinity

Part three - CON29O - includes further (optional) enquiries which covers information about public paths or byways, houses in multiple occupation, hazardous substance consents and common land.

- 4 For the above searches, Sevenoaks District Council charges a fee as set out in Appendix A. The fee charges should be set to fully recover the costs of the service provided but no more. The service must run on a cost neutral basis and all local authorities have to operate under this model.

Personal Searches

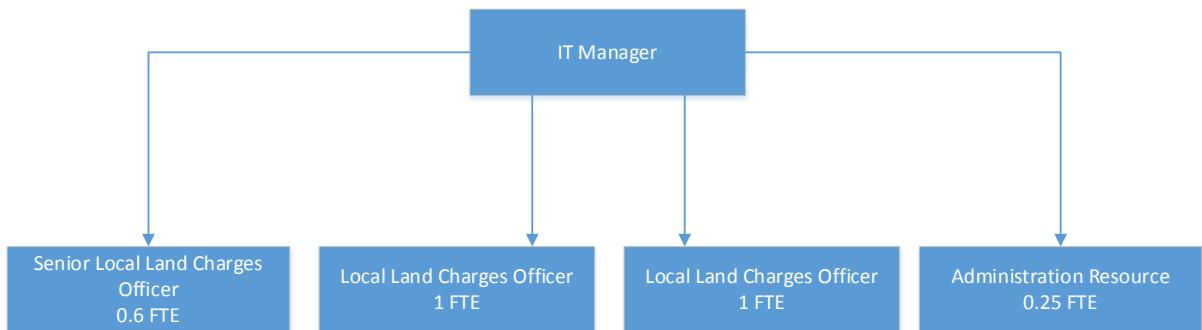
- 5 A personal search is legally defined as a search of the Local Land Charges Register (LLCR) carried out by a member of the public. CON29 Information is not included or provided by Local Land Charge Departments as part of a personal search.
- 6 Over recent years and as a result of the legal settlement reached between the LGA and APPS (Amalgamated Personal Property Searches) local authorities are mandated to provide personal search information without charge.

CON29 and Public Rights of Way (PROW) Searches

- 7 Historically, some Kent County Council staff were based at the Council offices which allowed the Land Charges department to submit and access data that the County held relating to CON29 and PROW searches. This area became a cause for concern with the relocation of KCC staff and an increasing difficulty in gaining access to accurate and up-to-date data. So as not to adversely impact the service to the customer and to minimise liability for potentially incorrect data, a formal arrangement was put in place whereby the County would provide their part of the search information at a set price for each search. This arrangement, subject to a Service Level Agreement, has meant the responsibility and therefore liability for this element of data has passed to KCC.
- 8 In budgetary terms, this has resulted in approximately £40,000 of income no longer being held by the District Council but passed to KCC. This has created an imbalance in the Land Charges budget which is proposed to be addressed by means of a Service Change Impact Assessment (SCIA) in the 2018/19 budget process.

Team Structure

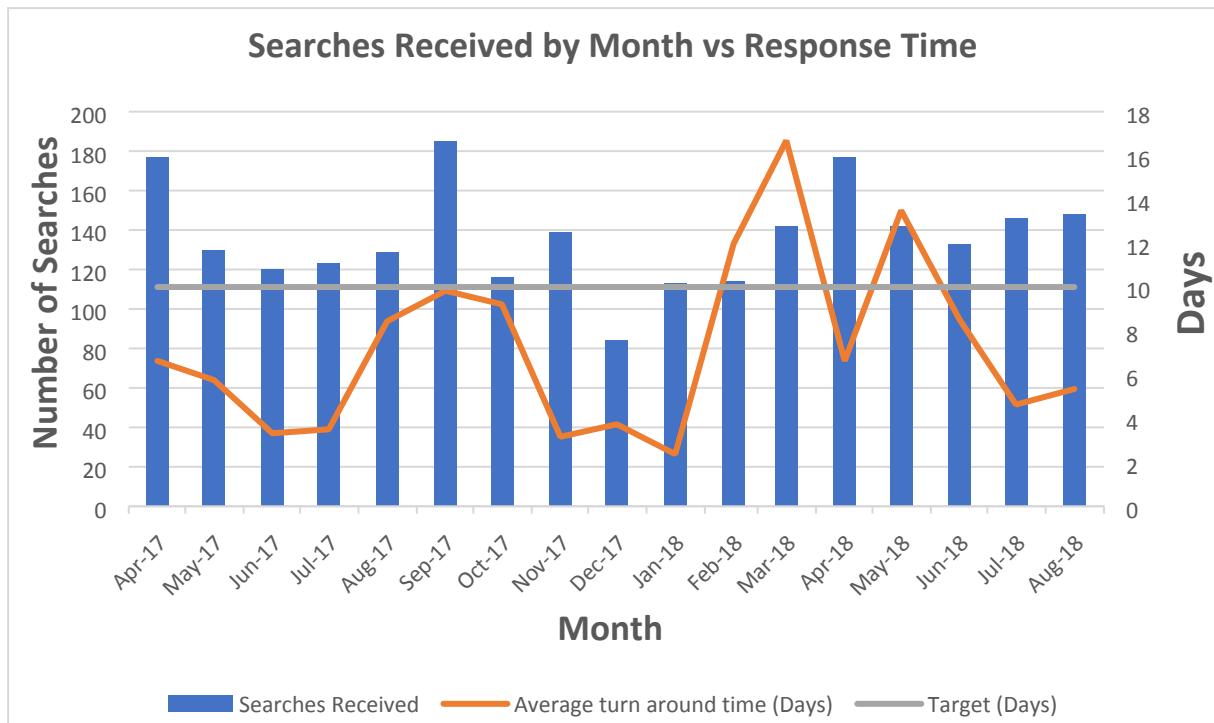
- 9 The team currently consists of 2.85 FTE, a Senior Local Land Charges Officer (0.6 FTE), two Local Land Charges Officers (2.0 FTE), one of which is currently a vacant post and a shared administration resource (0.25FTE).



Performance & Budget

- 10 The annual income budget for 2018/19 for the service is £205,000. Expenditure is mainly salaries, and support service costs in terms of IT provision to support databases, plus the addition costs incurred mentioned in paragraph 7.
- 11 During 2017/18, the team received 1572 Searches and 1296 Personal Searches. The average time to process Searches in this period was 7.05 days.
- 12 This compares with year to date figures for 2018/19 of 746 Searches and 585 Personal Searches and an average response time of 7.73 days. Whilst this is currently below the year end figure for 2017/18 due to resources required to support elections and other staff absence, it is currently better than target and expected to reduce further by year end.

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- 13 In April 2018, the then Housing Secretary announced proposals to set a 10 day turn around time for all local authorities.

Charges

- 14 As previously mentioned, a current scheme of charges for the service are set out in Appendix A and are set to recover the costs of providing the service but not to create a surplus,

Land Registry Proposals

- 15 In 2010, HM Land Registry (HMLR) proposed that a single, standardised point of contact should be created for the provision of LLC information citing "*an issue with the lack of standardisation with the current provision system of LLC and CON29 searches*".
- 16 Since that time, legislation has been passed which will enable HMLR to assume responsibility and payment for the provision of LLC data from all Local Authorities including Sevenoaks District Council. SDC will be required to provide this data at no cost.
- 17 In 2010 the migration was expected to be phased through to 2015, the latest understanding is that migration will be phased through 2017-2022. To date only two local authorities have moved to this model, Warwick District Council and Liverpool City Council.
- 18 When the service is migrated to HMLR, Sevenoaks District Council will be required to provide data, by a means not yet known but presumably electronically, on a daily basis to HMLR. From this date, SDC will no longer be able to charge a fee for information provided.

- 19 SDC have engaged with the HMLR and are actively working on how data is stored, the digitising of data and how this could most efficiently be achieved and discussions are ongoing.

Key Implications

Financial

The annual income budget for 2018/19 for the service is £205,000. If HMLR proposals come into force, in the relevant future years a significant proportion of this income will no longer be generated. Once clearer information is forthcoming it is proposed that the provision of the service will be further reviewed.

Legal Implications and Risk Assessment Statement.

Local Land Charges is a statutory service.

Equality Assessment

There are no equalities impacts arising from this report.

Appendices

Appendix A - Local Land Charges Fees

Background Papers:

None

Jim Carrington-West
Chief Officer Corporate Services

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Sevenoaks District Council

Local Land Charges Fees

Appendix A

Following the announcement from HMRC in December 2016, VAT is now chargeable on all CON29 enquiries and as a result, we have revised our charging schedule.

VAT is chargeable on the following:

- CON29 (Residential & Commercial)
- Additional parcels on the CON29 (Residential & Commercial)
- Specific CON29 questions (e.g. Planning & Building Control 1.1 A-L)

The Fee for submitting via Post / DX / Email	Total including VAT
Full Residential / Commercial Search (LLC1 & CON29)	£ 122
LLC1 Only	£ 20
CON29 (Residential / Commercial)	£ 102
Additional Parcel Of Land	£ 18
CON29O Printed Enquiry (Each) Q4 - 22	£ 18

The Fee for submitting via NLIS	Total including VAT
Full Residential / Commercial (LLC1 & CON29)	£ 100
LLC1	£ 16
CON29 (Residential / Commercial)	£ 84

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Additional Information	Total including VAT
Copy of search	£ 10
Personal Searches (Of LLC Register ONLY)	Free for collection.
Cancellation of searches	We do not cancel searches once they have been accepted on to our system.

Please note no concessions are available in relation to Local Land Charge fees.

ELECTORAL SERVICES UPDATE

Legal and Democratic Services Advisory Committee - 4 October 2018

Report of Chief Officer Corporate Services

Status For Information

Key Decision No

Executive Summary: This is an update on the Electoral Services team to be noted.

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 The Portfolio Holder for Legal and Democratic Services has requested a brief update on the activities of the Electoral Services Team since June 2018.

Elections

2 Following the item considered by Council on 24 July 2018, there was a District by-election held on the 30 August for a seat in the Farningham, Horton Kirby and South Darenth ward.

3 This by-election was successfully delivered by the Electoral Services team with the assistance of additional staff for polling and the count with the Returning Officer declaring the result shortly after 11pm.

4 The by-election covered three polling stations and was delivered successfully with any issues raised throughout the day dealt with promptly and efficiently by the team under the guidance of the Returning Officer.

5 The results of the by-election can be found on the District Council website but are also included at Appendix A for reference. Cllr Brian Carroll has now taken up his seat following the result.

Electoral Registration

6 The annual canvass process began on 1 August 2018 and will finish with the publication of the revised electoral register on 1 December 2018.

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7 Following a review of the required resource within the team, three full time electoral outreach canvassers are now in post. As a result the canvass process is much improved with guaranteed resource available to cover the District.

8 At the time of writing response rates to the annual canvass are as follows:

Overall - 73.5% with 38,812 returned out of 50,689 and 12,506 outstanding

Online responses 19,813* (51%)

Paper responses 17,983* (46%)

Other 918* (2%)

*Figures may include duplicate returns

9 This is a currently favourable position as we are aiming for in excess of 50% of returns to be online and compares to the 2017 canvass where the final position was:

Online responses 18,873 (42.4%)

Paper responses 25,241 (57.5%)

Other 355 (0.8%)

Key Implications

Financial

Any activities undertaken have been met from existing budgets.

Legal Implications and Risk Assessment Statement

Under legislation it is a requirement for every district council and London Borough to appoint an Electoral Registration Officer (ERO) and Returning Officer (RO). Whilst the ERO and RO is appointed by the council, the responsibilities of each role are personal responsibilities.

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 below.

Conclusions

This report sets out for Members information regarding activities of the Electoral Services Team since June 2018.

Members are recommended to consider the information provided within the report.

Appendices Appendix A - Declaration of results

Background Papers None

Jim Carrington-West

Chief Officer Corporate Services

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DECLARATION OF RESULT OF POLL

Sevenoaks

Election of a District Councillor for

Farningham, Horton Kirby and South Darenth
on Thursday 30 August 2018

I, Dr Pav Ramewal, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the said election is as follows:

Name of Candidate	Description (if any)	Number of Votes*
AISHER, Emily Hannah	Labour Party	171
CARROLL, Brian	The Conservative Party Candidate	542 Elected
SHANMUGANATHAN, Krishna	Liberal Democrats	260

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more Candidates than voter was entitled to	0
C	writing or mark by which voter could be identified	0
D	being unmarked or wholly void for uncertainty	1
E	rejected in part	0
	Total	1

Vacant Seats: 1

Electorate: 3803

Ballot Papers Issued: 974

Turnout: 25.61%

And I do hereby declare that, Brian Carroll is duly elected.

Dated Thursday 30 August 2018

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Dr Pav Ramewal
Returning Officer

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Legal & Democratic Advisory Committee Work Plan 2018/19 (as at 14/09/18)

4 October 2018	22 January 2019	19 March 2019	Summer 2019
<p>Update on GDPR</p> <p>Budget: Service Reviews and Service Change Impact Assessments (SCIAs)</p> <p>Shared Services Update</p> <p>Brexit Update</p> <p>Update on Land Charges</p> <p>Electoral Services update</p> <p>Legal Successes</p>	<p>Brexit Update</p> <p>Update on the Licensing Policies</p>	<p>Brexit Update</p>	

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