

26 April 2022 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks



# Council

## Supplementary Agenda

	Pages
6 b) Air Quality Action Plan	Replacement Page 65
6 c) Environmental Health Enforcement Policy	Replacement Page 197
7 a) Electric Vehicle Mileage	Replacement Page 227
7 b) Electronic Summons	Replacement Page 243
7 c) Monitoring Officer Annual Report 2022	Replacement Page 251

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](mailto:democratic.services@sevenoaks.gov.uk).



## Item 6 (b) - Air Quality Action Plan

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

### Cabinet (21 April 2022, Minute 102)

The Portfolio Holder for Cleaner & Greener presented the report which summarised the outcome of the public consultation of the Air Quality Action Plan (AQAP) 2022- 2027. As a result of the consultation, a number of changes to the draft were proposed and summarised within the report.

The Environmental Health Manager advised that appropriate amendments had been made to the draft AQAP to reflect comments made by stakeholders. Throughout the consultation period, social media was used to promote the consultation including the use of paid promotion. The District Council received 27 responses to its consultation. A response was received from DEFRA on 18 March 2022 and the AQAP had been amended to reflect these comments.

The Environmental Health Manager answered questions from a Member and explained that there were no coercive elements to the proposed Action Plan.

Members were advised that the AQAP was a working document and would be subject to regular revision and update. A dedicated Air Quality Officer had been recruited to support the Environmental Health Team and Council would be asked to delegate authority to the Environmental Health Manager following consultation with the Portfolio Holder to ensure it remained relevant and effective for its duration.

### Public Sector Equality Duty

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

Resolved: That it be recommended to Council that

- a) the results of the statutory consultation, be noted;
- b) the proposed changes made to the draft Air Quality Action Plan, following consultation, be noted;
- c) the adoption of the Air Quality Action Plan and its publication, be supported; and

- d) the Environmental Health Manager be delegated authority to agree future amendments and changes to the Air Quality Action Plan following consultation with the Portfolio Holder, to ensure it remained relevant and effective for its stated duration.

## **Item 6 (c) - Environmental Health Enforcement Policy**

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

### Cabinet (21 April 2022, Minute 103)

The Portfolio Holder for Cleaner & Greener presented the report which proposed a new and updated Enforcement Policy. The Cleaner & Greener Advisory Committee had considered and supported the same report.

The Environmental Health Manager advised that the policy outlined the statutory and non-statutory duties of the Environmental Health Team and how they would be carried out. The updated policy also reflected various changes to legislation and incorporated the return of environmental health to Sevenoaks as an 'in house' service.

Members considered the report.

### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the public sector equality duty.

Resolved: That it be recommended to Council that the contents of the Environmental Health Enforcement Policy be noted and its adoption, be supported.



### **Item 7 (a) - Electric Vehicle Mileage**

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

#### Governance Committee (13 April 2022, Minute 12)

The Monitoring Officer presented the report which proposed that he be authorised to amend the Constitution regarding electric vehicle mileage to reflect HMRC rates for mileage payments which was, at the time, set at 5p per mile.

Members considered the report.

#### Public Sector Equality Duty

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

Resolved: that it be recommended to Council that the Monitoring Officer be authorized to amend the Members' allowance Scheme so as to reflect the HMRC rates for mileage payments in respect of electric vehicles.





## **Item 7 (b) - Notice of and Summons to Meetings**

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

### Governance Committee (13 April 2022, Minute 13)

The Monitoring Officer presented the report which proposed an alteration to Part two of the Constitution allowing formal summons to meetings to be provided electronically by email.

The report proposed a change in line with the current legislative position as related to giving notice of meetings. It was hoped that this would lead to a reduction in courier movements in favour of formal legal service of meeting documents by email. The report would not prevent members from receiving a paper copy of agendas.

Members discussed the report and asked questions of clarification.

It was stressed that the proposal related to the manner by which the formal summons of meeting documents was made and not to ceasing the provision of paper agenda packs to Members.

### Public Sector Equality Duty

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

Resolved: that it be recommended to Council that:

- a. Members approve the revisions to Part 2 of the Constitution set out in the report;
- b. pursuant to the Council's Net Zero 2030 ambitions, Members agree to accept formal legal service of meeting documents by email;
- c. Members note that paper copies of meeting agendas and reports will continue to be available in advance of meetings notwithstanding electronic service.



## Item 7 (c) - Monitoring Officer Annual Report

The attached report was considered by the Standards Committee, and the relevant minute extract is below:

### Standards Committee (5 April 2022, Minute 3)

Members considered the seventeenth annual report of the Monitoring Officer, which set out the work of the Monitoring Officer and Standards Committee. Within the report was a breakdown of the complaints that had been received from January to December 2021. He reported that eleven formal complaints were received this year in comparison to ten the previous year, which indicated that the Code of Conduct was well observed and accessible to those who wished to make a formal complaint.

The Monitoring Officer advised Members that the working group which had been set up to consider whether to adopt the 2020 Model Code of Conduct, had concluded that the Model Code should not be adopted. Accordingly, the existing Sevenoaks District Council Members Code of Conduct was reaffirmed by Full Council in July 2021. The Monitoring Officer confirmed that he had every confidence that Members followed the seven Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Monitoring Officer reported changes had been implemented during the pandemic which had made the decision-making process more accessible. He stated that he was confident in the Council's Governance structure.

A Member asked the Monitoring Officer if he had spoken to colleagues at other local Councils regarding governance procedures during the pandemic. He advised that Councils varied in size and nature, and therefore were each faced with unique challenges. He advised that the biggest issue was the legislation surrounding social distancing and the continued use of virtual platforms. He explained that following the expiry of the relevant regulations, voting Members needed to attend meetings in person, which could be unhelpful on occasions of illness or bad weather. He stated that the Local Government Association were continuing to lobby the government in order to allow remote access to count as Member attendance. The Member thanked the Monitoring Officer and his staff for implementing the changes from central government so quickly.

A Member asked the Monitoring Officer regarding the handling of complaints about Member conduct. The Monitoring Officer advised that the process was governed by the Localism Act, which mandated the Monitoring Officer to process complaints with the assistance of one or more Independent Persons. He advised that if necessary he would be able to provide Members with anonymous examples of previous complaints for training purposes.

He also advised that an Independent Person had attended the Standards meeting in the past and would be given the opportunity to attend the next meeting.

A member asked the Monitoring Officer whether he had responsibilities for the general governance of Parish Councils. He clarified that he did not and that such issues should be dealt with by the Kent Association of Local Councils.

Resolved: That the report be noted and that it be recommended to Council that the report be noted.