

22 June 2021 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 14.06.21



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Governance Committee

Membership:

Chairman, Cllr. Eyre; Vice-Chairman, Cllr. Nelson
Cllrs. Barnes, Bayley, Clayton, Penny Cole and Harrison

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 of the Committee held on 9 November 2020, as a correct record.	(Pages 1 - 2)	
2. Declarations of Interest Any interest not already registered		
3. Actions from the previous meeting (if any)		
4. LGA Model Code of Conduct - Recommendation of Working Group	(Pages 3 - 28)	Martin Goodman Tel: 01732227245
5. Protocol on Councillor and Officer Relations	(Pages 29 - 44)	Martin Goodman Tel: 01732227245
6. Contracts Procedure Rules	(Pages 45 - 72)	Martin Goodman Tel: 01732227245
7. Parliamentary Boundary Review	(Pages 73 - 78)	Lee Banks Tel: 01732 227161
8. Work Plan	(Pages 79 - 80)	

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.

GOVERNANCE COMMITTEE

Minutes of the meeting held on 9 November 2020 commencing at 5.00 pm

Present: Cllr. Eyre (Chairman)

Cllr. Nelson (Vice Chairman)

Cllrs. Barnes, Bayley, Clayton, Penny Cole and Harrison

12. Minutes

Resolved: That the Minutes of the meeting of the Governance Committee held on 5 November 2019 be approved and signed as a correct record.

13. Declarations of Interest

No additional declarations were made.

14. Actions from the previous meeting

There were none.

15. Appointment of a Deputy Electoral Registration Officer

The Head of Legal and Democratic Services presented the report which recommended that the Assistant Chief Executive be appointed the Deputy Electoral Registration Officer.

Legislation had allowed District Councils to appoint a Deputy Electoral Registration Officer who would perform and exercise any of the duties and powers of the Electoral Registration Officer. The role had previously been assigned to the Chief Officer Corporate Support, now the Deputy Chief Executive & Chief Officer - Customer & Resources. Following an organisational restructure, the role of Deputy Electoral Registration Officer was proposed to be assigned to the Assistant Chief Executive.

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 Assistant Chief Executive be appointed Deputy Electoral Registration Officer for Sevenoaks District Council.

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Governance Committee - 9 November 2020

16. Work Plan

The work plan was noted.

THE MEETING WAS CONCLUDED AT 5.08 PM

CHAIRMAN

LGA MODEL CODE OF CONDUCT - RECOMMENDATION OF WORKING GROUP

Governance Committee - 22 June 2021

Report of: Monitoring Officer

Status: For Consideration

Also considered by:

- Standards Committee - 12 April 2021
- Council - 20 July 2021

Key Decision: No

This reports support the Key Aim of: The effective management of Council resources

Contact Officer: Martin Goodman, ext. 7242

Recommendation to Standards Committee: That

- a) it be recommended to Council that the existing Sevenoaks District Council Members' Code of Conduct be endorsed and retained, subject to any comments from the Governance Committee
- b) this report be referred to Governance Committee for comment

Recommendation to Governance Committee: That

- a) no comment be made on the recommendation of the Standards Committee to Council that the existing Sevenoaks District Council Members' Code of Conduct be endorsed and retained

Recommendation to Council: That

- a) the Council notes the work of the LGA on a Model Code of Conduct
- b) the Council resolves that the existing Sevenoaks District Council Members' Code of Conduct be endorsed and retained

Introduction and Background

- 1 The Standards Committee considered the sixteenth Annual Report of the Monitoring Officer on 2 February 2021.
- 2 As part of that report, the Monitoring Officer informed the Committee of the LGA Model Code of Conduct.

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3 This was considered at a joint working group of the Standards and Governance Committees, which took place on 16 February 2021. The Members in attendance were Cllrs Ball (Chairman), Eyre, Fothergill, Osborne-Jackson, Pender and Raikes. Cllr Nelson sent her apologies.

4 The Working Group unanimously agreed as follows:

We do not feel that the LGA proposals add material advantages to the Code of Conduct and therefore we resolve to remain with the existing Sevenoaks District Council Code.

5 In view of this Working Group decision, the recommendations set out in this report are put before Members for resolution.

Key Implications

Financial Implications

None.

Legal Implications and Risk Assessment Statement

The Code of Conduct must comply with the provisions set out in Chapter 7 of the Localism Act 2011. Both the Sevenoaks District Council Members' Code of Conduct and the LGA Model Code of Conduct are fully compliant.

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

Members have been clear that they prefer the Sevenoaks District Council Members' Code of Conduct to the LGA Model Code of Conduct. The comments of the Working Group are reflected in this report.

Appendices

Appendix A - LGA Model Code of Conduct

Appendix B - Sevenoaks District Council Members' Code of Conduct

Background Papers

None.

Martin Goodman
Monitoring Officer



Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

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Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

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- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidating or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

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These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

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Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering

interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable pecuniary interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it

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is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in **Table 1**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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APPENDIX Q: Sevenoaks District Council Members' Code of Conduct

You are a member or co-opted member of the Sevenoaks District Council and hence you shall have regard to the following principles - selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

1. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
2. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
3. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
4. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
5. You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
6. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.
7. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
8. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

You must always comply with relevant laws and have due regard to local codes and protocols in effect from time to time including Appendix W to the Council's Constitution "Guidance on the Disclosure of Confidential Information by Members".

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State and set out in Schedule A appended to this Code, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of any disclosable pecuniary or non-pecuniary interest which the Council has decided should be included in the register and set out in Schedule B appended to this Code.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless a dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State (DPI) and set out in Schedule A. Additionally, you must withdraw from the meeting room, including the public gallery, during the whole consideration of any item of business in which you have a pecuniary interest as defined by regulations made by the Secretary of State (DPI) as set out in Schedule A.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

SCHEDULE A

Disclosable Pecuniary Interests, as prescribed by The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No 1464) are as follows:

The descriptions on Disclosable Pecuniary Interests are subject to the following definitions:

“the Act” means the Localism Act 2011

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest

“director” includes a member of the committee of management of an industrial and provident society

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income

“M” means a member of the relevant authority

“member” includes a co-opted member

“relevant authority” means the authority of which M is a member

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act (the Member’s spouse, civil partner, or somebody with whom they are living as a husband or wife, or as if they were civil partners).

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

Interest	Description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

Agenda Item 4

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge): (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

NOTE:

In accordance with section 34 of the Localism Act 2011, it is a criminal offence if, without reasonable excuse, you:

- (a) fail to notify the Monitoring Officer of a Disclosable Pecuniary Interest before the end of 28 days of becoming, or being re-elected or re-appointed, a Member or Co-opted Member of the Authority;
- (b) fail to notify the Monitoring Officer of a Disclosable Pecuniary Interest before the end of 28 days of becoming aware of it, where you are acting alone in the course of discharging a function of the Authority (including making a decision in relation to the matter) and the interest is not already registered or is not the subject of a pending notification to the Monitoring Officer;
- (c) fail to disclose a Disclosable Pecuniary Interest at a meeting, where such interest has not already been registered or notified to the Monitoring Officer;

- (d) fail to notify the Monitoring Officer of a Disclosable Pecuniary Interest before the end of 28 days of disclosing it at a meeting, where such interest has not already been registered or notified to the Monitoring Officer;
- (e) take part in discussions or votes at meetings that relate to the Disclosable Pecuniary Interest, unless a dispensation has been granted
- (f) knowingly or recklessly provide false or misleading information in any of the above disclosures or notifications.

SCHEDULE B

An interest which relates to or is likely to affect:

(i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;

(ii) any body—

(a) exercising functions of a public nature;

(b) directed to charitable purposes; or

(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which the member of the Council is a member or in a position of general control or management;

(iii) any gifts or hospitality worth more than an estimated value of £25 or more which the member has received by virtue of his or her office.

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PROTOCOL ON COUNCILLOR AND OFFICER RELATIONS

Governance Committee - 22 June 2021

Report of: Monitoring Officer

Status: For consideration

Also considered by:

- Council - 20 July 2021

Key Decision: No

Executive Summary: This item is for the Committee to approve the revised Protocol on Councillor and Officer Relations and recommend to the Council that it be adopted.

Portfolio Holder: Cllr. Fleming

Contact Officer: Martin Goodman, Ext. 7245

Recommendation to Governance Committee: That

- a) The revised Protocol on Councillor and Officer Relations be approved by the Governance Committee;
- b) The revised Protocol on Councillor and Officer Relations be recommend to Council for approval and adoption.

Recommendation to Council: That

- a) The revise Protocol on Councillor and Officer Relations be approved and adopted;
- b) The Monitoring Officer be given authority to amend the Protocol on the Councillor and Officer Relations as from time-to-time may become necessary.

Reason for recommendation: To update the Protocol Councillor and Officer Relations to take into account changes in the workplace and in the nature of elected Membership.

Agenda Item 5

Introduction and Background

- 1 The terms of reference of the Governance Committee set out that it may advise the Council on all matters relating to any review of the Council's Constitution.
- 2 It is necessary to revise the Council's Protocol on Councillor and Officer Relations to take into account changes in the workplace and in the nature of elected Membership. The attached revised Protocol has in mind the advent of video conferencing and the growth in the home office.
- 3 All Councils must have a Member Code of Conduct and a process for it to be enforced. It is normal for this to be augmented by a Protocol on Councillor and Officer Relations and other codes (such as rules on confidentiality or behaviour while in the office).
- 4 In addition to the obligations placed upon Officers as employees, they are subject to a Code of Conduct for Employees. The Member/Officer relationship is one of mutual respect and the Protocol does no more than seek to codify this in a sympathetic way.
- 5 It has always been the case that there are necessary boundaries between Officers and Members. The document before the Committee builds on the previous draft and simply adds clauses to reflect current conditions. There are no new obligations on Members or Officers.

Key Implications

Financial

None.

Legal Implications and Risk Assessment Statement

No relevant legal implications or risk assessment.

Equality Assessment

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

Conclusions

This report seeks the approval and adoption of the revised Protocol on Councillor and Officer Relations.

Appendices

Appendix A - Current Protocol on Councillor and Officer Relations (Appendix J)

Appendix B - New Protocol on Councillor and Officer Relations (Appendix J)

Background Papers

None

Martin Goodman

Monitoring Officer

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APPENDIX J: Protocol on Councillor/Officer Relations

1. Introduction

- 1.1 The relationship between Members and Officers is an essential ingredient that goes into the successful working of the organisation. This relationship within the District Council is characterised by mutual respect, informality and trust. Members and Officers feel free to speak to one another openly and honestly. Nothing in this Protocol is intended to change this relationship. The purpose of this Protocol is rather to help Members and Officers to perform effectively by giving guidance on their respective roles and expectations and on their relationship with each other. The Protocol also gives guidance on what to do on the rare occasions when things go wrong. Responsibility for the operation of this Protocol lies with the Chief Executive.
- 1.2 The Protocol must be read and operated in the context of any relevant legislation and national and local Codes of Conduct and any procedure for confidential reporting.

2. Roles of Members and Officers

- 2.1 The respective roles of Members and Officers can be summarised as follows:

Members and Officers are servants of the public and they are indispensable to one another. But their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council. Their job is to give advice to Members and to the District Council, and to carry out the Council's work under the direction and control of the Council, the Executive, and relevant committees, etc.

Mutual respect between Members and Officers is essential to good local government.

Members

- 2.2 Members as Councillors have four main areas of responsibility:
- (a) determining the policy of the District Council and giving it political leadership;
 - (b) monitoring and reviewing the performance of the Council in implementing that policy and delivering services;
 - (c) representing the Council externally; and
 - (d) acting as advocates on behalf of their constituents.

It is not the role of Members to involve themselves in the day to day management of the Council's services.

Members of the Executive, Chairmen and Vice-Chairmen

- 2.3 Members of the Executive and Chairmen and Vice-Chairmen of Committees, Boards, Groups etc. have additional responsibilities. Because of those responsibilities, their relationships with employees may be different from, and more complex than those of other Members without those responsibilities, and this is recognised in the expectations they are entitled to have. However, such Members must still respect the impartiality of Officers, must not ask them to undertake work of a party political nature, or to do anything which would put them in difficulty in the event of a change in the political composition of the authority.

Officers

- 2.4 The role of Officers is to give advice and information to Members upon which they may determine policy issues and to implement the policies determined by the Council, and to provide advice to Members as to how this might properly be done.
- 2.5 In giving such advice to Members, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. Whilst an Officer may report the views of individual Members on an issue, if the Member wishes to express a contrary view he/she should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view.
- 2.6 Certain Officers, e.g. Chief Executive (The Head of Paid Service and the Section 151 Officer) the Head of Legal and Democratic Services (the Monitoring Officer) and the Statutory Chief Officers have responsibilities in law over and above their obligations to the Council and to individual Members, and Members must respect these obligations, must not obstruct Officers in the discharge of these responsibilities, and must not victimise Officers for discharging these responsibilities.

3. Expectations

- 3.1 Members can expect from Officers:
- (a) a commitment to the District Council as a whole, and not to any political group;
 - (b) a working partnership;
 - (c) an understanding of and support for respective roles, workloads and pressures;
 - (d) timely response to enquiries and complaints;

- (e) professional advice not influenced by political views or preference, which does not compromise the political neutrality of Officers;
- (f) regular, up to date information on matters which can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold;
- (g) awareness of and sensitivity to the political environment;
- (h) respect, dignity and courtesy;
- (i) training and development in order to carry out their role effectively;
- (j) integrity, mutual support and appropriate confidentiality;
- (k) not to have personal issues raised with them by Officers outside the agreed procedures;
- (l) that employees will not use their relationship with Members to advance their personal interests or to influence decisions improperly;
- (m) that Officers will at all times comply with the relevant Code of Conduct;
- (n) support for the role of Members as the local representatives of the authority, within any scheme of support for Members, which may be approved by the Council.

3.2 Officers can expect from Members:

- (a) a working partnership;
- (b) an understanding of and support for respective roles, workloads and pressures;
- (c) political leadership and direction;
- (d) respect, dignity and courtesy;
- (e) integrity, mutual support and appropriate confidentiality;
- (f) not to be subject to bullying or to be put under undue pressure. Members should have regard to the seniority of Officers in determining what are reasonable requests, having regard to the power relationship between Members and Officers, and the potential vulnerability of Officers, particularly at junior level;
- (g) that Members will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly;

- (h) that Members will at all times comply with the relevant Code of Conduct.

Limitations upon Behaviour

- 3.3 The distinct roles of Members and Officers necessarily impose limitations upon behaviour. By way of illustration, and not as an exclusive list:
 - (a) close personal relationships between Members and Officers can confuse these separate roles and get in the way of the proper discharge of the Authority's functions, not least in creating the perception in others that a particular Member or Officer may secure advantageous treatment;
 - (b) the need to maintain the separate roles means that there are limits to the matters on which they may seek the advice of Officers, both in relation to personal matters and party political issues;
 - (c) relationships with a particular individual or party group should not be such as to create public suspicion that an employee favours that Member or group above others. The issue of Officer attendance and advice to political groups is specifically covered below.

4. Political Groups

- 4.1 The operation of political groups is now an integral feature of local government, and such political groups have an important part to play in the development of policy and the political management of the Council. It is in the interests of the Council to support the effective operation of political groups, but their operation can pose particular dangers in terms of the impartiality of Officers.

Reports:

- 4.2 (a) any political group may request the Chief Executive to prepare written reports on matters relating to the Council for consideration by the group;
- (b) Officer reports to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the Council. Reports will not deal with any political implications of the matter or any option, and Officers will not make any recommendations to a political group.

Officer Attendance:

- 4.3 (a) any political group may request the Chief Executive and/or a Chief Officer to attend a meeting of the group to advise on any particular matter relating to the Council;
- (b) the Chief Executive and/or a Chief Officer may arrange for the

attendance of a representative in his/her stead, or may decline to attend or to provide a representative where he/she is of the opinion that the particular issue is of such a political nature that it would be inappropriate to attend;

- (c) Officers' advice to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the Council. Advice will not deal with any political implications of the matter or any option, and Officers will not make any recommendation to a political group;
- (d) Officers and Members will respect the confidentiality of any matters, which are discussed in the course of attending a political group meeting.

5. When Things Go Wrong

Procedure for Officers

- 5.1 From time to time the relationship between Members and Officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager or Members, Officers will have recourse to the Council's Grievance Procedure or to the Council's Monitoring Officer, as appropriate to the circumstances. In the event of a grievance or complaint being upheld, the matter will be referred to the Chief Executive, who, having advised the Leader of the Council and the appropriate group leader, to the Standards Committee for consideration and determination.

Procedure for Members

- 5.2 In the event that a Member is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the appropriate Chief Officer. Where the Officer concerned is a Head of Service or Chief Officer, the matter should be raised with the appropriate Chief Officer or with the Chief Executive. Where the employee concerned is the Chief Executive, the matter should be raised with the Head Human Resources. If the matter cannot be resolved informally, it may be necessary to invoke the Council's Disciplinary Procedure.

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APPENDIX J: Protocol on Councillor/Officer Relations

1. Introduction

- 1.1 The relationship between Members and Officers is an essential ingredient that goes into the successful working of the organisation. This relationship within the District Council is characterised by mutual respect, informality and trust. Members and Officers feel free to speak to one another openly and honestly. Nothing in this Protocol is intended to change this relationship. The purpose of this Protocol is rather to help Members and Officers to perform effectively by giving guidance on their respective roles and expectations and on their relationship with each other. The Protocol also gives guidance on what to do on the rare occasions when things go wrong. Responsibility for the operation of this Protocol lies with the Chief Executive.
- 1.2 The Protocol must be read and operated in the context of any relevant legislation and national and local Codes of Conduct and any procedure for confidential reporting.
- 1.3 For the avoidance of doubt, failure to comply with this Protocol on Councillor/Officer Relations may constitute a breach of the Members' Code of Conduct or the Code of Conduct for Employees.
- 1.4 Members and Officers may carry out their roles from a home environment and it will not always be necessary or possible for face-to-face meetings to take place. Both Members and Officers recognise this as a feature of the modern workplace and must endeavour to meet each other through agreed channels and at agreed times so as to avoid unnecessary difficulties.

2. Roles of Members and Officers

- 2.1 The respective roles of Members and Officers can be summarised as follows:

Members and Officers are servants of the public and they are indispensable to one another. But their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council. Their job is to give advice to Members and to the District Council, and to carry out the Council's work under the direction and control of the Council, the Executive, and relevant committees, etc.

Mutual respect between Members and Officers is essential to good local government.

Members

- 2.2 Members as Councillors have four main areas of responsibility:

- (a) determining the policy of the District Council and giving it political leadership;
- (b) monitoring and reviewing the performance of the Council in implementing that policy and delivering services;
- (c) representing the Council externally; and
- (d) acting as advocates on behalf of their constituents.

It is not the role of Members to involve themselves in the day to day management of the Council's services. Furthermore, Members may not approach individual Officers to discuss operational areas of work without first raising the issue with the relevant Chief Officer.

Members of the Executive, Chairmen and Vice-Chairmen

- 2.3 Members of the Executive and Chairmen and Vice-Chairmen of Committees, Boards, Groups etc. have additional responsibilities. Because of those responsibilities, their relationships with employees may be different from, and more complex than those of other Members without those responsibilities, and this is recognised in the expectations they are entitled to have. However, such Members must still respect the impartiality of Officers, must not ask them to undertake work of a party political nature, or to do anything which would put them in difficulty in the event of a change in the political composition of the authority.

Officers

- 2.4 The role of Officers is to give advice and information to Members upon which they may determine policy issues and to implement the policies determined by the Council, and to provide advice to Members as to how this might properly be done.
- 2.5 In giving such advice to Members, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. Whilst an Officer may report the views of individual Members on an issue, if the Member wishes to express a contrary view he/she should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view.
- 2.6 Certain Officers, for example the Chief Executive (Head of Paid Service), Chief Officer - Finance and Trading (Section 151 Officer) and the Head of Legal and Democratic Services (Monitoring Officer), have responsibilities in law over and above their obligations to the Council and to individual Members. Members must respect these obligations, must not obstruct Officers in the discharge of these responsibilities and must not victimise Officers for discharging any such obligation.

3. Expectations

3.1 Members can expect from Officers:

- (a) a commitment to the District Council as a whole, and not to any political group;
- (b) a working partnership;
- (c) an understanding of and support for respective roles, workloads and pressures;
- (d) timely response to enquiries and complaints;
- (e) professional advice not influenced by political views or preference, which does not compromise the political neutrality of Officers;
- (f) regular, up to date information on matters which can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold;
- (g) awareness of and sensitivity to the political environment;
- (h) respect, dignity and courtesy;
- (i) training and development in order to carry out their role effectively;
- (j) integrity, mutual support and appropriate confidentiality;
- (k) not to have personal issues raised with them by Officers outside the agreed procedures;
- (l) that employees will not use their relationship with Members to advance their personal interests or to influence decisions improperly;
- (m) that Officers will at all times comply with the relevant Code of Conduct for Employees;
- (n) support for the role of Members as the local representatives of the authority, within any scheme of support for Members, which may be approved by the Council.

3.2 Officers can expect from Members:

- (a) a working partnership;
- (b) an understanding of and support for respective roles, workloads and pressures;
- (c) political leadership and direction;
- (d) respect, dignity and courtesy;
- (e) integrity, mutual support and appropriate confidentiality;

- (f) not to be subject to bullying or to be put under undue pressure. Members should have regard to the seniority of Officers in determining what are reasonable requests, having regard to the power relationship between Members and Officers, and the potential vulnerability of Officers, particularly at junior level;
- (g) that Members will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly;
- (h) that Members will at all times comply with the relevant Code of Conduct;
- (i) that Members will recognise the boundaries between the Officer's personal and office life, even if that Officer is working from home, and will not seek to approach Officers other than through work channels.

Limitations upon Behaviour

3.3 The distinct roles of Members and Officers necessarily impose limitations upon behaviour. By way of illustration, and not as an exclusive list:

- (a) close personal relationships between Members and Officers can confuse these separate roles and get in the way of the proper discharge of the Authority's functions, not least in creating the perception in others that a particular Member or Officer may secure advantageous treatment;
- (b) the need to maintain the separate roles means that there are limits to the matters on which they may seek the advice of Officers, both in relation to personal matters and party political issues;
- (c) relationships with a particular individual or party group should not be such as to create public suspicion that an employee favours that Member or group above others. The issue of Officer attendance and advice to political groups is specifically covered below.

4. Political Groups

4.1 The operation of political groups is now an integral feature of local government, and such political groups have an important part to play in the development of policy and the political management of the Council. It is in the interests of the Council to support the effective operation of political groups, but their operation can pose particular dangers in terms of the impartiality of Officers.

Reports:

- 4.2 (a) any political group may request the Chief Executive to prepare written reports on matters relating to the Council for consideration by the group;
- (b) Officer reports to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the Council. Reports will not deal with any political implications of the matter or any option, and Officers will not make any recommendations to a political group.

Officer Attendance:

- 4.3 (a) any political group may request the Chief Executive and/or a Chief Officer to attend a meeting of the group to advise on any particular matter relating to the Council;
- (b) the Chief Executive and/or a Chief Officer may arrange for the attendance of a representative in his/her stead, or may decline to attend or to provide a representative where he/she is of the opinion that the particular issue is of such a political nature that it would be inappropriate to attend;
- (c) Officers' advice to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the Council. Advice will not deal with any political implications of the matter or any option, and Officers will not make any recommendation to a political group;
- (d) Officers and Members will respect the confidentiality of any matters, which are discussed in the course of attending a political group meeting.

5. When Things Go Wrong

Procedure for Officers

- 5.1 From time to time the relationship between Members and Officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager or Members, Officers will have recourse to the Council's Grievance Procedure or to the Council's Monitoring Officer, as appropriate to the circumstances. In the event of a grievance or complaint being upheld, the matter will be referred to the Chief Executive, who, having advised the Leader of the Council and the appropriate group leader, to the Standards Committee for consideration and determination.

Procedure for Members

- 5.2 In the event that a Member is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the appropriate Chief Officer. Where the Officer concerned is a Head of Service

or Chief Officer, the matter should be raised with the appropriate Chief Officer or with the Chief Executive. Where the employee concerned is the Chief Executive, the matter should be raised with the Head Human Resources. If the matter cannot be resolved informally, it may be necessary to invoke the Council's Disciplinary Procedure.

6. Updates

- 5.1 Both Members and Officers recognise that the workplace may change from time-to-time. In particular, new technologies are replacing established ways of working. Flexible hours, remote attendance at meetings and other innovations have enhanced productivity, attracted residents to elected office and reduced staff turnover.
- 5.2 The role of elected Members is not static. Members may experience pressures today which were unheard of yesterday. It is inevitable that there will be future challenges which put pressure on the relationship between Members and Officers but which could not have been envisioned at the time this Protocol was adopted.
- 5.3 For that reason, Members agree that the Monitoring Officer may periodically update this Protocol on Councillor and Officer Relations as necessary to reflect the changing nature of both employment and elected Membership of the Council.

CONTRACTS PROCEDURE RULES

Governance Committee - 22 June 2021

Report of: Monitoring Officer

Status: For Consideration

Also considered by:

- Council - 20 July 2021

Key Decision: No

Executive Summary: This item is for the Committee to approve the revised Contracts Procedure Rules and recommend to Council that they be adopted.

Portfolio Holder: Cllr. Fleming

Contact Officer: Martin Goodman, Ext. 7245

Recommendation to Governance Committee: That

- (a) The revised Contracts Procedure Rules be approved by the Governance Committee;
- (b) The revised Contracts Procedure Rules be recommended to Council for approval and adoption.

Recommendation to Council: That

- a) The revised Contracts Procedure Rules be approved and adopted;
- b) The Monitoring Officer be given authority to amend the Contracts Procedure Rules as from time-to-time may become necessary.

Reason for recommendation: To update the Contracts Procedure Rules in line with legislation and best practice.

Introduction and Background

- 1 The terms of reference of the Governance Committee set out that it may advise the Council on all matters relating to any review of the Council's Constitution.
- 2 It is necessary to revise the Council's Contracts Procedure Rules in line with legislation and best practice. The attached revised rules take into account

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changes since the last revision, including the impact of leaving the European Union on purchasing rules.

- 3 In addition to the revisions to the Contracts Procedure Rules, the Council will be adjusting internal working documents to ensure procurement and contracting arrangements are efficient and fit for purpose.
- 4 In particular, it is important that where possible the threshold limits set out in the Rules are accurate. These are the limits beyond which full procurement processes must take place. Currently, for 'works' the limit is £4,733,252 and for 'goods and services' £189,330.
- 5 The next review of the thresholds will be implemented by January 2022 by amendments to the public procurement regulations. In order to ensure that these variable figures are kept up-to-date, along with any other detail, the Monitoring Officer requests authority to amend the rules from time-to-time as becomes necessary.

Key Implications

Financial

None. Although the subject of this report relates to contracts, Members are only asked to consider the governance implications of updating the Contracts Procedure Rules in line with legislation and best practice.

Legal Implications and Risk Assessment Statement

No relevant legal implications or Risk Assessment. The amendments to the Contracts Procedure Rules set out in this report were drafted taking into account the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020.

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 seeks the approval and adoption of the revised Contracts Procedure Rules.

Appendices

Appendix A - Current Contracts Procedure Rules ('CPR') (Appendix E)

Appendix B - New Contracts Procedure Rules ('CPR') (Appendix E)

Background Papers

None

Martin Goodman

Monitoring Officer

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APPENDIX E: Contracts Procedure Rules

1 Introduction - Purpose of the Contract Standing Orders

1.1 Purchasing decisions and processes are important because the money involved is public money. The purpose of these Contract Standing Orders is to provide a structure within which purchasing decisions are made and implemented and which ensure that the Council:

- Furthers its corporate objectives
- Uses its resources efficiently
- Purchases quality goods, services and works
- Safeguards its reputation from any implication of dishonesty or corruption.

1.2 Purchasing by the Council, from planning to delivery, shall incorporate (where appropriate) principles of sustainability, efficiency, whole life costings and cost savings.

1.3 These Contract Standing Orders are made in accordance with the requirements of Section 135 of the Local Government Act 1972.

1.4 These Contract Standing Orders do not provide guidelines on what is the best way to purchase works, supplies (goods) and services. They set out minimum requirements to be followed. Further information and guidelines are set out in the Council's Officers' Guide.

2 General Principles - Application and Compliance with Contract Standing Orders

2.1 These Contract Standing Orders apply to the purchase by or on behalf of the Council of works, supplies (goods) and services.

2.2 These Contract Standing Orders apply to all contracts including all purchase orders, concessions and contractual arrangements entered into by or on behalf of the Council, except for the specific types of contracts and purchasing methods which are listed in 2.3.

2.3 These Contract Standing Orders do not apply to:

- Employment contracts
- Contracts relating solely to the purchase or sale of interests in land
- Contracts for retention of legal counsel and the appointment of expert witnesses in legal proceedings

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- Service level agreements setting out the conditions which the Council applies to its funding of particular voluntary sector bodies.

3 General Principles Applying to All Contracts

- 3.1 All purchases however small shall be in writing.
- 3.2 Standard contract clauses shall be used in all contracts of a value of £10,000 or more. The standard contract clauses are issued by Legal Services and can be found on the intranet.
- 3.3 As a minimum, all contracts of a value of £10,000 or more shall include clauses which set out:
- the works, supplies (goods), services, material, matters or things to be carried out or supplied
 - the time within which the contract is to be performed
 - quality requirements and/or standards which must be met
 - requirements on the contractor to hold and maintain appropriate insurance
 - what happens in the event that the contractor fails to comply with its contractual obligations (in whole or in part)
 - requirements on the contractor to comply with all relevant equalities and health and safety legislation
 - that the Council shall be entitled to cancel the contract and recover losses in the event that the contractor does anything improper to influence the Council to give the contractor any contract or commits an offence under the Prevention of Corruption Acts 1889 to 1916 or s117(2) Local Government Act 1972.
- 3.4 Written contracts shall not include non commercial terms unless these are necessary to achieve best value for the Council. In this context, “non commercial” means requirements unrelated to the actual performance of the contract.
- 3.5 All contracts shall include relevant specifications and/or briefs/technical requirements which are prepared taking into account the need for effectiveness of delivery, quality, sustainability and efficiency (as appropriate) and the information set out in the Council’s Officers’ Guide.
- 3.6 All contracts of a value of £10,000 or more or which involve a substantial risk to the Council must be subject to a written risk assessment, which should be kept on the contract file.

4 Regulatory Context

4.1 All purchasing shall be conducted in accordance with Regulatory Provisions which are:

- all relevant statutory provisions
- the relevant EU Rules and EC Treaty Principles which are defined in the Council's Purchasing Guide
- the Council's Constitution including these Contract Standing Orders, the Council's Financial Regulations and Scheme of Delegation
- the Council's Procurement Strategy, Suppliers' Guide and Officers' Guide and other policies and procedures of the Council as appropriate.

4.2 In the event of conflict between the above, the EU Rules will take precedence, followed by UK legislation, then the Council's Constitution, the Council's Purchasing Guide and guidelines, policies and procedures.

5 Responsibilities of Chief Officers and Responsible Officers

5.1 Each Chief Officer shall:

- be responsible for the purchasing undertaken by his/her service.
- be accountable to the Cabinet for the performance of his/her duties in relation to purchasing
- comply with the Council's decision making processes including, where appropriate, implementing and operating a Scheme of Delegation
- appoint a Responsible Officer in writing who shall be an authorised signatory
- take immediate action in the event of breach of these Contract Standing Orders.

5.2 A Responsible Officer is an officer with responsibility for conducting purchasing processes for the purchase of works, supplies (goods) or services on behalf of the Council.

5.3 A Responsible Officer's duties in respect of purchasing are to ensure:

- compliance with all Regulatory Provisions and integrity of the tender process

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- compliance with the relevant statutory provisions and the Council's requirements relating to declarations of interest affecting any purchasing process
- that there is an appropriate analysis of the requirement, timescales, procedure and documentation to be used
- the purchasing process, from planning to delivery incorporates (where appropriate) principles of sustainability, efficiency, whole life costings and cost savings
- compliance with the Council's decision making processes
- that all contracts of a value of £15,000 or more are included on the Council's Contract Register
- that proper records of all contract award procedures, waivers, exemptions and extensions are maintained, with separate files for each purchase of a value of £15,000 or more
- that value for money is achieved
- that adequate and appropriate security (such as a bond or guarantee) is taken to protect the Council in the event of non-performance.

5.4 In considering how best to procure works, supplies and services, Chief Officers and/or Responsible Officers (as appropriate in the context), shall take into account wider contractual delivery opportunities and purchasing methods including the use of Purchasing Schemes and e-procurement/purchasing methods, and the availability of local authority charging and trading powers under the Local Government Act 2003.

5.5 It is a disciplinary offence to fail to comply with these Contract Standing Orders and the Council's Officers' Guide. All employees have a duty to report breaches of Contract Standing Orders to the Chief Officer for their service.

5.6 Any officer or Member who suspects any misconduct or corruption in relation to the purchase by or on behalf of the Council of works, supplies (goods) and services must immediately report that suspicion to the Council's Monitoring Officer and Chief Officer for their service.

6 Scheme of Delegation

6.1 Council purchasing may only be undertaken by officers with the appropriate delegated authority to carry out such tasks as set out in the Council's Scheme(s) of Delegation. Officers with delegated authority may only delegate to other officers who have the appropriate skills and knowledge for the task and such delegation shall be recorded in writing by the officer delegating the task and notified to the relevant Chief Officer.

- 6.2 Officers shall, where appropriate, be informed by their Chief Officer of the extent of any delegated authority and applicable financial thresholds.

7 Financial Thresholds and Procedures

- 7.1 The table below sets out the general rules applying to the choice of purchasing procedure for contracts at the stated threshold values.
- 7.2 There is a general presumption in favour of competition. Wherever possible contract opportunities should be advertised by way of a public notice. The Council must consider the potential effect of a contract on interstate trade (at a European level). If a contract may be of interest to contractors from other member states then this may result in a need to advertise in a manner which ensures that potential contractors from other member states are aware of the opportunity, even for small value contracts or contracts under the EU Threshold levels outlined below.
- 7.3 The public notice referred to at 7.2 may take the form of a notice or advertisement in an electronic or paper format, on an easily accessible website (as at June 2014 the South East Business Portal - www.businessportal.southeastiep.gov.uk) or other electronic media and/or in the press, trade journals or Official Journal of the European Union (“OJ”) (as appropriate). The Responsible Officer may choose to place one or more public notices in different media.
- 7.4 Table setting out financial thresholds and procedures

Total Value	Type of contract	Procedure to be used
£0 to £10,000	works, supplies and services	At least one quote in advance
£10,000 to £74,999	works, supplies and services	At least three written quotes in advance
£75,000 to £1 below EU procurement threshold for supplies and services**	Supplies and services	At least three written tenders in advance, following advertisement by public notice
EU Threshold and above for supplies and services £172,514 **	Supplies and services	EU Rules apply - full competitive process following advertisement in the OJ for supplies and Part A* services. For Part B* services reduced requirements apply under the EU Rules but there is a presumption in favour of advertising and a competitive process
£75,000 to	Works	Full competitive process with tenders

EU procurement threshold for works £172,514 **		following advertisement by public notice
From EU procurement threshold for works £4,332,012**	Works	EU Rules apply - full competitive process with tenders following OJ advertisement

* For the purposes of the EU Rules services are divided into two types and the EU Rules apply to a different degree. Responsible Officers should act cautiously and seek advice when considering the procedure to be used and application of the EU Rules to services contracts

** These figures are correct at June 2014 but officers should check for details of the relevant threshold in force at the time of their procurement under the EU Rules. Advice should be sought from the Audit and Efficiency or Legal Teams.

7.5 Where contracts are of a type and value which means that they are subject to the EU Rules then there are four main types of EU procedures available. These are the open, restricted, competitive dialogue and competitive negotiated procedures. Care must be taken to ensure that the correct and most appropriate procedure is used and assistance on the choice and use of EU procedure should be sought.

8 Financial Thresholds and Processes Applying to Approval and Execution of Contracts

8.1 For contracts over the relevant EU Threshold (in force at the time), the choice of purchasing procedure to be used and the decision to proceed to advertisement must be authorised in writing by the relevant Chief Officer in advance.

8.2 When a decision is made to award a contract then the Responsible Officer must, in addition to complying with his/her general obligations under these Contract Standing Orders ensure, in particular, that:

- the appropriate approvals have been obtained to authorise that decision; and
- where appropriate, a standstill period complying with the EU Rules is incorporated into the final award process.

8.3 Any contracts valued at £75,000 or above shall be executed as a deed. All other contracts may be signed by officers with appropriate delegated

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authority. £10,000 shall be the threshold for the purposes of Regulation 8 of the Local Authority (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001.

- 8.4 Electronic signatures may be used in accordance with the Electronic Signature Regulations 2002 provided the sufficiency of security arrangements has been approved by the relevant service Chief Officer.

9 Calculating the Contract Value

- 9.1 The starting point for calculating the contract value for the purposes of these Contract Standing Orders is that the contract value shall be the genuine pre-estimate of the value of the entire contract excluding Value Added Tax. This includes all payments to be made, or potentially to be made, under the entirety of the contract and for the whole of the predicted contract period (including proposed extensions and options).
- 9.2 There shall be no artificial splitting of a contract to avoid the application of the provisions of the EU Rules and/or these Contract Standing Orders.
- 9.3 The EU Rules can cover contracts which are below the stated EU threshold where they constitute repeat purchases and/or purchases of a similar type in a specified period. Responsible Officers should therefore seek advice on the application of the EU Rules where they envisage that they may require repeat purchases and/or purchases of a similar type.

10 Principles Underlying Tendering Processes and Tender Evaluation

- 10.1 All tendering procedures (including obtaining quotes), from planning to contract award and signature, shall be undertaken in a manner so as to ensure:
- Sufficient time is given to plan and run the process
 - Equal opportunity and equal treatment
 - Openness and transparency
 - Probity
 - Outcomes which deliver sustainability, efficiency and cost savings (where appropriate).

11 Submission and Opening of Tenders

- 11.1 An Invitation to Tender shall be issued by the Council for all contracts over £75,000 and tenders shall be submitted in accordance with the requirements of the Invitation to Tender.
- 11.2 Any tenders received (other than those received electronically, to which 11.3 shall apply) shall be:
- addressed to the Head of Legal & Democratic Services.
 - in a sealed envelope marked “Tender” followed by the subject matter to which it relates
 - kept in a safe place by Democratic Services
 - retained unopened until the date and time specified for its opening.
- 11.3 Where the Council has indicated in the Invitation to Tender that a tender can or must be submitted electronically, then those tenders shall be:
- addressed to the e-mail address as notified in the Invitation to Tender
 - in the format specified in the Invitation to Tender
 - stored in a secure mailbox, which requires a code or other appropriate security measure, to open it
 - retained unopened until the date and time specified for its opening.
- 11.4 No tender received after the time and date specified for its opening shall be accepted or considered by the Council unless the Head of Legal & Democratic Services/Chief Officer Corporate Services is satisfied that there is sufficient evidence of the tender having been dispatched in time for it to have arrived before the closing date and time, or other exceptional circumstances apply and the other tenders have not been opened.
- 11.5 Tenders shall be opened by the relevant Chief Officer and an immediate record shall be made of tenders received including names and addresses and the date and time of opening.

12 Evaluation of Quotes and Tenders

- 12.1 All quotes and tenders shall be evaluated in accordance with evaluation criteria notified in advance to those submitting quotes/tenderers.
- 12.2 Tenders subject to the EU Rules shall be evaluated in accordance with the EU Rules.
- 12.3 Save in exceptional circumstances approved in advance by the appropriate Chief Officer all contracts shall be awarded on the basis of the quote or

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tender which represents best value for money to the Council and not on the basis of lowest price.

13 Waivers

- 13.1 The requirement for the Council to conduct a competitive purchasing process for contracts in excess of £10,000 may be waived in the following circumstances
- for contracts which are not subject to the EU Rules, the work, supply or service is required as a matter of urgency and a delay would be likely to lead to financial loss, personal injury or damage to property; or
 - the circumstances set out in Regulation 14 apply (whether or not the contract is of a type which is subject to the application of the EU Rules); or
 - the contract is awarded under a Purchasing Scheme of a type where a competition has already been undertaken on behalf of the Council; or
 - at the discretion of the relevant Chief Officer who may proceed in a manner most expedient to the efficient management of the service/Council with reasons recorded in writing.
- 13.2 A Responsible Officer who seeks a waiver of Contract Standing Orders, shall do so only in advance and only in exceptional circumstances. Further guidance on what may constitute exceptional circumstances permitting waiver of these Contract Standing Orders and general tender direction is set out in the Council's Officers' Guide.
- 13.3 All waivers from these Contract Standing Orders must be:
- fully documented
 - subject to a written report in an approved format to be submitted in advance to the relevant Chief Officer which shall include reasons for the waiver which demonstrate that the waiver is genuinely required
 - subject to approval in advance by the relevant Chief Officer who shall record that they have considered the reasons for the waiver and that they are satisfied that the circumstances justifying the waiver are genuinely exceptional.
- 13.4 All decisions on waivers must take into account:
- probity
 - best value/value for money principles.

13.5 For contracts subject to the EU Rules, any waiver from the requirement for competition must meet the conditions set out in the EU Rules in addition to the general requirements above.

13.6 A waiver shall not be applied for reasons of poor contract planning.

14 Extensions to Existing Contracts

14.1 Where extensions to existing contracts are made the extensions must be determined in accordance with the contract terms, for a specified period and made in accordance with the principles set out in the Council's Officers' Guide.

14.2 Any extension must be:

- fully documented
- subject to a written report in an approved format to be submitted to the relevant Chief Officer; which shall include reasons for the extension which demonstrate that the need for the extension is genuinely exceptional
- subject to approval by the relevant Chief Officer who shall record that they have considered the reasons for the extension and that they are satisfied that the circumstances justifying the extension are genuinely exceptional.

14.3 Any extension must take into account:

- probity
- best value/value for money principles.

14.4 For contracts subject to EU Rules, any extension must meet the conditions set out in the EU Rules in addition to the more general requirements set out above.

15 Purchasing Schemes

15.1 A Responsible Officer may use Purchasing Schemes subject to the following conditions and the Council's Officers' Guide.

15.2 Responsible Officers must check in advance that

- the Council is legally entitled to use the Purchasing Scheme
- the purchases to be made do properly fall within the coverage of the Purchasing Scheme

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- the establishment and operation of each Purchasing Scheme is in compliance with the EU Rules (where they apply) and meets the Council's own requirements.

15.3 A “Purchasing Scheme” may include:

- contractor prequalification lists/select lists
- framework arrangements (including those set up by the Office of Government Commerce)
- purchasing arrangements set up by central purchasing bodies and commercial organisations
- consortium purchasing
- collaborative working arrangements
- formal agency arrangements
- e-procurement/purchasing schemes and methods
- other similar arrangements

15.4 Where a Purchasing Scheme is used then there shall be a whole or partial exemption from the obligations under these Contract Standing Orders in respect of the choice and conduct of procedures to the extent permitted and indicated in the Officers’ Guide.

16 Review and Changes to these Contract Standing Orders

16.1 These Contract Standing Orders shall be reviewed and updated on a regular basis. Save in the case of revisions to the EU Thresholds in Contract Standing Order 7, amended Contract Standing Orders shall be agreed and adopted by the Audit Board. Revisions to the EU Thresholds shall be dealt with in accordance with Scheme of Delegation.

APPENDIX E: Contracts Procedure Rules (‘CPR’)

- 1 Introduction – Purpose of the Contract Procedure Rules (CPR)
 - 1.1 Purchasing decisions and processes are important because the money involved is public money. The purpose of these Contract Procedure Rules is to provide a structure within which purchasing decisions are made and implemented and which ensure that the Council:
 - Furthers its corporate objectives
 - Uses its resources efficiently
 - Purchases quality goods, services and works
 - Acts compliantly according to rules around spending public money
 - Safeguards its reputation from any implication of dishonesty or corruption.
 - 1.2 Purchasing by the Council, from planning to delivery, shall incorporate (where appropriate) principles of sustainability, efficiency, whole life costings and cost savings.
 - 1.3 These CPR are made in accordance with the requirements of Section 135 of the Local Government Act 1972.
 - 1.4 These Contract Procedure Rules do not provide guidelines on what is the best way to purchase works, supplies (goods) and services. They set out minimum requirements to be followed. Further information and guidelines are set out in the Council’s Procurement Manual (2021).
- 2 General Principles – Application and Compliance with CPR
 - 2.1 These Contract Procedure Rules apply to the purchase by or on behalf of the Council of works, supplies (goods) and services.
 - 2.2 These Contract Procedure Rules apply to all contracts including all purchase orders, concessions and contractual arrangements entered into by or on behalf of the Council, except for the specific types of contracts and purchasing methods which are listed in 2.3.
 - 2.3 These Contract Procedure Rules do not apply to:
 - Employment contracts or procuring staff*
 - Contracts relating solely to the purchase or sale of interests in land
 - Contracts for retention of legal counsel and the appointment of expert witnesses in legal proceedings

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- Service level agreements setting out the conditions which the Council applies to its funding of particular voluntary sector bodies.

*The term 'staff' refers to employees who are hired and paid for directly by Sevenoaks District Council. This does not include contracts for consultants, contingent labour, temporary staff etc, which are subject to these CPR.

3 General Principles Applying to All Contracts

- 3.1 All purchases however small shall be in writing, and appropriate record keeping (in line with Council's Retention Policy) shall apply.
- 3.2 Standard contract clauses shall be used in all contracts of a value of £10,000 or more. The standard contract clauses are issued by Legal Services and can be found accompanying the Procurement Manual (details of which will be published on the intranet).
- 3.3 As a minimum, all contracts of a value of £10,000 or more shall include clauses which set out:
- the works, supplies (goods), services, material, matters or things to be carried out or supplied
 - the time within which the contract is to be performed and when the contract shall cease (NB contracts by default should not automatically renew).
 - quality requirements and/or standards which must be met
 - requirements on the contractor to hold and maintain appropriate insurance
 - what happens in the event that the contractor fails to comply with its contractual obligations (in whole or in part)
 - requirements on the contractor to comply with all relevant equalities and health and safety legislation
 - that the Council shall be entitled to cancel the contract and recover losses in the event that the contractor does anything improper to influence the Council to give the contractor any contract or commits an offence under the Bribery Act 2010 or s117(2) Local Government Act 1972.
- 3.4 All contracts shall include relevant specifications and/or briefs/technical requirements which are prepared taking into account the need for effectiveness of delivery, quality, sustainability and efficiency (as appropriate) and the information set out in the Council's Procurement Manual.
- 3.5 All contracts of a value of £10,000 or more or which involve a substantial

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risk to the Council must be subject to a written risk assessment, which should be kept on the contract file. See Procurement Manual for more details.

4 Regulatory Context

4.1 All purchasing shall be conducted in accordance with Regulatory Provisions which are:

- all relevant statutory provisions
- the relevant international rules and treaty principles
- the Council's Constitution including these Contract Procedure Rules, the Council's Financial Procedure Rules and Scheme of Delegation
- the Council's Procurement Strategy, Procurement Manual (and associated Toolkit for Procuring Managers) and other policies and procedures of the Council as appropriate.

4.2 In the event of conflict between the above items, UK legislation will take precedence, then international rules, then the Council's Constitution, the Council's Procurement Manual and policies and procedures.

5 Responsibilities of Chief Officers and Responsible Officers

5.1 Each Chief Officer shall:

- be responsible for the purchasing undertaken by his/her service to be undertaken in accordance with these Contract Procedure Rules (and accompanying policies and guidance),
- be accountable to the Cabinet for the performance of his/her duties in relation to purchasing
- comply with the Council's decision making processes including, where appropriate, implementing and operating a Scheme of Delegation
- appoint a Responsible Officer (in line with Council's Scheme of Delegation) in writing who shall be an authorised signatory.
- take immediate action in the event of breach of these Contract Procedure Rules.

5.2 A Responsible Officer is an officer with responsibility for conducting purchasing processes for the purchase of works, supplies (goods) or services on behalf of the Council.

5.3 A Responsible Officer's duties in respect of purchasing are to ensure:

- compliance with all Regulatory Provisions and integrity of the tender

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process

- compliance with the relevant statutory provisions and the Council's requirements relating to declarations of interest affecting any purchasing process
- that there is an appropriate analysis of the requirement, timescales, procedure and documentation to be used
- the purchasing process, from planning to delivery incorporates (where appropriate) principles of sustainability, efficiency, whole life costings and cost savings
- compliance with the Council's decision-making processes
- that all contracts of a value of £10,000 (ex VAT) or more are included on the Council's Contract Register
- that proper records of all contract award procedures, waivers, exemptions and extensions are maintained, with separate files for each purchase of a value of £10,000 (ex VAT) or more
- that value for money is achieved
- that adequate and appropriate security (such as a bond or guarantee) is taken to protect the Council in the event of non-performance.

5.4 In considering how best to procure works, supplies and services, Chief Officers and/or Responsible Officers (as appropriate in the context), shall take into account wider contractual delivery opportunities and purchasing methods including the use of Pre-Competed Frameworks and e-procurement/purchasing methods, and the availability of local authority charging and trading powers.

5.5 It is a disciplinary offence to fail to comply with these Contract Procedure Rules and the Council's Procurement Manual. All employees have a duty to report breaches of Contract Procedure Rules to the Chief Officer for their service.

5.6 Any officer or Member who suspects any misconduct or corruption in relation to the purchase by or on behalf of the Council of works, supplies (goods) and services must immediately report that suspicion to the Council's Monitoring Officer and Chief Officer for their service.

6 Scheme of Delegation

6.1 Council purchasing may only be undertaken by officers with the appropriate delegated authority to carry out such tasks as set out in the Council's Scheme(s) of Delegation. Officers with delegated authority may only delegate to other officers who have the appropriate skills and knowledge for the task and such delegation shall be recorded in writing by the officer delegating the task and notified to the relevant Chief Officer.

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6.2 Officers shall, where appropriate, be informed by their Chief Officer of the extent of any delegated authority and applicable financial thresholds.

7 Financial Thresholds and Procedures

7.1 The table below sets out the general rules applying to the choice of purchasing procedure for contracts at the stated threshold values.

7.2 Wherever possible (irrespective of size/value) contract opportunities should be advertised by way of a public notice. The Council must consider the potential effect of a contract on interstate trade. If a contract may be of interest to contractors from other states then this may result in a need to advertise in a manner which ensures that potential contractors from other states are aware of the opportunity, even for small value contracts or contracts under the Public Contracts Regulations 2015 (PCR) Threshold levels (as indicated below).

7.3 The public notice referred to at 7.2 may take the form of a notice or advertisement in an electronic or paper format, on an easily accessible website or other electronic media and/or in the press, trade journals (as appropriate). Any public notice should be made available on the Council's usual portals (as at April 2021 the Kent Business Portal and www.mytenders.co.uk). Any contract above the Public Contracts Regulations threshold level must be published also on the Government's Find a Tender Service (FTS). The Responsible Officer may choose to place one or more public notices in different media.

7.4 Table setting out financial thresholds and procedures

Total Value (excluding VAT)	Type of contract	Procedure to be used
£0 to £10,000	works, supplies and services	At least one written quote in advance
£10,000 to £74,999	works, supplies and services	At least three written quotes in advance
£75,000 to £1 below PCR threshold for supplies and services **	Supplies and services	At least three written tenders in advance, following advertisement by public notice

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PCR Threshold and above for supplies and services £189,330 **	Supplies and services	PCR Rules apply - full competitive process following advertisement in the FTS for supplies and Part A* services. For Part B* services reduced requirements apply under the PCR Rules but there is a presumption in favour of advertising and a competitive process.
£75,000 to PCR Threshold for works £4,733,252 **	Works	Full competitive process with tenders following advertisement by public notice
From PCR Threshold for works £4,733,252 **	Works	PCR Rules apply - full competitive process with tenders following FTS advertisement

* For the purposes of the Public Contract Regulations (2015) services are divided in various types which demand different handling. Responsible Officers should act cautiously and seek advice from Legal Services when considering the relevant procedure to be used.

** These figures are correct at June 2021 but officers should check for details of the relevant threshold in force at the time of their procurement.

7.5 Where contracts are of a type and value which means that they are subject to the PCR Rules then there are various procedures available. These are detailed in the Procurement Manual. Care must be taken to ensure that the correct and most appropriate procedure is used and assistance on the choice and use of procedure should be sought. Please see the Procurement Manual for more information.

8 Financial Thresholds and Processes Applying to Approval and Execution of Contracts

8.1 For contracts over the relevant PCR Threshold (in force at the time), the choice of purchasing procedure to be used and the decision to proceed to advertisement must be authorised in writing by the relevant Chief Officer in advance.

8.2 When a decision is made to award a contract then the Responsible Officer must, in addition to complying with his/her general obligations under these Contract Procedure Rules ensure, in particular, that:

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- the appropriate approvals have been obtained to authorise that decision; and
- where appropriate, a standstill period complying with the PCR Rules is incorporated into the final award process.

8.3 Any contracts valued at £75,000 or above shall be executed as a deed. All other contracts may be signed by officers with appropriate delegated authority. £10,000 shall be the threshold for the purposes of Regulation 8 of the Local Authority (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001.

8.4 Electronic signatures may be used provided the sufficiency of security arrangements has been approved by the relevant service Chief Officer.

9 Calculating the Contract Value

9.1 The starting point for calculating the contract value for the purposes of these Contract Procedure Rules is that the contract value shall be the genuine pre-estimate of the value of the entire contract excluding Value Added Tax. This includes all payments to be made, or potentially to be made, under the entirety of the contract and for the whole of the predicted contract period (including proposed extensions and options).

9.2 By way of an example, whole life cost should be calculated as follows:

- If a contract for services is costing £20,000 per year but it needs to run for 3 years, the whole life cost = £60,000 ex VAT
- All contracts should be awarded ex VAT
- It should be made clear in your pricing section of the contract that VAT is to be applied at the prevailing rate.

9.3 There shall be no artificial splitting of a contract to avoid the application of the provisions of the PCR Rules and/or these Contract Procedure Rules.

9.4 The PCR Rules can cover contracts which are below the stated PCR threshold where they constitute repeat purchases and/or purchases of a similar type in a specified period. Responsible Officers should therefore seek advice on the application of the PCR Rules where they envisage that they may require repeat purchases and/or purchases of a similar type.

10 Principles Underlying Tendering Processes and Tender Evaluation

10.1 All tendering procedures (including obtaining quotes), from planning to contract award and signature, shall be undertaken in a manner so as to ensure:

- Sufficient time is given to plan and run the process

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- Equal opportunity and equal treatment
- Openness and transparency and that our decisions can be evidenced and reported on (should this be necessary)
- Probity and justifiable decision making
- Outcomes which deliver sustainability, efficiency and cost savings (where appropriate).

11 Submission and Opening of Tenders

- 11.1 An Invitation to Tender ('ITT') shall be issued by the Council for all contracts over £75,000 and tenders shall be submitted in accordance with the requirements of the Invitation to Tender. The templates ITT (alongside others) are available in the Toolkit supplied with the Procurement Manual.
- 11.2 Any tenders received (other than those received electronically, to which 11.3 shall apply) shall be:
- addressed to the Head of Legal & Democratic Services.
 - in a sealed envelope marked "Tender" followed by the subject matter to which it relates
 - kept in a safe place by Democratic Services where restricted access applies only to those who are authorised to have access.
 - retained unopened until the date and time specified for its opening.
- 11.3 Where the Council has indicated in the Invitation to Tender that a tender can or must be submitted electronically, then those tenders shall be:
- addressed to the e-mail address as notified in the Invitation to Tender or managed via the mytenders.co.uk portal.
 - in the format specified in the Invitation to Tender and kept confidential
 - stored in a secure mailbox, which requires a code or other appropriate security measure, to open it
 - retained unopened until the date and time specified for its opening.
- 11.4 No tender received after the time and date specified for its opening shall be accepted or considered by the Council unless the Head of Legal & Democratic Services/Deputy Chief Executive and Chief Officer Corporate Services is satisfied that there is sufficient evidence of the tender having been dispatched in time for it to have arrived before the closing date and time, or other exceptional circumstances apply, and the other tenders have not been opened.
- 11.5 Tenders shall be opened in the presence of the relevant Chief Officer and an immediate record shall be made of tenders received including names

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and addresses and the date and time of opening.

12 Evaluation of Quotes and Tenders

- 12.1 All quotes and tenders shall be evaluated in accordance with evaluation criteria notified in advance to those submitting quotes/tenderers.
- 12.2 Tenders subject to the PCR Rules shall be evaluated in accordance with the Rules.
- 12.3 Save in exceptional circumstances approved in advance by the appropriate Chief Officer all contracts shall be awarded on the basis of the quote or tender which represents best value for money to the Council and not on the basis of lowest price. See the Procurement Manual (and associated Toolkit) for more information.

13 Waivers

- 13.1 The requirement for the Council to conduct a competitive purchasing process for contracts in excess of £10,000* may be waived in certain limited circumstances, which include the following
- for contracts which are not subject to the PCR Rules, the work, supply or service is required as a matter of urgency and a delay would be likely to lead to financial loss, personal injury or damage to property; or
 - the circumstances set out in Regulation 14 apply (whether or not the contract is of a type which is subject to the application of the PCR Rules); or
 - the contract is awarded under a Pre-Competed Framework (where direct award is permitted) of a type where a competition has already been undertaken on behalf of the Council.

*Please note that the waiver process applies to purchases of £10,000 (ex VAT) or more. Below this threshold, Responsible Officers must seek 1 written quote to compliantly meet the Procurement threshold requirements.

- 13.2 A Responsible Officer who seeks a waiver of Contract Procedure Rules, shall do so only in advance and only in exceptional circumstances. Further guidance on what may constitute exceptional circumstances permitting waiver of these Contract Procedure Rules and general tender direction is set out in the Council's Procurement Manual.
- 13.3 All waivers from these Contract Procedure Rules must be:
- fully documented
 - subject to a written report in an approved format to be submitted in advance to the relevant Chief Officer which shall include reasons for

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the waiver which demonstrate that the waiver is genuinely required

- subject to approval in advance by the Procurement Assurance Group (PAG) who shall record that they have considered the reasons for the waiver and that they are satisfied that the circumstances justifying the waiver are genuinely exceptional.

13.4 All decisions on waivers must take into account:

- probity
- best value/value for money principles.
- Representative of the whole / total contract cost not split to ensure the value of the service (or goods) being waived appears lower.

13.5 For contracts subject to the PCR Rules, any waiver from the requirement for competition must meet the conditions set out in the PCR Rules in addition to the general requirements above.

13.6 A waiver shall not be applied for reasons of poor contract planning and any such attempt to do so shall be escalated to the Chief Officer and / or Procurement Assurance Group (PAG).

14 Extensions to Existing Contracts

14.1 Where extensions to existing contracts are made the extensions must be determined in accordance with the contract terms, for a specified period and made in accordance with the principles set out in the Council's Procurement Manual.

14.2 Any extension must be:

- fully documented
- subject to a written report in an approved format to be submitted to the relevant Chief Officer; which shall include reasons for the extension which demonstrate that the need for the extension is genuinely exceptional
- subject to approval by the relevant Chief Officer who shall record that they have considered the reasons for the extension and that they are satisfied that the circumstances justifying the extension are genuinely exceptional.

14.3 Any extension must take into account:

- probity
- best value/value for money principles.
- Legality of any extension in line with Government Procurement

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Regulations.

- 14.4 For contracts subject to PCR Rules, any extension must meet the conditions set out in these rules in addition to the more general requirements set out above.
- 15 Procurement Frameworks & Other Purchasing Schemes
- 15.1 A Responsible Officer may use Procurement Frameworks subject to the following conditions and the Council's Procurement Manual.
- 15.2 Responsible Officers must check in advance that
- the Council is legally entitled to use the Procurement Framework and that we can adhere to its terms
 -
 - That any applicable fees which relate to its usage, have been paid by the Council
 - the purchases to be made do properly fall within the coverage of the Procurement Framework
 - the establishment and operation of each Procurement Framework is in compliance with the PCR Rules (where they apply) and meets the Council's own requirements.
- 15.3 Other applicable "Purchasing Schemes" may include:
- contractor prequalification lists/select lists
 - framework arrangements (including those set up by the Crown Commercial Service)
 - purchasing arrangements set up by central purchasing bodies and commercial organisations
 - consortium purchasing
 - collaborative working arrangements
 - formal agency arrangements
 - e-procurement/purchasing schemes and methods
 - other similar arrangements
- 15.4 Where a Procurement Framework is used meaning a pre competition of the relevant supplier's suitability has already taken place, then this shall constitute a compliant route to market in line with the Contract Procedure Rules.
- 16 Review and Changes to these Contract Procedure Rules

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- 16.1 These Contract Procedure Rules shall be reviewed and updated on a regular basis (ideally annually). Save in the case of revisions to the PCR Thresholds in Contract Standing Order 7, amended Contract Procedure Rules shall be agreed and adopted by the Audit Committee. Revisions to the PCR Thresholds shall be dealt with in accordance with Scheme of Delegation.

2023 PARLIAMENTARY BOUNDARY REVIEW

Governance Committee - 22 June 2021

Report of: Chief Executive

Status: For Consideration

Key Decision: No

Contact Officers: Lee Banks, Ext. 7161

Nicola Fletcher, Ext. 7188

Recommendation to Governance Committee:

That Council be recommended to:

(a) Note the initial proposals from the Boundary Commission for England for Parliamentary boundaries for the Sevenoaks District Council area from 2023; and

(b) Approve that the council submits a consultation response to the Boundary Commission for England based on views collated from Members and following consultation with the Chairman of the Governance Committee.

Recommendation to Council:

(a) Note the initial proposals from the Boundary Commission for England for Parliamentary boundaries for the Sevenoaks District Council area from 2023; and

(b) Approve that the council submits a consultation response to the Boundary Commission for England based on views collated from Members and following consultation with the Chairman of the Governance Committee.

Reason for recommendations: To ensure that Members are aware of the initial proposals for new Parliamentary constituency boundaries for the wards they represent and that they are aware how their views may be reported back to the Boundary Commission for England.

Introduction and Background

- 1 The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body which is responsible for reviewing Parliamentary constituency boundaries in England.
- 2 The BCE has the task of periodically reviewing all the Parliamentary constituencies in England. It is currently conducting a review on the basis of rules most recently updated by Parliament in 2020. The BCE are required to report their final recommendations to Parliament by 1 July 2023.

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- 3 The BCE are required to develop proposals which retain 650 constituencies for the UK Parliament as a whole and the proposed constituencies must also comply with strict parameters, in particular as far as the number of electors in each constituency is concerned.
- 4 Following the guidance of Parliament the final proposals must result in 543 constituencies in England (from 533), and require that every constituency - apart from two protected constituencies covering the Isle of Wight - has an electorate that is no smaller than 69,724 and no larger than 77,062.
- 5 As well as the primary rule that constituencies must have no fewer than 69,724 electors and no more than 77,062, the legislation also states that, when deciding on boundaries, the Commission may also take into account:
 - special geographical considerations, including in particular the size, shape and accessibility of a constituency;
 - local government boundaries as they existed (or were in prospect) on 1 December 2020;
 - boundaries of existing constituencies;
 - any local ties that would be broken by changes in constituencies; and
 - the inconveniences attendant on such changes.

Initial proposals

- 6 The BCE published their initial proposals for the new Parliamentary constituency boundaries in England on 8 June 2021. A summary of the proposals for the wards within the Sevenoaks District are set out at Appendix A to this report for Members information and consideration.
- 7 Whilst the majority of the District wards are unaffected by the proposals for new Parliamentary constituencies, the proposals would see Ash & New Ash Green and Hartley & Hodsoll Street become part of the Tonbridge constituency.
- 8 Darenth and Wilmington, Sutton-at-Hone & Hawley within the Dartford borough would become part of the Sevenoaks constituency.

Consultation

- 9 The BCE are currently consulting on their initial proposals through their website at www.bcereviews.org.uk for an 8-week period, which started on 8 June and will end on 2 August.
- 10 Members may wish to note that the BCE is required to publish all the responses they receive on their initial proposals. This is likely to occur in “early 2022” and will coincide with a further six week consultation period on the comments that have been received.

Other options Considered and/or rejected

11 None.

Key Implications

Financial

There are no financial implications arising from this report.

Legal Implications and Risk Assessment Statement

There are no legal implications arising from this report.

There is a risk that if no consultation response is given the potential for the BCE to review their initial proposals may be reduced.

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

The Boundary Commission for England (BCE) are required to conduct a review of the Parliamentary constituencies in the UK and make recommendations, to be reported to Parliament by July 2023, that sets the number of constituencies in England to 543 (from 533).

Appendices

Appendix A - Initial Proposals for the Sevenoaks District

Background Papers

Boundary Commission for England initial proposals for the South East

<https://boundarycommissionforengland.independent.gov.uk/2023-review/>

Dr. Pav Ramewal

Chief Executive

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Ward	Current Parliamentary	Proposed Parliamentary (8 June 2021)	Voters	Sevenoaks Parliamentary Electorate
Brasted, Chevening and Sundridge	Sevenoaks	Sevenoaks	4,928	
Crockenhill and Well Hill	Sevenoaks	Sevenoaks	1,556	
Darenth	Dartford	Sevenoaks	2,010	
Dunton Green and Riverhead	Sevenoaks	Sevenoaks	4,086	
Eynsford	Sevenoaks	Sevenoaks	1,494	
Farningham, Horton Kirby and South Darenth	Sevenoaks	Sevenoaks	3,842	
Fawkham and West Kingsdown	Sevenoaks	Sevenoaks	4,949	
Halstead, Knockholt and Badgers Mount	Sevenoaks	Sevenoaks	2,790	
Hextable	Sevenoaks	Sevenoaks	3,355	
Kemsing	Sevenoaks	Sevenoaks	3,233	
Otford and Shoreham	Sevenoaks	Sevenoaks	3,593	
Seal and Weald	Sevenoaks	Sevenoaks	3,212	
Sevenoaks Eastern	Sevenoaks	Sevenoaks	2,961	
Sevenoaks Kippington	Sevenoaks	Sevenoaks	3,693	
Sevenoaks Northern	Sevenoaks	Sevenoaks	3,111	
Sevenoaks Town and St. John's	Sevenoaks	Sevenoaks	4,703	
Swanley Christchurch and Swanley Village	Sevenoaks	Sevenoaks	4,629	
Swanley St. Mary's	Sevenoaks	Sevenoaks	3,181	
Swanley White Oak	Sevenoaks	Sevenoaks	4,776	
Westerham and Crockham Hill	Sevenoaks	Sevenoaks	3,461	
Wilmington, Sutton-at-Hone & Hawley	Dartford	Sevenoaks	6,131	75,694
Ash and New Ash Green	Sevenoaks	Tonbridge	4,620	
Cowden and Hever	Tonbridge	Tonbridge	1,680	
Edenbridge North and East	Tonbridge	Tonbridge	3,750	
Edenbridge South and West	Tonbridge	Tonbridge	3,171	
Hartley and Hodsoll Street	Dartford	Tonbridge	4,842	
Leigh and Chiddingstone Causeway	Tonbridge	Tonbridge	1,827	
Penshurst, Fordcombe and Chiddingstone	Tonbridge	Tonbridge	1,979	
Lower limit of voters for new proposals		69,724		
Upper limit of voters for new proposals		77,062		
Total voters for proposed Dartford Constituency		70,038		
Total voters for proposed Tonbridge Constituency		72,091		

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Governance Committee Work Plan 2020/21 (as at 8/6/2021)

22 June 2021

- LGA Model Code of Conduct - Recommendation of Working Group
- Contracts Procedure Rules
- Protocol on Councillor/Officer Relations
- Parliamentary Boundary Review

8 November 2021

-

2 February 2022

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