

GOVERNANCE COMMITTEE

Minutes of the meeting held on 13 July 2015 commencing at 6.00 pm

Present: Cllr. Pett (Chairman)

Cllr. Ms. Tennessee

Cllrs. Dr. Canet, Clack, Layland and Ms. Tennessee

Apologies for absence were received from Cllrs. Halford and London

Cllr. Firth was also present.

1. Minutes

Resolved: That the minutes of the meeting of the Governance Committee held on 26 February 2015 be approved and signed as a correct record.

2. Declarations of Interest

No additional declarations were made.

3. Actions arising from the last meeting

There were none.

CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, agenda item 6 was brought before agenda item 4.

4. KCC Boundary Review - Response to Consultation

The Electoral Services Manager presented a report which advised that on 12 May 2015 the Local Government Boundary Commission for England (LGBCE) had issued a consultation document on its draft proposals for new county council division boundaries for Kent County Council (KCC). The review was being conducted as KCC currently had high levels of electoral inequality where some councillors represented many more or many fewer voters than others. The aims of the review were to improve electoral equality, reflect community identities and provide for effective and convenient local government. There was proposed to be a reduction of one division and one member for representation within the Sevenoaks District.

The consultation period was due to end on 6 July (an eight-week period) which would not have allowed time for a formal response from this Council without special meetings of Governance Committee and Full Council being called. The Chief Executive had written to the LGBCE who had agreed to an extension to 22 July (the day after full Council on 21 July 2015) on the basis that a draft of what would be considered by Council on that date

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could be sent to them by 6 July and notified on 22 July of any changes made at Council. To this effect the report had been considered by the Legal & Democratic Advisory Committee on 2 July 2015 in order to inform the Portfolio Holder for Legal and Governance and allow a holding response to be sent. The [minute](#) from that meeting was tabled along with the [holding response](#) which had been sent, expressing that meeting's preference for alternative option 3.

Members considered and discussed all the proposals, in particular whether they agreed with the preference given in the holding response.

With regards to the alternative option 3 it was noted that it made sense for the denser population centres of Swanley and Sevenoaks to be clearly represented by single County Council members while Westerham would fit neatly into an "A25 corridor" division together with Brasted and Sundridge with Ide Hill. The suggested Sevenoaks Rural North East division, in this option, appeared a cohesive area. It was agreed that the Rural designations of Sevenoaks Rural South and Sevenoaks Rural North East helped to provide distinction for these areas from Sevenoaks Town.

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 Council confirm the holding response sent to the Local Government Boundary Commission for England on 3 July 2015 with alternative option 3, along with the alternative proposed division names also detailed on that map, as the preferred option.

5. Overview of Governance Committee

The Chief Officer Legal and Governance presented a report which provided details of the role of the Committee and its terms of reference including in considering constitutional changes and making recommendations on those to Council. The report summarised the work of the Committee over the two previous municipal years.

Resolved: That the report be noted.

6. The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 - Appointment and Dismissal of Senior Officers

The Chief Officer Legal & Governance introduced a report which advised that, due to recent legislative changes, the Council was required to amend its standing orders with regard to the dismissal of its Head of Paid Service, Monitoring Officer or Section 151 Officer (the statutory officers) no later than the first ordinary meeting of the Council falling after 11 May 2015.

The Chief Officer Legal & Governance advised that previously disciplinary action had to be in accordance with a report of a designated independent person, who had to be appointed jointly by the Council and the statutory officer. This joint appointment process could cause delays. There was now instead to be a panel appointed which would include the two independent persons appointed for the Member Conduct regime.

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In response to questions the Officer confirmed that there was no limit to the number of further appointments which could be made to the panel which could also include Members or non-Members. Any Members would have to be appointed on a politically proportional basis. Further clarification on how the panels would work in practice was expected in any future guidance published by the Department for Communities and Local Government.

Public Sector Equality Duty

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

Resolved: That Full Council be recommended to approve the amendments to Officer Employment Procedure Rules (Appendix M of the Constitution) and paragraph 6 of the Constitution entitled "Functions of the Full Council" within Part 2 – The Council and District Council Members, in relation to the dismissal of statutory officers, attached as an appendix to the report.

7. Work Plan

The Chairman tabled an article from the Leader of Maidstone Borough Council on their move from the Cabinet to the Committee system of governance. It was agreed to invite her to the meeting of the Committee on 20 October 2015 to discuss governance arrangements while an appropriate Officer from that Council would be invited to attend the meeting on 13 April 2016. It was suggested that representatives from Canterbury could be invited to each meeting too.

The Committee considered the role of Member surveys and it was suggested a survey could be carried out towards the end of the year, but Members raised concern that it may take longer for new Members to become familiar with the way the Council worked before taking part in a survey.

An item would be added for the meetings in October and April for considering the boundaries of the Council wards and whether there was inequality in the number of voters per councillor. The Committee would also consider the effect if the total number of District Councillors were to be reduced.

THE MEETING WAS CONCLUDED AT 6.46 PM

CHAIRMAN

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