

Folkestone

Hythe & Romney Marsh

Shepway District Council



**Shepway District Council's submission to
the Local Government Boundary
Commission for England on Council
Size, as part of the Further Electoral
Review of Shepway District Council**

Introduction

- 1 Shepway District Council made a formal request to the Local Government Boundary Commission for England for a Further Electoral Review (FER) on 22 March 2012 following a decision made by full council on 21 March.
- 2 The request was made following an initial report from the Leader of the Council on 23 November 2011, which established a small Electoral Working Group consisting of six members to explore the issue in greater depth. The analysis and research from this group provided the basis for the Leader's Report to Council on 21 March 2012.
- 3 The Chief Executive in his delegated role as Electoral Registration Officer and Returning Officer, along with his Deputies; (the Democratic Services Manager and the Head of Administration), has coordinated the Council's views and support for the Member's Electoral Working Group on a possible future council size, following extensive consultation with all members.
- 4 The Electoral Working Group, following several meetings and extensive research, concluded that the optimum council size for Shepway District Council was 30 members. On 21 March 2012, full Council agreed with the Electoral Working Group recommendations, with the amendment that the optimum council size should be 38 members.
- 5 Council unanimously agreed an amendment equating to 38 members for the optimum size of council. Members felt that the number of electors and the size of geographic area required, if there were only 30 members, would be too large and cumbersome for them to adequately represent their constituents. Members were also keen to avoid creating too much of a burden upon a few members in covering all required committees and executive responsibilities.
- 6 The Council also considered that 30 members might be too few in larger more rural seats where there are a considerable number of smaller parish councils. As a consequence a single district councillor in such an area might not be able to properly work with all the parish councils in his/her area or might not be able to represent a large number of distinguishable communities. In addition wards might be required to cross over natural community boundaries thereby damaging existing community coherence.
- 7 The work was based on an assumption that Shepway District Council would trigger the criteria for a FER, based on evidence provided by the Electoral Registration Officer that Shepway was on course to meet all of the criteria required to require such a review, namely:
 - More than 30% of a council's wards have an electoral imbalance of more than 10% from the average ratio and/or
 - One or more wards have an electoral imbalance of more than 30% and

- The imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period

Shepway District Council – Geography and History

- 8 Shepway District Council was created as a District Council in 1974 following the Local Government Act 1972. The most recent electoral review of the authority took place in 2000 and was published on 8 May 2001. This review formed part of the periodic electoral review cycle for Kent which previously occurred approximately every ten years.
- 9 The 2001 full electoral review recommended that the number of wards was reduced from 25 to 22 and the number of Councillors was reduced from 56 to 46. In addition new boundaries were created and new parish wards and changes to the number of Councillors were also introduced for some parish councils such as Lympe.
- 10 The Local Government and Public Involvement in Health Act 2007 transferred responsibility for making Parish Orders from the Secretary of State to 'principal' councils such as Shepway District Council. Since then Shepway has successfully undertaken two Community Governance Reviews in Lydd and in Stanford. A third review is currently nearing conclusion in Hawkinge.
- 11 The District of Shepway is situated on the channel coast about 75 miles from London. It occupies a key strategic position as a gateway to continental Europe as is served by the M20 - which offers quick and easy connections to the major UK motorway networks - the High Speed Rail Link, the Channel Tunnel and Lydd Airport.
- 12 The district has an area of 363 square kilometres and has a natural high quality environment with a number of distinct landscapes, communities and places of interest. The district is complex; often contrasting in terms of relative affluence and deprivation, with dense urban environments and rural isolation.
- 13 Shepway boasts a rich variety of attractive landscapes, from rolling chalk downland and wooded valleys to marshes. It is fringed by the sea and has a coastline of more than 20 miles. More than 33 per cent of the district falls within the Kent Downs' Area of Outstanding Natural Beauty and there are numerous wildlife sites and Sites of Special Scientific Interest, as well as a RAMSAR site. There is a wealth of notable heritage spanning the whole of British history including Iron Age and Roman settlements; medieval churches; Tudor castles and Napoleonic fortifications.
- 14 Shepway is home to almost 108,000 people (Office for National Statistics Census 2011); 47 per cent of the population live in Folkestone and 22 per cent live in the towns of Hythe and New Romney. The number of households is approximately 49,400.
- 15 The Council currently has 46 Councillors in 21 wards with a mixture of three member, two member and single member wards all of whom are elected in all

out elections every four years. The next scheduled elections are due to take place on 7 May 2015. The full list of current wards and number of Councillors elected for each ward is shown at Appendix 1.

- 16 The district of Shepway comprises six county divisions with boundaries that are all coterminously within the district. There is a vibrant and active network of parish councils in Shepway which vary in size from the larger town councils of Folkestone, Hawkinge, Lydd and New Romney to smaller parish councils such as Stanford and Newington. In total there are 24 parish councils with elections in Shepway, with a total of 212 parish Councillors. In addition there are 5 parish meetings covering smaller parish areas. The full list of parishes and the number of elected Councillors is shown at Appendix 2.
- 17 The current number of electors, as at 1 July 2012, is 82,514. The interim projected electorate figure for December 2018, based mainly on the Council's Strategic Housing Land Availability Assessment and on developments that are highly likely as opposed to probable is 89,043. The next ten years are expected to see continued growth and require continued service delivery and areas such as Risborough Barracks are not included within these figures.

Shepway District Council - Political Management and Governance

- 18 The Council has been Conservative controlled since 2007. During the period 2004-7, the Council administration was formed jointly between the Conservative Group and the People First Group following a number of Councillors leaving the Liberal Democrats in 2003. Prior to this the Council had a history of fluctuating between being Conservative controlled or in no overall control as shown in Appendix 3. The current political make-up of the Council is:

Conservative - 44 Members

People First - 2 Members

- 19 Shepway was one of the first councils in England to experiment with the leader and cabinet basis that was first introduced on a pilot basis in May 1999. The Council then adopted, and has operated with the model of a strong 'Leader and Cabinet' since the Local Government Act 2000 came into effect. A referendum for a directly elected mayor was held on 31 January 2002 with a No vote obtaining 56% on a 36.3% turnout. At the time all three major political parties campaigned for a 'No' vote and welcomed the outcome.
- 20 The Council has and continues to streamline the style of governance. By 2015 there will have been a very significant reduction in the size of the Council's budget and the size of the workforce. The Council has sought to make the difficult decisions between competing priorities and to help mitigate the effects of cuts across the public sector whilst maintaining high quality service delivery for residents. As a consequence, street cleansing, recycling and waste services were jointly procured with Kent County Council and Dover District Council and are now delivered through a joint arrangement. Other governance functions such as internal audit are provided as shared services with Thanet

District Council, Dover District Council and Canterbury City Council and many services have been procured externally or are earmarked for outsourcing. These include most recently payroll, ICT, environmental enforcement and parking. Services such as grounds maintenance are scheduled to be delivered using external providers by the end of 2012. A recent report from Personnel Committee also affirmed a commitment to staff transformation projects such as 'working from anywhere' and to reduce the number of direct employees from 480 to 280 over the next few years. The Council is also now part of the largest Housing ALMO in England, East Kent Housing, and transferred the housing stock, staffing and operational responsibilities in April 2011.

21 Since April 2011, the Council has undergone a reorganisation of senior management staffing by reducing the number of directors by two and heads of service by a similar number. The Council recognises the role of the Councillor is changing and that although the Council will be smaller, the challenges for residents' involvement will be greater and the Councillors' influencing role is therefore growing. As a result the Council has sought to remove the direct correlation between Cabinet members and the senior management structure and to move towards a more themed approach. The current senior management staffing structure is shown at Appendix 4.

22 Previously the Cabinet numbered ten and mirrored the senior management structure which has since been altered to operate on a thematic basis. The Council approved a suggested model of committees without challenge at the debate which took place on 21 March 2012, although this would be subject to the Leader's discretion in the case of Cabinet, it is intended to reflect a reduction in the number of members following implementation of the FER. Aspects of this model have already been introduced and demonstrate a continued commitment to providing sustainable and efficient governance and representation with fewer councillors. The current Cabinet members' portfolios are:

a) Leader with responsibility for Overall Strategy and Leadership

Administration

- Councillors
- Elections and Electoral Registration
- Legal
- Access to Information
- Human Resources
- Communications and PR
- Corporate Policy
- Land Charges
- Street Naming and Numbering
- Central Administration

Customer Contact

- ICT Innovation

Strategic Projects

- Property Development
- Outsourcing
- Collaboration
- Emergency Planning
- Management of services that are temporarily without a home (e.g. Grounds Maintenance)

b) Deputy Leader and Cabinet Member for the Environment

Environmental Services

- Enforcement Champion
- Waste Management & Street Cleansing

c) Cabinet Member for Communities

Communities

- Community Safety
- Arts and Culture
- Environmental Health
- Leisure
- Events

d) Cabinet Member for Housing

Communities

- Strategic Housing
- Residual Landlord

e) Cabinet Member for Health and Wellbeing

Administration

- Health and Wellbeing

e) Cabinet Member for the Economic Development

Development

- Development Control

- Economic Development
- Building Control
- Planning Policy
- Conservation
- Engineers
- Property Management

f) Cabinet Member for Traffic Management and Parking

Communities

- On & off street parking

g) Cabinet Member for Finance

Financial Services

- Accounting
- Audit
- Treasury Management
- Insurance
- Contract Management
- Procurement
- Creditors

h) Cabinet Member for Customer Contact

Customer Contact

- Contact centre
- Revenue
- Benefits
- Civic Centre Management
- Corporate Debt
- Fraud
- Printing
- Lifeline
- CCTV

i) Cabinet Member for Localism

Administration

- Scrutiny Liaison
- Localism
- Community Engagement

- 23 Each member of the Cabinet works to a role portfolio set out in the Council's Constitution and these are set out in full at Appendix 5.
- 24 The Council has two Scrutiny committees, Resources Scrutiny Committee and Committee Overview Committee. The terms of reference for each of these committees are as follows:

Resources Scrutiny Committee

- To review and scrutinise the executive's decisions including prior scrutiny of proposed executive decisions and decisions made by committees and officers.
- To contribute to the development of the budget and other financial strategies and review the performance of the executive against the budget and other financial targets.
- To contribute to and review the development of the council's corporate management policies including risk management and corporate governance policies and strategies, and to review the performance against targets and review the effectiveness of the policies and strategies over time.
- To contribute to and review the council's performance plan and performance management system.
- To exercise the right set out in the call in rule of procedure set out in Appendix 6 of this constitution to call-in for review and recommend for re-consideration any decisions made by the leader, the cabinet, cabinet member or an officer but not implemented. Call in does not extend to:
 - i) Individual decisions relating to planning applications, quasi judicial and personnel matters e.g. licensing, housing appeals and disciplinary appeals;
 - ii) Decisions of the standards committee or its sub-committees;
 - iii) Matters to be decided by full council;
 - iv) A decision to appoint a person to an outside body;
 - v) A decision to put a proposal out to consultation.
- To develop, in conjunction with the Community Overview Committee, an annual scrutiny programme for endorsement by council.
- To review the steps that the Council has taken in response to a petition where the petition organiser has requested a review under the Petition Scheme and to take such decisions as it considers appropriate following the review.
- To hold at least four ordinary meetings of the Resources Scrutiny Committee in each municipal year. The chairman or, any four members of the Resources Scrutiny Committee or the head of the paid service may call extraordinary meetings if he/she/they consider it appropriate.

Community Overview Committee

- To consider how the council engages with the community including reviewing and monitoring the effectiveness of the council's communication and consultation strategy and other strategies that have an impact on relationships with the public.

- To consider how the council develops relationships with its partners including with town and parish councils and review the effectiveness of those partnerships in contributing to the council's vision and objectives.
- To scrutinise the work and decisions of the partnerships that the council is involved in.
- To scrutinise the work of other public agencies in the district.
- To consider issues concerning health provision in the district.
- To prepare responses to consultation for consideration by the executive on any matter that affects community services in the district including education and health.
- To scrutinise the work and performance of the council's externally facing services.
- To contribute to the annual scrutiny programme.

25 Both scrutiny committees have 12 members and are politically balanced.

26 In addition Council appoints the following committees:

- Audit and Standards Committee – 5 Members
- Development Control Committee – 14 Members
- Personnel Committee – 6 Members
- Licensing Committee – 14 Members
- General Purposes Committee – 10 Members
- Constitutional Advisory Committee – 5 Members
- Grants Advisory Panel – 5 Members
- Joint Staff Consultative Panel – 3 Members

27 The calendar of meetings for 2012/13 is attached at Appendix 6.

28 In 2010/11 there were 129 scheduled committee meetings including sub-committees. In 2011/12 there were 96 scheduled committee and sub-committee meetings, a reduction of 25.6%. In 2012/13 there are scheduled to be 73 committee and sub-committee meetings, a further reduction of 24% and 56 fewer meetings than two years previously, a reduction of 44%.

29 This reduction in the number of scheduled committee meetings has strengthened the 'strong Leader and Cabinet' approach to governance and resulted in many Members not being as active as previously through their attendance of meetings at the civic centre.

30 The role of Councillors is set out in the Council's Constitution as follows:

- a) To act collectively as the ultimate policy-makers and carry out strategic and corporate management functions including contributing to the formation and examination of the Council's policies, budget, strategies and service delivery;
- b) To contribute to the good governance of the District and encourage community participation and citizen involvement in decision making;
- c) To represent effectively the interests of their ward and of individual constituents; to champion the causes which best relate to the interests

and sustainability of the community and campaign for the improvement of the quality of life of the community; acting in the overall public interest;

- d) To respond to constituents' enquiries and representations, fairly and impartially;
- e) To participate constructively in the governance of the Council;
- f) To maintain the highest standards of conduct and ethics; and
- g) To be available to represent the Council on other bodies.

31 Councillors have a right to access such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law. They are required not to release confidential or exempt information to the public without the consent of the Council; or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it, except where such disclosure is;

- reasonable;
- in the public interest;
- made in good faith; and
- does not breach any other reasonable requirements of the authority.

32 Councillors must adhere to the Council's Code of Conduct and a copy of the Council's current Code of Conduct is attached at Appendix 7.

33 Councillors receive basic allowances and special responsibility allowances (SRAs) in accordance with an Approved Scheme of member's Allowances. The current scheme is attached although it is currently being reviewed by the Council's Independent Remuneration Panel as the current scheme has not been increased since 2008.

34 Many of the current serving Councillors have served for a number of years, the longest serving being Cllr. Copping, who was first elected in 1976. The average age of a Councillor is Shepway is 60 years old with the youngest at 24 years and the oldest being 78 years.

35 There were 10 new councillors elected in 2011. The remaining 36 members have served an average of at least 11.5 years on the Council.

36 Central to the development of policy within the governance for Shepway is the Council's adopted Corporate Plan for 2012-17 which outlines the vision for Shepway District, the strategic objectives and priorities that will help us achieve this over the next five years. The Council will have a particular emphasis on supporting the growth and sustainability of the economy to increase prosperity and on improving our effectiveness and efficiency through service design and workforce development. This is attached at Appendix 9.

37 The vision for Shepway within the Corporate Plan is described as "Sharing in success – a safe, smart and self-confident Shepway where everyone plays their part in a thriving, healthy and creative community." As a Council, to help

achieve the vision for the District, we will work towards the following four strategic objectives:

- Improving the appearance of our District
- Serving our customers and the community
- Creating places where people want to live, work and visit
- Performing effectively

38 This corporate plan is underpinned by service plans containing more detailed targets and actions to be undertaken by the Heads of Service. The Council is working hard to improve communications and consultation, both within the organisation and with residents, stakeholders and businesses, seeking to identify methods to support local economic growth. Regular meetings with local businesses are starting to take place to identify how the Council can help support the local economy. Current plans include the provision of apprenticeships or fully funded work placements, participation in the Working Families Everywhere pilot aimed at reduce intergenerational homelessness and the provision of incubator units for business start ups.

Shepway District Council – Electoral Working Group

39 The Council's Electoral Working Group (EWG) was established by the Leader following Council approval in November 2011. The EWG met on four occasions to discuss ideas and options and the required research and that which was provided by officers supporting the EWG: 14 December 2011, 17 January 2012, 6 February 2012 and 5 March 2012. The final report was submitted in draft form to the General Purposes Committee on 21 February 2012 and to the Constitutional Advisory Committee on 5 March 2012.

40 Research conducted included comparative desktop research and subsequent discussions with other similar councils which assisted in developing the proposals for more effective governance arrangements.

41 Another key piece of research to assist the work of the EWG was a survey of all Members. This was undertaken online between 4-31 January 2012. The key findings can be summarised as follows:

- The overall response to the survey was 65.2%
- Of the respondents, 40% identified themselves as being on cabinet or chair of a committee and 60% were backbenchers
- 57% were also parish Councillors, which is a common factor for the district's Councillors.

- On average, Councillors in non cabinet or chair positions spend about 8 hours per week on council business whereas those holding cabinet or chairman positions spend an average of 16 hours per week on council business.
 - Most Councillors wish to spend more time with their constituents or with their local communities.
 - The top four priorities for additional support, budgets permitting, were delegated ward budgets (75%), administrative support (43%), paperless committees (40%) and facilities for surgeries (36%).
 - About two-thirds of Councillors would prefer to have multi member wards or a mix of single member and multi member wards
- 42 As a consequence of the findings, the Chief Executive is now exploring options with the Leader at how best to incorporate these priorities into future ways of working for Members.

Electoral Working Group - LGBCE factors

- 43 The EWG gave consideration to the Local Government Boundary Commission for England (LGBCE) expectation that authorities demonstrate that their proposals are realistic and effective. The EWG considered the early adoption of some of their proposals would on the one hand give valuable experience for the authority and its members and on the other hand would demonstrate a deep commitment to the new arrangements. All early adoption matters were then referred to the Constitutional Advisory Committee for consideration and some of these, such as merging Audit and Standards into one committee have now been agreed by Council and operational since May 2012.
- 44 The LGBCE also asks local authorities to consider the following four factors when making a proposal on council size:
- The decision making process – what decisions, taken where, and how is it managed?
 - Quasi-judicial processes – i.e. planning and licensing – what is the workload and how is it managed?
 - The scrutiny process – what is scrutinised and how is the total scrutiny workload managed?
 - The representative role of the elected member.

- 45 These factors were considered at the first meeting of the working group, where it was agreed that Officers would undertake research to analyse likely workloads for a council with fewer Councillors. The working group were invited at that stage to indicate the least number of members that would be a viable number for Shepway. The Group considered the range of 24-30 members and took the view that, pending research and data, that a council size of 28-30 was likely to be the smallest viable option, preferably being 30.
- 46 The working group had previously considered and dismissed the idea of returning to a committee system of governance, principally because the direct provision of services had reduced in number which in turn would have resulted in the need for just one or two committees. The group did not perceive an advantage in such an option nor did it consider the option of an executive mayor. At the request of the General Purposes Committee the working group examined further evidence in relation to alternative forms of democratic decision making, including the committee system and also the directly elected mayor model. The EWG concluded there is no evidence that there is an appetite for such an arrangement in Shepway.
- 47 After reviewing that evidence on the best model of governance, the working group considered that the strong leader model with cabinet and separate scrutiny was appropriate to a district council like Shepway.
- 48 In considering and debating the evidence the working group took a view about overall council size. Members were not convinced that it would be viable to run Shepway District Council with fewer than 30 Councillors, all of whom the group considered, should have clear and substantial roles in addition to their ward based constituency role.
- 49 The working group then considered whether they supported the return to a traditional committee structure which is now permitted by the Localism Act. The group took the pragmatic view, that if there was a return to such a structure there would be no justification to supporting a large number of committees given the fact that many services in Shepway are out sourced. In reality a modern committee structure for an efficient district council would require one or two service committees at most. Whilst there was some support for examining such a model the clear majority view was that an improved executive model made most sense at this time.
- 50 The working group then went on to consider the number and type of committees that an efficient democratic structure would need and took the view that a structure along the lines of that set out in Appendix 9 would meet the needs of the council. This was agreed by full Council on 21 March 2012 as a future indicative model of governance and demonstrated firstly, how the Council would operate with fewer members and secondly, the model that the Council would seek to gradually adopt prior to the implementation of fewer councillors in 2015. It can be summarised as follows:

| Body/function | Number of Councillors | Frequency of meetings | Comments |
|--|---|--|--|
| Council | 30 | 3 plus annual meeting | To continue in much the same vein as present |
| Cabinet | 6 [maximum but at Leader's discretion] | Monthly | Portfolios to be determined by Leader |
| Overview and Scrutiny | 8 | 6 | Overarching issues only including financial and performance review |
| Task and finish groups | 2 per group | Ad hoc | Informal short life groups that dig deep into issues with relevant service heads. Probably 3-5 of these groups in any one year |
| Development Control Committee | 8 | 3 weekly | To have the Cabinet Member with the planning portfolio on the standing membership and no other Cabinet members unless in a substitute capacity. |
| Licensing Committee and sub-committees | 10 (legal minimum requirement) | Full committee up to 2 meetings pa; sub-committee as and when needed | Apart from size on main committee the current arrangements would continue |
| Audit and Standards Committee | 5 | Quarterly | Addition of new regime of standards responsibilities to current audit and compliance terms of reference. |
| Personnel Committee | 5 | Quarterly | Non executive and organisational responsibilities including new remuneration policy responsibilities. No more than 3 cabinet members allowed to serve. |

- 51 In reaching their conclusions about the size of future committees the working group were aware that in addition to their ward based work with constituents, all Councillors need to have a clear significant role and specialism within the council whether that is executive, regulatory, scrutiny or ceremonial. Generally speaking the Group were of the view that cabinet members should not dominate other democratic bodies which would mean that, for example, the Development Control Committee would normally have a maximum of one cabinet member in its membership. The above table demonstrates that with minimal overlap there would be a significant role for 30 Councillors to perform.
- 52 The Working Group were aware that the Localism Act would generate further forms of democratic responsibility, but at this time it was not clear whether such responsibilities would fall on the district council to coordinate, or to the town and parish councils. Accordingly this proposal leaves that question open, but in general terms the group believed that a combination of 30 district Councillors and the remaining 200+ town and parish Councillors created a sufficient pool of democratically elected representatives to deliver on the aims of the Localism Act.
- 53 In terms of the Councillors' representative role, a council of 30 members would mean that each Councillor would have an average of around 2,700 constituents. The working group considered that Councillors could undertake their ward work with this number of constituents.
- 54 The Electoral Review Working Group therefore recommended to Council that, for the purposes of the submission to the Local Government Boundary Commission for England, the structure outlined in Appendix 9 be adopted as a future objective for this authority.
- 55 The Working Group finally considered the issue of multi member or single member wards and concluded that should be predominately two member wards with a flexibility to have single member wards where necessary. This followed considerable discussion with members from existing single and multi member wards and those county members who are also members of the district council.

Shepway District Council recommendations:

- 56 The recommendations of the Electoral Working Group within the Leader's Report to Council were agreed by full Council on 21 March 2012. A copy of the final agreed report and Council Minutes is attached at Appendix 10 and were as follows:
- **To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 38 members that is predominantly two member wards with flexibility to have single member wards where necessary according to current electorate size, future electorate projections and geographic considerations;**

- **That the overall system of governance should continue to be the strong leader and cabinet model with independent overview and scrutiny;**

Appendix 1

Current names of District wards and the Number of Councillors elected per ward

| Name of ward | Number of cllrs per ward |
|----------------------------|---------------------------------|
| Dymchurch and St Marys Bay | 3 |
| Elham and Stelling Minnis | 1 |
| Folkestone Cheriton | 3 |
| Folkestone East | 2 |
| Folkestone Foord | 2 |
| Folkestone Harbour | 2 |
| Folkestone Harvey Central | 2 |
| Folkestone Harvey West | 2 |
| Folkestone Morehall | 2 |
| Folkestone Park | 3 |
| Folkestone Sandgate | 2 |
| Hythe Central | 3 |
| Hythe East | 2 |
| Hythe West | 2 |
| Lydd | 3 |
| Lympne and Stanford | 1 |
| New Romney Coast | 2 |
| New Romney Town | 2 |
| North Downs East | 3 |
| North Downs West | 2 |
| Romney Marsh | 1 |
| Tolsford | 1 |
| | |
| Total | 46 |

Appendix 2

Parish Councils/Meetings and Number of Councillors elected per Parish

| Parish | Parish wards | Parish Councillors |
|-------------------------|---------------------------|--------------------|
| Acrise | | <i>Meeting</i> |
| Brenzett | | 5 |
| Brookland | | 5 |
| Burmarsh | | 5 |
| Dymchurch | | 9 |
| Elham | | 9 |
| Elmsted | | 7 |
| Folkestone Town Council | | 18 |
| | Folkestone Cheriton | 3 |
| | Folkestone East | 2 |
| | Folkestone Foord | 2 |
| | Folkestone Harbour | 2 |
| | Folkestone Harvey Central | 2 |
| | Folkestone Harvey West | 2 |
| | Folkestone Morehall | 2 |
| | Folkestone Park | 3 |
| Hawkinge Town Council | | 9 |
| Hythe Town Council | | 16 |
| | Hythe North | 4 |
| | Hythe South | 4 |
| | Hythe East | 4 |
| | Hythe West | 4 |
| Ivychurch | | 5 |
| Lydd Town Council | | 16 |
| Lyminge | | 10 |
| | Lyminge | 7 |
| | Etchinghill | 3 |
| Lympne | | 7 |
| Monks Horton | | <i>Meeting</i> |
| New Romney Town Council | | 16 |
| | New Romney Coast | 8 |
| | New Romney Town | 8 |
| Newchurch | | 5 |
| Newington | | 5 |
| Old Romney | | <i>Meeting</i> |
| Paddlesworth | | <i>Meeting</i> |
| Postling | | 7 |
| Saltwood | | 7 |

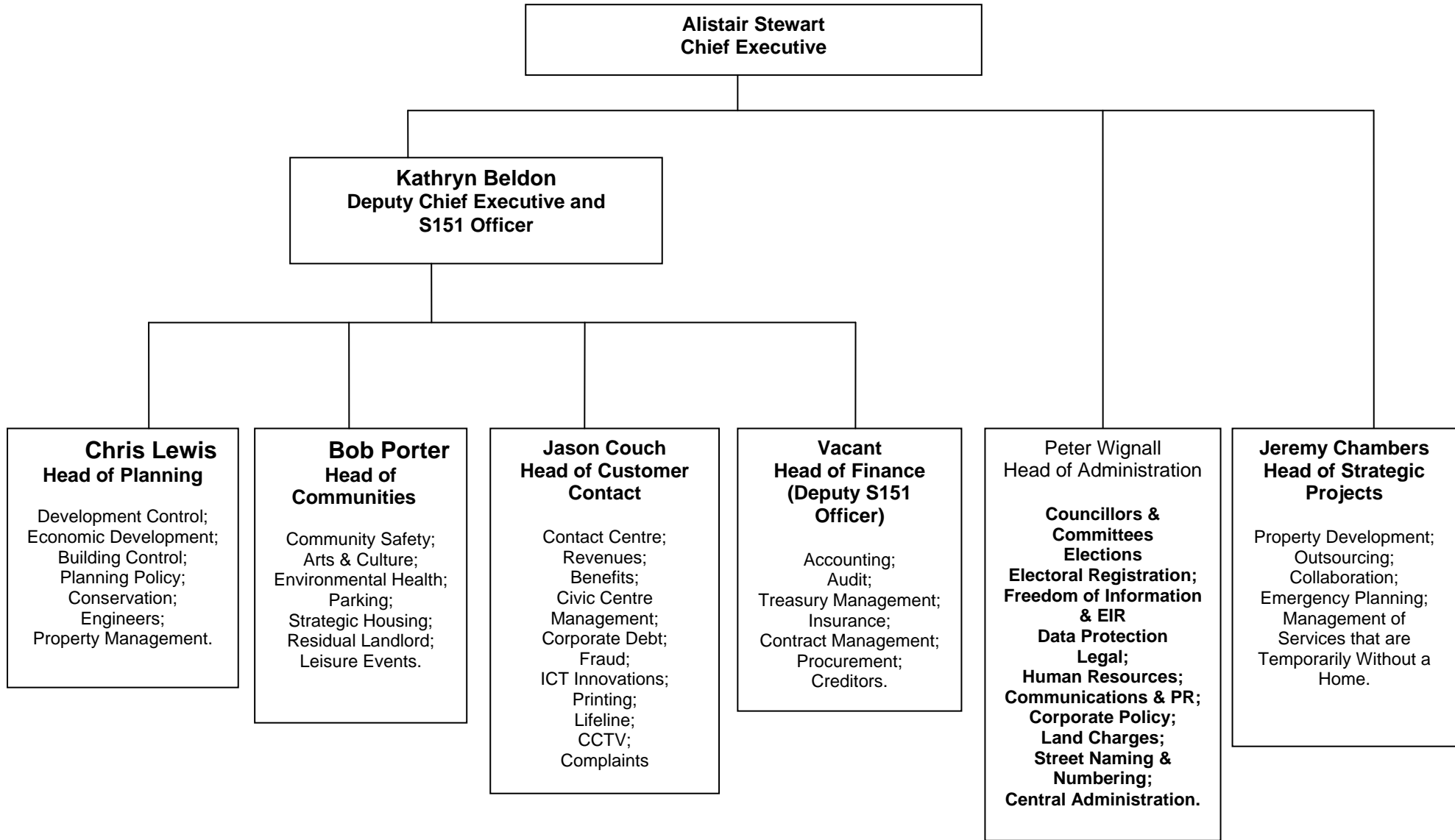
| | | |
|----------------------|----------------------|----------------|
| Sandgate | | 11 |
| | Sandgate Valley | 3 |
| | Sandgate Village | 8 |
| Sellindge | | 9 |
| St Mary in the Marsh | | 7 |
| | St Mary's Bay | 6 |
| | St Mary in the Marsh | 1 |
| Stanford | | 5 |
| Stelling Minnis | | 7 |
| Stowting | | <i>Meeting</i> |
| Swingfield | | 9 |

Appendix 3

Political Composition of Shepway District Council (following the election)

| | | |
|------|--------------|----|
| 2007 | Conservative | 34 |
| | Lib Dem | 10 |
| | Labour | 0 |
| | People First | 2 |
| 2003 | Conservative | 16 |
| | Lib Dem | 29 |
| | Labour | 1 |
| 1999 | Conservative | 30 |
| | Lib Dem | 13 |
| | Labour | 13 |
| 1995 | Conservative | 19 |
| | Lib Dem | 21 |
| | Labour | 13 |
| | Ind | 3 |
| 1991 | Conservative | 20 |
| | Lib Dem | 31 |
| | Labour | 3 |
| | Ind | 2 |
| 1987 | Conservative | 26 |
| | Lib Alliance | 27 |
| | Ind | 3 |
| 1983 | Conservative | 31 |
| | Liberal | 17 |
| | Labour | 2 |
| | Ind | 6 |
| 1979 | Conservative | 35 |
| | Liberal | 7 |
| | Labour | 7 |
| | Ind | 7 |

**Appendix 4 - Senior Management
Structure**



Appendix 5 - ANNEXE C TO PART E – CABINET MEMBER ROLE DESCRIPTIONS of the Council’s Constitution

Cabinet Role Descriptions

Cabinet member Role Descriptions

a) Cabinet portfolio

Leader of the Council; Overall Strategy and Leadership

Purpose of portfolio

The main purpose of this portfolio is to provide overall political leadership to the council and to services not contained in any other portfolio.

To take the overall cabinet lead for the development, monitoring and review of those policies of the council that fall within the portfolio including:

- Corporate Plan
- Emergency Plan

Accountable to

The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.

4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

Strategic Leadership Board

1. To provide the link between the political (member) and operational aspects (officer) of the council.
2. To oversee operational and financial performance of executive functions.

b) Cabinet portfolio:

Deputy Leader and Environment

Purpose of portfolio

The main purposes of this portfolio are to ensure that the district's waste management and street cleaning services provide an efficient and effective service and act as the member champion for the council's enforcement policies.

As deputy leader to substitute for the leader of the council when the leader is absent including chairing cabinet meetings.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- Enforcement Policy

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

c) Cabinet portfolio

Communities

Purpose of portfolio

The main purpose of this portfolio is to provide political leadership for the services provided in the community other than any falling within other portfolios.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- Crime and Disorder Reduction Strategy

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.

4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

D) Cabinet portfolio

Housing

Purpose of portfolio

The main purpose of this portfolio is to ensure that the housing of the district is fit for and sufficient for the needs of the citizens.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- Empty Homes Strategy
- Housing Strategy

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:

- preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
 3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
 4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

E) Cabinet portfolio

Health and Wellbeing

Purpose of portfolio

The main purpose of this portfolio is to provide political leadership to ensure the council addresses effectively the health and public agenda.

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy

- decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

F) Cabinet portfolio

Economic Development

Purpose of portfolio

The main purpose of this portfolio is to promote the economic wellbeing of the district and provide political leadership to the planning function.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- economic development strategy
- working families everywhere
- local development framework

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.

4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

g) Cabinet portfolio

Traffic Management and Parking

Purpose of portfolio

The main purpose of this portfolio is to provide political leadership for the council's policies regarding transport, particularly on and off street parking.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- The Parking Strategy

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:

- preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
 3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
 4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

h) **Cabinet portfolio**

Finance

Purpose of portfolio

The main purpose of the portfolio is to ensure that the council's resources, namely its assets and finances are co-ordinated and planned in an effective manner.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- Medium Term Financial Strategy
- Asset Management Plan
- Revenue and Capital Budget Framework
- Treasury Management Strategy

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

I) Cabinet portfolio

Customer contact

Purpose of portfolio

The main purpose of this portfolio is to provide political leadership for the services provided to the community principally from the civic centre.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- customer excellence

Accountable to

The Leader

The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of a policy development.
3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.

2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.
2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

J) Cabinet portfolio

Localism

Purpose of portfolio:

The main purpose of the portfolio is to help empower the various communities in the district to deal with the matters that arise in those communities themselves; to assist the ward member in their role and to promote good and closer working between the district council, the county council and the local councils (town and parish councils) in the area, identifying opportunities for developing services / decision making to them where appropriate and promoting good practice.

To take the overall cabinet lead for the development, monitoring and review of those policies for the council that fall within the portfolio including:

- consultation strategy

Accountable to

The Leader
The council

Policy development

1. To submit matters of policy or which have strategic implications for consideration by the cabinet within the portfolio.
2. To contribute to and support any consultation carried out as part of any policy development.

3. Engage with any partners or stakeholders involved in the formulation or delivery of the policy or strategy.
4. Keep up to date with any local regional or national development that relate to or effect policies or strategies under development.
5. To engage with the council's overview and scrutiny process, ensuring that their recommendations in relation to the portfolio are fully considered.

Leadership

1. To take the lead role in:
 - preparing strategies and policies in consultation with the appropriate officers relating to the portfolio.
 - preparing the budget to support the strategies and plans
 - being accountable for the budget mentioned above
 - ensuring that the council fulfill its equalities duties
 - making sure the citizens' interests are looked after
2. To be the principle spokesperson for the portfolio.
3. To represent the council at local regional and national bodies dealing with matters in the portfolio.
4. Ensuring that approved policies and strategies are implemented and delivered effectively.

Decision making

1. To bring to the cabinet all matters that require a collective decision at councillor level; these are:
 - decisions to implement or amend a policy or strategy
 - decisions that require a departure from an approved policy or strategy
 - decisions outside the budget and policy framework
2. Individual councillor decisions are made where authorised by the leader or in case of if it is not possible to obtain the consent of the leader in case of urgency. The leader may decide to take an individual decision him/herself.

Ways of working

1. To take collective responsibility and be accountable for decisions and recommendations reached by the cabinet.
2. To comply with the council's code of conduct for councillors and its other rules governing behaviour.
3. To comply with the councillor/employee code of conduct contained in the constitution.
4. To take part in training and development to ensure that the portfolio role is undertaken effectively.
5. To champion equalities duties.
6. To use technology wherever possible.

Skills and knowledge required

1. Good communications and interpersonal skills.

2. Good understanding of how the council works.
3. Leadership skills.
4. Ability to work effectively with the council officers, the media and partner organisations.
5. Ability to work as part of a team.

C2 Collective Decision Making

The executive shall collectively take decisions on the following:

- a) all key decisions
- b) matters falling outside any identifiable portfolio
- c) issues referred to the executive by either a portfolio holder or one of the council's statutory officers
- d) where a virement of money is required to implement a proposed decision
- e) departures from the budget and policy framework
- f) decisions on matters that are not solely executive functions (e.g. that require the council to make a decision)
- g) any requirement to release capital money

Appendix 6 - Calendar of scheduled committee meetings 2012/13

SCHEDULE OF MEETINGS 2012/13

| COUNCIL | CABINET | RESOURCES SCRUTINY COMMITTEE | COMMUNITY OVERVIEW COMMITTEE | DEVELOPMENT CONTROL COMMITTEE | AUDIT AND STANDARDS COMMITTEE | PERSONNEL COMMITTEE | GENERAL PURPOSES COMMITTEE | LICENSING COMMITTEE | SD&PCJ | JTB |
|-----------------|-----------------|------------------------------------|------------------------------------|-------------------------------------|-------------------------------------|------------------------|----------------------------------|------------------------|--------|--------|
| 7.00 PM | 5.00 PM | 7:00 PM | 6:00PM | 7:00 PM | 7:00 PM | 7:00 PM | 7:00 PM | 7:00 PM | 7:00PM | 6:00PM |
| WEDS | WEDS | WEDS | MONDAY | TUESDAY | WEDS | THURS | TUESDAY | THURS | THURS | MON |
| 09-May | 31 May (Thurs) | 23-May | 21-May | 29-May | | | | | 17-May | |
| | 20-Jun | | | 19-Jun | 18 Jun (Mon) | | 7 Jun (Thu) | 28-Jun | | |
| 11-Jul | | 18-Jul | 09-Jul | 10-Jul | | | | | | 02-Jul |
| | | | | 31-Jul | | | | | | |
| | 01-Aug | | | 21-Aug | | | | | | |
| 19-Sep | | | 24-Sep | 11-Sep | 26-Sep | | 04-Sep | 20-Sep | 13-Sep | 24-Sep |
| | 17-Oct | 03-Oct | | 02-Oct | | | | | | |
| | | | | 23-Oct | | | | | | |
| 21-Nov | | | | 13-Nov | | | 06-Nov | | | |
| | 19-Dec | 20 Dec (Thurs) | 10-Dec | 11-Dec | | | | | 13-Dec | 03-Dec |
| | | 23-Jan | 21-Jan | 08-Jan | | 24-Jan | | 17-Jan | | |
| | | | | 29-Jan | | | | | | |
| 14 Feb (Thurs)* | 14 Feb (Thurs)* | | | 19-Feb | | | 05-Feb | | | |
| | 27-Feb | | | | | | | | | |
| 20-Mar | | 27-Mar | 25-Mar | 12-Mar | 13-Mar | | | | 14-Mar | 18-Mar |
| | 17-Apr | | | 02-Apr | | | | | | |
| | | | | 23-Apr | | | | | | |
| 15-May | 29-May | | | 14-May | | | | | | |
| | 19-Jun | 05-Jun | 10-Jun | 04-Jun | | | | | | |

Appendix 7 -

The District Council of Shepway

Kent Code of Conduct for Members

Preamble

- (A) The Code of Conduct that follows is adopted under section 27(2) of the Localism Act 2011.
- (B) The Code is based on the Seven Principles of Public Life under section 28(1) of the Localism Act 2011, which are set out in Annex 1.
- (C) This Preamble and Annex 1 do not form part of the Code, but you should have regard to them as they will help you to comply with the Code.
- (D) If you need guidance on any matter under the Code, you should seek it from the Monitoring Officer or your own legal adviser – but it is entirely your responsibility to comply with the provisions of this Code.
- (E) 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.
- (F) Any written allegation received by the Authority that you have failed to comply with the Code will be dealt with under the arrangements adopted by the Authority for such purposes. If it is found that you have failed to comply with the Code, the Authority may have regard to this failure in deciding whether to take action and, if so, what action to take in relation to you.

THE CODE

1. Interpretation

In this Code:

“Associated Person” means (either in the singular or in the plural):

- (a) housing - where you are a tenant of the Authority provided that those functions do not relate particularly to your tenancy or lease; or
- (b) a family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- (c) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- (d) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (e) any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- (f) any body in respect of which you are in a position of general control or management:
 - (i) exercising functions of a public nature; or
 - (ii) 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).

“Authority” means the District Council of Shepway

“Authority Function” means any one or more of the following interests that relate to the functions of the Authority:

- (a) school meals or school transport and travelling expenses - where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which your child attends;
- (b) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - where you are in receipt of, or are entitled to the receipt of, such pay;
- (c) an allowance, payment or indemnity given to members of the Authority;
- (d) any ceremonial honour given to members of the Authority;
- (e) setting council tax or a precept under the Local Government Finance Act 1992.

“Code” means this Code of Conduct.

“Co-opted Member” means a person who is not an elected member of the Authority but who is a member of:

- (a) any committee or sub-committee of the Authority, or

- (b) and represents the Authority on, any joint committee or joint sub-committee of the Authority; and
- (c) who is entitled to vote on any question that falls to be decided at any Meeting.

“Disclosable Pecuniary Interest” means those interests of a description specified in regulations made by the Secretary of State (as amended from time to time) as set out in Annex 2 and where either it is:

- (a) your interest or
- (b) an interest of your spouse or civil partner, a person with whom you are living as husband and wife, or a person with whom you are living as if you were civil partners and provided you are aware that the other person has the interest.

“Interests” means Disclosable Pecuniary Interests and Other Significant Interests.

"Meeting" means any meeting of:

- (a) the Authority;
- (b) the executive of the Authority;
- (c) any of the Authority's or its executive's committees, sub-committees, joint committees and/or joint sub-committees.

"Member" means a person who is an elected member of the Authority and includes a Co-opted Member.

“Other Significant Interest” means an interest (other than a Disclosable Pecuniary Interest or an interest in an Authority Function) in any business of the authority which:

- (a) affects the financial position of yourself and/or an Associated Person to a greater extent than the majority of:-
 - (i) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;; or
 - (ii) (in other cases) other council tax payers, ratepayers or inhabitants of the Authority's area; or
- (b) relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an Associated Person;

and which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

“Register of Members’ Interests” means the Authority's register of Disclosable Pecuniary Interests established and maintained by the Monitoring Officer under section 29 of the Localism Act 2011.

"Sensitive Interest" means information, the details of which, if disclosed, could lead to you or a person connected with you being subject to violence or intimidation.

Scope

2. You must comply with this Code whenever you act in your capacity as a Member or Co-opted Member of the Authority.

General obligations

3. (1) You must, when using or authorising the use by others of the resources of the Authority:

- (a) act in accordance with the Authority's reasonable requirements; and
- (b) ensure that such resources are not used improperly for political purposes (including party political purposes).

- (2) You must not:

- (a) bully any person;
- (b) intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with this Code;
- (c) do anything that compromises, or is likely to compromise, the impartiality or integrity of those who work for, or on behalf of, the Authority;
- (d) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (i) you have the written consent of a person authorised to give it; or
 - (ii) you are required by law to do so; or
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the Authority;
- (e) prevent another person from gaining access to information to which that person is entitled by law;
- (f) conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute;
- (g) use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.

Registering Disclosable Pecuniary Interests

4. (1) You must, before the end of 28 days beginning with the day you become a Member or Co-opted Member of the Authority, or before the end of 28 days beginning with the day on which this Code takes effect (whichever is the later), notify the Monitoring Officer of any Disclosable Pecuniary Interest.
- (2) In addition, you must, before the end of 28 days beginning with the day you become aware of any new Disclosable Pecuniary Interest or change to any interest already registered, register details of that new interest or change, by providing written notification to the Monitoring Officer.
- (3) Where you have a Disclosable Pecuniary Interest in any matter to be dealt with, or being dealt with, by you acting alone in the course of discharging a function of the Authority (including making a decision in relation to the matter), then if the interest is not registered in the Register of Members' Interests and is not the subject of a pending notification, you must notify the Monitoring Officer before the end of 28 days beginning with the day you become aware of the existence of the interest.

Declaring Interests

5. (1) Whether or not a Disclosable Pecuniary Interest has been entered onto the Register of Members' Interests or is the subject of a pending notification, you must comply with the disclosure procedures set out below.
- (2) Where you are present at a Meeting and have a Disclosable Pecuniary Interest or Other Significant Interest (and you are aware that you have such an interest) in any matter to be considered, or being considered, at the Meeting, you must:
 - (a) disclose the Interest; and
 - (b) explain the nature of that interest at the commencement of that consideration or when the interest becomes apparent (subject to paragraph 6, below); and unless you have been granted a dispensation:
 - (c) not participate in any discussion of, or vote taken on, the matter at the Meeting; and
 - (d) withdraw from the Meeting room in accordance with the Authority's procedure rules whenever it becomes apparent that the business is being considered; and
 - (e) not seek improperly to influence a decision about that business.
- (3) Where you have a Disclosable Pecuniary Interest or Other Significant Interest in any business of the Authority where you are acting alone in the course of discharging a function of the Authority (including making an executive decision), you must:
 - (a) notify the Monitoring Officer of the interest and its nature as soon as it becomes apparent; and
 - (b) not take any steps, or any further steps, in relation to the matter except for the purpose of enabling the matter to be dealt with otherwise than by you; and
 - (c) not seek improperly to influence a decision about the matter.

- (4) Where you have an Other Significant Interest in any business of the Authority, you may attend a Meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the Meeting for the same purpose. Having made your representations, given evidence or answered questions you must:
- (a) not participate in any discussion of, or vote taken on, the matter at the Meeting; and
 - (b) withdraw from the Meeting room in accordance with the Authority's procedure rules.

Sensitive Interests

6. (1) Where you consider that the information relating to any of your Disclosable Pecuniary Interests is a Sensitive Interest, and the Monitoring Officer agrees, the Monitoring Officer will not include details of the Sensitive Interest on any copies of the Register of Members' Interests which are made available for inspection or any published version of the Register, but may include a statement that you have an interest, the details of which are withheld under this paragraph.
- (2) You must, before the end of 28 days beginning with the day you become aware of any change of circumstances which means that information excluded under paragraph 6(1) is no longer a Sensitive Interest, notify the Monitoring Officer asking that the information be included in the Register of Members' Interests.
- (3) The rules relating to disclosure of Interests in paragraphs 5(2) and (3) will apply, save that you will not be required to disclose the nature of the Sensitive Interest, but merely the fact that you hold an interest in the matter under discussion.

Gifts and Hospitality

7. (1) You must, before the end of 28 days beginning with the day of receipt/acceptance, notify the Monitoring Officer of any gift, benefit or hospitality with an estimated value of £100 or more, or a series of gifts, benefits and hospitality from the same or an associated source, with an estimated cumulative value of £100 or more, which are received and accepted by you (in any one calendar year) in the conduct of the business of the Authority, the business of the office to which you have been elected or appointed or when you are acting as representative of the Authority. You must also register the source of the gift, benefit or hospitality.
- (2) Where any gift, benefit or hospitality you have received or accepted relates to any matter to be considered, or being considered at a Meeting, you must disclose at the commencement of the Meeting or when the interest becomes apparent, the existence and nature of the gift, benefit or hospitality, the person or body who gave it to you and how the business under consideration relates to that person or body. You may participate in the discussion of the matter and in

any vote taken on the matter, unless you have an Other Significant Interest, in which case the procedure in paragraph 5 above will apply.

- (3) You must continue to disclose the existence and nature of the gift, benefit or hospitality at a relevant Meeting, for 3 years from the date you first registered the gift, benefit or hospitality.
- (4) The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

Dispensations

- 8.(1) The [Standards] Committee, or any sub-committee of the [Standards] Committee, or the Monitoring Officer (where authorised) may, on a written request made to the Monitoring Officer (as appointed Proper Officer for the receipt of applications for dispensation) by a Member with an Interest, grant a dispensation relieving the Member from either or both of the restrictions on participating in discussions and in voting (referred to in paragraph 5 above).
- (2) A dispensation may be granted only if, after having had regard to all relevant circumstances, the [Standards] Committee, its sub-committee, or the Monitoring Officer (where authorised) considers that:
 - (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business; or
 - (b) without the dispensation, the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business; or
 - (c) granting the dispensation is in the interests of persons living in the Authority's area; or
 - (d) without the dispensation each member of the Authority's executive would be prohibited from participating in any particular business to be transacted by the Authority's executive; or
 - (e) it is otherwise appropriate to grant a dispensation.
- (3) A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.
- (4) Paragraph 5 above does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this paragraph 8.

THE SEVEN PRINCIPLES OF PUBLIC LIFE

In accordance with the Localism Act 2011, and in order to help maintain public confidence in this Authority, you are committed to behaving in a manner that is consistent with the following principles. However, it should be noted that these Principles do not create statutory obligations for Members and do not form part of the Code. It follows from this that the Authority cannot accept allegations that they have been breached.

SELFLESSNESS: You should act solely in terms of the public interest and 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.

INTEGRITY: You should exercise independent judgment and not compromise your position by placing yourself under obligations to outside individuals or organisations who might seek to influence you in the performance of your official duties. You should behave in accordance with all legal obligations, alongside any requirements contained within this Authority's policies, protocols and procedures, including on the use of the Authority's resources. You should value your colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government. You should treat people with respect, including the organisations and public you engage with and those you work alongside.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit. You should deal with representations or enquiries from residents, members of the communities and visitors fairly, appropriately and impartially. You should champion the needs of the whole community and especially your constituents, including those who did not vote for you.

ACCOUNTABILITY: You are accountable to the public for your decisions and actions and should fully co-operate with whatever scrutiny is appropriate to your office.

OPENNESS: You should be as open and as transparent as possible about all the decisions and actions that you take to enable residents to understand the reasoning behind those decisions and to be informed when holding you and other Members to account. You should give reasons for your decisions and restrict information only when the wider public interest or the law clearly demands it. You should listen to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

HONESTY: You have a duty to declare interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

You should not allow other pressures, including the financial interests of yourself or others connected to you, to deter you from pursuing constituents' casework, the interests of the Authority's area or the good governance of the Authority in a proper manner.

LEADERSHIP: Through leadership and example you should promote and support high standards of conduct when serving in your public post. You should provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority.

Disclosable Pecuniary Interests, as prescribed by regulations, 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 the person M referred to in section 30 of the Act

“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 |

| | |
|---------------------|---|
| | <p>relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p> |
| Contracts | <p>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:</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 | 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 | <p>Any tenancy where (to M's knowledge):</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p> |
| Securities | <p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> |

THE CODE OF CONDUCT

PART 1 - GENERAL PROVISIONS

Introduction and interpretation

1. (1) This Code applies to **you** as a member of an authority.
- (2) You should read this Code together with the general principles prescribed by the Secretary of State.
- (3) It is your responsibility to comply with the provisions of this Code.
- (4) In this Code —
“meeting” means any meeting of —
 - (a) the authority;
 - (b) the executive of the authority;
 - (c) any of the authority’s or its executive’s committees, sub-committees, joint committees, joint sub-committees, or area committees;“member” includes a co-opted member and an appointed member.
- (5) In relation to a parish council, references to an authority’s monitoring officer and an authority’s standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

2. (1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—
 - (a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of your authority, and references to your official capacity are construed accordingly.
- (2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- (3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- (4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).
- (5) Where you act as a representative of your authority—
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority’s code of conduct; or

- (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

- 3.
 - (1) You must treat others with respect.
 - (2) You must not
 - (a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be—
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
 - (3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.
- 4. You must not—
 - (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is—
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
 - (b) prevent another person from gaining access to information to which that person is entitled by law.
- 5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—
 - (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of your authority—
 - (i) act in accordance with your authority’s reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

7.
 - (a) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—
 - (i) your authority’s chief finance officer; or
 - (ii) your authority’s monitoring officer, where that officer is acting pursuant to his or her statutory duties.
 - (b) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

PART 2 - INTERESTS

Personal interests

8. (1) You have a personal interest in any business of your authority where either—
 - (a) it relates to or is likely to affect—
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) any body—
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
 - (iii) any employment or business carried on by you;
 - (iv) any person or body who employs or has appointed you;
 - (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (vi) any person or body who has a place of business or land in your authority’s area, and in whom you have a beneficial interest in a class of securities of that person

or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

- (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (ix) any land in your authority's area in which you have a beneficial interest;
 - (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—
- (i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
 - (ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or
 - (iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

(2) In sub-paragraph

(1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

9. (1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.
- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), 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 ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

Prejudicial Interests Generally

10. (1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of—

- (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
- (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (iv) an allowance, payment or indemnity given to members;
- (v) any ceremonial honour given to members; and
- (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

12. (1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting; unless you have obtained a dispensation from your authority's standards committee;
 - (b) you must not exercise executive functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of

making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

PART 3 - REGISTRATION OF MEMBERS' INTERESTS

Registration of members' interests

- 13.** (1) Subject to paragraph 14, you must, within 28 days of—
- (a) this Code being adopted by or applied to your authority; or
 - (b) your election or appointment to office (where that is later), register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.
- (2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

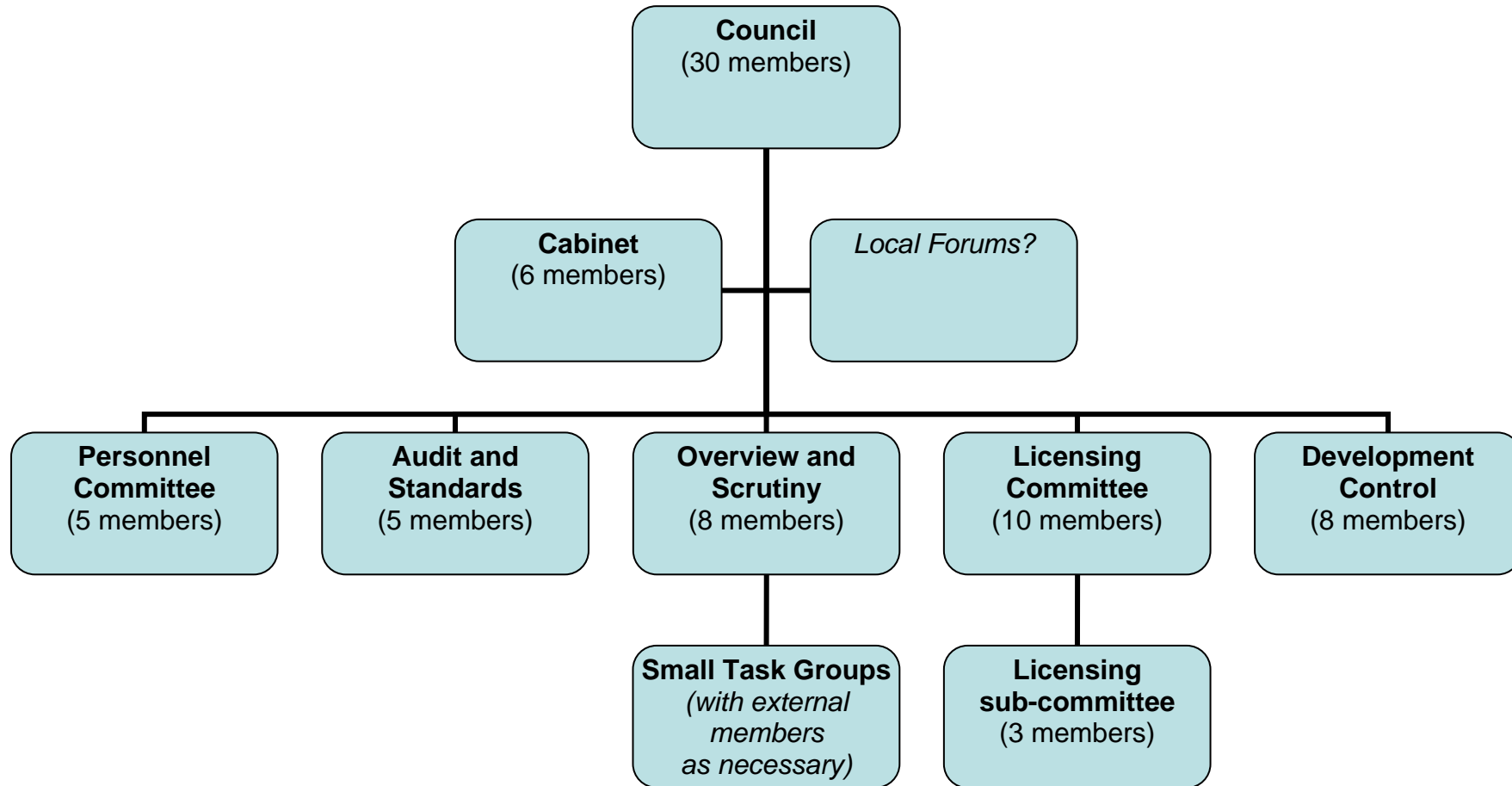
- 14.** (1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.
- (2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.
- (3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Appendix 8 (attached)

Corporate Plan 2012-17

Appendix 9

Proposed Future Committee Structure of the Council (agreed as a preferred model on 21 March 2012)



Appendix 10

Report to Council on 21 March 2012 and copy of the minutes agreeing the Council's resolution on Council Size to be submitted to the LGBCE.

This report will be made public on 13 March 2012

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report number **A/11/24**

To: Council
Date: 21 March 2012
Status: Non-executive decision
Chief Executive: Alistair Stewart
Cabinet Member: Councillor Robert Bliss, Leader of the Council

Subject: Report of the Electoral Review Working Group

Summary: This report outlines the conclusions of the Electoral Review Working Group and sets out the proposed revised decision making arrangements that arise from the recommendations.

Reason for recommendations:

Council is invited to adopt the proposals contained in this report to form the basis of the submission to the Local Government Boundary Commission for England and to agree in principle the new ways of working if the LGBCE are agreeable to the proposals for a reduction in the number of councillors.

Recommendations:

1. To receive and note report A/11/24.
2. To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 30 members that is predominantly two member wards with flexibility to have single member wards where necessary according to current electorate size, future electorate projections and geographic considerations;
3. That the overall system of governance should continue to be the strong leader and cabinet model with independent overview and scrutiny;
4. To agree to implement the proposals contained in section 5 of this report, with effect from the 2012-13 municipal year namely:
 - a. That Audit and Compliance Committee be renamed Audit and Standards Committee with a membership of five;
 - b. That Personnel and Appointments Committee be renamed Personnel Committee with a membership of five.

1. INTRODUCTION

1.1 The Council considered the Leader's report on electoral review at its meeting on 23 November 2011, Report A/11/12 – (copy attached as Appendix 1) and resolved as follows:

1. To receive and note report A/11/12.
2. To commission from the informal group of councillors mentioned in paragraph 4.2 a preparatory report, research and consultation to look at introducing predominantly single member wards and reducing the number of councillors.
3. That the report's conclusions be submitted to a meeting of the General Purposes Committee before being reported to the next meeting of the Council on 22 February 2012.

1.2 The Electoral Review Working Group, which comprises Councillors Robert Bliss, David Monk, Alan Clifton-Holt, Keren Belcourt, Hugh Barker and George Bunting, met on four occasions: 14 December 2011, 17 January 2012, 6 February 2012 and 5 March 2012. This report summarises the evidence gathered, the options considered and discussed, and presents the recommendations of the working group. This report was submitted in draft form to the General Purposes Committee on 21 February 2012 and to the Constitutional Advisory Committee on 5 March 2012.

1.3 The Local Government Boundary Commission for England (LGBCE) expect authorities to demonstrate that their proposals are realistic and effective. The early adoption of some of these proposals would on the one hand give valuable experience for the authority and its members and on the other hand would demonstrate a deep commitment to the new arrangements. All early adoption matters have been referred to the Constitutional Arrangements Committee for consideration.

2. LGBCE FACTORS

2.1 The LGBCE ask local authorities to consider the following four factors when making a proposal on council size:

- The decision making process – what decisions, taken where, and how is it managed?
- Quasi-judicial processes – i.e. planning and licensing – what is the workload and how is it managed?
- The scrutiny process – what is scrutinised and how is the total scrutiny workload managed?
- The representative role of the elected member.

2.2 These factors were considered at the first meeting of the working group, where it was agreed that officers would undertake research to analyse likely workloads for a council with fewer councillors. The working group were invited at that stage to indicate the least number of members that would be a viable number for Shepway. The Group considered the range of 24-30 members and took the view that, pending research and data, that

a council size of 28-30 was likely to be the smallest viable option, preferably being 30.

3 RESEARCH AND EVIDENCE

- 3.1 Following the first meeting, officers undertook some desktop research in an attempt to identify potential authorities to investigate further. This included known efficient councils and also evidence gathered via a democratic services network. The summary of that information is attached as Appendix 2 to this report.
- 3.2 Based on this data officers undertook a visit to Eastbourne Borough Council (a council with 27 members) to discuss how their structure operated and to see whether lessons could be learned for the Shepway review. There are many similarities between the two authorities as well as significant differences as can be summarised below.

| Similarities and differences between Shepway and Eastbourne | |
|--|---|
| Shepway District Council | Eastbourne Borough Council |
| Mixture of urban and rural areas | Largely urban |
| Almost entire area served by Town and Parish Councils | No parish councils exist |
| Population: 101,000 Electorate: 81,000 | Population: 90,000 Electorate: 73,000 |
| There are 22 wards with one, two or three members per ward | There are nine wards each with three members |
| Six county divisions | Nine county divisions, with boundaries matching ward boundaries |

- 3.3 The following bullet points summarise the key elements of the Eastbourne democratic structures as they are currently operated:
- There is a Council of 27 councillors elected all out every 4 years: the Council meets five times a year in addition to the annual meeting
 - The current political balance is 15 Liberal Democrats and 12 Conservative, with a tendency for control to swing between the two political parties
 - There is a Cabinet of 6: the portfolios have been historically departmental but have more recently been moving towards a thematic structure based around established corporate priorities. The Cabinet meets 8 times per year.

- There is a single scrutiny (O&S) committee of 7 members (with four nominated substitutes) which meets 6 times per year. It considers standardised quarterly reports on performance issues, including financial reports, along with reports from sub-groups (see below). The chairman and vice-chairman are from the opposition group but the committee reflects proportional balance.
- The scrutiny committee sets up a number of small task and finish groups (typically comprising two councillors, one from each party, plus an officer) which meet in private and report back to scrutiny with their findings. These groups normally examine identified corporate projects.
- Their Development Control Committee comprises 8 members and meets every 4 weeks with similar levels of delegation to SDC.
- They have an Audit Committee of 6 members that meets quarterly.
- Their Licensing Committee has 13 members and meets 4 times per year. As with Shepway the majority of business is undertaken by the licensing sub-committees.
- They have a Standards Committee similar to SDC, which is the subject of review in the light of recent legislative change.
- They are evolving a system of neighbourhood forums – currently six but with the expectation that there will be one for each of the nine wards

3.4 Whilst the working group did not consider that the Eastbourne model should act as a blueprint for Shepway, the members did believe that there were some interesting lessons to be learned in terms of overall size and efficiency; especially in the use of councillors' time.

3.5 The working group identified at its first meeting that probably the single biggest area of committee activity for many district councillors was the work of the Development Control Committee. The working group was also concerned to investigate different models of delegation both within the council and also beyond, ie to town and parish councils. Officers reviewed the position and submitted the following evidence to the second meeting of the working group:

- A smaller Development Control Committee of eight members would be workable and is deemed highly preferable.
- A smaller committee provided the opportunity to have a greater "professionalisation" of members.
- Continuous development and training of members could be provided along the lines of licensing committee.
- If any delegation of planning is made to town/parish councils, then a detailed assessment of financial implications and logistics would be required to look at officer time, duties and appeals etc. Based on the

current number of planning applications, it is not considered a preferred option at present.

- The Localism Act will introduce significant impact on our work in this area and we are awaiting the detailed guidance from government before assessing the impact and devolution to communities involved.
- A three weekly cycle is preferred to maintain our 8 week target achievement.
- 93-94% of all decisions are taken under delegated authority which was in the middle of the range of delegated decisions by authorities in Kent. Most authorities operated similar levels of delegation and there didn't seem much scope or desire for further internal delegation.

3.6 The third area of research undertaken was a survey of councillors. This was undertaken online between 4-31 January 2012. The full results are attached as appendix 3 but the key findings can be summarised as follows:

- The overall response to the survey was 65.2%
- Of the respondents, 40% identified themselves as being on cabinet or chair of a committee and 60% were backbenchers
- On average, councillors in non cabinet or chair positions spend about 8 hours per week on council business whereas those holding cabinet or chairman positions spend an average of 16 hours per week on council business.
- Most councillors wish to spend more time with their constituents or with their local communities.
- The top three priorities for additional support, budgets permitting, were delegated ward budgets (75%), administrative support (43%), paperless committees (40%) and facilities for surgeries (36%).
- About two-thirds of councillors would prefer to have multi member wards or a mix of single member and multi member wards.

3.7 The working group had previously considered and dismissed the idea of returning to a committee system of governance, principally because the direct provision of services had reduced in number which in turn would have resulted in the need for just one or two committees. The group did not perceive an advantage in such an option nor did it consider the option of an executive mayor. At the request of the General Purposes Committee the working group examined further evidence in relation to alternative forms of democratic decision making, including the committee system and also the directly elected mayor model.

- 3.8 Prior to the Localism Act 2011 only authorities with populations of less than 85,000 could adopt a traditional committee system of governance. The Localism Act allows the following options in terms of decision making structures:-
- (a) A leader and cabinet executive;
 - (b) A mayor and cabinet executive;
 - (c) A committee system;
 - (d) Other arrangements approved by the Secretary of State.
- 3.9 The Act is clear that a local authority with committee based governance arrangements may appoint one or more committees as the authority's overview and scrutiny committee or committees. There is a specific requirement to review and scrutinise flood risk management functions and to carry out scrutiny of health and crime and disorder. The Secretary of State has power to make regulations about the function, composition and procedure for overview and scrutiny committees in a committee system. Regulations are not required in order to proceed with a change in governance arrangements.
- 3.10 The Secretary of State has power to approve alternative forms of governance arrangement on request from local authorities, provided that they demonstrate that the proposed arrangements would be an improvement on the current arrangements, that they would ensure efficient, transparent and accountable decision making and that they would be appropriate for all local authorities, or a particular type of local authority.
- 3.11 The debate in the House of Lords did focus on the role of overview and scrutiny committees in a committee system and there was cross party support for retaining a scrutiny role to both hold decision makers to account and to look forward at policy development. Baroness Hanham confirmed, "Nothing in these arrangements would stop a local authority from having scrutiny committees. If it has a committee system, it can have a scrutiny system running alongside those arrangements. Nothing here would put those arrangements under threat."
- 3.12 There are currently no authorities operating a committee system under the Localism Act provisions as yet, but a few do exist under the previous provisions. The vast majority are to be found in Scotland and Northern Ireland and whilst it is true that Scottish and Northern Ireland law is different, it was possible to identify some comparative information. The evidence discussed by the working group found that committee systems would result in the demand for similar numbers and types of meetings that exist under the current cabinet/scrutiny arrangements.
- 3.13 Having regard to the experience of other authorities and also having regard to the local circumstances in Shepway, if a committee structure were adopted, the working group agreed it would probably be along the following lines:
- Full Council
 - Policy and Resources Committee

- Development Control Committee
 - Licensing Committee (with sub-committees)
 - New standards arrangements in accordance with Localism Act
- 3.14 In this model, the group found that the Policy and Resources Committee could be a large and cumbersome body charged with considering and scrutinising all of the executive decisions. It would also have needed to meet frequently in order to deal with this workload.
- 3.15 Many academics have reviewed the value and benefit of different forms of governance. One of the more recent evaluations was undertaken by the Centre for Public Scrutiny and this was considered in full by the working group. In looking at this, the group considered how these, and other policy dimensions, are dealt with locally in Shepway and sought to establish whether:
- A committee system is likely to be more efficient?
 - A committee system is likely to be more accountable?
 - The financial and organisational cost of any transition from one system to another?
 - Do the public care what system of democratic decision making exists?
- 3.16 The final question was posed because in the past the public have shown little interest in the forms of governance adopted by the Council. For example, in 2010 the Council was required to consult on forms of governance. On that occasion only four people responded.
- 3.17 The Council could consider moving to a directly elected Mayor model, however a mayoral option can only be adopted by way of a binding referendum, through the following ways:
- triggered by the council following consultation with the public,
 - following a petition received and signed by five per cent of the electorate,
 - or in certain circumstances by the Secretary of State.
- 3.18 There is no evidence that there is an appetite for such an arrangement in Shepway and on 31 January 2002, it will be recalled that a referendum on whether to have a directly elected mayor was held in Shepway. The turnout was 36% with 11,357 (44%) voting for the proposal with 14,438 (56%) against. Across the whole of England the option has been rarely taken up. To do so would require the holding of a referendum which would be costly – the Government suggest that the cost of holding a referendum for a district council would be in the region of £140,000.

4. OPTIONS, CONCLUSIONS AND RECOMMENDATIONS

- 4.1 After reviewing that evidence on the best model of governance, the working group considered that the strong leader model with cabinet and separate scrutiny was appropriate to a district council like Shepway.

- 4.2 In considering and debating the evidence the working group took a view about overall council size. Members were not convinced that it would be viable to run Shepway District Council with fewer than 30 councillors, all of whom the group considered, should have clear and substantial roles in addition to their ward based constituency role.
- 4.3 The working group then considered whether they supported the return to a traditional committee structure which is now permitted by the Localism Act. The group took the pragmatic view, that if there was a return to such a structure there would be no justification to supporting a large number of committees given the fact that many services in Shepway are out sourced. In reality a modern committee structure for an efficient district council would require one or two service committees at most. Whilst there was some support for examining such a model the clear majority view was that an improved executive model made most sense at this time.
- 4.3 The working group then went on to consider the number and type of committees that an efficient democratic structure would need and took the view that a structure along the lines of that set out in Appendix 3 would meet the needs of the council. In summary the suggested structure can be summarised as follows:

| Body/function | Number of councillors | Frequency of meetings | Comments |
|-------------------------------|---|------------------------------|---|
| Council | 30 | 4 plus annual meeting | To continue in much the same vein as present |
| Cabinet | 6 [maximum but at Leader's discretion] | Monthly | Portfolios to be determined by Leader |
| Overview and Scrutiny | 8 | 6 | Overarching issues only including financial and performance review |
| Task and finish groups | 2 per group | Ad hoc | Informal short life groups that dig deep into issues with relevant service heads. Probably 3-5 of these groups in any one year |
| Development Control Committee | 8 | 3 weekly | To have the Cabinet Member with the planning portfolio on the standing membership and no other Cabinet members unless in a substitute capacity. |
| Licensing Committee | 10 | Full | Apart from size on main |

| | | | |
|-------------------------------|-----------------------------|---|--|
| and sub-committees | (legal minimum requirement) | committee up to 2 meetings pa; sub-committee as and when needed | committee the current arrangements would continue |
| Audit and Standards Committee | 5 | Quarterly | Addition of new regime of standards responsibilities to current audit and compliance terms of reference. |
| Personnel Committee | 5 | Quarterly | Non executive and organisational responsibilities including new remuneration policy responsibilities. No more than 3 cabinet members allowed to serve. |

4.4 These pilot proposals could provide substantial roles as follows:

- 3 - 10 as the number of Cabinet members as allocated by the Leader
- 1 Chairman of the Council
- 1 Vice-Chairman of Council
- 8 Overview and Scrutiny Committee members
- 7 Development Control members (8th member being from Cabinet)
- 6 of the 10 Licensing Committee members being “specialists” and providing core membership of sub-committees
- 5 members of the Audit and Standards Committee
- 2 members of the Personnel Committee (the other 3 members being cabinet members)

Total posts available (excluding cabinet posts) equates to 30 places

Further posts include:

- 5 members of Housing Appeals Committee (not met since 2007)
- 5 members of Constitutional Advisory Committee
- 5 members of Grants Advisory Committee
- 5 [may need to be reduced] members of Employment Appeals Sub-Committee
- 6 members of Joint Transportation Board
- 3 members of Joint Staff Consultative Forum
- 2 members on East Kent Joint Arrangements Committee
- 3 members on East Kent Joint Scrutiny Committee

- 4.5 In reaching their conclusions about the size of future committees the working group were aware that in addition to their ward based work with constituents, all councillors need to have a clear significant role and specialism within the council whether that be executive, regulatory, scrutiny or ceremonial. Generally speaking the Group were of the view that cabinet members should not dominate other democratic bodies which would mean that, for example, the Development Control Committee would normally have a maximum of one cabinet member in its membership. The above table demonstrates that with minimal overlap there would be a significant role for 30 councillors to perform.
- 4.6 The Working Group were aware that the Localism Act would generate further forms of democratic responsibility, but at this time it was not clear whether such responsibilities would fall on the district council to coordinate, or to the town and parish councils. Accordingly this proposal leaves that question open, but in general terms the group believe that a combination of 30 district councillors and town and parish councillors created a sufficient pool of democratically elected representatives to deliver on the aims of the Localism Act.
- 4.7 In terms of the councillors' representative role a council of 30 members would mean that each councillor would have an average of around 2,700 constituents. The working group considered that councillors could undertake their ward work with this number of constituents.
- 4.8 The Electoral Review Working Group therefore recommends to Council that, for the purposes of the submission to the Local Government Boundary Commission for England, the structure outlined in Appendix 4 be adopted as a future objective for this authority.

5. SUGGESTED CHANGES FOR THE FORTHCOMING MUNICIPAL YEAR

- 5.1 The Local Government Boundary Commission for England (LGBCE) expect authorities to demonstrate that their proposals are realistic and effective. Consideration will need to be given about possible early adoption, perhaps in a pilot form, of some of these proposals which would on the one hand give valuable experience for the authority and its members and on the other hand would demonstrate a deep commitment to the new arrangements.
- 5.2 However, some of the proposals need to be implemented for legal reasons at the earliest possible date. The following is therefore suggested to come into effect following the Council AGM in May 2012:

5.3 Audit and Standards Committee

- 5.3.1 Chapter 7 of The Localism Act 2011 radically overhauls the standards regime. Under the standards provisions of the Act, it is the government's intention to effect the abolition of the "Standards Board Regime" through the Localism Act 2011. This means that, under the standards provisions of the Act, Standards for England is to be abolished and the government has confirmed that this will take effect on the 31 March 2012.

- 5.3.2 There are likely to be transitional provisions ending on 1 July 2012, which means that any changes would not come about until this date and the existing structure is maintained until then.
- 5.3.3 The parish councils, at the meeting of the Shepway District and Parish Councils Joint Committee on the 15 December 2011 noted that the parishes would come under the new arrangements being prepared by the district council.
- 5.3.4 The Audit and Compliance Committee of the council, which meets three times per year, is currently responsible for reviewing financial statements, the authority's assurance statement, external auditor's reports, the work of internal audit, corporate governance arrangements and the Council's whistleblowing policy amongst its main functions. It is therefore proposed to establish a new committee entitled Audit and Standards to cover the previous work of Audit and Compliance Committee and the new standards regime. This new committee, made up of 5 members, will take effect from the May 2012 Council AGM with the standards element coming into effect following the transitional arrangements in 2012.

5.4 Personnel Committee

- 5.4.1 Section 40 of the Localism Act 2011 sets out new duties for the Council to prepare and agree pay policy statements. This responsibility falls in line with the existing terms of reference of the existing Personnel and Appointments Committee. The working group agreed with the suggestion of the Constitutional Advisory Committee that the name of the new committee could be simplified and therefore recommends its renaming as Personnel Committee. It is proposed that this takes effect from the Council AGM in May 2012 and has a membership of 5.

6. NEW WAYS OF WORKING

- 6.1 In addition the LG BCE expect councils to demonstrate how councillors will develop and deliver their representative role. Councillors might agree that a special working group be set up to look at this and their training needs. Before reporting to Cabinet, a report would be made to General Purposes Committee.
- 6.2 A further outstanding issue is the emergence of neighbourhood forums or equivalent. The full details of proposals contained within Localism Act are still to be developed, but there is no doubt that the neighbourhood planning proposals and other proposals for enhancing the role of the community will add to the role of district councillors and/or parish and town councillors.
- 6.3 Ward budgets: councillors have indicated in the survey that (resources permitting), they would wish to have ward budgets within their control. Officers will investigate the required financial implications and proper audit checks and the Leader will report back at a later date.

7. WARD PROPOSALS

7.1 At its meeting on 6 February 2012 the Working Group considered how 30 councillors would represent the District. The Working Group acknowledged that detailed boundary proposals would emerge from the review undertaken by the LGBCE but were keen to ensure any proposals for a reduction in councillors would be feasible and not lead to too large a geographical area. The Working Group noted that parish boundaries were generally regarded by the LGBCE as the building blocks for district council ward boundaries. The Working Group also noted that although the underlying assumption from the LGBCE was that single member wards would be predominant in a new structure, some councillors had indicated that they believed single member wards were not appropriate in all cases. Two member wards would be most necessary in the more built up areas whilst single member wards would cover small areas in terms of electorate much the same as they do at the moment. On balance, and having regard to the opinion of the General Purposes Committee, the working group agree that the new structure should, however, be based on predominantly two member wards.

7.2 Attached at Appendix 5 is a map which shows the District divided into four broad areas of:

- The Marsh
- Folkestone and Sandgate
- Hythe and north Hythe rural
- North Downs

| Areas | Number of Councillors |
|---|------------------------------|
| Area 1 - current ward boundaries of Dymchurch and St Mary's Bay, Lydd, New Romney Coast, New Romney Town and Romney Marsh | 6 |
| Area 2 - current ward boundaries of Folkestone Cheriton, Folkestone East, Folkestone Foord, Folkestone Harbour, Folkestone Harvey Central, Folkestone Harvey West, Folkestone Morehall, Folkestone Park and Folkestone Sandgate | 14 |
| Area 3 - current ward boundaries of Hythe Central, Hythe East, Hythe West, Lympne and Stanford and Tolsford | 6 |
| Area 4 - current ward boundaries of Elham and Stelling Minnis, North Downs East and North Downs West | 4 |

- Area 1, the Marsh, which would be represented by 6 councillors
- Area 2, Folkestone, which would be represented by 14 councillors
- Area 3, Hythe and north Hythe rural, which would be represented by 6 councillors
- Area 4, the North Downs, which would be represented by 4 councillors

- 7.3 Appendix 5 gives the breakdown of each existing ward and the total of all of those wards within the four broad areas in Shepway. Given the total number of seats being 30, the Sainte-Laguë method of distribution is used, which is how seats are distributed regionally in the UK for European Parliament and Westminster parliamentary boundary review purposes. This gives the number of seats for each area.
- 7.4 The figures used in the breakdown of seats to areas is intended to only be indicative and does not represent the sum total of the electorate or the actual four separate areas to be considered. It is intended as a guide and also does not take into account the five year growth figures, as per proposed planning in each of the wards which will be considered by the LGBCE, and therefore should be treated as a guide at this stage.
- 7.5 The parish council and meeting boundaries for the same four areas are shown on the map in Appendix 6. The new ward areas would not necessarily be based on existing district ward boundaries but would, wherever possible, not transcend different communities or existing parish boundaries which would be used as the building blocks for the new ward areas. Appendix 8 gives the number of electors in each parish area.

8. LEGAL, FINANCIAL AND OTHER POLICY MATTERS

8.1 Legal officer's comments (PJW)

Further Electoral Reviews are subject to the procedures and guidance produced by the Local Government Boundary Commission as established under the provisions of the Local Democracy, Economic Development and Construction Act 2009. The Commission has the power to commence an electoral review and implement the outcome by Statutory Instrument or order on the local authority area. The council will be required to comply with any request made by the LGBCE to support the review and to provide the necessary advice and support to their process.

The Council has a duty to comply with the provisions of the Local Government Acts (as amended) and associated legislation in providing effective and appropriate governance arrangements.

8.2 Finance officer's comments (SH)

Further to discussions with the author of the report, there will be a cost in respect of the boundary review for which no budget exists and there is currently no allowance for it within the Medium Term Financial Strategy. This cost will occur regardless of the decision taken, however agreement to the recommendations may require some of the costs to be met in the 2012/13 financial year.

Savings will accrue on an ongoing basis following elections in 2015 but are impossible to quantify at this stage as they are dependent upon the outcome of the deliberations of the Independent Remuneration Panel.

8.3 Diversities and equalities Implications (DJ)

All aspects of diversity and equality are covered within the report.

9. CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councillors with any questions arising from this report should contact the following officer prior to the meeting:

Dylan Jeffrey, Democratic Services Manager

Telephone: 01303 853283

E-mail: dylan.jeffrey@shepway.gov.uk

The following background documents have been relied upon in the preparation of this report

Electoral Reviews: technical guidance (The Local Government Boundary Commission)

Appendices:

Appendix 1: Report A/11/12 - Electoral review of the Council

Appendix 2: Table of Council Size

Appendix 3: results of Councillors Survey

Appendix 4: Proposed Committee Structure

Appendix 5: Indicative ward Boundaries

Appendix 6: Existing parish Boundaries

Appendix 7: Table of current ward sizes

Appendix 8: Table of current parish sizes

This report will be made public on 15 November 2011

APPENDIX 1

Folkestone

Hythe & Romney Marsh
Shepway District Council



www.shepway.gov.uk

Report number

A/11/12

To: Council
Date: 23 November 2011
Status: Report of the Leader of the Council
Subject: Electoral review of the Council

Summary: This report presents the rationale for seeking an electoral review of the council and sets out what the council should seek to achieve through it.

Reasons for recommendations:

Council is asked to agree the recommendations set out below to set in train the process for request that the Local Government Boundary Commission for England conduct an electoral review of the council.

Recommendations:

1. To receive and note report A/11/12.
2. To commission from the informal group of councillors mentioned in paragraph 4.2 a preparatory report, research and consultation to look at introducing predominately single member wards and reducing the number of councillors.
3. That the report's conclusions be submitted to the next meeting of the Council on 22 February 2011.

1. INTRODUCTION

- 1.1 This is my report as the Leader of the Council on the electoral review of the council that will be undertaken by the Local Government Boundary Commission for England (LGBCE) during the lifetime of this current council.
- 1.2 I am submitting this report not primarily as the executive leader responsible for the discharge and allocation of the executive functions of the council but as the leader of the council responsible for helping determine its future shape.
- 1.3 I have not, of course, acted in isolation and I have discussed the ideas set out in this report with my fellow councillors. In particular I discussed the proposals with Councillors Rory Love, Alan Clifton – Holt, David Monk, Malcolm Dearden, Keren Belcourt, Stuart Peall, Russell Tillson, Hugh Barker, Richard Pascoe, George Bunting, Peter Monk, Peter Gane and David Godfrey who are in broad agreement with the proposals.

2. THE FORTHCOMING ELECTORAL REVIEW

- 2.1 The LGBCE is responsible for, amongst other things, reviewing the electoral arrangements of local authorities; the number of councillors, the names, number and boundaries of wards and the number of councillors to be elected to each.
- 2.2 The last full local government electoral review of Shepway, conducted by the LGBCE, took place in 2000 and was published on 8 May 2001. This formed part of a periodic electoral review cycle for Kent which occurred approximately every ten years.
- 2.3 The 2001 full electoral review recommended that the number of wards was reduced from 25 to 22 and the number of councillors was reduced from 56 to 46. In addition new boundaries were created and new parish wards and changes to the number of councillors were also introduced for some parish councils such as Lympne.
- 2.4 In 2004, the rules were amended and the periodic electoral review was abolished. However new criteria were introduced for requiring a full electoral review in circumstances where:
 - More than 30% of a council's wards have an electoral imbalance of more than 10% from the average ratio (in Shepway 30% is 7 wards) and/or
 - One or more wards have an electoral imbalance of more than 30% and
 - The imbalance is unlikely to be corrected by foreseeable changes to the electorate with a reasonable period.
- 2.5 In addition, a council may request a full electoral review where they are seeking to:

- Have wards represented by two or three members reduced to single member wards and/or
 - Change the number of elected councillors and/or
 - Change electoral cycles e.g. from all out every four years to half or thirds elections and
 - See better electoral parity
- 2.6 The new electoral register figures will be published on 1 December 2011. Based on early projections, Shepway will have at least one ward with an electoral imbalance of more than 30% and will have 6-11 wards with an imbalance of more than 10%.
- 2.7 This means we will be subject of full electoral review by the LGBCE. Based on the current LGBCE projected timetable of work and ongoing discussions with the commissioner's office, the earliest a review would occur in Shepway would be 2013 for completion in 2014. This could potentially lead to a very short timescale for implementation of new wards, parish council areas and selection of candidates for elections due in 2015.
- 2.8 However, if the council made a submission based on the criteria for council's requests for a review, then this coupled with the triggers already achieved, could result in Shepway being moved up the list to have a review commenced sometime in 2012 for implementation in 2013. This would enable plenty of time for new arrangements to be in place for the 2015 elections.
- 2.9 It is my view that the council should request a review and be clear on what the council wants from the review. I firmly believe that we should set the agenda rather than have it forced on us.

3. OUTCOMES OF THE REVIEW

- 3.1 I think that the council should seek the following outcomes from any review. The proposals will be worked up by a group of members and will be the subject to the statutory procedures.
- 3.2 The outcomes that the council should seek are:-
- Predominately single member wards throughout the district and
 - A reduction in the number of elected members to 24 – 30.
- 3.3 Turning to the first issue. I consider that having a single member for each ward helps the electorate understand and engage with the council rather than having, as is the case now in some wards having two or three district councillors. Single member wards avoid potential confusion and helps place the ward member at the centre of his or her community. Although I recognise that the demographics and the geography of single member wards may result in two member wards.

- 3.4 On the second matter I take the view that it is right now for the council to seek a reduction in the council membership. The council now has had more than ten years' experience of operating the cabinet style of administration. The cabinet system inevitably means that more decisions are concentrated in fewer councillors and yet we operate with only ten fewer councillors than we did when the council operated the committee system.
- 3.5 In addition the council itself is changing. We have already outsourced street cleansing and housing management which were previously undertaken in – house and will shortly be putting out to contract the ICT provision and the parking enforcement section. In addition the cabinet has taken the decision to market test the grounds maintenance service. The recycling and waste service is already the subject of an external contract. A consequence of these developments is that the policies and operations of major services will be subject to contractual agreements. The council once it has let the contract will, subject to the terms being honored, let the contractor run the service.
- 3.5 Given this backdrop and looking at what decisions need to be taken and by whom I consider that leaving the number of members as it is is not sustainable.
- 3.6 A council of 24 - 30 could, I am sure make the decisions executive and non – executive and have a focused and powerful scrutiny function. I also think that the members could effectively represent their constituents.

4. THE WAY FORWARD

- 4.1 It is my recommendation that Council to request that a preparatory report, research and consultation is undertaken to look at introducing predominately single member wards and reducing the number of councillors.
- 4.2 It is also my recommendation that an informal group of councillors comprised of Councillors Alan Clifton – Holt, David Monk, Karen Belcourt, Hugh Barker, George Bunting and me, produce this report for submission to the next meeting of the council on 22 February 2012.

5. CONTACT AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact:

Councillor Robert Bliss, the Leader of the Council

Tel: 01303 853202

Email:robert.bliss@shepway.gov.uk

The following background documents have been relied upon in the preparation of this report:

None

APPENDIX 2

COUNCIL SIZE

The following table sets out some data in respect of some councils that are known to operate smaller structures.

| Council | Size | Cabinet size | Scrutiny cttee 1 | Scrutiny cttee 2 | DC size | Other committees | Comments |
|--------------------------------------|-------|------------------|------------------|------------------|---------|---|--|
| Eastbourne (East Sussex) | 27 | 6 | 7 | - | 8 | Audit (6); licensing | 6 neighbourhood forums |
| North Lincs | 46 | 7 | 7 | 7 | 10 | Third scrutiny body (7) | |
| Broxbourne (Herts) | 38 | 6 | 13 | - | 13 | Audit (4+ independent) | Planning and regulatory deals with planning and also licensing policy |
| Eastleigh (Hants) | 44 | 8 | 11 | 11 | - | Admin (6); audit (5); licensing, standards | 5 area committees deal with planning |
| Hart (Hants) | 35 | 6 | 11 | - | 19 | 2 planning sub-cttees; Audit (8); licensing; standards | |
| Purbeck (Dorset) | 24/27 | 6 (policy group) | 11 | - | 11 | Audit (5); licensing; standards | Due to increase from 24 to 27. |
| West Somerset (Somerset) | 28 | 7 | 9 | - | 15 | Audit (7); licensing | 4 area panels (liaison role) |
| Newcastle under Lyme (Staffs) | 59 | 6 | 13 | 6 | 16 | Many other committees | Small cabinet but rest is not efficient, reflecting large council size. |
| Uttlesford (Essex) | 44 | 6 | 10 | - | 14 | Licensing and environmental health (11); performance and audit (10) | 2 area forums |
| Eden (Cumbria) | 38 | 6 | 9 | - | 11 | Licensing (10) | Cabinet members hold many "portfolio meetings" where they take decisions usually in public |
| Wychavon (Worcs) | 45 | 7 | 11 | - | 15 | Licensing (11) | |

SURVEY OF COUNCILLORS: FULL RESULTS

- 65.2% response equating to 30 out of 46 councillors
- 40% of the respondents were members of cabinet or chair of a committee
- 57% of respondents were also parish councillors
- 6.7% of respondents were also county councillors
- Over 67% of respondents were members of 2 committees or less

Time Spent on Council Business per week

| | District Council | Parish Council |
|--|--|---|
| Attendance at Meetings | 19% less than 1 hour 30% 1-2 hours 33% 2-4 hours 7% 5-7 hours 11% 8-15 hours | 24% less than 1 hour 47% 1-2 hours 24% 2-4 hours 5% 5-7 hours |
| Reading or preparing for committees | 19% less than 1 hour 18% 1-2 hours 44% 2-4 hours 7% 5-7 hours 12% 8-15 hours | 29% less than 1 hour 38% 1-2 hours 24% 2-4 hours 9% 5-7 hours |
| Travel to and from council meetings | 42% less than 1 hour 39% 1-2 hours 15% 2-4 hours 4% 5-7 hours | 84% less than 1 hour 10% 1-2 hours 5% 2-4 hours |
| Formal outside functions or meetings with constituents | 31% less than 1 hour 35% 1-2 hours 19% 2-4 hours 8% 5-7 hours 7% over 8 hours | 42% less than 1 hour 42% 1-2 hours 11% 2-4 hours 5% over 5 hours |
| Training or other external meetings | 64% less than 1 hour 24% 1-2 hours 8% 2-4 hours 4% 5+ hours | 77% less than 1 hour 23% 1-2 hours |
| General engagement with constituents | 11% less than 1 hour 44% 1-2 hours 26% 2-4 hours 19% over 4 hours | 29% less than 1 hour 41% 1-2 hours 24% 2-4 hours 6% over 4 hours |

More or less time on council business

Attending the council for meetings and committees

- 50% wanted to spend more time
- 6.7% wanted to spend less time
- 43.3% thought the time spent was about right

This is not necessarily a reflection of wanting to spend more time in committees but about spending more time on council premises for council business

Working directly with constituents

- 53.8% wanted to spend more time on this
- 11.5% wanted to spend less time on this
- 34.6% said it was about right

Working with the local community

- 56% wanted to spend more time on this
- 8% wanted to spend less time on this
- 36% said it was about right

If resources were available, the following were in their top three priorities of all respondents:

- 75% A delegated ward budget
(This was the top priority for over 39% and in the top two for 57%)
- 43% Administrative Support
- 40% Paperless Committees
- 36% Facilities to hold surgeries
- 35% Political Skills Training
- 29% Better Information on role as a councillor including more briefings
- 25% Better IT support
- 25% Media Training
- 18% Case Worker

When the results were weighted based on first, second or third preferences, they largely mirrored the overall top three priorities shown.

Favouring Multi member or Single member wards

- 60% favoured Multi member wards
- 33.3% favoured Single member wards
- 6.7% were not bothered

It was a stronger feeling amongst back bench councillors [37%] for single member wards.

APPENDIX 4

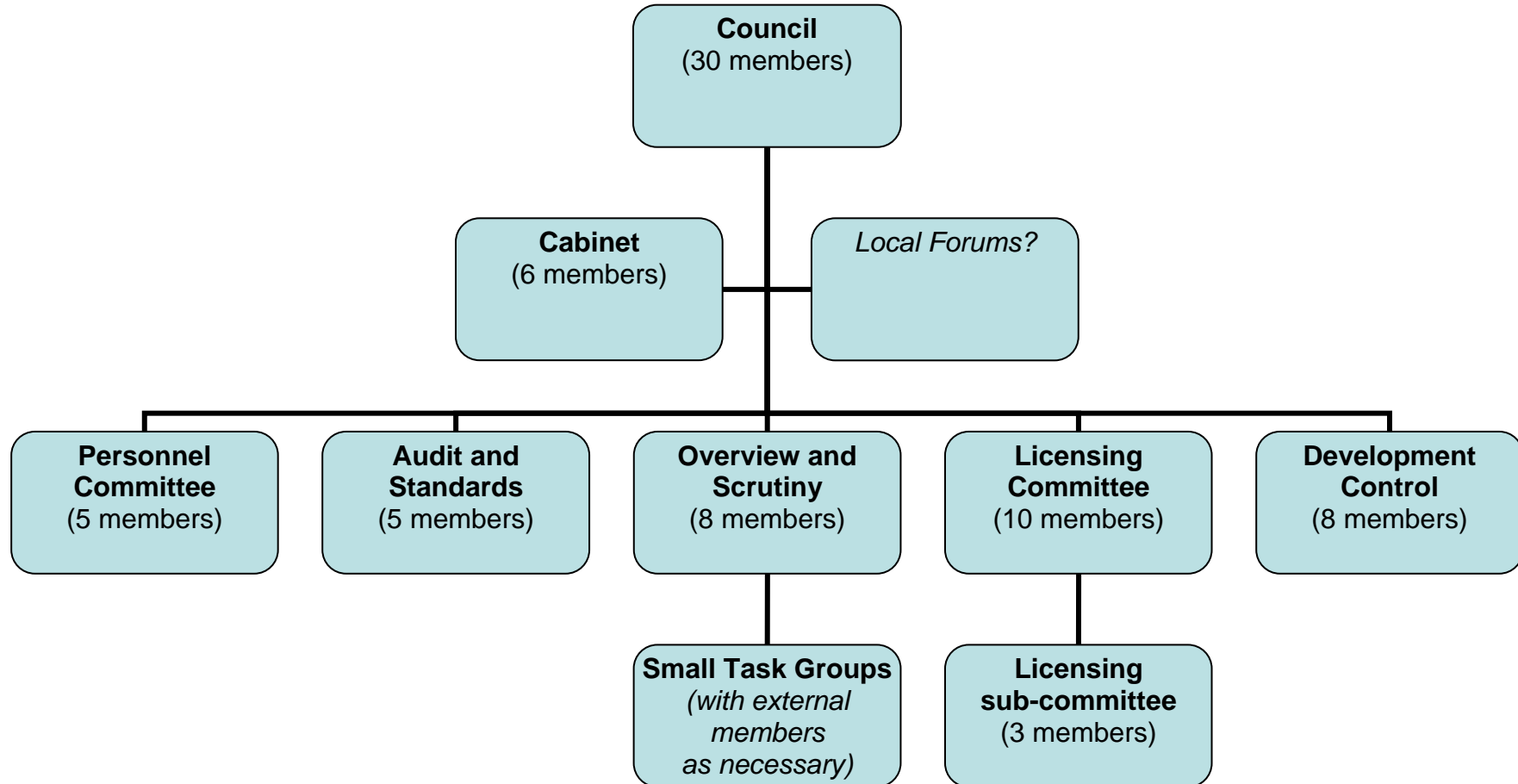


TABLE OF CURRENT WARD SIZES [based on 1 Feb figures] –**1 seat per 2,746 electorate****Area 1 – The Marsh**

| | |
|-----------------------------|-------|
| Romney Marsh | 1,836 |
| Dymchurch and St Mary's Bay | 5,336 |
| New Romney Town | 2,792 |
| New Romney Coast | 2,903 |
| Lydd | 4,776 |

Total for Area 1 (pink) 17,643 (equivalent to 6.43 [6] seats)

Area 2 – Folkestone and Sandgate

| | |
|---------------------------|-------|
| Folkestone Cheriton | 5,107 |
| Folkestone East | 3,521 |
| Folkestone Foord | 4,045 |
| Folkestone Harbour | 4,202 |
| Folkestone Harvey Central | 5,033 |
| Folkestone Harvey West | 3,695 |
| Folkestone Morehall | 3,335 |
| Folkestone Park | 4,961 |
| Folkestone Sandgate | 3,474 |

Total for Area 1 (blue) 37,373 (equivalent to 13.61 [14] seats)

Area 3 – Hythe and north Hythe Rural

| | |
|---------------------|-------|
| Hythe Central | 4,955 |
| Hythe East | 3,474 |
| Hythe West | 3,516 |
| Lympne and Stanford | 1,578 |
| Tolsford | 1,632 |

Total for Area 3 (orange) 15,155 (equivalent to 5.52 [6] seats)

Area 4 – North Downs

| | |
|---------------------------|-------|
| Elham and Stelling Minnis | 1,776 |
| North Downs East | 6,890 |
| North Downs West | 3,549 |

Total for Area 4 (green) 12,215 (equivalent to 4.45 [4] seats)

APPENDIX 8
TABLE OF CURRENT PARISH SIZES [based on 1 Feb figures] –

Area 1 – The Marsh

| | |
|----------------------|-------|
| Brenzett | 280 |
| Brookland | 365 |
| Burmarsh | 250 |
| Newchurch | 267 |
| Dymchurch | 3,110 |
| Snargate | 103 |
| Ivychurch | 214 |
| St Mary in the Marsh | 2,407 |
| Old Romney | 176 |
| New Romney | 5,695 |
| Lydd | 4,776 |

Total for Area 1 (pink) 17,643 (equivalent to 6.43 [6] seats)

Area 2 – Folkestone and Sandgate

| | |
|------------|--------|
| Folkestone | 33,899 |
| Sandgate | 3,474 |

Total for Area 1 (blue) 37,373 (equivalent to 13.61 [14] seats)

Area 3 – Hythe and north Hythe Rural

| | |
|-------------------------|--------|
| Newington | 299 |
| Postling | 174 |
| Stanford | 306 |
| Lympne | 1,236 |
| Lyminge (Area 3 part) | 477 |
| Saltwood | 682 |
| Hythe | 11,945 |
| Sellindge (Area 3 part) | 36 |

Total for Area 3 (orange) 15,155 (equivalent to 5.52 [6] seats)

Area 4 – North Downs

| | |
|-------------------------|-------|
| Elmstead | 246 |
| Stelling Minnis | 497 |
| Elham | 1,279 |
| Stowting | 181 |
| Lyminge (Area 4 part) | 1,760 |
| Acrise | 148 |
| Swingfield | 1,032 |
| Monks Horton | 96 |
| Hawkinge | 5,682 |
| Paddlesworth | 28 |
| Sellindge (Area 4 part) | 1,266 |

Total for Area 4 (green) 12,215 (equivalent to 4.45 [4] seats)

SHEPWAY DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 21 March 2012

Present: Councillors Emily Arnold, Hugh Barker, Mrs Keren Belcourt, Mrs Ann Berry, Robert Bliss, George Bunting, Miss Susan Carey, Miss Pamela Carr (Vice-Chair), Alan Clifton-Holt, John Collier, Brian Copping, Ms Victoria Dawson, Malcolm Dearden, Anthony Dunning, Alan Ewart-James, Peter Gane, Clive Goddard, David Godfrey, Richard Grundy, Anthony Hills, Ms Janet Holben, Mrs Jennifer Hollingsbee (Chairman), Shane Lawrence, Rory Love, Paul Marsh, David Monk, Peter Monk, Terence Mullard, Alan North, David Owen, Paul Peacock, Peter Simmons, David Stephenson, Russell Tillson, Roger West, Roger Wilkins and William Wimble (minutes 73-85 and 89)

Apologies for Absence: Councillors Tristan Allen, Stan Hayward, David Johnson, Michael Lyons, Philip Martin, Mrs Shirley Newlands, Richard Pascoe and Mrs Susan Wallace

73. **Declarations of interest**

There were no declarations of interest.

74. **Minutes**

The minutes of the meeting held on 22 February 2012 were submitted, approved as a true record and signed by the Chairman of the Council.

75. **Chairman's communications**

The Chairman reported that although it had only been a short time since the last full council meeting, she seemed to have been very busy and would mention in particular the following events that she had attended.

Informal Opening of a state of the art building at The Marsh Academy This was also attended by the Marsh councillors and the chairman was sure that they would agree with her that this is an amazing facility for the young people of the Marsh. It is now a cashless centre, and fully automated in terms of heat control and air conditioning – staff have access to telephones through laptops and normal phone connections can only be found in offices. The chairman informed the meeting that there is a Community open day on Saturday 24 March and it would be well worth a visit.

Olympic Park the chairman was told that this is virtually complete – and she supposed that it would be once the scaffolding comes down and the 25000 plus contractors move out!! She went on to say that it was good news for the district this week when the final Olympic torch route was announced and confirmed that it will move through Hythe and Folkestone. Councillor Mrs Hollingsbee said that she was sure that the leader would have more to say about this!

Civic Service for Kent at Rochester Cathedral by the new Lord-Lieutenant of Kent, Viscount De L'Isle

Clinical Commission Group South Kent the chairman attended along with other councilors, this group covers the Shepway area – and discussions centred on how and what the service in Shepway should be – there was great emphasis on community engagement and how information could be communicated.

Ladies International Day – Councillor Mrs Hollingsbee said that it was great to meet so many great ladies who contribute so much to our district and society.

Sellindge Converter Station (although just in Ashford) – the chairman was given a presentation on developments that will take place – a new substation, work on upgrading Canterbury to Sellindge and Sellindge to Ashford overhead lines.

Investing £25M in replacing key assets:

- Replacement of AC-DC converter valves, cooling system, control equipment
- Replacement and reduction from 12000 valves to less than 2000
- World's largest capacity subsea-cable HVDC interconnector

Spring Concert of the Hythe and Folkestone Orchestra

Pent Valley School Art Exhibition – in the foyer of the Civic Centre

Business Meetings – The chairman stated that she is trying to set-up business networking meetings in New Romney in cooperation with the Marsh Academy, Kent Chamber of Commerce and Shepway.

Pilgrims Hospice Lottery – Councillor Mrs Hollingsbee said that this is a charity being supported by Shepway staff and it would be good if the council were also able to support this charity through the Lottery Scheme.

76. **Petitions**

Two petitions were presented.

The first petition stated 'we the undersigned oppose the introduction of parking charges for residents and visitors as proposed by Shepway District Council in their Draft Shepway Parking Strategy 2011-2015 dated September 2011'. This petition was presented by Mr Simon Grainger.

Proposed by Councillor Malcolm Dearden
Seconded by Councillor Anthony Dunning and

Resolved:

- 1. To refer the petition to cabinet for observations before deciding whether to examine the issues raised by the petition.**

(Voting: For: 36; Against 0; Abstentions 1)

The second petition stated 'The following customers who have visited Landau urge the Council not to proceed with the parking proposal in Folkestone Town Centre'. This petition was presented by Mr Martyn Jackson.

Proposed by Councillor Malcolm Dearden
Seconded by Councillor Anthony Dunning and

Resolved:

- 1. To refer the petition to cabinet for observations before deciding whether to examine the issues raised by the petition.**

(Voting: For: 36; Against 0; Abstentions 1)

77. Petitions requiring debate

There were two petitions requiring debate.

The first petition was:

'Death of New Romney – Help New Romney Survive, Say No to Parking Meters'.

Mrs R McCarter was due to present the petition but did not attend the meeting.

Proposed by Councillor Malcolm Dearden
Seconded by Councillor Anthony Dunning and

Resolved:

- 1. To refer the petition to cabinet for observations before deciding whether to examine the issues raised by the petition.**

(Voting: For: 37; Against 0; Abstentions 0)

The second petition was:

Labour – 'Folkestone Against the Car Tax – We the undersigned call upon Shepway District Council to reverse their decision to introduce parking meters in Folkestone Town Centre and the surrounding areas, as this will drive away shoppers, damage local businesses and harm the local economy'. Mr Peter Wallace presented the petition.

Proposed by Councillor Malcolm Dearden
Seconded by Councillor Anthony Dunning and

Resolved:

- 1. To refer the petition to cabinet for observations before deciding whether to examine the issues raised by the petition.**

(Voting: For: 37; Against 0; Abstentions 1)

78. Questions from the public

A copy of the questions put and the answers given are at appendix 1 to the minutes.

79. Questions from councillors

A copy of the questions put and the answers given are at appendix 2 to the minutes.

80. Announcements of the Leader of the Council

The leader stated that the council's adopted parking strategy aims to 'manage the district's valuable parking resources in a way that balances the needs of local residents, businesses and visitors'. As part of the work to achieve this, the strategy set an objective to support local businesses by encouraging an increased turn-over of vehicles in on-street spaces in Shepway's town centres. Councillor Bliss added that Shepway District Council remains committed to achieving this.

The leader went on to say that the strategy and the consultation for the phase 1 scheme in central Folkestone has considered options for achieving increased turn-over and has particularly considered whether the introduction of pay and display would help. The council has always welcomed the public debate about this issue and the various representations that have been received. Although the official results of the consultation have not yet been received, the council does recognise the concern of traders that has been expressed about potential impact on businesses of pay and display in streets close to shopping areas. The council wants to continue to support the success of our town centres in these difficult economic times.

Councillor Bliss added that, as a result of this, the council has decided not to introduce pay and display in Tontine Street and Sandgate Road in Folkestone and the high streets of Sandgate, Hythe and New Romney. Instead, the council will look to continue, where necessary, at the current time limited waiting arrangements, as this can also help to increase the turn-over of vehicles.

The leader said that the council is looking forward to receiving the results from the official phase 1 consultation due later this week, and will use this to consider how the many other positive aspects of the strategy and the phase 1 proposals are proceeded with. In particular, the introduction of local permit parking schemes where local residents have expressed their support will be carefully considered.

The council, will of course, continue the excellent annual parking scheme costing only £52 for parking in Shepway car parks across the district for up to two hours per visit.

The opposition leader, Councillor Copping responded

Proposed by Councillor Robert Bliss

Seconded by Councillor Rory Love and

Resolved:

To receive and note the Leader of the Council's announcements.

(Voting: For 37; Against 0; Abstentions 0)

81. **Opposition business**

The People First Group raised the following matter:

On 11 January 2012, in response to a question from Julian Brazier MP, the Prime Minister stated the following, "I pay tribute to my hon. Friend, who does so much to speak up for our reserve forces and our cadet forces, which are incredibly valuable assets to our country. It is worth noting that this year the cadet forces will do a huge amount to try to save and preserve our war memorials from the appalling crime of metal theft that they have been suffering. I will look very carefully at the ResPublica report that my hon. Friend mentions. We should empower our cadet forces to expand and perhaps to go into parts of the country where they have not always been present. The link that my hon. Friend makes between them and schools is a very good idea, which we should promote and support".

Given the long association between the District of Shepway and the armed forces including education and training as has now been reflected in the Establishment of the Shepway Community Covenant, the issue of greater development of the cadet forces and reserve forces, including the idea of military academies is something we should consider working alongside the Government and Kent County Council to develop.

Proposed by Councillor Anthony Hills
Seconded by Councillor Simmons and

Resolved:

To examine the matter as part of a future scrutiny programme.

(Voting: For 37; Against 0; Abstentions 0)

82. **Corporate Plan 2012-2017**

Report A/11/25 presents the draft Corporate Plan for consideration and adoption by Council. This report provides information on the consultation undertaken, along with a summary of the points raised through the exercise.

Proposed by Councillor Robert Bliss
Seconded by Councillor Rory Love and

Resolved:

1. To receive and note report A/11/25.
2. To adopt the revised Corporate Plan annexed at appendix B to the report for the next 5 years.

(Voting: For 37; Against 0; Abstentions 0)

83. Compensatory Added Years Pension Payment

The council has received an offer from the Kent Local Government Pension Fund, via Kent County Council, to settle the council's outstanding liability in respect of compensatory added year pension payments. A decision needs to be made and informed to the Kent Pension Fund by 31 March 2012.

An amended report, **Report A/11/26A**, sets out the background to the payments, details of the offer and a recommendation to make immediate repayment of £2,680,100 to settle the compensatory added years pension liability.

Proposed by Councillor David Monk
Seconded by Councillor Alan North and

Resolved:

1. To receive and note report A/11/26A.
2.
 - i) To take up the option to make immediate repayment of £2,680,100 to settle the compensatory added years pension liability;
 - ii) To transfer £2,181,100 from earmarked reserves to the General Reserve in accordance with the table set out in section 8.4 of the report.
 - iii) To meet the settlement of £2,680,100 from the General Reserve and the Housing Revenue Account Reserve.

(Voting: For 37; Against 0; Abstentions 0)

84. Shepway Housing Strategy 2011-2016

The consultation on the Housing Strategy has now ended and Cabinet has approved the final draft version of the strategy and recommend to full council for formal adoption This strategy is set out in **Report A/11/27**.

Proposed by Councillor Mrs Keren Belcourt
Seconded by Councillor Alan Ewart-James and

Resolved:

1. To receive and note report A/11/27.
2. To approve the final draft Housing Strategy for Shepway for the period 2011-2016.

(Voting: For 37; Against 0; Abstentions 0)

85. **Pay Policy 2012-13**

Report A/11/28 presents the pay policy for 2012/13 for approval.

Proposed by Councillor Robert Bliss
Seconded by Councillor Rory Love and

Resolved:

- 1. To receive and note Report A/11/28.**
- 2. To approve under S38(1) Localism Act 2011 the Pay Policy appended to this report for 2012/13.**

(Voting: For 37; Against 0; Abstentions 0)

86. **Report from the Electoral Review Working Group**

Report A/11/24 outlines the conclusions of the Electoral Review Working Group and sets out the proposed revised decision making arrangements that arise from the recommendations.

It was agreed that the recommendations be taken one by one

Proposed by Councillor Robert Bliss
Seconded by Councillor Rory Love and

Resolved:

- 1. To receive and note report A/11/24.**

(Voting: For 37; Against 0; Abstentions 0)

Proposed by Councillor Robert Bliss
Seconded by Councillor Rory Love

- 2. To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 30 member wards where necessary according to current electorate size, future electorate projections and geographic considerations.**

Amendment

Proposed by Councillor Keren Belcourt
Seconded by Councillor David Stephenson

'To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 38 member wards where necessary according to current electorate size, future electorate projections and geographic considerations'.

(Voting: For 37; Against 0; Abstentions 0)

Upon being put the amendment was CARRIED

Resolved:

- 2. To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 38 member wards where necessary according to current electorate size, future electorate projections and geographic considerations.**

(Voting: For 37; Against 0; Abstentions 0)

Proposed by Councillor Russell Tillson
Seconded by Councillor D Monk

- 3. That the overall system of governance should continue to be the strong leader and cabinet model with independent overview and scrutiny.**

Amendment

Proposed by Councillor Paul Marsh
Seconded by Councillor Brian Copping

'That the overall system of governance should be referred to the General Purposes Committee to further consider the options'.

Upon being put the amendment was LOST

(Voting: For 2; Against 35; Abstentions 0)

Resolved:

- 3. That the overall system of governance should continue to be the strong leader and cabinet model with independent overview and scrutiny.**

(Voting: For 34; Against 1; Abstentions 2)

Proposed by Councillor Robert Bliss
Seconded by Councillor Rory Love and

Resolved:

- 4. To agree to implement the proposals contained in section 5 of this report, with effect from the 2012-13 municipal year namely:
 - a. That Audit and Compliance Committee be renamed Audit and Standards Committee with a membership of five;**
 - b. That Personnel and Appointments Committee be renamed Personnel Committee with a membership of five.****

(Voting: For 31; Against 3; Abstentions 3)

87. Proposed Constitutional Changes

Report A/11/29 presents recommendations on constitutional changes made by the constitutional advisory committee.

Proposed by Councillor Robert Bliss
Seconded by Councillor Rory Love and

Resolved:

1. **To receive and note Report A/11/29.**
2. **To make the following changes to the constitution:**
 - a) **Not to require a report for any proposed individual cabinet member decision relating solely to an appointment to an outside body or any change to that appointment;**
 - b) **To exempt from call in any executive decision appointing a person to an outside body;**
 - c) **To add to the call in criteria that the call in notice specify:**
 - **the officer and member the councillors calling the matter in wish to hear from and;**
 - **the matters concerning the decision the councillors calling in the decision wish to ask questions on.**
 - d) **To exempt from call in any decision to put a proposal out to consultation;**
 - e) **To make it clear that the fifth day after the decision has been published in the call-in procedure rules means the fifth working day;**
 - f) **To amend the terms of reference of the Housing Appeals Sub-Committee to read:**
“To determine any appeal against any decision regarding homelessness or housing allocation.”
 - g) **To add a definition in the constitution that “working day” means any day other than a Saturday or Sunday or public holiday.**
3. **Subject to the council agreeing the interim report of the electoral review working group:**
 - a) **to agree the principle of the formation of an audit and standards committee with details of the function and composition being considered as part of the approval of the arrangements for dealing with complaints regarding breaches of the code;**
 - b) **from the next annual meeting of the council to create the terms of reference for a new personnel committee and the consequent deletion of the terms of reference of the existing personnel and appointments committee from part D (council functions and committees) of the constitution.**

(Voting: For 36; Against 0; Abstentions 0)

88. Review of the Council's Byelaws

A full review of the Council's byelaws has been undertaken and considered by General Purpose Committee. **Report A/11/30** sets out the conclusions of the review.

Proposed by Councillor Robert Bliss
Seconded by Councillor George Bunting and

Resolved:

- 1. To receive and note Report A/11/30.**
- 2. To agree to the proposed revocations of the byelaws.**
- 3. To ask the Head of Corporate Services to take the necessary steps to revoke the specified byelaws.**

(Voting: For 36; Against 0; Abstentions 0)

89. Motions on Notice

Proposed by Councillor Russell Tillson
Seconded by Councillor Shane Lawrence

This Council acknowledges that the prices of stamps were depressed in past years by the previous regulator, and that some increase is therefore appropriate. It notes, however, that the price of a first class stamp increased from 41p to 46p in 2011, and that of a second class stamp from 32p to 36p – the highest ever increase. At the time, a spokesman explained that the increases would enable the Royal Mail to finance its modernisation programme and help to safeguard the universal service.

The Royal Mail is now in 2012 proposing a further increase in the price of a second class stamp from 36p to 55 p, and the removal of the present cap on the price of a first class stamp. Reports suggest that OFCOM, which took over the regulation of the Royal Mail in October 2011, is planning to approve increases of this extraordinary magnitude.

The House of Commons Business, Innovation and Skills Select Committee has recently highlighted the detrimental impact of the proposed price increases on the elderly and on vulnerable groups, including those living in rural areas, those on low incomes with low internet use, and businesses that are too small to negotiate bulk postal prices.

In a period of severe financial austerity, this Council calls upon Damian Collins, the Member of Parliament for Folkestone and Hythe, to ask questions on the House with a view to establishing whether or not such unexpectedly huge price rises are in practice either desirable or justified.

It is vital that the Royal Mail avoids a downward spiral whereby substantially higher prices lead to reduced use of its services resulting in still higher future stamp prices. Should the proposed price increases go ahead Royal Mail customers will expect, and are entitled to expect to see a more efficient, effective and competitive service than at present. This Council calls upon OFCOM to ensure that this is the case, to publish its findings on a regular basis, and, wherever feasible, to encourage greater competition to Royal Mail services from the private sector.

This Council is committed to protect, wherever possible, its most vulnerable residents. It therefore also calls upon the Royal Mail to provide an early outline of the operational details of the reported arrangement where in the period immediately

before Christmas stamp prices might be frozen for some 5 million customers who claim pension credits or employment-related benefits.

Upon being put this motion was CARRIED

(Voting: For 36; Against 0; Abstentions 0)

Supplementary Report

Introduction

1. Further to Shepway District Council's submission to the Local Government Boundary Commission for England on Council Size, as part of the Further Electoral Review of Shepway District Council, this supplementary report provides the evidence for the amendment by full council for "38" members made to the council's working group proposal for 30 members.
2. Point 4 in the original submission confirms that on the 21 March 2012, Council agreed an amendment "To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 38 member wards where necessary according to current electorate size, future electorate projections and geographic considerations."
3. At that meeting, Councillor Belcourt, the proposer of the amendment, said

"I thank the Working Group for their painstaking efforts and entirely agree that the number of councillors should be reduced from the present 46, and that the new wards should be predominantly two member, with some provision for single member wards where this is appropriate. I believe, however, that the reduction in members from 46 to 30 that it recommended is on too great a scale and would therefore like to propose an amendment, to substitute 38 for 30. Even this represents a reduction of 18%, but I think that a reduction on this smaller scale is right and proper at a time when several of the council's responsibilities are being outsourced and there is a decline in officer numbers.

To cut from 46 to 30 members in one go would, however, in my view jeopardise the ability of this council to continue to carry out all of its policy-making, quasi-judicial, scrutiny and representative functions. This is a key issue which the Boundaries Commission for England requires us to take into account when presenting any new blueprint. We must ensure that we have sufficient councillors to man all the committees, and must also take into account the frequent need for substitution when councillors are unwell, on holiday or have other unavoidable engagements.

The representative role of councillors is also particularly critical, and a cut to 38 rather than 30 would ensure that councillors remain able to have a close relationship with their constituents. This is all the more important with the passage of the Localism Act, since district councillors can be expected to have a more regular and intimate relationship with town and parish councils, and with local community groups. If we cut to 30, each councillor would represent almost 3000 electors, which is too many. Moreover, this number is steadily going to rise over the next few years as a result of population growth in various parts of the District.

We need dedicated councillors who have the time to do a decent job and to represent their constituents. At the same time we must recognise that we do

not want to move to a situation where people have to become full time councillors. This is the inevitable outcome if we go for 30, and it is clearly undesirable, as we do not want to exclude, and must not exclude, good people who simply do not have the time, or indeed the money, to become full time councillors. It would also be remarkably difficult to redraw ward boundaries to meet the Boundary Commission's principal requirement that each councillor should represent approximately the same number of electors.

So my view is that 38 represents a viable and much more desirable alternative. It will allow the council to carry out all its functions. It will allow each councillor to represent a workable number of electors, and therefore do the job properly. It enables us to draw up new ward boundaries more fairly and flexibly. It gives us a much better chance of attracting a more diverse range of candidates to stand in council elections. It is for all these reasons, together with the fact that I know of no other council that has proposed, or had inflicted upon it, such a drastic reduction in numbers as is proposed in the Report, that I put forward my amendment to replace 30 with 38".

4. The following additional evidence is provided to support the council's resolution for 38 members.

Part One: Governance and Decision Making

5. Leadership

- 5.1 As stated in the primary submission at point 19 (page 4), the council operates a strong leader and cabinet model and has done so since it was introduced on a pilot basis in May 1999.
- 5.2 There are currently 10 members of Cabinet and their portfolios are listed at point 22 (pp 5-7) and in more detail at Appendix 5 (pp 23-40). Portfolio holders play an active part in decision making meeting within their portfolio meeting with Heads of Service and other senior staff prior to making any necessary decisions which are then reported back to the full Executive.
- 5.3 A new portfolio for localism was recently established in early 2012 to underline the growing importance of localism and the implications of increased workloads for all councillors. Part of this new role is to support members in understanding new dynamics and expectations of their role as councillors and to act as the bridge between outside bodies, the executive and members in fulfilling their obligations within the newly evolving localism agenda.
- 5.4 Based on the councillor's survey conducted for the council's electoral working group, members of the executive tend to spend on average at least 16 hours per week on matters arising in their role as a portfolio holder and in their work as a local councillor (point 41, p12). The key portfolio holders of the positions of Leader, Deputy Leader and the cabinet member for finance tend to spend considerably more time than the average and could be considered to be full-time roles.

6. Regulatory

6.1 Many of the functions of licensing and planning matters are delegated to officers. Council planning figures show that:

- In 2010/11, there were 888 planning decisions, of which 59 (6.6%) went to Development Control Committee with the remaining 829 decisions (93.4%) being made by officers
- In 2011/12, there were 880 planning decisions, of which 64 (7.2%) went to Development Control Committee with the remaining 816 decisions (92.8%) being made by officers

Council figures for licensing show that from 2010 to 2012:

- there were 873 applications for Hackney Carriage/Private Hire licences of which 5 (0.6%) went to a hearing before the committee
- there were 49 applications under the Licensing Act of which 9 (18.4%) went before the committee
- there were 5 applications under the Gambling Act of which 1 (20%) went before the committee
- in total, 927 applications were made of which 15 (1.6%) went before the committee

6.2 The committee have a standing membership as shown at point 26 of the report (p 9).

6.3 Attendance at committee meetings remains high and recent figures for attendance at committee during the period of 9 April to 2 October 2012 was an average 84.3%. Once the cabinet members are excluded from the figures, the average attendance drops down to 82.8%. The figures for attendance were:

| Councillor | Required | Attended | % |
|------------------------|-----------------|-----------------|----------|
| Cllr Tristan Allen | 5 | 2 | 40.0% |
| Cllr Emily Arnold | 9 | 8 | 88.9% |
| Cllr Hugh Barker | 17 | 16 | 94.1% |
| Cllr Keren Belcourt | 10 | 10 | 100.0% |
| Cllr Ann Berry | 9 | 9 | 100.0% |
| Cllr Robert Bliss | 14 | 13 | 92.9% |
| Cllr George Bunting | 11 | 10 | 90.9% |
| Cllr Susan Carey | 8 | 8 | 100.0% |
| Cllr Pam Carr | 9 | 9 | 100.0% |
| Cllr Alan Clifton-Holt | 13 | 10 | 76.9% |
| Cllr John Collier | 16 | 16 | 100.0% |
| Cllr Brian Copping | 27 | 26 | 96.3% |
| Cllr Victoria Dawson | 9 | 8 | 88.9% |
| Cllr Malcolm Dearden | 12 | 10 | 83.3% |
| Cllr Anthony Dunning | 8 | 8 | 100.0% |

| | | | |
|---------------------------|-----|-----|--------|
| Cllr Alan Ewart-James | 10 | 8 | 80.0% |
| Cllr Peter Gane | 10 | 8 | 80.0% |
| Cllr Clive Goddard | 12 | 11 | 91.7% |
| Cllr David Godfrey | 8 | 4 | 50.0% |
| Cllr Richard Grundy | 12 | 11 | 91.7% |
| Cllr Stan Hayward | 5 | 3 | 60.0% |
| Cllr Anthony Hills | 9 | 9 | 100.0% |
| Cllr Janet Holben | 13 | 11 | 84.6% |
| Cllr Jennifer Hollingsbee | 14 | 11 | 78.6% |
| Cllr David Johnson | 15 | 7 | 46.7% |
| Cllr Shane Lawrence | 7 | 7 | 100.0% |
| Cllr Rory Love | 14 | 14 | 100.0% |
| Cllr Michael Lyons | 17 | 16 | 94.1% |
| Cllr Paul Marsh | 13 | 11 | 84.6% |
| Cllr Philip Martin | 12 | 12 | 100.0% |
| Cllr David Monk | 12 | 11 | 91.7% |
| Cllr Peter Monk | 9 | 7 | 77.8% |
| Cllr Terence Mullard | 13 | 13 | 100.0% |
| Cllr Shirley Newlands | 7 | 6 | 85.7% |
| Cllr Alan North | 12 | 10 | 83.3% |
| Cllr David Owen | 10 | 7 | 70.0% |
| Cllr Richard Pascoe | 20 | 12 | 60.0% |
| Cllr Paul Peacock | 5 | 5 | 100.0% |
| Cllr Stuart Peall | 9 | 6 | 66.7% |
| Cllr Peter Simmons | 20 | 10 | 50.0% |
| Cllr David Stephenson | 11 | 8 | 72.7% |
| Cllr Russell Tillson | 21 | 18 | 85.7% |
| Cllr Susan Wallace | 9 | 5 | 55.6% |
| Cllr Roger West | 16 | 15 | 93.8% |
| Cllr Roger Wilkins | 13 | 13 | 100.0% |
| Cllr David Wimble | 8 | 6 | 75.0% |
| | | | |
| | 543 | 458 | 84.3% |

6.4 In the previous corresponding period from 23 April 2011, attendance was an average 85.6% and for 2010, attendance was 87.6%. Although the average figures for attendance are dropping slightly, there is a clear indication that it remains constantly at or around the 85% mark for all committees.

6.5 Although the number of committees has reduced, the length of time taken at committees has remained constant or increased in many cases meaning that councillors are required to spend longer looking at issues but on fewer occasions. There have been no recent occurrences of any committee not reaching being quorate.

6.6 Point 30 (page 9-10) details the role of councillors as set out in the constitution. Points b and c of the role covering community participation and ward interests are areas which are steadily growing in importance placing a greater burden upon elected representatives and building on recent legislative changes around localism.

6.7 Details of how much time councillors spend on business as a member is detailed in point 41 (page 12) and demonstrates that councillors currently spend about 8 hours per week although there is an acceptance that localism and fewer numbers will result in this increasing over the coming years.

6.8 Some councillors also carry out ceremonial roles, namely the Chairman, Vice Chairman and the Leader and these will be expected to continue irrespective of the size of the council in the future. Reducing the numbers of councillors too drastically may therefore result in there not being enough councillors to carry out these roles, along with executive, regulatory and local representative functions across the council.

6.9 There are currently 69 appointments to outside bodies which were not listed in the council's primary submission. These are:

| Outside Body | Places |
|--|---------------|
| Age UK – Elham Rural | 1 |
| Age UK – Folkestone | 1 |
| Boulogne and Shepway Co-Operation (BOSCO) | 5 |
| British Destinations Association | 1 |
| Citizens' Advice Bureau | 1 |
| Citizens' Rights for Older People | 1 |
| Dungeness Site Stakeholder Group | 4 |
| East Folkestone Together | 2 |
| East Kent Housing | 1 |
| East Kent Spatial Development Company | 1 |
| Health and Well Being Shadow Board | 1 |
| Kent Downs and Marshes Leader (formerly Mid and Kent Leader +) | 1 |
| Kent County Playing Fields Association | 1 |

| | |
|--|----|
| Kent Downs AONB Advisory Committee | 1 |
| Actions with Communities in Rural Kent (formerly Kent Rural Community Council) | 2 |
| Kent Transport Board | 1 |
| LGA Rural Commission | 1 |
| LGA Urban Commission | 1 |
| Local Government Association | 1 |
| Lydd Airport Consultative Committee | 2 |
| CASE Kent (formerly Mid & South Kent Council for Voluntary Service) | 1 |
| National Car Parking Adjudication Service Joint Committee | 1 |
| National Local Government Forum Against Poverty (SE Region) | 1 |
| NHS Foundation Trust | 2 |
| Rail for Folkestone | 5 |
| Robert Thompson Charities | 1 |
| Romney Marsh Visitor Centre Advisory Group | 3 |
| Romney Marshes Area Internal Drainage Board | 14 |
| Shepway Care and Repair Agency Steering Group | 1 |
| Shepway Children's Trust | 1 |
| Shepway Sports Advisory Council | 3 |
| Shepway Volunteer Bureau | 1 |
| South East Employers' Organisation | 1 |
| South East England Councils (SEEC) | 1 |
| Supporting People in Kent – Commissioning Body | 1 |
| Village Children's Centre Steering Group | 1 |
| Youth Advisory Group | 1 |

6.10 As stated at point 42 (page 12), the Chief Executive is now exploring options with the Leader to incorporate new ways of working for members. This includes exploring the introduction of ward budgets which will as a consequence require members to spend more time examining requests for local funding and assisting projects or communities locally.

6.11 As stated at point 34 (page 10), the average age of councillors has been steadily increasing in recent years and currently stands at 60 years. There is a concern that the council is failing to attract new younger members of the community which may be symptomatic of politics generally but does raise alarm bells if the council is seeking to attract new members yet cutting numbers too drastically thereby reducing mentor support and increased workloads.

6.12 Details of how much time councillors spend on business as a member is detailed in point 41 (page 12) and demonstrates that councillors currently spend about 8 hours per week although there is an acceptance that localism and fewer numbers will result in this increasing over the coming years.

7. Part two – Scrutiny functions

7.1 The council has two scrutiny committees and scrutiny arrangements are detailed in point 24 (page 8-9).

7.2 The general workload of scrutiny is now more thorough having gone through a period of reorganisation of the scrutiny functions and work. As a result all meetings of the committees have a full agenda and an annual timetable which strictly governs when matters will be scrutinised. As a consequence matters of governance relating to policy matters by the council and the work of the portfolio holders is now more regimented. Due to the more harmonised working of scrutiny with the executive, members of scrutiny are being encouraged to carry out for activities relating to topics outside of the debates within committee. This work is actively encouraged as part of the new portfolio brief of the member for localism.

7.3 In conducting their responsibilities as members of scrutiny, members are frequently receiving less support than previously due to ongoing reductions in staffing support within policy, committee/member support and other areas due to the ongoing reduction in council workforce due to cuts across the public sector. There is therefore a natural and greater reliance on the ability of scrutiny members to take on more responsibility and understanding of matters they are seeking to scrutinise locally.

7.4 The current approved annual scrutiny programme for 2012/13 is attached at appendix 1.

8. Representation role of councillors

8.1 Councillors are encouraged to directly engage with constituents and use a number of methods to fix day to day concerns or problems. These include

local liaison with organisations or communities or raising issues directly with portfolio holders on the executive. Only as a last resort do councillors seek to involve officers and when they do this is via direct contact either with a manager or through the head of service or director.

8.2 Some councillors hold surgeries and others utilise newsletters within their wards. All councillors are on email and all councillors except one publish their telephone number and many include a mobile contact as well.

8.3 Point 52 (page 15) recognises that the council accepts that the Localism Act 2011 will generate further forms of democratic responsibility. Councillors will be required to have closer liaison with communities, local organisations and to act as the eyes and ears for the council and locality reporting on any upsurge or interest in local matters and managing it accordingly. This new role, now enshrined in legislation, will require councillors to adopt a more pro-active approach than previously and as a consequence given current growth projections, it is more appropriate that there are 38 councillors rather than a smaller number to meet these new demands on a member's time.

8.4 Local councillors will play a critical role where any form of delegation from the district takes place to local communities or local town and parish councils. This new role for councillors will require more time and energy on such matters than previously required and this has been recognised by members in the survey that was conducted on their priorities for the future.

8.5 The new portfolios established for the executive reflect a thematic approach and as such there can be crossover on many issues offering the opportunity for the council to be more responsive to issues. In addition, key areas such as environmental enforcement now have a champion in the cabinet in addition to a portfolio holder.

9. The future

9.1 As identified in point 20 of the submission (page 4-5), the council continues to explore getting the best deal for customers and local tax payers whilst maintaining high quality services. As a consequence, councillors now take local complaints or suggestions to external bodies carrying out local services. An example of this is the housing ALMO, where Shepway transferred housing stock, staffing and operational responsibilities in April 2011. Whilst having a strategic input from the executive, local councillors are now a key link on local issues with this organisation.

9.2 The council has recently signed contracts for a variety of internal and external services. Most recently an innovative environmental enforcement contract with XFor was signed to manage street enforcement activities around littering and dog fouling. Already in the first three months, more fines have been handed out than the aggregate figure for the last few years combined, thus contributing to the council vision of an improved and cleaner district.

9.3 ICT has now been contracted out as part of a 10 year contract to Steria. This involved the transfer of staff in April 2012 with new service standards, improved customer interfaces and a modernisation of back office systems. In addition the council is embarking on new ways of working seeking to introduce hot desking and working from home throughout the organisation and radically reducing the amount of office space required. Further efficiencies are being identified with eliminating waste and paper as part of a wider business process reengineering model.

9.4 The council is continuing to explore options for saving money whilst delivering the range of existing services, exploring where they can be improved and introducing new or enhanced projects for the benefit of the district. The council is facing a 9% reduction in the central government grant for 2012/13 and is actively seeking ways to reduce projected future annual deficits whilst still seeking service improvements. Examples include:

- a saving of over £500,000 for waste management and street cleansing whilst improving the amount of waste being recycled thus contributing to a greener agenda for Shepway as part of a new joint arrangement with Dover District Council delivered by Veolia. This included new bigger bins to collect all recyclable waste including plastics and tetrapaks, food waste collections, paper collections and garden waste all running alongside general household waste collection for landfill which has reduced significantly as a result.
- a new contract for pest control, which is a joint project with Thanet District Council, reducing the cost to residents of treating rats, mice, wasps, hornets and bees delivered by Cannon OCS Pest Control
- currently tendering alternative service delivery models for grounds maintenance which is expected to save approximately £250,000 per year
- a new parking enforcement services contract with NSL for parking meters and car parks throughout the district worth £1.26 million including the transfer of all existing enforcement staff saving £100,000.
- exploring transferring of other assets such as sports grounds to either trusts or communities for continued delivery of existing services

9.5 A majority of councillors responded to the survey of councillors indicating that they wanted to spend more time with their constituents and working with the local community. The future model for the council and for councillors reflects the intended practice but it does reinforce the case that councillors will be more self-reliant and busier in the future and constituent numbers and areas will need to be manageable for them to do the role effectively.

9.6 Council voted to amend an original proposal for 30 members to 38 members recognising that numbers need to be reduced but that this should not be as to affect the overall quality and ability to have proper governance and representation in the future. It is on this basis that Shepway District Council has made a submission for 38 councillors.

Appendix 1 – Scrutiny Programme 2012/13 attached

Overview and Scrutiny Issue Monitoring 2012 / 2013

| ISSUE NAME | Key | Lead | Cabinet | Committee | Date of | Cabinet / |
|---|-----|-------------|--------------|-----------|----------|-----------|
| | | Officer | Member | | scrutiny | Council |
| | | | invitation | | meeting | Decision |
| Police Crime Commissioner arrangements presentation | N | J Leney | Bliss | Community | 09.07.12 | |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Community | 09.07.12 | |
| Performance Report 2011/12 | N | P Wignall | | Resources | 18.07.12 | |
| Parking Strategy | Y | B Porter | Dearden | Resources | 18.07.12 | |
| Parking Budget Forecasts | N | B Porter | Dearden | Resources | 18.07.12 | |
| Local Authority Mortgage Scheme | Y | B Porter | D Monk | Resources | 18.07.12 | 01-Aug-12 |
| Annual Treasury outturn report | N | L Walker | D Monk | Resources | 18.07.12 | 01-Aug-12 |
| Out-turn report | N | G Whittaker | D Monk | Resources | 18.07.12 | 01-Aug-12 |
| HRA revenue and capital budget monitoring - quarter 1 (to May) | Y | L Hall | D Monk | Resources | 18.07.12 | 01-Aug-12 |
| General Fund revenue budget monitoring - quarter 1 (to May) | Y | M Fitch | D Monk | Resources | 18.07.12 | 01-Aug-12 |
| General Fund capital budget monitoring schedule - quarter 1 | Y | L Walker | D Monk | Resources | 18.07.12 | 01-Aug-12 |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Resources | 18.07.12 | |
| Flood Risk in the Romney Marsh | N | C Lewis | | Community | 24.09.12 | |
| Night Shelter | | B Porter | | Community | 24.09.12 | |
| Grounds Maintenance | N | J Chambers | | Community | 24.09.12 | |
| Shepway Community Safety Partnership - partnership plan 2012-13 | | B Porter | | Community | 09.07.12 | |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Community | 24.09.12 | |
| SDC Community Chest Criteria | | L Birch | D Monk | Resources | 03.10.12 | |
| Quarterly performance report | | P Wignall | Bliss | Resources | 03.10.12 | 17-Oct-12 |
| Fees and Charges 2013/2014 and review of the strategy | Y | M Fitch | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| Medium Term Financial Strategy | Y | B Beldon | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| Budget Strategy | Y | G Whittaker | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| General Fund revenue budget monitoring - quarter 2 (to Aug) | Y | M Fitch | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| General Fund capital budget monitoring schedule - quarter 2 (to Aug) | Y | L Walker | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| HRA revenue and capital budget monitoring - quarter 2 (to Aug) | Y | L Hall | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| Capital programme monitoring - quarter 2 (to Aug) | Y | L Walker | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| Treasury Management 2012/13 review and update | Y | L Walker | D Monk | Resources | 03.10.12 | 17-Oct-12 |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Resources | 03.10.12 | |
| Waste collection for residents who live in flats / apartments | N | L Birch | D Monk | Community | 10.12.12 | |
| The impact of cuts to youth services on anti-social behaviour & crime | N | B Porter | | Community | 10.12.12 | |
| Overview and Scrutiny - drawing up an annual scrutiny programme | N | P Wignall | | Community | 10.12.12 | |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Community | 10.12.12 | |
| Quarterly performance report | N | P Wignall | Bliss | Resources | 20.12.12 | |
| Detailed HRA and General Fund Estimates and quarter 3 monitoring | Y | L Birch | D Monk | Resources | 20.12.12 | 19-Dec-12 |
| Medium Term Capital Programme | Y | L Birch | D Monk | Resources | 20.12.12 | 19-Dec-12 |
| Overview and Scrutiny - drawing up an annual scrutiny programme | N | P Wignall | | Resources | 20.12.12 | |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Resources | 20.12.12 | |
| Development of Cadet Forces, Reserve Forces & military academies | N | unknown | Tillson | Community | 21.01.13 | |
| The Coastal Strategy / tourism and income generation | N | C Lewis | Clifton-Holt | Community | 21.01.13 | |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Community | 21.01.13 | |

| | | | | | | |
|---|---|-----------|---------|-----------|----------|-----------|
| Treasury Management and Investment Strategy | Y | L Birch | D Monk | Resources | 23.01.13 | 14-Feb-13 |
| Demand on Collection Fund | | L Birch | D Monk | Resources | 23.01.13 | 14-Feb-13 |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Resources | 23.01.13 | |
| Changes in Health Service Provision | N | M Mellor | | Community | 25.03.13 | |
| Health inequalities | N | M Mellor | | Community | 25.03.13 | |
| Improvements to consultation with towns & parishes / localism | N | P Wignall | Tillson | Community | 25.03.13 | |
| Annual Scrutiny Work Programme | N | P Wignall | Tillson | Community | 25.03.13 | |
| Annual Scrutiny report | N | P Wignall | Tillson | Community | 25.03.13 | |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Community | 25.03.13 | |
| Quarterly performance report | N | P Wignall | Bliss | Resources | 27.03.13 | |
| General Fund Revenue budget monitoring quarter 4 (to Feb) | Y | L Birch | D Monk | Resources | 27.03.13 | 17-Apr-13 |
| HRA Revenue budget monitoring quarter 4 (to Feb) | Y | L Birch | D Monk | Resources | 27.03.13 | 17-Apr-13 |
| General Fund Capital budget monitoring - quarter 4 (to Feb) | Y | L Birch | D Monk | Resources | 27.03.13 | 17-Apr-13 |
| Annual Scrutiny Work Programme | N | P Wignall | Tillson | Resources | 27.03.13 | |
| Annual Scrutiny report | N | P Wignall | Tillson | Resources | 27.03.13 | |
| Overview and Scrutiny monitoring and forward plan | N | P Wignall | | Resources | 27.03.13 | |

