

Submission of Sevenoaks District Council
(approved by Council on 25 July 2024)

Council Size Submission for Sevenoaks District Council

Contents

About You	Page 2
Context for our proposal	Page 2
Local Authority Profile	Page 5
Council Size	Page 7
Summary	Page 16

About you

This submission is made on behalf of Sevenoaks District Council.

A Member Working Group was established, with cross-party Membership which made recommendations on the Council Size submission to the Council's Governance Committee.

These recommendations were approved without amendment by the Governance Committee.

This Council Size submission was considered by full Council on 25 July 2024 and approved for submission to the LGBCE.

It was clear throughout this process, that the development of a Council submission in no way prevents or alters the ability of Members or groups of Members to make separate submissions.

The context for our proposal

Our current internal governance arrangements

- 1 The last substantive review of the Council's governance arrangements were implemented in 2013, maintaining the committee system and implementing the Advisory Committee/Cabinet system that remains in place today.
- 2 The Advisory Committee system sought to address previous weaknesses, and reduce the perception of remoteness/inaccessibility of portfolios; the feeling of disengagement from influence and decision-making; the lack of opportunity for training and development, to provide for succession planning for future Cabinet Members; and to streamline the committee system in line with the resources available.
- 3 The introduction of Advisory Committees allows for increased Member involvement in the formulation of policy before Cabinet are recommended to make decisions and allows for greater focus and additional resource to be applied to the scrutiny function.

• Council functions

- 4 The Council has not been impacted by any issues in relation to transference of strategic or service functions. The Council continues to focus on providing its services from in-house delivery and whilst shared services are operated they have not had a significant impact on the Council's governance arrangements.
- 5 The Cabinet system, with Advisory Committees and separate scrutiny function allows for significant flexibility in ensuring any new responsibilities are open to

Member oversight, with full Council considering matters which are reserved to them because of the scale of the impact on the District or the scale of the financial impact of a decision.

- Governance or capacity issues

- 6 There have been no governance or capacity issues raised by an Inspectorate or similar.
- 7 The Council was subject to a Local Government Association (LGA) Corporate Peer Challenge, which reported its findings in 2021. That review concluded that “underpinning the council’s success are good member – officer relations and good relationships between members.”
- 8 The LGA Peer Team noted that the “council’s member governance structure is atypical; specifically, the council has a series of – politically balanced – executive advisory committees that mirror the portfolios of Cabinet members.”
- 9 Having considered any risks associated with this approach “overall, the peer team found the council’s arrangements work well. The advisory committees provide an opportunity for all members to contribute to policy development at an early stage and give officers assurance that decisions are widely understood prior to implementation. Scrutiny operates with a focus both on council performance and the work of external partners. Peers were impressed both with the quality of committee reports and the high-level of debate at both scrutiny and the advisory committees”.

- Influence of local and national policy trends

- 10 The experience of the pandemic at a local council level illustrated that councils need to be agile, to deal with overnight changes in priorities, able to make robust and rapid decisions when required, and to provide leadership of places and people at times of crisis as well as the day to day delivery of the highest quality, best value services.
- 11 The Council size and structure enables such an approach.
- 12 The financial challenges facing public services is recognised as likely to continue to have an impact on the council’s resources to deliver its services. This is a two-edge sword in relation to this review. Whilst some financial savings could be delivered from a review of Council size, there is a recognised need for strong member input, oversight and decision making to ensure any impact on residents and businesses is minimised in managing those challenges.
- 13 Devolution models as developed by the Government have not had an impact on the District Council or the County of Kent, and are not expected to do so.

- **Impact on the Council's effectiveness**

14 The Member Working Group for the Electoral Review has considered this carefully in making recommendations on Council size.

15 It is considered that the Council's overall effectiveness would not be negatively impacted by the reduction proposed.

16 It is further recognised that a reduction in the number of Councillors will lead to a review of the governance structures to ensure they continue to operate effectively. Whilst placing no expectations or limits on a future review of Governance structures by our Members, this could cover the number of councillors that sit on each committee, to a more wide ranging review of the number of committees and their purpose. It is the Council's current intention to retain the Leader and Cabinet system with advisory committees.

Local Authority Profile

- 17 The 2021 Census data shows the district's population has increased by nearly 5% since the Census in 2011 to 120,500 residents spread over 49,000 households. This is a smaller increase than the rest of the south east and nationally.
- 18 The average age of our residents is higher than the national average; the number of residents aged 65 to 74 rose by around 2,100 (+18.2%) between the Census in 2011 and 2021. The age breakdown is as follows:
 - Under 15 – 22,400 (18.6%)
 - 15 to 64 - 72,300 (60%)
 - 65 and over – 25,900 (21.5%)
- 19 Sevenoaks District covers 142 square miles (368 kilometres) over a long, narrow geography. It is predominantly rural with 97% of the district designated green belt, 63% Area of Outstanding Natural Beauty (AONB) and 11% covered in Ancient Woodland. This constrains growth in both housing and population.
- 20 Sevenoaks District shares borders with greater London, Surrey, Sussex and other west Kent councils.
- 21 The District has four main towns; Edenbridge, Sevenoaks, Swanley and Westerham and two further main settlements in New Ash Green and Otford. There are many other villages and hamlets in the district, each with their own identities and strong sense of community.
- 22 The District is fully parished, with 31 town and parish councils. There are currently 24 District wards represented by 54 Councillors. The district has high levels of electoral registration.
- 23 It is a largely settled population; there are also a high number of gypsy traveller public plots, and farming and isolated rural communities. There are pockets of deprivation especially to the north, including one ward amongst the most deprived in Kent.
- 24 Development for housing is challenging given the proportion of the district which is green belt and AONB designated. The Council is currently developing its new Local Plan which will set out the strategy and sites for development until 2040. It identifies a housing need of almost 700 homes annually between 2025 and 2040. Whilst some sites may come forward to help meet this need, it is unlikely that the District will see significant, additional, housing growth on current trends over the electoral review period to 2030.
- 25 The size and shape of the District means that many of our communities are rarely connected. The distance from the very north of the District to the very

south is considerable. Being fully parished also increases the sense of locality and builds individual communities that have their own needs and priorities.

- 26 This has an impact on the number of Councillors that we believe can provide the level of representation and local knowledge that our communities desire. It is acknowledged that Councillor caseload can vary based on the demographics of their ward. In some wards there is a greater need to support individuals with housing and financial needs. In others, there can be a significant caseload in planning enquiries, in others supporting the many small business owners that shape our local economy.
- 27 Digital solutions and the propensity to communicate by email has reduced the need for in-person contact. But, as our population statistics show the average age of our residents is higher than the national average and more than one-fifth of the population is aged-65 and over and are not 'digital natives.'
- 28 Many Members also serve on their local Town or Parish Council, providing a useful bridge between the two tiers of authority and enhancing community engagement. There are also a number of consultative forums across the district attended by Members such as those from the 4 main towns, the business forum, the voluntary sector forum, rural forum.
- 29 The significant and swift response to the call for community volunteers during the pandemic lockdown demonstrated that many residents feel engaged and connected with their communities and the council. Our most recent resident's survey, in 2021, also indicated satisfaction with the way the council does things:

Satisfaction with the way in which Sevenoaks District Council runs things	
Sevenoaks DC 2021	LGA October 2021
81%	56%

Sevenoaks District Council provides value for money	
Sevenoaks DC 2021	LGA October 2021
63%	43%

Trust in Sevenoaks District Council	
Sevenoaks DC 2021	LGA October 2021
86%	53%

Council Size

Strategic Leadership

- 30 Our electoral data shows that in 2024 the 54 Councillors represent an electorate of 90,293 at an average of 1,672 electors per Councillor.
- 31 Our proposal is that the council should have 48 Members.
- 32 Our electoral data, including population growth on sites of 20 electors or more, suggests that by 2030, the proposed 48 Councillors would represent an electorate of 97,178 at an average of 2,025 electors per Councillor.
- 33 This compares against the elector ratio for its nearest neighbours CIPFA group, which is 2,349 electors per Councillor.

Governance Model

- 34 The Council has adopted a Leader and Cabinet style of governance and the leadership group intends to keep this model going forward. The model has been effective in ensuring a wide range of Members are involved in decision-making, which increases Member engagement without reducing the capacity for Cabinet to act and lead the organisation effectively.
- 35 Whilst seven members (Leader and six Portfolio Holders) has proved to be effective in ensuring oversight and decision making across the breadth of council services, this may be reviewed by a future Leader. It would seem likely that any future review would likely reduce the number of Cabinet Members, rather than increase them, as the number of Cabinet Members is at its peak. More recently there has been a maximum of six Cabinet Members. The increase has allowed extra capacity to focus on the Council's property and investment portfolio, for which the workload is expected to reduce in future years.
- 36 The Advisory Committees perform an advisory and policy development function and make recommendations to Cabinet. The number of Advisory Committees is currently directly aligned to the number of Portfolio Holders. This is not required by the Council's Constitution and therefore the number of Advisory Committees can be reviewed annually by the Leader and their Cabinet. Six Advisory Committees is considered to be the maximum number required to ensure they are able to operate effectively and have a balanced workload. However, a small reduction could be adopted in future, as some Cabinet Advisory meetings end far sooner than the two hours allocated to them.
- 37 If the number of Members does decrease in line with the proposal in this submission, the number of members on each Advisory Committee would be reviewed with a reduction possible to ensure Councillors' workload is effectively managed.

- 38 The Advisory Committee role is to undertake policy initiation and development; consider other matters referred to it by the Portfolio Holder; carry out specific research and development projects and submit recommendations to Cabinet at the request of either Cabinet or the Audit Committee; and develop and approve its annual work plan ensuring that there is efficient use of the Committee's time.
- 39 The Scrutiny Committee sits independently from the Cabinet and Advisory Committees and has an open remit to perform its role effectively. There has been a recent review of the Scrutiny Committee rules, and it is acknowledged that opposition groups have a desire to see further change to how the Scrutiny Committee is operated. It is acknowledged that the number of members on the Scrutiny Committee may need to be reviewed should the number of Councillors reduce. This is to ensure that Members retain sufficient independence in their scrutiny role from other decision making functions.
- 40 The Member Working Group for this review have identified the need for a Governance Review following the confirmation of the future Council Size to be adopted from the District Council elections in 2027. The Working Group do not believe that initiating an earlier review, before the confirmation of Council size would be an appropriate use of resources, as it is possible that work would be abortive should the LGBCE conclude a different Council size to that proposed by the Council.

Portfolios

- 41 The Cabinet currently consists of seven Members. The Leader of the Council is currently without Portfolio, with the six additional Cabinet Members each with portfolio responsibility for an area: People & Places; Cleaner & Greener; Finance & Investments; Housing & Health; Development & Conservation; Improvement & Innovation.
- 42 Each Portfolio has an Advisory Committee of 12 Members, with 6 counting as quorate. The Portfolios reflect the Council Plan and the commitments within it to deliver the council's strategic vision.
- 43 Cabinet and the Advisory Committees have the ability and capacity to create ad-hoc and time limited working groups looking at specific areas of policy to inform Cabinet on a cross-party basis. For example, this has recently included a Net Zero Working Group.
- 44 Portfolio Holder roles are not full-time positions, and each Portfolio Holder is supported by a Deputy. Key features of their role are to build good knowledge of the services in their portfolio and to have more frequent involvement with the Council's Chief Officers to both direct and be informed about matters in their responsibility.
- 45 Portfolio Holders are required to provide an update on their work at each meeting of the Advisory Committee for their portfolio and are expected to

attend Scrutiny Committee on a regular basis to take questions of members of the Scrutiny Committee.

- 46 Some decisions are delegated to the Portfolio Holder to take. However, the Council does not 'over-use' this process and many of the decisions delegated are only done so through a decision of Cabinet or Council. A record of all Portfolio Holder decision is published through the Councils website.

Delegated Responsibilities

- 47 A scheme of delegation is set out in the Councils Constitution and are restricted to operational decisions about services that would otherwise impinge on the ability to manage services appropriately on a day-to-day basis.
- 48 The Advisory Committees have 12 Members, are not decision making, but advise and make recommendations to Cabinet. Each Member may sit on more than one Advisory Committee.
- 49 The Governance Committee has 7 Members, is not decision making, but advises and makes recommendations to Council.
- 50 Decision making beyond that of full Council, and therefore inclusive of all members in attendance at those meetings, is set out as follows:
- **Cabinet:** 7 Members currently. A lesser number is possible in future, with the recent past showing a maximum of six Cabinet Members.
 - **Scrutiny Committee:** 11 Members – cross-party based on political proportionality
 - **Development Management Committee:** 19 Members – cross-party based on political proportionality
 - **Audit Committee:** 9 Members – cross-party based on political proportionality
 - **Licensing Committee:** 11 Members – cross-party based on political proportionality
 - **Standards Committee:** 7 Members – cross-party based on political proportionality
- 51 Please note that an individual Councillors will sit on more than one committee and some Councillors voluntarily serve on three or more committees. Whilst others have said they would like to sit on more and take more responsibility, showing capacity for a reduction in members overall.

Accountability

Internal Scrutiny

- 52 The role of the Advisory Committees allows a significant opportunity for backbench Members to pre-scrutinise Cabinet decisions. The Committees are based around the priorities in the Council Plan as well as corporate functions such as improvement and innovation, and finance and investment. There are no changes expected to this at this time. Currently each Portfolio Holder Chairman is a Member of Cabinet, but there is no requirement for this to be the case.
- 53 The Scrutiny Committee sits independently from the Cabinet and Advisory Committee process and has 11 Members. A significant reduction in the number of Councillors, beyond the 48 Members proposed, has the possibility of impacting the effectiveness of the Scrutiny function.
- 54 Having sufficient Members, particularly from political (or non-political) opposition groups to assess, and where necessary, provide challenge and scrutiny is essential to an effective and strong governance.
- 55 To accommodate a strong scrutiny function the Council will consider through a later governance review the number and level of membership of Advisory Committees. A reduction too far in this regard could adversely impact policy development and service delivery. Striking a balance here is essential, which can be achieved with the proposal for 48 councillors.
- 56 Whilst the Council does not have committees in the traditional sense, the number of Advisory Committees currently reflects the number of Portfolio Holders and the priorities in the Council Plan. This will be subject to review once a decision is made on the future Council Size.
- 57 Task and finish groups will continue to be adopted as and when they are required. On average, there are 5 Members on each working group.
- 58 The Scrutiny Committee most frequently establish such groups, but constitute just one group at any one-time to assist in the management of their own workload and that of the Members on the group. The Governance Committee who also establish Member Working Groups operate them on the same basis, but are also able to draw their membership more widely than their committee members, helping to ensure member workload is well managed to enable effective and timely task and finish.
- 59 The Council has one scrutiny committee in line with its decision to have a Cabinet system. A greater number is not required.
- 60 Scrutiny is an important function in terms of Member's accountability to residents. We believe keeping the existing number of councillors on the Scrutiny Committee, rather than reducing them, will maintain the necessary challenge required for proper scrutiny to take place.

- 61 Reducing the number of Councillors overall, but maintaining the same number of members on each committee (for the time-being) enables greater Member involvement and engagement, spreads knowledge and expertise, allows for a wider range of views from personal, professional and geographic perspective, increases the sharing of policy and decision making, and increases transparency.
- 62 However, it is acknowledged that for Advisory Committees a reduction in number and membership numbers, could be considered through a governance review following conclusion of the Council size and delivered in advance of the next District Council election in 2027.

Statutory Functions

Planning

- 63 A high majority of decisions on planning applications, in excess of 95% are determined by Officers.
- 64 Member decisions on planning decisions are managed effectively and efficiently through the 15 scheduled meetings of the Development Management Committee that take place annually.
- 65 The number of member decisions on planning applications has remained consistent for a number of years and no changes are anticipated.
- 66 Area planning committees are not considered necessary. The Development Management Committee has 19 Members, which allows for wide representation from across the District with ward members also able to address the committee should they call-in a decision.
- 67 Executive Members can and will continue to be able to service on the planning committee.
- 68 All Planning Committee meetings commence at 7pm. They are held every three weeks, with 15 meetings scheduled annually. The meetings themselves vary in duration, but approximately 2 hours per meeting is a reasonable estimate. Preparation for meetings, familiarisation with reports and site visits as required are a further time commitment of up to 2 hours per meeting.
- 69 The Council does not experience any instances where members' availability for the planning committee has been a problem, and therefore they have always been quorate.

Licensing

- 70 The Licencing Committee meets 3 to 4 times a year, with each meeting taking place at 7pm. The Committee hears policy matters and the time requirement is usually less than one hour per meeting plus preparation time.

- 71 The Council does not experience any instances where members' availability for the licensing committee has been a problem, and therefore they have always been quorate.
- 72 The Licensing Committee has four sub-committees for hearings. The sub-committees each have three members drawn from the overall Licensing Committee membership of 12.
- 73 Licensing Hearings take place during day time working hours and take place between 3 & 5 times a year. Members may need to put one working day aside to prepare for and administer hearings.

Other regulatory bodies

- 74 There are no other committees that have not been explained elsewhere in this submission.

External Partnerships

- 75 Sevenoaks District Council prioritises delivering its services in-house and, as a result, has a small number of delivery partners that they work with and hold to account.
- 76 The council has two wholly owned companies for which the Cabinet attend the Annual General Meeting, with other members invited to attend and observe.
- 77 The Council also ensures that key delivery partners, such as our contracted leisure provider, police, health, water and other providers are called to attend the Scrutiny Committee on a regular basis. These invites are scheduled and determined by the members of the Scrutiny Committee.
- 78 The Leader and Cabinet represent the Council on a small number of county and regional boards and groups as part of their role. These are usually day-time meetings and occur infrequently – 2 to 4 times annually.
- 79 The Council also appoints representation to 22 other organisations. These appointments are set out in the Constitution. These are pre-dominantly appointments from the Executive, with appointments to seven of the 22 organisations from the wider membership. Most of these are not decision-making partnerships, nor do they require Members to make decisions on the part of the council. Should there be matters for Council decision these would be reported through the appropriate committee, Cabinet or Council as necessary.
- 80 In conjunction with a future governance review, the Council is minded to review the effectiveness of appointments to external appointments and to consult on the value of the appointments for Council, partners and communities.

Community Leadership

Community Leadership

- 81 There are no area committees in the Sevenoaks District and, as such, the response to this section provides no information on them or area governance.
- 82 Councillors fulfil their representational role by sitting on committees at the council, being active in their District Councillor role, canvassing the opinion of electors through doorstep conversations, and on social media, and being available on email, the phone or at surgery sessions.
- 83 Some District Councillors are also Town or Parish Councillors and are embedded in their communities, often taking on additional volunteering work or being members of other community groups.
- 84 Sevenoaks District Council is a fully parished Council area, unlike other neighbouring authorities, meaning every area has its own Town or Parish Council, in addition to Resident Association Meetings.
- 85 Although not mandatory to attend town/parish council meetings if they are not members of those authorities, many District Councillors still do so to give their reports. Some wards can cover up to three parish council areas, which compares to other local authorities which are not fully parished. Even in urban areas such as Swanley or Sevenoaks, although there is just one Town Council, there are additional separate Resident Association meetings that members attend.
- 86 A modest reduction in members therefore appears to be the right balance in ensuring the work balance for attending community meetings is kept appropriate. A more drastic reduction could lead to members attending even more parish or town meetings, particularly in single member wards.
- 87 There is no set formula, and no requirement from the District Council for Councillors to perform their roles in a particular way. As would be expected, each Councillor determines their own approach based on the time they have available around their many other commitments and their own familiarity and comfort with digital communication as opposed to talking to residents in-person or on the phone.

Case Work

- 88 There is no formal method of handling casework. Councillors are aware that Officers are always available to help with enquiries, with the more complex enquiries requiring more officer support through the provision of information.
- 89 Officers seek to keep Members well informed about the work of the Council, and the most experienced Councillors are likely to be more able to support their residents without calling on Officer support.

- 90 All Councillors are provided with a Member's Handbook which has explanatory notes about many of the council's services and processes and explains how decisions are made. For all of our services Councillors are given information about who they can contact should they need to do so.
- 91 Additional briefings are provided if needed. Member Induction, and training courses are also provided. Councillors are also able to take advantage of the training and advice available through the council's membership of bodies such as the Local Government Association and the Local Government Information Unit.
- 92 Recent surveys suggest that Members find officers to be responsive and supportive and able to assist them with resident enquiries. This can assist to reduce the time Members are required to invest to seek their own resolution to many issues their residents contact them about.
- 93 The onset of the pandemic and the step-change in how people work has led to a higher propensity for email communication to contact people. This also has the added benefit of protecting personal safety, which has sadly become an issue in public life.
- 94 Most residents contact both the Council and their Councillors in this way, with telephone being the second most common way to be approached for support.
- 95 The Council is open and transparent about its complaints process, accepting feedback and complaints online, in writing or via social media. As part of that process, should the resident wish to have their Councillor involved, processes allow for this, with Officers taking the lead on the response.

Other Issues

- 96 None.

Summary

- 97 The Council recognises there is some room to reduce the Council size that continues to ensure effective strategic leadership of the council, maintains accountability and ensures that residents and businesses have strong, reliable and effective community leadership.
- 98 The geography of the District, its shape and size, the relevant distance between communities particularly in rural areas in a District that is 93% Green Belt creates some unique characteristics.
- 99 Furthermore, the district is fully parished, creating a strong sense of community identity that residents hold strong. Adjoining towns and villages see themselves as diverse, with their own identities and wants and needs that they feel they can most effectively maintain with local representation that understands their experience and perspective.
- 100 It is predominantly for these reasons that the Council size that is proposed is 48. Community leadership is more likely to be negatively impacted if the council size is insufficient.
- 101 Our Local Plan seeks to be ambitious in delivering housing need, with proposals emerging for large sites that will create new communities. Whilst we explain that these may not be delivered in large number in the electoral review period to 2030, it is evident that our District will start to grow at a greater rate than the recent past and we would wish for this to be acknowledged and considered insofar as possible through this review.
- 102 The Council's strategic leadership and governance structures are determined by the leading group, which have a strong preference for the Cabinet system. Within the Cabinet system, the governance structures are lean.
- 103 However, the Member Working Group for this electoral review have identified the need for a Governance Review following the confirmation of the future Council Size to be adopted from the District Council elections in 2027. The Working Group do not believe that initiating an earlier review, before the confirmation of Council size would be an appropriate use of resources, as it is possible that work would be abortive should the LGBCE conclude a different Council size to that proposed by the Council.
- 104 A Council size of 48 will establish an average number of electors per Councillor in excess of 2,000 by 2030. This is an increase of 400 electors from our current average and the same amount per head of a neighbouring and statistical neighbour council, with a similar geography, that saw their Council size increase by one in an electoral review concluded in 2023.
- 105 As set out in the Councils LGA Corporate Peer Challenge the "council's member governance structure is atypical; specifically, the council has a series of – politically balanced – executive advisory committees that mirror the

portfolios of Cabinet members... the peer team found the council's arrangements work well. The advisory committees provide an opportunity for all members to contribute to policy development at an early stage and give officers assurance that decisions are widely understood prior to implementation. Scrutiny operates with a focus both on council performance and the work of external partners. Peers were impressed both with the quality of committee reports and the high-level of debate at both scrutiny and the advisory committees".

- 106 This is an element of our Council that we would wish to safeguard and protect, and our proposed Council size will allow for this.