



AGENDA

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

Monday, 11 December 2017, at 3.30 pm
Darent Room, Sessions House, County
Hall, Maidstone

Ask for: **John Lynch**
Telephone: **03000 410466**

Tea/Coffee will be available 15 minutes before the start of the meeting

Membership (9)

Conservative (7): Mr G K Gibbens (Chairman), Mrs C Bell, Mr A H T Bowles,
Mr P C Cooper, Mr M D Payne, Mrs P A V Stockell and Vacancy

Liberal Democrat (1): Ida Linfield

Labour (1) Mr T Dhesi

Webcasting Notice

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UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

- 1 Substitutes
- 2 Election of Vice-Chairman
- 3 Declarations of Interest on any items on this agenda
- 4 Minutes (Pages 3 - 6)
- 5 Review of 2017 Kent County Council Election (Pages 7 - 14)

- 6 County Scale of Election Fees and Expenses 2018/19 (Pages 15 - 18)
- 7 Tonbridge & Malling Borough Council - Community Governance Review (Pages 19 - 22)

John Lynch,
Head of Democratic Services
03000 410466

Friday, 1 December 2017

KENT COUNTY COUNCIL

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

MINUTES of a meeting of the Electoral and Boundary Review Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 2 February 2017.

PRESENT: Mr G K Gibbens (Chairman), Mr A J King, MBE (Vice-Chairman), Mr A H T Bowles, Mr D L Brazier, Mr M Heale, Mrs P A V Stockell and Mrs T Dean, MBE (Substitute) (Substitute for Mr I S Chittenden)

IN ATTENDANCE: Mr J Lynch (Head of Democratic Services), Mr B Watts (General Counsel) and Ms L Adam (Scrutiny Research Officer)

UNRESTRICTED ITEMS**32. KCC Election 2017**

(Item 4)

(1) Mr Watts introduced a report which updated the Committee on a number of decisions which he had made, in his role as County Returning Officer, in relation to the planning and coordination of the election. Mr Watts noted that specific concerns raised by the Committee in the previous meeting had been reflected in the decision making.

(2) A Member enquired about the use of electronic vote counting. Mr Watts explained that the counting method was determined locally and the arrangements had to be compliant with Electoral Commission guidance to ensure an accurate and transparent result.

(3) Members emphasised the importance of transparency for any counting method. Mr Watts committed to providing the Committee with the arrangements for each count.

(4) RESOLVED that the Committee:

- (a) note the progress made with regard to planning for the 2017 County Council election and request the County Returning Officer to provide a review of the 2017 County Council Elections in summer 2017;
- (b) instruct the County Returning Officer to ensure the democratic transparency at all counts.

33. KCC Scale of Election Fees and Expenses

(Item 5)

(1) Mr Gibbens introduced a report about the County Scale of Election Fees and Expenses which was submitted for approval by the Committee annually. Mr Watts explained that the County Scale of Election Fees and Expenses was uplifted each year using the average NJC pay award for local government.

(2) Mr Gibbens thanked Members and Officers for their contributions to the Committee during the Council term particularly in relation to the boundary review.

(3) RESOLVED that the Committee is invited to approve the proposed County Scale of Fees and Expenses for the period 1 April 2017 to 31 March 2018.

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

MINUTES of a meeting of the Electoral and Boundary Review Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 25 May 2017.

PRESENT: Mrs C Bell, Mr A H T Bowles, Mr P C Cooper, Mr T Dhesi, Mr G K Gibbens, Mr K Gregory, Ida Linfield, Mr M D Payne and Mrs P A V Stockell

IN ATTENDANCE: Mr J Lynch (Head of Democratic Services)

UNRESTRICTED ITEMS

1. Election of Chairman

(Item 3)

(1) It was duly proposed and seconded that Mr G Gibbens be elected Chairman of the Committee.

(2) RESOLVED that Mr G Gibbens be elected Chairman of the Committee.

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From: Graham Gibbens, Chairman of the Electoral and Boundary Review Committee
 Ben Watts, General Counsel and County Returning Officer

To: Electoral and Boundary Review Committee – 11 December 2017

Subject: Review of 2017 Kent County Council Election

Classification: Unrestricted

Summary: This report reviews the actions of the County Returning Officer in the planning, provision and operation of the County Council election on 4 May 2017.

1. Appointment of the County Returning Officer

- (1) At its meeting on 12 February 2015, the County Council approved the new Strategic and Corporate Services Directorate structure which included the establishment of the new role of General Counsel, in the probable event of the delivery of Legal Services being transferred to a company trading as an Alternative Business Structure.
- (2) The new role of General Counsel included responsibility for discharging the duties of the County Returning Officer and leading and directing the implementation of Council elections in close partnership with Borough and District Councils.
- (3) At Personnel Committee on 8 June 2016, the Committee endorsed the interim appointment of Ben Watts to the post of General Counsel. The General Counsel became responsible for discharging the duties of the County Returning Officer on 15 October 2016. On 15 December 2016 Personnel Committee permanently appointed Ben Watts to the post of General Counsel.

2. Election Planning

- (1) Upon his interim appointment, the General Counsel began to develop a team from within Democratic Services which included the new Head of Democratic Services who had experience of delivering elections from his previous authority. The County Returning Officer (CRO) and his staff have begun to work closely with Deputy Returning Officers (DROs) and Electoral Services Managers in the 12 District Councils in relation to planning and co-ordinating the County Council Election to be held on Thursday 4 May 2017.
- (2) Introductory meetings were held with the Chairman of the Kent Association of Electoral Registration Officers and Staff (Kent AEROS) on 6 September 2016 and the Members of the Kent Association of Electoral Registration Officers and Staff (Kent AEROS) on 11 October 2016. The CRO also attended a meeting of the Joint Kent Chief Executives on 3

November 2016. These were extremely positive meetings in terms of the CRO introducing himself to the District Councils and to listen to the feedback from the District Councils in relation to 2013 election and the expectations on the CRO going forward. The CRO also sent a brief survey to the District Councils to provide a confidential opportunity for them to inform the decisions that the CRO needed to make around planning for the election.

- (3) In February 2017, the CRO appointed the Chief Executives¹ of the 12 District Councils in Kent as DROs and in doing so, required DROs to prepare and submit a project plan and risk register. KCC's Election Team produced planning documents, including a project plan, risk register, guidance and directions, which were shared with DROs and discussed on 1 February as part of a project team meeting with the Electoral Services Managers. The documents were kept under review and updated throughout the planning process and were issued to ensure the consistent delivery of the poll.

3. Nominations

- (1) The nominations process, including the informal checking of nomination papers, was delivered by the DROs and Electoral Services Managers in the 12 District Councils. Nomination forms were delivered to the candidates' local district council offices.
- (2) In light of the allegations of potential electoral fraud at the 2013 election, which were subject to judicial proceedings in February 2017, all nominations were sent to KCC to check for duplications, prior to the publication of the Statement of Persons Nominated. 393 nominations were received and there were no duplicate nominations.
- (3) The above measures helped to demonstrate how the CRO met the following Electoral Commission's performance standards:
 - (i) The development and implementation of robust project management processes;
 - (ii) Evaluation of the planning and delivery of previous polls and identification of lessons learnt;
 - (iii) Ensuring that candidates have the opportunity to have their nomination papers informally checked prior to their formal submission (Electoral Commission 2013).

4. Implementation of new boundaries

- (1) The Local Government Boundary Commission for England carried out an electoral review of the County of Kent between December 2014 and June 2016. The Kent (Electoral Changes) Order 2016, to implement recommendations made by the Local Government Boundary Commission for England for new boundaries in Kent, was made on 7

¹ With the exception of Ashford Borough Council, Terry Mortimer, Director - Law & Governance, was appointed as DRO.

June 2016 and was published on 8 June 2016 by Parliament. The new arrangements for 81 County Councillors to represent 63 single-member electoral divisions and nine two-member electoral divisions across Kent came into force on 4 May 2017.

- (2) On 28 March 2017 the CRO was notified by the Electoral Services Managers at Dartford Borough Council and Thanet District Council that they had become aware of a new division boundary not being correctly applied with a polling district being placed in the wrong electoral division. At the time the error was discovered, no nominations had been received that had been subscribed by electors in the wrong electoral division.
- (3) In consultation with the Association of Electoral Administrators (AEA) and the Electoral Commission, the CRO directed the Electoral Services Managers at Dartford Borough Council and Thanet District Council to correct the electoral registers; to reissue poll cards with the correct electoral division; and to advise all candidates and political parties of the error and supply them with the correct version of the register.
- (4) The CRO also wrote to all DROs and Electoral Services Managers to request that they recheck the new division boundaries; no other boundaries were found not to have been correctly applied.

5. General Election

- (1) A General Election being called during preparations and/or being held on the same day as the KCC election was identified as a significant risk as part of the planning process due to the adverse impact of the DROs operating two election timetables concurrently.
- (2) As mitigation to this risk, the CRO advised DROs to ensure preparations were kept ahead of schedule to reduce impact by releasing staff resources and undertake KCC tasks at the earliest possible time (subject to statutory restrictions).
- (3) A General Election was announced by the Prime Minister on 18 April 2017. The AEA's review of the 2017 local government elections and the UK Parliamentary general election reported that:
 - The announcement came *“at a crucial stage of the timetable for the May polls. This unexpected news threw up the unprecedented challenge of making arrangements for the delivery of the UKPGE whilst continuing with the safe delivery of the elections that were taking place on Thursday 4 May.”*
 - With the General Election being held so soon after the May polls, *“there was an obvious overlap in campaigning, introducing confusion for the electorate. In addition, different franchises applied to the two sets of polls, which presented communication challenges with those electors.”*

- The AEA had become increasingly concerned for the health and wellbeing of its members with the *“complexity of running back to back polls in 2016 and then again in 2017.”*

6. Polling Day

- (1) Polling day went well and there were no reports of any significant problems. The CRO and Head of Democratic Services were both contactable from 3 – 5 May at all times for DROs and other election staff in case assistance or advice was required, but nothing of significance arose. All of the ballot boxes were secured by the District Councils after the close of poll either at the relevant District count venue or a holding venue prior to transport to the count centre the following morning.

(7) Count and Verification

- (1) The CRO requested that arrangements should be made in each Borough and District Council area for the County Council Election verification and the count to begin at 10am on Friday 5 May 2017.
- (2) Whilst the CRO was conscious of the eagerness of both elected Members and political parties for the election results to be announced as soon as possible after the close of poll, he was mindful of:
 - (i) Those Councils with two-Member electoral divisions, which can take significantly longer to count than those Councils with all single divisions;
 - (ii) The health, safety and welfare of key election staff, some of whom could be on duty for 24 hours or more if there was an overnight count; and
 - (iv) The need for complete accuracy, which is enhanced by having fresh counting staff the following day.
- (3) All the results were declared by 15:30; the majority of results were declared at around 13:00.
- (4) A KCC officer from the Governance & Law team attended each count venue for the purposes of inputting the election results onto KCC's Modern.gov system as soon as possible after the result for each division was announced. KCC officers reported that they were made to feel welcome by District council staff and enjoyed being part of the election process.

(8) Election Result System

- (1) Following the failure of the election result system at the 2013 election supplied by a third party, the Council's existing Committee Management System, Modern.gov, was successfully used to input and display the results for the 2017 election.
- (2) An interactive election results map was developed by Digital Services. The map was populated using the data from Modern.gov and was

displayed on the Council's website, in the media hub at the Seminar Lecture Theatre and at count venues, at the discretion of DROs. The live election results page was viewed 46,273 times.

- (3) The results were also published via the Council's Twitter and Facebook feeds.

(9) Public Awareness

- (1) The Council's role was to promote registration & voting, to encourage candidates to stand, and to publish the statutory electoral notices in relation to the Kent County Council election.
- (2) Social media messaging began on 20 March 2017 and continued until 5 May 2017 on Twitter and Facebook. On Twitter, there were 125 posts, which had an average potential reach of 60,860, including 499 retweets, 211 likes, 27 mentions and 1940 clicks. On Facebook, there were 13 posts, which had an average potential reach of 1,698, including 20 likes, 9 comments, 212 clicks and 58 shares. A variety of Electoral Commission images were shared. We also created a unique animated video to promote registration & voting in Kent which was very well received, with the voiceover being provided by our apprentice.
- (3) The Council's election pages on the website were also updated and provided division maps and street indexes, statutory notices and information for candidates regarding standing and campaigning. There were 178,439 unique page views of the election pages between 20 March and 12 May.
- (4) Electoral Service Managers and DROs reported that members of the public had raised concerns about a lack of information regarding candidates and their manifestos. The Council also received over 30 complaints regarding lack of information about the candidates and their manifestos on its website. As it was the role of the candidates to promote themselves as part of their campaign, the Council responded to the complaints by highlighting that the Council's role was to publish the statutory electoral notices such as the Statement of Persons Nominated which detailed the names and addresses of candidates (including their political parties).

(10) Candidates' Expenses

- (1) In accordance with Sections 81 and 82 of the Representation of the People Act 1983, agents for candidates standing at local government elections are required to submit a spending return and declaration to the Returning Officer within 35 calendar days of the election results being declared. This deadline was 9 June 2017. A separate declaration by each candidate must be submitted within 7 working days of the spending return being submitted.
- (2) Whether or not a candidate has been elected, failure to submit a spending return or declaration without an authorised excuse is an

offence, even if it is a nil return indicating that no money was spent on the election campaign by a particular candidate.

- (3) As of 7 November 2017, three spending returns and candidates' declarations are outstanding out of a total of 393 candidates. The CRO has referred their failure to submit a return to the Electoral Commission who is considering what next steps should be taken. The remaining documentation is available for public inspection in accordance with the legislation.

(11) Election cost estimates and accounts

- (1) As part of their appointment, DROs were required to submit a cost estimates for their District's share of the election and were able to request an advanced payment equating to 75% of their estimate. The estimated cost for the 2017 election was £2,065,000; the total cost of the 2013 election was £1,691,809.74. The deadline for the submission of the final accounts was 3 November 2017. To date 10 District Councils have submitted their final accounts and these are in the process of being checked and audited before a final payment is made; two District Councils have applied for an extension until January 2018. It is not anticipated that the final cost of the County Council elections will exceed the estimate.

(12) Feedback from the District Councils

- (1) The CRO was keen to ensure that the 12 District Councils in Kent were given an opportunity to provide feedback on KCC's approach to co-ordinating the elections, so that lessons learned can be applied for future elections. The CRO wrote to the DROs and met with the Electoral Services Managers on 27 September 2017; the feedback received was overwhelmingly positive. A summary of feedback is outlined below:
 - (a) the planning documents particularly the directions and regular email updates were clear and useful;
 - (b) the CRO and his staff were approachable, responsive and supportive;
 - (c) the count beginning at 10:00 on the following day and the provision of a letter to schools regarding their use as polling stations were appreciated;
 - (d) the CRO should have a consistent approach regarding the provision of information to polling and postal vote agents and the 'no later than' statutory deadlines.

(13) County Returning Officer and KCC Election Team

- (1) The General Counsel found it challenging on occasion to discharge the duties of two statutory posts CRO and Monitoring Officer. The CRO also had not had the opportunity to shadow and be involved in the election planning process of a previous County election.

- (2) The CRO was supported by John Lynch (Head of Democratic Services), Lizzy Adam (Scrutiny Research Officer), Denise Fitch (Democratic Services Manager (Council) and Anna Taylor (Scrutiny Research Officer) as part of the KCC Election Team. The CRO wishes to record his thanks for the considerable efforts of the team in delivering a lawful election.
- (3) During the election process, Lizzy Adam, was appointed as the Deputy County Returning Officer (Deputy CRO) in recognition of the significant work and support she provided the CRO in carrying out his functions and enabling the delivery of a well-run election. The CRO, the elections team and colleagues from across the districts were grateful for the outstanding performance of this officer.
- (4) As part of the Deputy CRO's continuing development and effective succession planning, she is attending the Association of Electoral Administrators' Foundation Course to develop the Council's knowledge and skills on the legislation and regulations around electoral administration. The completion of the course will also enable the Deputy CRO to complete the Association of Electoral Administrators' Certificate (September 2019 - September 2020), the only professional qualification in electoral administration, in advance of the County Council election in 2021 which will assist with the planning and preparation for the successful running of the County Council election.
- (5) In advance of the 2021 election, it is important that the Council consider issues of succession planning and whether the role of CRO for a County election could be delivered differently. The development of the Deputy CRO is being progressed with a view to returning to this Committee in future years to explore whether alternative arrangements for 2021 might serve the Council better.

Recommendation: The Committee is invited to note and endorse the actions of the County Returning Officer in conducting the 2017 County Council election, as set out in the report.

Background Documents

County Council, 12 February 2015

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=113&MIId=5812&Ver=4>

Electoral Commission (2013) '*Performance standards for Returning Officers in Great Britain (01/11/2013)*',

http://www.electoralcommission.org.uk/_data/assets/pdf_file/0003/163821/New-performance-standards-for-ROs-November-2013.pdf

Personnel Committee, 8 June 2016

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=129&MIId=6143&Ver=4>

Personnel Committee, 15 December 2016

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=129&MId=7515&Ver=4>

Association of Electoral Administrators (2017) *'It's time for urgent and positive Government action: The AEA's review of the 2017 local government elections and the UK Parliamentary general election (04/09/2017)'*, <https://www.aea-elections.co.uk/wp-content/uploads/2017/09/aea-post-election-report-mayjune-2017.pdf>

Contact details

John Lynch
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By: Ben Watts, General Counsel
John Lynch, Head of Democratic Services

To: Electoral and Boundary Review Committee – 11 December 2017

Subject: County Scale of Election Fees and Expenses 2018/19

Classification: Unrestricted

Summary This report considers the County Scale of Election Fees and Expenses for KCC Elections for 2018/19.

1. Introduction

- (1) At its meeting on 8 March 2010, this Committee agreed that it would assume responsibility for annually authorising and approving the County Scale of Fees and Expenses for Kent County Council elections.
- (2) Since then the County Scale of Fees and Expenses has been uplifted annually, by using the average NJC pay award for local government, and approved by the Committee.
- (3) The agreement of the 2018/19 NJC Pay Award for Local Government Services is not expected until February/March 2018.
- (3) The County Scale for 2017/18 is attached for information in the Appendix. The County Scale 2017/18 was uplifted by 1.35% using the NJC Pay Award for Local Government Services 2017/18 and approved by the Committee on 2 February 2017.

2. Recommendation

The Committee is invited to approve the uplifting of County Scale of Fees and Expenses, by the average NJC pay award for local government in 2018/19, for the period 1 April 2018 to 31 March 2019.

Background Documents

National Joint Council for Local Government Services (2016) '2016 and 2017 Payscale & Allowances', http://www.seemp.co.uk/lgs_pay_2016-17.pdf

Contact Details

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COUNTY SCALE OF FEES AND EXPENSES
1 April 2017 – 31 March 2018

| <u>STATIONERY AND EQUIPMENT</u> | | |
|--|--|---------------------------------|
| 1 | Printing and publishing all notices, forms and other documents, providing stationery and sundries, and other miscellaneous expenditure including postage, telephone calls and faxes | Reasonable and appropriate cost |
| 2 | Stationery and equipment at each polling station, including depreciation | |
| 3 | Hire of any building or room for the purpose of the election and the expenses attending the use of any building or room, including temporary polling stations if necessary | |
| 4 | Fitting-up polling stations including the provision, transport and erection of voting compartments, the hire of necessary furniture (where this is not otherwise available) and the return to store afterwards | |
| 5 | Ballot Papers – provision and printing | |
| 6 | Register of Electors – purchase | |
| 7 | Printing or production of official poll cards and postal vote packs | |
| 8 | Delivery of official poll cards by hand | Second class postage rate |
| <u>TRAVELLING EXPENSES</u> | | |
| 9 | Travelling expenses to DRO's staff to make arrangements for the poll or otherwise in connection with the conduct of the election | 45p per mile |
| 10 | Presiding Officer travelling expenses | £14.39 (See Note 2) |
| 11 | Poll Clerk travelling expenses | £8.36 (See Note 2) |
| 12 | Travelling expenses for staff in connection with the counting of votes, at the discretion of the DRO | £8.36 (See Note 2) |
| <u>POLLING STATION STAFF</u> | | |
| 13 | One Presiding Officer at each Polling Station – single election | £209.86 |

| | | |
|--|--|--|
| 14 | One Presiding Officer at each Polling Station – joint election or difficult station due to local circumstances (at discretion of DRO). | Shared equally with other elections, up to a maximum of £128.91 |
| 15 | Presiding Officer who acts as a supervisor in a Polling Place where there are a number of polling stations (additional). | £10.18 |
| 16 | Polling Station Inspector – for every 10 polling stations overseen | £209.86 |
| 17 | For each Poll Clerk at a Polling Station – single election | £125.92 |
| 18 | For each Poll Clerk at a Polling Station – joint election or difficult station due to local circumstances (at discretion of DRO). | Shared equally with other elections, up to a maximum of £77.95 |
| 19 | For each training session provided by the DRO for Presiding Officers, Poll Clerks or count staff | £179.91 |
| 20 | For each Presiding Officer and Poll Clerk attending training | £46.58 |
| 21 | An allowance for each polling station to have available a mobile phone on polling day | £5 |
| <u>COUNTING OF THE VOTES, POSTAL VOTING, CLERICAL /OTHER ASSISTANCE</u> | | |
| 22 | For the employment of persons in connection with the counting of the votes, clerical and other assistance required by the DRO – for each 1000 electors or part in a contested election | £146.84 for single Member Divisions £191.47for two Member divisions |
| 23 | For the employment of persons in connection with the issue and opening of postal ballot papers – for each 100 postal voters or part | £71.96 |
| 24 | For the recount of votes – for each 1000 electors or part | £8.45 |
| 25 | Contested single election – payment to District/Borough Council for the use of Council staff in the conduct of the election – each 1000 electors or part | £113.73 |
| 26 | Contested joint election – payment to District/Borough Council for the use of Council staff in the conduct of the election – for each 1000 electors or part | £56.86 |
| 27 | Contested single election – payment to DRO for the management and conduct of the election – | £47.66 |

| | | |
|---|--|--|
| | for each 1000 electors or part | |
| 28 | Contested joint election – payment to DRO for the management and conduct of the election – for each 1000 electors or part | Shared equally with other elections, up to a maximum of £32.92 |
| 29 | For each Counter attending training | £15 |
| 30 | For each Count Supervisor and Count General Assistant attending training | £30 |
| 31 | Reasonable refreshments for staff involved in the verification and count | Maximum £5 per head |
| <u>UNCONTESTED ELECTION</u> | | |
| 32 | Payment to District/Borough Council for the use of Council staff (including the provision of a DRO) at an uncontested election – for each 1000 electors or part | £31.38 |
| <u>COUNTY RETURNING OFFICER ONLY</u> | | |
| 33 | Insurance in respect of employer's liability and for injury or damage to persons and property of third parties, and for such other risks as advised by the County Council's Finance Director and the insurer's to the County Council. Costs incurred by the County Returning Officer only. | Reasonable and appropriate cost. |
| 34 | Additional expenses (if any) involved in and about the conduct of the election including (a) professional, clerical and other assistance, (b) professional and legal advice, (c) additional costs associated with a recount of the votes and (d) other disbursements | Such amount as may be approved by the Electoral and Boundary Review Committee at the appropriate time. |

Definitions:

1. Single Election means a poll for the County Council Elections only.
2. Joint Election means a poll that is conducted at the same time as the County Council poll, which could be a District or Parish election or by-election or a National poll, such as a European or Parliamentary election or a referendum.

Notes:

1. The fees are calculated on the number of local government electors on the register of electors and entitled to vote at the last day for publication of the notice of election.
2. Items **10,11 and 12**: variable mileage rates may be applied where fixed travel is considered inappropriate.

From: Graham Gibbens, Chairman of the Electoral and Boundary Review Committee
John Lynch, Head of Democratic Services

To: Electoral and Boundary Review Committee – 11 December 2017

Subject: Tonbridge & Malling Borough Council – Community Governance Review

Classification: Unrestricted

Summary: This report updates Members about the community governance review undertaken by Tonbridge & Malling Borough Council in 2016 and the minor alterations to the boundaries of the county electoral divisions of Malling Central and Malling Rural East which will come into effect on the day of the next County Council election in 2021.

1. Introduction

- (1) Principal councils (district councils or unitary councils) have the power to carry out community governance reviews and put in place or make changes to local community (parish) governance arrangements under the Local Government and Public Involvement in Health Act 2007. A review can consider a number of issues including the creation of a new parish, altering the boundary of an existing parish or grouping a number of parishes together in a grouped parish council.
- (2) Tonbridge & Malling Borough Council (TMBC) conducted a Community Governance Review of parish electoral arrangements regarding Kings Hill parish, and the boundaries with East Malling & Larkfield parish. TMBC's General Purpose Committee approved the redrawing of the boundary on 20 October 2016. The Tonbridge and Malling Borough Council (Reorganisation of Community Governance) Order 2017 was made on 24 January 2017 and will come into force on 1 April 2019 in advance of the next borough election.
- (3) It was proposed that a minor amendment to County division boundaries were made so that they were coterminous with the new parish boundary. The affected area is highlighted as A1 in the red hatched area on the attached map. A1 is currently located in the KCC division of Malling Central; it is proposed that it is moved to the KCC division of Malling Rural East. The change to KCC's boundary would not affect any electors or residential properties and would come into effect for 2021 County Council election. The A1 area includes the allotment site, the Kings Hill sports park and pitches, and land identified through the Kings Hill Phase 3 Masterplan as being allocated as 'Amenity Green Space'.
- (4) In order to make the County division boundaries coterminous with the new parish boundary, a request to the Local Government Boundary Commission for England (LGBCE) by Tonbridge and Malling Borough Council was required with the approval of the County Council.

- (5) As it was a minor amendment, the Chairman agreed for the Committee to consider and approve the recommendation, to alter the county electoral divisions of Malling Central and Malling Rural East, via email rather than convene a special meeting of the Committee. The local Members, Mr Balfour and Mrs Dean, were also notified of the proposal to make a minor amendment to the boundaries in their divisions.
- (6) As no objections to the proposal were received, the Chairman wrote to Richard Beesley, Head of Electoral & Democratic Services, Tonbridge & Malling Borough Council on 28 July 2017 to confirm that the County Council did not wish to raise an objection to red hatched area (A1) being moved from the KCC division of Malling Central to the KCC division of Malling Rural East in order for it to be made coterminous with the new parish boundary.
- (7) The Local Government Boundary Commission for England (LGBCE) agreed to make an Order to alter the county division boundaries at its September meeting. The LGBCE has prepared and sent instructions to the Government Legal Department to draft the Order. Once the LGBCE has received the Order and is satisfied with its accuracy, the Order will be made and published at <http://www.legislation.gov.uk> –no parliamentary scrutiny is required for this Order. The Order will come into effect on the day of the next County Council election in 2021.

Recommendation

The Committee is invited to note the alterations to the boundaries of the county electoral divisions of Malling Central and Malling Rural East which will come into effect on the day of the next County Council election in 2021.

Appendices

- Appendix – Map

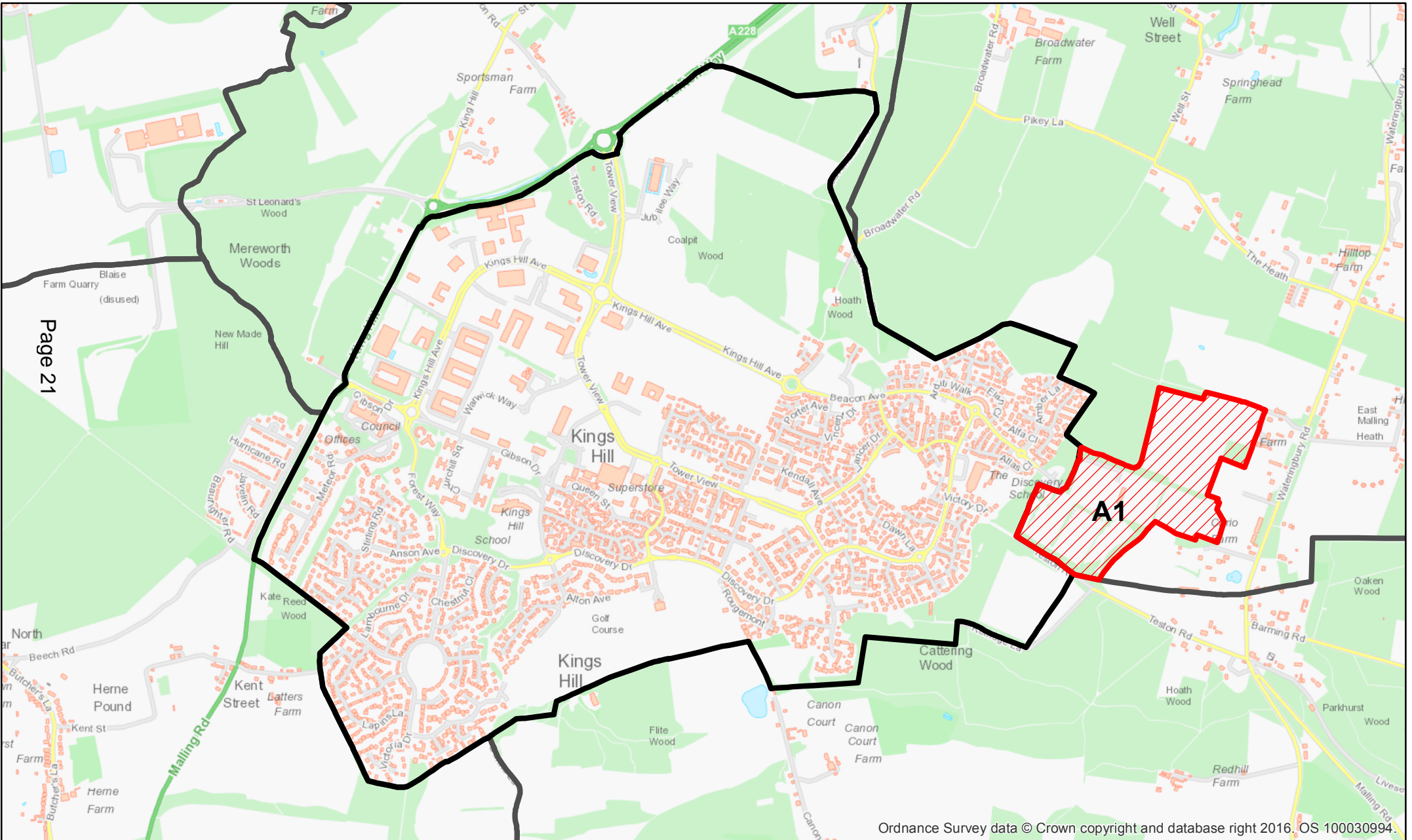
Background Documents

Tonbridge & Malling Borough Council (2017) '*Community Governance Reviews (24/01/2017)*', <https://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/parish-and-town-councils/boundary-reviews/community-governance-reviews>

The Local Government Boundary Commission for England (2016) '*About Community Governance Reviews (01/01/2016)*', <https://www.lgbce.org.uk/about-us/about-reviews/about-community-governance-reviews>

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