

A meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **CIVIC SUITE, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **WEDNESDAY, 11 NOVEMBER 2015** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

A G E N D A

	Time Allocation
APOLOGIES	2 Minutes
1. MEMBERS' INTERESTS	2 Minutes
To receive from Members, declarations as to disclosable pecuniary or other interests in relation to any Agenda item. See Notes below.	
2. RESOLUTION TO EXTEND 6 MONTH RULE - SECTION 85 LOCAL GOVERNMENT ACT 1972 (Pages 5 - 8)	
To consider a report by the Elections and Democratic Services Manager on an extension of the 6 month rule for Councillor S M Van De Kerkhove.	
3. ELECTION FREQUENCY (Pages 9 - 12)	
To consider a report by the Managing Director outlining recent developments relating to the review by the Local Government Boundary Commission for England (LGBCE) of the Council's electoral arrangements.	

Dated this 3rd day of November 2015



Head of Paid Service

Notes

1. Disclosable Pecuniary Interests

(1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*

(2) *A Member has a disclosable pecuniary interest if it -*

(a) relates to you, or

(b) is an interest of -

(i) your spouse or civil partner; or

(ii) a person with whom you are living as husband and wife; or

(iii) a person with whom you are living as if you were civil partners

and you are aware that the other person has the interest.

(3) *Disclosable pecuniary interests includes -*

- (a) *any employment or profession carried out for profit or gain;*
- (b) *any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);*
- (c) *any current contracts with the Council;*
- (d) *any beneficial interest in land/property within the Council's area;*
- (e) *any licence for a month or longer to occupy land in the Council's area;*
- (f) *any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or*
- (g) *a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.*

Non-Statutory Disclosable Interests

(4) *If a Member has a non-statutory disclosable interest then you are required to declare that interest, but may remain to discuss and vote providing you do not breach the overall Nolan principles.*

(5) *A Member has a non-statutory disclosable interest where -*

- (a) *a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or*
- (b) *it relates to or is likely to affect a disclosable pecuniary interest, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association, or*
- (c) *it relates to or is likely to affect any body –*
 - (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) of which you are a Member or in a position of control or management.*

and that interest is not a disclosable pecuniary interest.

2. Filming, Photography and Recording at Council Meetings

The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and available via the following link [filming, photography and recording at council meetings.pdf](#) or on request from the Democratic Services Team. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under Councils and Democracy).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Elections & Democratic Services Manager

and we will try to accommodate your needs.

Si vous voulez une traduction de ce document, veuillez nous contacter au 01480 388388 et nous ferons de notre mieux pour satisfaire à vos besoins.

Jeigu norite gauti šio dokumento išverstą kopiją arba atspausdintą stambiu šriftu, prašau kreiptis į mus telefonu 01480 388388 ir mes pasistengsime jums padėti.

Jeśli chcieliby Państwo otrzymać tłumaczenie tego dokumentu, wersję dużym drukiem lub wersję audio, prosimy skontaktować się z nami pod numerem 01480 388388, a my postaramy się uwzględnić Państwa potrzeby.

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Resolution to Extend 6 Month Rule – Section 85 Local Government Act 1972

Meeting/Date: Council – 11 November 2015

Report by: Managing Director

Ward(s) affected: St Neots Eynesbury

Executive Summary:

The purpose of this report is to consider an extension of the 6 month rule for Councillor S M Van De Kerkhove on the grounds of ill-health.

Recommendation:

that, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor S M Van De Kerkhove's non-attendance at meetings until the end of the Municipal Year on the grounds of continued ill-health and the Council's best wishes be conveyed to him.

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1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 Section 85 of the Local Government Act 1972 states that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall, cease to a member of the authority. The only exception is if their non-attendance has been approved by the authority before the expiry of that period. Attendance can be at any committee or sub-committee, or at any joint committee, joint board or other body where the functions of the authority are discharged or who were appointed to advise the authority on any matter relating to the discharge of their functions. Section 85 of the Act allows an authority to grant dispensation for such absence providing the dispensation is granted before the 6 month period of absence has expired.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Councillor S M Van De Kerkhove has been unable to attend meetings recently on ill-health grounds. The last meeting he attended was Annual Council on 20th May 2015. Councillor Van De Kerkhove is currently still receiving treatment in hospital. Under the circumstances, it is requested that Council approve an extension of the 6 month rule for Councillor Van De Kerkhove until the end of the Municipal Year and the Council's best wishes be conveyed to him. This would not prevent Councillor Van De Kerkhove from returning to meetings at any time, if his health allowed, but would give flexibility and prevent further recourse to the Council before the scheduled District Council elections.

3. KEY IMPACTS/RISKS? HOW WILL THEY BE ADDRESSED?

- 3.1 Councillor S M Van De Kerkhove's District Ward duties will continue to be undertaken by his Eynesbury Ward colleagues.

4. LEGAL IMPLICATIONS

- 4.1 None

5. RESOURCE IMPLICATIONS

- 5.1 None

6 REASONS FOR THE RECOMMENDED DECISIONS

- 6.1 Owing to the continued ill-health of Councillor Van De Kerkhove, it is requested that his non-attendance at meetings be approved until the end of the Municipal Year.

BACKGROUND PAPERS

Local Government Act 1972
Attendance Records – Huntingdonshire District Council

CONTACT OFFICER

Lisa Jablonska, Elections and Democratic Services Manager
Tel No. (01480) 388004

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Public

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Election Frequency
Meeting/Date: Council – 11th November 2015
Report by: Managing Director
Ward(s) affected: All

Executive Summary:

The Local Government Boundary Commission for England (LGBCE) is reviewing Huntingdonshire District Council's electoral arrangements. At the meeting in September, the Council approved a submission in which it recommended the retention of 52 Councillors based on variable numbers of Members per ward, rather than a fixed number.

A consequence of retaining this flexibility is that it will not be possible to hold elections in all wards every year. This is something the LGBCE would require if the Council is not to have single-member wards. This means that unless the Council decides to move to whole Council elections, the LGBCE is highly unlikely to accept the proposal on the number of Councillors.

The Council has been advised by the LGBCE that it should begin consulting on moving to whole Council elections. A consultation has, therefore, been launched on how often elections should be held to appoint District Councillors.

The outcome of the consultation will be submitted to the Council in December.

1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 This report contains information on recent developments relating to the review by the Local Government Boundary Commission for England (LGBCE) of the Council's electoral arrangements.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Council has been advised by the LGBCE that it should begin consulting on moving to whole Council elections.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 The LGBCE has recently announced it intends to undertake an electoral review of Huntingdonshire District Council. The first phase of the review was for the Council to produce a submission to the LGBCE, which provides a rationale, backed up with evidence, for a proposed Council size. The submission was approved on 30th September 2015 and duly forwarded to the LGBCE.
- 3.2 The submission recommended the retention of 52 Councillors based on variable numbers of Members per ward, rather than a fixed number. A consequence of retaining this flexibility is that it will not be possible to hold elections in all wards every year. This is something the LGBCE would require if the Council is not to have single-member wards. This means that unless the Council decides to move to whole Council elections, the LGBCE is highly unlikely to accept the proposal on the number of Councillors.
- 3.3 A consultation has, therefore, been launched on how often elections should be held to appoint District Councillors. Consultees have been asked to indicate whether they think the Council should hold elections by thirds or whole Council elections every four years. They are able to submit comments as well if they wish.
- 3.4 Various interested parties have been contacted and invited to submit their views. The list includes:
- District Councillors;
 - County Councillors;
 - Town and Parish Councils;
 - Neighbouring District / City Councils;
 - Cambridgeshire County Council;
 - Local Members of Parliament;
 - Local Members of the European Parliament;
 - The Cambridgeshire Police and Crime Commissioner;
 - The Hunts Forum of Voluntary Organisations.
- 3.5 The consultation has been featured on the Council's website and responses can be submitted online. Printed copies of the consultation have been available from Pathfinder House. There also has been a press release.
- 3.6 The report to the Council in December will include analysis of the results and the Council's options.

**4. KEY IMPACTS/RISKS?
HOW WILL THEY BE ADDRESSED?**

- 4.1 The risks are, firstly, that electoral equality will not exist and, secondly, that the LGBCE will reject the Council's proposals on Council size on the "technical" ground that the electoral cycle does not correspond with that recommended. The first risk is catered for by the purpose of the review itself. The second risk will be addressed at the full Council meeting in December.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 The consultation commenced on 23rd October 2015 and will finish on 4th December 2015. The outcome will be reported to full Council on 16th December 2015. The LGBCE will then be informed of the Council's decision.

6. LINK TO THE CORPORATE PLAN

- 6.1 Working with our communities - we want our communities to get involved with local decision making. In particular the objectives to:
- create stronger and more resilient communities, and
 - empower local communities.

7. LEGAL IMPLICATIONS

- 7.1 The primary legislation in this area is the Local Democracy, Economic Development and Construction Act 2009, which consolidates and amends legislation previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007. This legislation specifies the requirement to undertake electoral reviews and prescribes their procedures and parameters.

8. RESOURCE IMPLICATIONS

- 8.1 The cost of the review will be met from existing resources.

9. OTHER IMPLICATIONS

- 9.1 The review is required to have regard to:
- the need to secure equality of representation;
 - the need to reflect the identities and interests of local communities; and
 - the need to secure effective and convenient local government.

BACKGROUND PAPERS

Local Government Boundary Commission for England – Technical Guidance

Local Government Boundary Commission for England – Taking part in the Electoral review of Huntingdonshire District Council – A guide for councillors

CONTACT OFFICER

A Roberts – 01480 388015

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