

## **MAIDSTONE BOROUGH COUNCIL**

### **RECORD OF DECISION OF THE CABINET MEMBER FOR CORPORATE SERVICES**

Decision Made: 14 October 2011

#### **RESPONSE TO GOVERNMENT CONSULTATION PAPER ON INDIVIDUAL ELECTORAL REGISTRATION**

##### **Issue for Decision**

To consider the draft response to the Government Consultation Paper on Individual Electoral Registration.

##### **Decision Made**

That the draft response to the Government Consultation Paper on Individual Electoral Registration as set out in Appendix A to the report of the Head of Democratic Services be agreed.

##### **Reasons for Decision**

Currently the system of registering to vote is undertaken by an annual canvass, at which point a registration form is sent to each household and one individual in each household takes responsibility for its completion and return. This system has been in place for over 100 years and has a potential for fraud as the information supplied has no corroborating evidence like a signature, National Insurance Number (NINO) or date of birth (DoB). Therefore, the Electoral Commission and others have been pushing for change. As a result the previous Government had agreed to introduce individual electoral registration but intended first introducing it on a voluntary basis before making it compulsory. The new Coalition Government agreed to bring forward the program and make it compulsory from the outset and have decided to introduce the new system in 2014 so it is in place for the 2015 General Election. The strength of this system is that each individual takes responsibility for their entries and the proposed new system has introduced corroborating evidence such as the NINO and DoB. A White Paper setting out the draft legislation and the proposals for individual electoral registration has been issued and comments have been sought from relevant bodies. The White Paper was attached at Appendix B to the report of the Head of Democratic Services and a draft response to the proposals was attached at Appendix A to the report of the Head of Democratic Services.

The response supports the principle of the introduction of individual electoral registration but expresses concerns over a number of technical issues, such as there being no need for a signature. Concern was also

expressed about the potential loss of electors registered to vote which is felt would be a minimum of 10%.

Additionally, like any new legislation, there will be a financial impact from the introduction of such a proposal and the Government in the Paper have indicated that they will provide an additional £85m in the spending review settlement 2014 – 2015 to fund registration officers to make contact with each potential elector individually inviting them to register. Additionally, the Government will provide ongoing additional registration costs of £31.8m after the first year as the work required in future years is less than the first year.

### **Alternatives considered and why rejected**

The Council could decide to not put its comments in relation to the changes on the introduction of individual electoral registration, but to do so would not give the Council an opportunity to influence changes to the proposed legislation.

### **Background Papers**

None

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Change and Scrutiny by: <b>21 October 2011</b>
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**MAIDSTONE BOROUGH COUNCIL**

**RECORD OF DECISION OF  
THE CABINET MEMBER FOR CORPORATE SERVICES**

Decision Made: 14 October 2011

**LAND AT FARLEIGH HILL, TOVIL**

**Issue for Decision**

To consider a request to alter the Termination Date contained within a Principal Agreement ("the Contract") for the sale of part of the Council's land situated at Farleigh Hill Tovil ("the Land") and dated 8<sup>th</sup> November 2007 between the Council and Patrick Joseph Burke, Pamela Anne Burke & Pensioneer Trustees (London) Ltd 'the Buyer', in order to permit the Buyer an opportunity to fulfil its legal obligations as set out in the Contract for remediation of part of the former municipal household waste site which makes up the whole of the Land.

**Decision Made**

That the alteration of Termination Dates defined within the Contract, from the original dates of 7<sup>th</sup> February 2009 and 7<sup>th</sup> November 2010 to 23 June 2014 and 7 November 2014 respectively , in order to give the Buyer an opportunity to fulfil its legal obligations as set out in the Contract, be agreed.

**Reasons for Decision**

In April 2003 the Cabinet decided to proceed with the disposal of part of the Borough Council owned land at Farleigh Hill, Tovil (edged red upon the indicative plan attached as Appendix II to the report of the Assistant Director of Environment and Regulatory Services), to the adjacent land-owner ('the Buyer'), as part of a proposed housing scheme (indicative plan attached as Appendix III to the report of the Assistant Director of Environment and Regulatory Services).

Heads of Terms for sale of the Land were considered and agreed by the Cabinet Member for Corporate Services in a Decision dated 20<sup>th</sup> April 2007, and a Contract dated 8<sup>th</sup> November 2007 'the Contract' was entered into between the Council as 'Seller' and Patrick Joseph Burke, Pamela Anne Burke & Pensioneer Trustees (London) Ltd as 'Buyer'.

The Land is part of a former household waste disposal site and under the terms of the Contract the Buyer agrees to undertake substantial remediation works prior to its development for residential housing. The Contract permits the Buyer, by way of a Licence, to enter upon the land to carry out these remediation works.

The downturn in the residential property market has meant that the proposed remediation works have been deferred until an improvement in the market returns, and the Buyer can no longer meet the originally agreed termination dates set out in the Contract.

The Contract currently provides that on the initial Termination Date of 7 February 2009 either party could end the Contract should remediation works not commence, with a further Termination Date of 7 November 2010 applying, should these remediation works not then be completed.

As stated, there has been a delay due to the economically depressed residential housing development market and the Buyer is currently seeking renewal of the outline planning consent granted in 2001 (MA/01/0686), under application MA/10/0256 and a resolution to grant (subject to a s106 Agreement) was made 1<sup>st</sup> July 2011. The Buyer has proposed a variation, as set out at Appendix I to the report of the Assistant Director of Environment and Regulatory Services, to the Principal Agreement, deferring the termination dates from 7 February 2009 to 23 June 2014 and from 7 November 2010 to 7 November 2014, respectively. This variation is linked in with the application to renew the planning consent.

### **Alternatives considered and why rejected**

It could be decided to take no action with regard to this matter. This would mean the Council could determine the Contract, resulting in the Council continuing to own and maintain land identified as polluted and a source of potential problems to adjoining land that may result in the Council having to carry out further remediation works at a future date.

It does not follow that, if the Termination Dates are extended, the Buyer will be in a position to fulfil its obligations set out in the Contract since this depends on the health of the housing market, but without an extension of time this land sale, as currently agreed, will definitely end.

### **Background Papers**

Cabinet Member for Corporate Services Decision 20th April 2007  
Planning Application MA/01/0686 & MA/10/0256

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