

DISTRICT COUNCIL OF SEVENOAKS

Minutes of the Meeting of the Sevenoaks District Council held on
23 February 2010 commencing at 7 p.m.

Present: Cllr. Lankester (Chairman)
Cllr. Loney (Vice-Chairman)

Cllrs. Abraham, Bosley, Mrs. Bosley, Mrs. Bracken, Brookbank, Mrs. Broomby, Brown, Bruce, Chard, Mrs. Clark, Coates, Mrs. Cook, Cooke, Darrington, Davison, Mrs. Davison, Dean, Dibsdall, Fleming, Gaywood, Gilbert, Golding, Grint, Harrod, Mrs. Hunter, Lankester, London, Mrs. Lowe, Maskell, McGarvey, McInnes, Ms. Moore, Mrs. Morris, Orridge, Mrs. Parkin, Pett, Piper, Mrs. Purves, Ramsay, Ryan, Mrs. Sargeant, Scholey, Miss Stack, Underwood, Waller, Walshe and Wigg.

Apologies for absence were received from Cllrs. Arnold, Brigden, Cole, Mrs. Dawson and Williamson.

Mr. Riddell, Independent Chairman of the Standards Committee, was also in attendance.

PRAYERS

Reverend Canon Paul Francis led Members of the Council in prayers.

38. MINUTES OF THE LAST MEETING

Resolved: That, the minutes of the Meeting of the Council held on 12 May 2009, pages 11 to 16, be approved as a correct record.

39. DECLARATIONS OF INTEREST

The list of interests declared at meetings from 11 November 2009 to 15 February 2010 was noted.

Cllr. Mrs. Hunter declared a personal interest in Minute Item 43(b) as a Council appointed representative on Sevenoaks and Swanley Citizens' Advice Bureau.

40. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made no announcements.

41. PETITIONS FROM MEMBERS OF THE PUBLIC

No petitions were received from members of the public.

42. MATTERS CONSIDERED BY THE CABINET AND/OR OTHER COMMITTEES

These were discussed under their respective items. The Budget, Capital Programme

and Investment Strategy reports were discussed together under the Council Tax and Revenue Budget item.

43. TO CONSIDER THE FOLLOWING REPORTS FROM THE CHIEF EXECUTIVE OR OTHER DIRECTORS ON MATTERS REQUIRING THE ATTENTION OF COUNCIL

(a) Monitoring Officer's Report

The Chairman moved that the Council's Procedure Rules be suspended to the extent necessary to allow the Independent Chairman of the Standards Committee, Mr. Riddell to move the recommendation and take part in the ensuing debate.

The motion was CARRIED.

Further to meetings of the Standards Committee and the Performance and Governance Committee, Mr. Riddell moved, and Cllr. Bracken seconded, that the Monitoring Officer's Report 2009 be noted.

During the debate, the Leader of the Council replied to a question from a Member by confirming that the Council was committed to ensuring it complied with its obligations under equalities legislation.

At the end of the debate, the Chairman thanked Mr. Riddell for his long service to the Council as Chairman of the Standards Committee.

Resolved: That the Monitoring Officer's Report 2009 be noted.

(b) Council Tax Setting and Budget 2010/11 (Report 6b)

The Chairman ruled that late information circulated since the publication of the agenda be accepted as a matter of urgency, due to the special circumstances that the information could not have been made available earlier as the relevant organisations had not made their decisions when the agenda was circulated.

Further to meetings of the three Select Committees, the Performance and Governance Committee and the Cabinet, Cllr. Fleming moved and Cllr. Ramsay seconded that the recommendations contained in Appendix 2 of the report be adopted.

Cllr. Walshe moved and Cllr. Gilbert seconded the following amendment:

"Reduction in Revenue Spending:

Civic Expenses - £4,000
Contact Centre - £230,000
CCTV - £226,000
Communications - £14,000

Total - £474,000

Enabling Restoration of Revenue Spending:

Community Grants - £10,000
Youth Programme - £15,000
Leisure Contract - £25,000
Minibuses - £8,000
Arts Outreach - £10,000
Conservation - £30,000

Total - £98,000

Cancel increase in Council Tax – costing £330,355

Balance – saved £45,645 to reserves.”

Members held a full debate on the proposed amendment. Under Council Procedure Rule 24.4, five Members demanded that a recorded vote be held.

Cllrs. Darrington, Dibsdall, Gilbert, Harrod, McGarvey, Mrs. Purves, Mrs. Sargeant, Underwood, Walshe and Wigg voted FOR the amendment.

Cllrs. Abraham, Bosley, Mrs. Bosley, Mrs. Bracken, Brookbank, Mrs. Broomby, Brown, Bruce, Chard, Mrs. Clark, Coates, Mrs. Cook, Cooke, Davison, Mrs. Davison, Dean, Fleming, Gaywood, Golding, Grint, Mrs. Hunter, London, Loney, Mrs. Lowe, Maskell, McInnes, Ms. Moore, Mrs. Morris, Orridge, Mrs. Parkin, Pett, Piper, Ramsay, Ryan, Scholey and Waller voted AGAINST the amendment.

Cllrs. Lankester and Miss Stack ABSTAINED.

The amendment was LOST.

Cllr. Harrod moved and Cllr. Wigg seconded a further amendment as follows:

“1) The cuts of £7,000 and £10,000 in grants to the Citizens’ Advice Bureaux and other voluntary organisations are not implemented. This to be funded by a reduction of £10,000 in the budget for In Shape, i.e. one edition, and a further reduction of £7,000 in the Civic Expenditure Budget.

2) That the Members’ Allowance growth item be delayed for one year, making a saving of £47,153 which will be used to fund a reduction in the Council tax increase.”

Members debated the proposed amendment. Under Council Procedure Rule 24.4, five Members demanded that a recorded vote be held.

Cllrs. Darrington, Dibsdall, Gilbert, Golding, Harrod, McGarvey, Mrs. Purves, Mrs. Sargeant, Underwood, Walshe and Wigg voted FOR the amendment.

Cllrs. Abraham, Bosley, Mrs. Bosley, Mrs. Bracken, Brookbank, Mrs. Broomby, Bruce, Mrs. Clark, Coates, Mrs. Cook, Cooke, Davison, Mrs. Davison, Dean, Fleming, Gaywood, Grint, Mrs. Hunter, Mrs. Lowe, Maskell, McInnes, Ms. Moore, Mrs. Morris, Orridge, Mrs. Parkin, Pett, Piper, Ramsay, Ryan, Scholey and Waller voted AGAINST the amendment.

Cllrs. Brown, Chard, Lankester, London, Loney and Miss Stack ABSTAINED.

The amendment was LOST.

Members returned to debating the original motion. This was put to the vote and it was

Resolved:

(a) *That:-*

(i) the Summary of Council Expenditure and Council Tax 2010/11 be approved; (Cabinet 18th February 2010); (Appendix 3)

(ii) the Financial Plan 2009/10 to 2015/16 be approved; (Cabinet 18th February 2010); (Appendix 3)

(iii) the following changes to reserves and provisions be approved:

1. A Budget Stabilisation Reserve be set up, and any underspend against the 2009/10 budget be allocated to this reserve;

2. £456,000 be allocated to the Capital Reserve in 2010/11 and £480,000 a year from 2011/12, to be funded from the Revenue Budget; and

3. £20,000 be allocated to a new Civic Expenses Transport Reserve in 2009/10. (Cabinet 18th February 2010).

(iv) the Prudential Indicators 2010/11 required by Part 1 of the Local Government Act 2003 be approved; (Cabinet 18th February 2010);

(v) the Council's Annual Investment Strategy 2010/11 be approved (Cabinet 18th February 2010);

(vi) the Capital Programme 2010/13, and Asset Maintenance 2010/11 budget of £738,000 be approved; (Cabinet 18th February 2010).

(b) that it be noted that at the Cabinet meeting on 21st January 2010 the Council calculated the amount of 50,426.50 as its council tax base for the year 2010/11 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992;

(i) 50,426.50 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council tax base for the year;

(ii) Part of the Council's Area

<i>Ash-cum-Ridley</i>		2,550.19
<i>Brasted</i>	740.28	
<i>Chevening</i>	1,453.89	
<i>Chiddingstone</i>	594.61	
<i>Cowden</i>	403.17	
<i>Crockenhill</i>	714.01	
<i>Dunton Green</i>	905.45	
<i>Edenbridge</i>	3,626.68	
<i>Eynsford</i>	952.22	
<i>Farningham</i>	633.52	
<i>Fawkham</i>	289.94	
<i>Halstead</i>	748.34	
<i>Hartley</i>	2,600.03	
<i>Hever</i>	611.63	
<i>Hextable</i>	1,712.59	
<i>Horton Kirby & South Darenth</i>	1,262.95	
<i>Kemsing</i>	1,849.71	
<i>Knockholt</i>	622.17	
<i>Leigh</i>	849.23	
<i>Otford</i>	1,722.54	
<i>Penshurst</i>	814.71	
<i>Riverhead</i>	1,249.32	
<i>Seal</i>	1,222.26	
<i>Sevenoaks Town</i>	9,226.54	
<i>Sevenoaks Weald</i>	621.18	
<i>Shoreham</i>	1,027.74	
<i>Sundridge</i>	938.58	
<i>Swanley</i>	6,034.97	
<i>Westerham</i>	2,038.26	
<i>West Kingsdown</i>	2,409.79	

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate;

- (c) that the following amounts be now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
- (i) £57,495,787 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act.
 - (ii) £38,702,414 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) (a) to (c) of the Act.
 - (iii) £18,793,373 being the amount by which the aggregate at (c)(i) above exceeds the aggregate at (c)(ii) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
 - (iv) £6,348,311 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates and revenue support grant.
 - (v) £246.80 being the amount at (c)(iii) above less the amount at (c)(iv) above, all divided by the amount at (b)(i) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year.
 - (vi) £3,272,986 being the aggregate amount of all special items referred to in Section 34 (1) of the Act.
 - (vii) £181.89 being the amount at (c)(v) above less the result given by dividing the amount at (c)(vi) above by the amount at (b)(i) above, calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates.

<i>(viii) <u>Part of the Council's area</u></i>	£
<i>Ash-cum-Ridley</i>	<i>207.57</i>
<i>Brasted</i>	<i>221.06</i>
<i>Chevening</i>	<i>216.49</i>
<i>Chiddingstone</i>	<i>229.82</i>
<i>Cowden</i>	<i>221.58</i>
<i>Crockenhill</i>	<i>257.61</i>
<i>Dunton Green</i>	<i>234.90</i>
<i>Edenbridge</i>	<i>301.98</i>
<i>Eynsford</i>	<i>251.73</i>
<i>Farningham</i>	<i>234.45</i>
<i>Fawkham</i>	<i>205.34</i>
<i>Halstead</i>	<i>235.71</i>
<i>Hartley</i>	<i>223.62</i>
<i>Hever</i>	<i>212.14</i>
<i>Hextable</i>	<i>261.27</i>
<i>Horton Kirby & South Darenth</i>	<i>251.57</i>
<i>Kemsing</i>	<i>222.44</i>
<i>Knockholt</i>	<i>239.38</i>
<i>Leigh</i>	<i>203.67</i>
<i>Otford</i>	<i>242.59</i>
<i>Penshurst</i>	<i>207.74</i>
<i>Riverhead</i>	<i>220.71</i>
<i>Seal</i>	<i>229.90</i>
<i>Sevenoaks Town</i>	<i>259.38</i>
<i>Sevenoaks Weald</i>	<i>239.36</i>
<i>Shoreham</i>	<i>224.22</i>
<i>Sundridge</i>	<i>236.76</i>
<i>Swanley</i>	<i>281.89</i>
<i>Westerham</i>	<i>255.48</i>
<i>West Kingsdown</i>	<i>217.99</i>

being the amounts given by adding to the amount at (c)(vii) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (b)(ii) above, calculated by

the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

(ix) Schedule 1 being the amounts given by multiplying the amounts at (c) (vii) and (c) (viii) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in the proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(d) that it be noted that for the year 2010/2011 the Kent County Council, the Kent Police Authority and the Kent & Medway Towns Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

<u>VALUATION BANDS</u>	<u>Precepting Authority</u>		
	<u>KENT COUNTY COUNCIL</u> £	<u>KENT POLICE AUTHORITY</u> £	Kent & Medway Towns Fire Authority £
A	698.52	92.45	45.30
B	814.94	107.86	52.85
C	931.36	123.27	60.40
D	1,047.78	138.68	67.95
E	1,280.62	169.50	83.05
F	1,513.46	200.32	98.15
G	1,746.30	231.13	113.25
H	2,095.56	277.36	135.90

(e) that, having calculated the aggregate in each case of the amounts at (c)(ix) and (d) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts for each of the

categories of dwellings shown in Schedule 2, as the amounts of council tax for the year 2010/2011.

(c) Christmas Parking (Report 6c)

Further to a meeting of the Cabinet, Cllr. Fleming moved and Cllr. Ramsay seconded that the Cabinet's recommendation be adopted.

Resolved: That the cost incurred in offering free parking on two Saturdays before Christmas (12,000) be approved as a supplementary estimate to the 2009/10 budget, to be funded from the General Fund Reserve.

(d) Calendar of Meetings (Report 6d)

Cllr. Fleming moved and Cllr. Mrs. Davison seconded that the recommendation of the Corporate Resources Director be adopted.

Resolved: That the Calendar of Meetings for 2010/11 be approved subject to the confirmation of the Annual Meeting of the Council on 11 May 2010.

(e) Amendment to Contract Procedure Rules to Reflect New EU Procurement Thresholds

Cllr Fleming moved and Cllr. Ramsay seconded that the recommendation of the Corporate Resources Director be adopted.

Resolved: The proposed amendments to the Contract Procedure Rules (contained within Appendix A of the report) be approved and the Constitution be amended accordingly.

44. QUESTIONS FROM MEMBERS UNDER PARA. 19.3 OF PART 2 OF THE CONSTITUTION

No questions had been received from Members.

45. QUESTIONS FROM THE PUBLIC UNDER PARA. 17 OF PART 2 OF THE CONSTITUTION

No questions had been received from members of the public.

46. REPORT FROM THE LEADER OF THE COUNCIL (Report 9)

The Leader of the Council informed Members that he now represented Sevenoaks District Council on the District Council Network at the Local Government Association. He stated that he would be looking at ways to involve opposition Members in these discussions.

47. REPORT OF THE CHAIRMEN OF THE SELECT COMMITTEES (Report 10)

Members were presented with reports on the work of the Environment, Services and Social Affairs Select Committees since the last ordinary meeting of the Council.

48. REPORT OF THE CHAIRMAN OF THE PERFORMANCE AND GOVERNANCE COMMITTEE

Members were presented with a report on the work of the Performance and Governance Committee since the last ordinary meeting of the Council.

THE MEETING WAS CONCLUDED AT 8.32 P.M.

CHAIRMAN