

09 February 2017 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks  
Despatched: 06.02.2017



# Cabinet

## Supplementary Agenda (1)

	Pages	Contact
7. Swanley and Hextable Master Vision 	Replacement page 77	Antony Lancaster Tel: 01732227326
8. Environmental Health Partnership - charging for support advice to food businesses Introducing the "Access" Scheme 	Replacement page 167	Annie Sargent Tel: 01322343085



## Item 7 - Swanley & Hextable Master Vision

The attached report was considered by the Planning Advisory Committee on 25 January 2017, relevant Minute extract below:

### Planning Advisory Committee (25 January 2017, Minute 39)

The Chairman welcomed members of the public and advised all present that the Committee would first hear from Officers and have a presentation from the consultants. She would then invite the speakers to come forward, and after debate would take the recommendations individually.

Michael Botley and Mike Thompson from Lake gave a [presentation](#) outlining the work they had carried out on the Council's behalf, and answered questions concerning methodology and sample size. It was noted that the questionnaire had only been sent to BR postcodes and not to DA postcodes within Hextable. However consultation events or 'drop in' sessions had been held in these areas where surveys had been available. The consultation had run with a longer period than customary and the cut off time had been strictly adhered to as a result.

The Strategic Planning Manager presented the report. The report provided an update on the Master Vision consultation agreed by the Planning Advisory Committee in July 2016 and Cabinet in August 2016. It set out how consultation was undertaken and provided a summary of the analysis of responses undertaken by the Council's consultants, both in terms of quantitative data taken from direct responses to the questions posed in the survey and more qualitative information taken from the range of comments and representations returned from the public and stakeholders, as had just been referred to in their presentation. He further advised that a petition which had not been accepted as a valid petition to Council had been taken forward as a 'consultation response' and thereby was brought to the Committee's attention.

Based on the consultation responses received, the report provided a recommendation for the next stages of progressing the Master Vision work, and discussed how the regeneration work for Swanley and Hextable could be taken forward and refined as an element within the Local Plan preparation. The report also outlined some of the detailed work needed to be commissioned if supported aspects of the Vision were to progress successfully.

The Chairman had agreed to exercise her discretion and allow some members of the public and non members of the Committee to address the meeting.

The Committee was addressed by the following speakers:

Robert Alexander, Swanley resident  
Robert Brickell, Swanley resident  
Chris Prestedge, Swanley resident  
Swanley Town Councillor Victor Southern  
Bob Wallis, Chairman of Swanley Village Residents Association

Councillor Dyball, Swanley St. Marys  
Councillor Hogg, Swanley St. Marys  
Councillor Scott, Swanley White Oak

Much concern was expressed by the speakers over the the proposal to build 3000 homes in the Green Belt near to a conservation area and on Grade 2 agricultural land, along with air pollution and infrastructure concerns; with the wording of the questionnaire, which was considered by some to be misleading; and the reference of building on the recreation ground which had been gifted to the town in trust. It was suggested that the Master Vision was not required as the town was regenerating itself and would continue to do so with the inclusion into Zone 8 and use of the Oyster card, and the planning applications coming forward for the town centre.

Members discussed the report. A member of the Committee and local county councillor addressed the meeting at length. He was concerned that the report dealt with matters of opinion rather than fact in clear opposition to the views of the Town Council, residents, policy and the principle of protecting the Green Belt, and that the petition had been rejected and only used as a consultation response. He stated that there was clear strong opposition to the proposed development of a 'garden village'. He queried the phrasing of the questions within the questionnaire, which he argued lead to a more favourable response due to a lack of context. He reminded members of the previous weeks meeting and the consideration of the Green Belt Assessment report and that the land in question scored highly and included high grade agricultural land. He queried where the very special circumstances were evidenced to justify building on Green Belt land. He felt it was a fundamental turning point for the Council and future generations and if agreed would set a precedent that would endanger the Green Belt. He also cited issues raised by the speakers concerning the recreation ground, congestion and air pollution.

Other members, who were also local ward councillors, concurred and expressed their concern with regards to local infrastructure especially the strain on local education and health services and pointed out the large local opposition and the fact that all Swanley Town Councillors were united in opposition as well as the local MP.

A member commented that it was not a planning application but an attempt to plan the future, over a 20 year period, and manage changes that would happen anyway.

With regards to ‘very special circumstances’ the Chief Planning Officer explained that there was a difference between ‘very special circumstances’ and ‘exceptional circumstances’. He reiterated what he had stated at the meeting of the previous week when considering the Green Belt assessment, that the NPPF set a high bar with clear Green Belt boundaries which could only be changed through Local Plan review with a thorough methodology and only in ‘exceptional circumstances’. There was no actual definition of what those exceptional circumstances might be but there were emerging examples from around the country.

There was some discussion on a potential planning application to develop Swanley town centre, and a suggestion that it was therefore premature to consider the vision, and that the redevelopment and regeneration could be managed via the planning system.

There was also some debate on the necessity of a ‘financial assessment to refine the scale of development required to achieved a ‘critical mass,’ and some views expressed on the importance of studies against other views that it was a needless cost as no development should go ahead. It was reaffirmed that this was not a decision on a development, merely a decision to investigate further. If agreed it would be added to the Issues and Option report and there would be further consultations.

The Chairman reminded Members it was a recommendation to Cabinet for further investigative work, and Cabinet would make the final decision on 9 February 2017.

As previously advised the Chairman explained she would move each of the four recommendations within the report individually.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

The Chairman moved that it be recommended to Cabinet ‘(a) To note the public and stakeholder responses made to the Master Vision consultation and the observations made on the stakeholder response.’

Councillor Horwood moved an amendment to add at the end the words ‘ and to acknowledge the petition signed by 1,843 residents in opposition to the Master Vision’, which was duly seconded.

The amendment was put to the vote and the amendment was carried.

The substantive motion below was put to the vote:

‘that it be recommended to Cabinet that

- a) the public and stakeholder responses made to the Master Vision consultation and the observations made on the stakeholder response be noted, and the petition signed by 1,843 residents in opposition to the Master Vision, acknowledged.’

The substantive motion was carried.

In accordance with the Council’s Constitution, Part 2 paragraph 24.4, five members of the Committee stood and demanded a recorded vote. Thereafter all voting was recorded.

The Chairman moved that it be recommended to Cabinet ‘(b) To support the overall principle of regeneration and growth in Swanley and Hextable.’ The motion was put to the vote.

For	Against	Abstention
Councillor Dr. Merilyn Canet	Councillor Clare Barnes	Councillor Mrs. Dee Morris
Councillor Cameron Clark	Councillor James Gaywood	
Councillor Michael Horwood	Councillor James Halford	
Councillor Mrs. Avril Hunter		
Councillor Stuart McGregor		
Councillor Edward Parson		
Councillor Robert Piper		
Councillor Julia Thornton		
8	3	1

The motion was carried.

The Chairman moved that it be recommended to Cabinet ‘(c) To agree that all elements of the Master Vision are now addressed further within a Local Plan ‘Issues and Options’ consultation to be undertaken during 2017 with the exception of unsupported aspects, namely, facilitating new or improved Public/Town Council facilities and building a new hotel on the edge of the recreation ground.’

Councillor Horwood moved an amendment to add the word ‘some’ between ‘that’ and ‘elements’, and ‘building any development on the recreations ground and the proposals to build 3000 houses, or any large development, on the pieces of strongly performing Green Belt and Grade 2 agricultural land at the back of Archer Way and which separates the communities of Hextable, Swanley Village and Swanley’ at the end, which was duly seconded.

A member stated that the wording of the amendment was not technically correct because the garden village and part-development of the recreation

ground for leisure and health provision were supported elements within the survey responses.

The amendment to the motion was put to the vote.

For	Against	Abstention
Councillor Clare Barnes	Councillor Cameron Clark	
Councillor Dr. Merilyn Canet	Councillor Mrs. Avril Hunter	
Councillor James Gaywood	Councillor Edward Parson	
Councillor James Halford	Councillor Robert Piper	
Councillor Michael Horwood	Councillor Julia Thornton	
Councillor Stuart McGregor		
Councillor Mrs. Dee Morris		
7	5	0

The amendment was carried.

The substantive motion below was put to the vote:

‘that it be recommended to Cabinet that

- c) some elements of the Master Vision be addressed further within a Local Plan ‘Issues and Options’ consultation to be undertaken during 2017 with the exception of unsupported aspects, namely: facilitating new or improved Public/Town Council facilities and building a new hotel on the edge of the recreation ground; building any development on the recreation ground; and the proposals to build 3000 houses, or any large development, on the pieces of strongly performing Green Belt and Grade 2 agricultural land at the back of Archer Way which separates the communities of Hextable, Swanley Village and Swanley;’

For	Against	Abstention
Councillor Clare Barnes	Councillor Mrs. Avril Hunter	
Councillor Dr. Merilyn Canet	Councillor Edward Parson	
Councillor Cameron Clark	Councillor Robert Piper	
Councillor James Gaywood	Councillor Julia Thornton	
Councillor James Halford		
Councillor Michael Horwood		

Councillor Stuart McGregor		
Councillor Mrs. Dee Morris		
8	4	0

The substantive motion was carried.

The Chairman moved that it be recommended to Cabinet

- d) To support the undertaking of further studies to assess in more detail the following specific aspects:
- a development brief focussed on Swanley town centre
  - more detailed master-planning for a new garden village
  - more detailed modelling of transport implications
  - more detailed feasibility work related to the main elements of infrastructure
  - financial assessment to refine the scale of development required to achieve a ‘critical mass’.

Councillor Horwood moved an amendment to delete the second, third and last bullet points and introduce a new bullet point to read ‘a full and comprehensive transport strategy plan to properly highlight how road infrastructure could be improved in the are to reduce congestion,’ which was duly seconded.

The amendment was put to the vote.

For	Against	Abstention
Councillor Clare Barnes	Councillor Cameron Clark	Councillor Stuart McGregor
Councillor Dr. Merilyn Canet	Councillor Mrs. Avril Hunter	
Councillor James Gaywood	Councillor Edward Parson	
Councillor James Halford	Councillor Robert Piper	
Councillor Michael Horwood	Councillor Julia Thornton	
Councillor Mrs. Dee Morris		
6	5	1

The amendment was carried.

Councillor McGregor moved an amendment to the substantive motion to reinsert the original last bullet point and delete ‘town centre’ from the first bullet point, which was duly seconded.

The amendment was put to the vote.

For	Against	Abstention
Councillor Cameron Clark	Councillor Clare Barnes	
Councillor Mrs. Avril Hunter	Councillor Dr. Merilyn Canet	
Councillor Stuart McGregor	Councillor James Gaywood	
Councillor Edward Parson	Councillor James Halford	
Councillor Robert Piper	Councillor Michael Horwood	
Councillor Julia Thornton	Councillor Mrs. Dee Morris	
6	6	0

In accordance with Part 2 paragraph 24.2 of the Council’s Constitution, the Chairman exercised her second vote, and voted for the amendment.

The second amendment was therefore carried, 7 votes for, 6 against, 0 abstentions.

The substantive motion below was put to the vote:

‘that it be recommended to Cabinet that

- d) the undertaking of further studies be supported, to assess in more detail the following specific aspects:
- a development brief focussed on Swanley;
  - a full and comprehensive transport strategy plan to properly highlight how road infrastructure could be improved in the area to reduce congestion;
  - more detailed feasibility work related to the main elements of infrastructure; and
  - a financial assessment to refine the scale of development required to achieve a ‘critical mass’.

For	Against	Abstention
Councillor Clare Barnes		
Councillor Dr. Merilyn Canet		
Councillor Cameron Clark		
Councillor James Gaywood		
Councillor James Halford		
Councillor Michael Horwood		
Councillor Mrs. Avril		

Hunter		
Councillor Stuart McGregor		
Councillor Mrs. Dee Morris		
Councillor Edward Parson		
Councillor Robert Piper		
Councillor Julia Thornton		
12	0	0

The substantive motion was carried.

Further to the above it was therefore

**Resolved: That it be recommended to Cabinet that**

- a) the public and stakeholder responses made to the Master Vision consultation and the observations made on the stakeholder response be noted, and the petition signed by 1,843 residents in opposition to the Master Vision, acknowledged;
- b) the overall principle of regeneration and growth in Swanley and Hextable be supported;
- c) some elements of the Master Vision be addressed further within a Local Plan 'Issues and Options' consultation to be undertaken during 2017 with the exception of unsupported aspects, namely: facilitating new or improved Public/Town Council facilities and building a new hotel on the edge of the recreation ground; building any development on the recreation ground; and the proposals to build 3000 houses, or any large development, on the pieces of strongly performing Green Belt and Grade 2 agricultural land at the back of Archer Way which separates the communities of Hextable, Swanley Village and Swanley;
- d) the undertaking of further studies be supported, to assess in more detail the following specific aspects:
  - a development brief focussed on Swanley;
  - a full and comprehensive transport strategy plan to properly highlight how road infrastructure could be improved in the area to reduce congestion;
  - more detailed feasibility work related to the main elements of infrastructure; and
  - a financial assessment to refine the scale of development required to achieve a 'critical mass'.





## **Item 8 - Environment Health partnership - Charging for Support Advice to Food Businesses**

The attached report was considered by the Direct & Trading Advisory Committee on 19 January 2017, relevant Minute extract below:

### Direct & Trading Advisory Committee (19 January 2017 - Minute 26)

The Environmental Health Manager presented a report which provided an overview of a new scheme for charging for support advice given to food business. The scheme was Accelerating Compliance and Economic Success (ACCESS) and would provide enhanced support for food businesses and tailored to suit each business. The minimum charge for a basic package of £100 plus VAT for 2 hours work with the ability to purchase additional time. Food Safety Officers within the EH Commercial team would carry out the ACCESS Visits and a different office would do any rescore visits to avoid conflict of interest. Free information would be provided on the Council's website and via associated links.

### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that

- a) it be agreed for the Environmental Health Partnership charging for bespoke food safety advice for new businesses; and
- b) a minimum fee be charged of £100 plus VAT for 2 hours work, and £50 per hour thereafter, on a cost recovery basis.

