

ENVIRONMENT SELECT COMMITTEE

Minutes of the meeting of the held on 20 March 2012 commencing at 7.00 pm

Present: Cllr. Bosley (Chairman)

Cllr. Grint (Vice Chairman)

Cllrs. Abraham, Ayres, Mrs. Bayley, Ms. Chetram, Cooke, Edwards-Winsler, Maskell, Mrs. Purves, Scholey and Searles.

Apologies for absence were received from Cllrs. London.

Cllrs. Mrs. Davison, Mrs. Hunter and Ramsay were also present.

38. MINUTES

Resolved: That the minutes from the meeting held on 17 January 2012 be approved and signed by the Chairman as a correct record.

39. DECLARATIONS OF INTEREST

No declarations of interest were made.

40. FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS REFERRED BY THE COMMITTEE AND/OR REQUESTS FROM THE PERFORMANCE AND GOVERNANCE COMMITTEE (PLEASE REFER TO THE MINUTES AS INDICATED) (Item No. 3)

- (a) Internal Audit Quarter 2 – Progress Report – ‘Review of Car Parking Income’ (Request from Performance and Governance Committee – 10 January 2012)

The Head of Environmental and Operational Services referred the Committee to the Internal Audit report included in the papers for the meeting and reported that the audit had raised some concerns but had found the service to be ‘adequate’. In terms of the findings within the report, the following actions had been agreed:

Finding One – Banking of Income: The Parking and Amenity Manager would investigate the reasons behind the differences between machine ‘audit’ tickets and the amount banked by Contract Security within three months.

Finding Two – Write off penalty charges notices (fines): Write off would be actioned on an annual basis.

Finding Three – Potential fraud and corruption: The Internal Auditor had recommended that the Parking and Amenity Manager should visit the Contract Security cash collection depot to ensure that the arrangements in place were as

agreed within the terms of the contract. The Head of Environmental and Operational Services reported that this was more difficult as the recommendation related to inspecting an external contractor. Officers would pursue the recommendation and would liaise with the Auditor for some advice concerning how the recommendation could be taken forward.

In response to a question from the Committee the Head of Environmental and Operational Services reported that this problem was not unique to Sevenoaks District Council.

The Head of Environmental and Operational Services reported that the system for paying for parking over the telephone by credit card appeared to be working well.

The Chairman noted that the audit report recommended that the inside of ticket machines should be regularly inspected.

- (b) Budget Monitoring – November 2011 Figures – ‘Investigate charging for pre application development control advice’ (Request from Performance and Governance Committee – 10 January 2012)

This issues was considered under Minute 53.

- (c) Conservation Area Appraisal and Management Plan: Chiddingstone Hoath (Response from Cabinet – 12 January 2012)

The Committee noted that the Cabinet had taken comments made by Members at the previous meeting of the Environment Select Committee on Board.

41. ACTIONS FROM PREVIOUS MEETING (Item no. 4)

Bus Operators – The Head of Environmental and Operational Services reported that following a meeting with Bus Operators, four new Bus Stand areas had been identified in Swanley. This would allow buses to stop for longer periods during rest breaks.

Coach Service between Gatwick and Kent – The Committee noted that the Gatwick Master Plan remained under review.

42. FUTURE BUSINESS, THE WORK PLAN 2011/12 (ATTACHED) AND THE FORWARD PLAN (Item No. 5)

The Chairman reported that the Committee would receive a report on the Community Infrastructure Levy at its meeting in June 2012. In September 2012, the Committee would receive a presentation on Railways and Trains as well as an update on Local Listings.

Following a question from a Member, the Acting Planning Service Manager reported that the Edenbridge CAMP should be ready for consideration in June 2012.

43. ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT (Report No. 6)

The Committee considered a report and received a presentation providing an update on the progress on the Allocations and Development Management DPD. There was a requirement for the Allocations and Development Management DPD to be consistent with the adopted Core Strategy and in general conformity with national planning policy. Once adopted, together with the Core Strategy, the Allocations and Development Management DPD would replace all of the remaining saved policies of the Sevenoaks District Local Plan.

The comments received during the three separate consultations (Site Allocations, February 2010; Development Management Policies, May 2011; and Open Space Allocations, September 2011) were reflected in the report together with the Council's response to the comments. The draft DPD had been revised and updated to respond to the consultation comments. Particular attention was drawn to changes to Green Belt extensions policy from the consultation draft.

A Member expressed concern regarding the Open Spaces Allocation and how spaces of less than 0.2 hectares could be recorded. Following discussion it was felt that proposals could be introduced as part of Neighbourhood Plans.

Another Member highlighted that the Flood Water Management Act could place constraints on design issues. The Acting Planning Services Manager reported that Officers would review the ADM DPD to see if any further additions needed to be included in light of the Act.

Referring to Policy SC 3 – Amenity Protection, a Member noted that there was no mention of incidental light pollution and Officers were asked to review this.

Referring to Policy SC1 – Sustainable Development, the Committee noted that there appeared to be text missing from the performance indicators as the indicator did not specify how the 30 minutes would be measured.

Resolved: That progress on the Allocations and Development Management DPD be noted and supported and the supplementary consultation on the new/amended site allocations be agreed, subject to the amendments outlined above.

44. SEVENOAKS RESIDENTIAL CHARACTER ASSESSMENT SPD - LOCAL DEVELOPMENT FRAMEWORK (Report No. 7)

The Committee considered a report presenting the finalised post-consultation Residential Character Area Assessment for Sevenoaks which had been prepared to identify the distinctive local characteristics of the residential areas in different parts of the Sevenoaks urban area and included guidance on achieving high quality design that responded to local character, in line with policies in the Council's adopted Core Strategy. The Assessment had been revised to incorporate comments received during consultation. A report would be taken to Cabinet to seek approval to adopt the Residential Character Area Assessment as a Supplementary Planning

Document, which would form part of the SDC Local Development Framework. It would then be a material consideration in determining planning applications in that part of Sevenoaks to which it applies.

Referring to page 288 of the report, the Committee suggested that the wording should be amended to: "The area to the north of Grassy Lane and Oak Avenue were initially laid out above the railway line in the 1930s and have gradually been redeveloped and infilled up to the present day."

The Portfolio Holder for Planning and Improvement highlighted that local Members had received packs relating only to the streets in their wards, not the complete 700 page document. Other Towns in the District would have Residential Character Area Assessments undertaken in due course.

The Chairman commended Officers and the Consultants on the volume of work that had been undertaken in order to produce the Document.

Resolved: That the report be noted.

45. PLANNING: REVISED CHARGING FOR PRE-APPLICATION ENQUIRIES
(Report No.8)

The Committee considered a report outlining proposals to increase charges for pre-application enquiries and to extend the scope of pre-application enquiries offered and charged for.

The Head of Development Services reported that fees had been introduced in 2008 and had not increased since then. There was also a proposal to provide advice to householders, a service that had not been available in the past.

In response to questions from a Member of the Committee, the Head of Development Services reported that proposed £50 charge for a householder meeting was a flat fee. The Committee heard that meetings were then followed up with a letter to the applicant outlining the discussions that had taken place. A disclaimer was included at the bottom of the letter which explained that any advice provided in the pre-application discussion was not binding on decisions taken by the Council. The Committee considered how local Councillors could be made aware of pre-applications and asked Officers to further investigate how information could be passed to local Members.

Action 1: Officers to review how information on pre-applications is passed to local Councillors.

A Member queried how the distinction between a meeting and a lengthy telephone conversation could be made. The Head of Development Control Services explained that the purpose of the request for delegations to Officers was to deal with issues such as these. A Member suggested that there should be a charge of £50 for advice regardless of the way in which the Planning Department were contacted.

A Member also queried the 'negotiable' charge for Major applications including £375 per hour for meetings and asked where the negotiation fitted. The Head of Development Control Services explained that the number of hours could be negotiated as well as any out of pocket expenses that might be incurred.

A Member questioned whether there could be a perception that the expectations of applicants could be raised through introducing charges for advice as applicants may assume that having paid for advice from the Council an application would then be approved. The Head of Development Services highlighted that there would be a disclaimer on the letters sent to applicants who had paid for advice from the Council. Advice would also be based on the Council's policies but Officers would not be in a position to commit the Council to specific decisions.

A Member sought clarification surrounding whether pre application advice would be given by the same officer who had delegated powers to take a decisions on a specific application. The Head of Development Control Services clarified that no planning applications were passed by just one officer.

Resolved: That Cabinet be recommended to:

- (a) approve the increased charged for Planning pre-application enquiries and extend the scope of pre-application enquiries that are charged for, as set out at Appendix A of the report; and
- (b) authorise the Deputy Chief Executive and Director of Community and Planning Services, in consultation with the Portfolio Holder, to apply and publicise the Council's approved charges; to agree individual charges in particular where Appendix A indicates that these are 'negotiable'; and to prepare or revise procedures and guidance to ensure that the charges are applied effectively.

THE MEETING WAS CONCLUDED AT 8.26 PM

CHAIRMAN