



**Sevenoaks**  
DISTRICT COUNCIL  
Despatched: 05.11.14

**CABINET**  
**13 November 2014 at 7.00 pm**  
**Conference Room, Argyle Road, Sevenoaks**






**AGENDA**

**Membership:**

Chairman: Cllr. Fleming Vice-Chairman: Cllr. Ms. Lowe  
Cllrs. Hogarth, Piper and Ramsay

	<b><u>Pages</u></b>	<b><u>Contact</u></b>
<b>Apologies for Absence</b>		
1. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 11 September 2014, as a correct record	(Pages 1 - 6)	
2. <b>Declarations of interest</b> Any interests not already registered		
3. <b>Questions from Members (maximum 15 minutes)</b>		
4. <b>Matters referred from Council, Audit Committee, Scrutiny Committee or Cabinet Advisory Committees</b>  a) Performance Indicators and Targets for 2014-15 – Response to referral to Cabinet from Local Planning & Environment Advisory Committee	(Pages 7 - 8)	
5. <b>Appointments to Outside Organisations</b>	(Pages 9 - 10)	Christine Nuttall Tel: 01732 227245
6. <b>Anti-Social Behaviour Crime &amp; Policing Act 2014</b> 	(Pages 11 - 20)	Lesley Bowles Tel: 01732 227335
7. <b>Bank Account Signatories</b>	(Pages 21 - 22)	Roy Parsons Tel: 01732 227204

## **REPORTS AND RECOMMENDATIONS FROM THE CABINET ADVISORY COMMITTEES**

- |     |   |                   |                                       |
|-----|---|-------------------|---------------------------------------|
| 8.  | <b>Variations to the "A Home of your own" Scheme (DIYSO)</b>  | (Pages 23 - 28)   | Pat Smith<br>Tel: 01732 227355        |
|     |    |                   |                                       |
| 9.  | <b>Annual review of parking charges for 2015/16 and Christmas Parking 2014</b>  | (Pages 29 - 58)   | Richard Wilson<br>Tel: 01732 227262   |
|     |   |                   |                                       |
| 10. | <b>Business Continuity Planning</b>   | (Pages 59 - 66)   | Richard Wilson<br>Tel: 01732 227262   |
| 11. | <b>EU Waste Framework Directive</b>   | (Pages 67 - 76)   | Richard Wilson<br>Tel: 01732 227262   |
|     |    |                   |                                       |
| 12. | <b>Treasury Management Mid Year Update</b>  | (Pages 77 - 90)   | Roy Parsons<br>Tel: 01732 227204      |
| 13. | <b>Financial Results 2014/15 - to the end of September 2014</b>   | (Pages 91 - 98)   | Adrian Rowbotham<br>Tel: 01732 227153 |
| 14. | <b>Community Infrastructure (CIL) Governance</b>  | (Pages 99 - 110)  | Richard Morris<br>Tel: 01732 227430   |
| 15. | <b>Statement of Community Involvement (SCI) - final for adoption</b>  | (Pages 111 - 116) | Richard Morris<br>Tel: 01732 227430   |
| 16. | <b>Update on the Allocations &amp; Development Management Plan (ADMP)</b>   | (Pages 117 - 184) | Richard Morris<br>Tel: 01732 227430   |
| 17. | <b>Gypsy and Traveller Plan</b>   | (Pages 185 - 260) | Richard Morris<br>Tel: 01732 227430   |
|     |    |                   |                                       |

(If Members wish to discuss any information contained within Appendix C a resolution must be passed to exclude the public and press from the meeting)

 Indicates a Key Decision  indicates a matter to be referred to Council

### **EXEMPT ITEMS**

#### Consideration of Exempt Information

Recommendation: That, under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting when considering Appendix C of agenda item 17 above, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraph 7 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

Appendix C – Gypsy and Traveller Plan

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting. Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below. For any other queries concerning this agenda or the meeting please contact:  
**The Democratic Services Team (01732 227241)**

**CABINET**

Minutes of the meeting held on 11 September 2014 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllrs. Hogarth, Ms. Lowe, Piper and Ramsay

Cllrs. Mrs. Davison, Davison, Dickins, Edwards-Winsler, Mrs. Parkin, Searles and Miss. Stack were also present.

27. Minutes

Resolved: That the minutes of the meeting of Cabinet held on 17 July 2014, be approved and signed as a correct record.

28. Declarations of interest

There were no additional declarations of interest.

29. Questions from Members (maximum 15 minutes)

There were none.

30. Matters referred from Council

There were none.

31. Matters referred from the Audit Committee and Scrutiny Committee (Paragraph 5.20 of Part 4 (Executive) of the Constitution)

There were no references from the Audit Committee or Scrutiny Committees.

32. Recommendations from the Cabinet Advisory Committees

- a) Gypsy and Traveller Plan – Responses to consultation and additional sites and pitches promoted (Local Planning & Environment Advisory Committee – 3 September 2014, Minute 15)

This was considered under Minute 33.

- b) Financial Prospects and Budget Strategy 2015/16 and Beyond Advisory Committee (Finance & Resources Advisory Committee– 3 September 2014, Minute 21)

This was considered under Minute 35.

- c) Annual Treasury Management Report 2013/14 Advisory Committee (Finance & Resources Advisory Committee– 3 September 2014, Minute 18)

This was considered under Minute 36.

33. Gypsy and Traveller Plan - Responses to consultation and additional sites and pitches promoted

The Portfolio Holder for Local Planning & Environment presented the report and advised that the Local Planning & Advisory Committee had considered the same report and were recommending Officer amended recommendations from those contained within the report to reflect the life of the Gypsy and Traveller Plan.

The Chairman had received a request from the Chairman of Shoreham Parish Council to address the Cabinet. Mr. Ennis, Chairman of Shoreham Parish Council, thanked the Chairman and gave a short [speech](#) on behalf of the Parish Council and villagers highlighting concerns, referring to an independent report they had paid to have carried out by a private expert and welcoming the recommendation to remove the Filston Lane site from the Plan.

The Vice Chairman thanked everyone involved from the residents of Shoreham, petitioners, the Parish Council and consultees to officers for their hard work over the summer. The Chairman also acknowledged the enormous amount of work, including by the Portfolio Holder of Local Planning & Environment.

Questions were raised by the Chairman of Shoreham, Parish Council's speech, a resident of Shoreham and a member of the Shoreham Society. The Chairman advised that at the outset it had been made clear that at the time the site was put in the consultation it was the Council's belief that the Salford report figures were correct. He was aware that the Government were talking about changing the definition of 'traveller', however nothing had yet been changed and the Council had to work to current legislation. He believed all processes had been followed correctly and as a result other sites had been identified and the desired result achieved. He understood that the site could not now be placed back into the plan, however this exemption only lasted the life of the plan so could only be guaranteed up to 2026. The reason and necessity of the consultation was to be able to look at issues raised and investigate site suitability.

The Joint Planning Policy Team Leaders advised that in their opinion the most robust justification for the removal of the Shoreham site was that there were now site options that would have less impact on the Area of Outstanding Natural Beauty (AONB). The points raised on school places were only comments on 15 pitches not less, and Kent County Council Highways had not raised any overriding objections with regards to infrastructure at this point. If it were being proposed to pursue this site then further work would be carried out into these issues, but as there was already a robust reason to remove the site there was no requirement to.

#### Public Sector Equality Duty

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



**Cabinet - 11 September 2014**

Resolved: That

- a) the site options previously consulted on in the Gypsy and Traveller Plan: Site Options consultation at Land South of Mesne Way, Shoreham, and Land at Fort Halstead, be ruled out of further consideration in the Gypsy and Traveller Plan covering the period up to 2026;
- b) the Council continue to investigate sites promoted to it through the recent call for sites and prepare a supplementary site options consultation to be considered by the Local Planning & Environment Advisory Committee and agreed by Cabinet prior to publication, in order to provide an opportunity for interested parties to comment on potentially suitable alternative site options.

#### 34. Draft Strategic Risk Register

The Portfolio Holder for Finance & Resources presented the report advising that at the Audit Committee's meeting in June 2014 it had considered the Draft Strategic Risk Register, making no further recommendations for its improvement, but requesting that the Audit Committee review the register more frequently during the year. It remained within the Cabinet's terms of reference to adopt policies and documents associated with the management of risk and so this report was presented to Cabinet. The report provided Members with the opportunity to review and comment on the Council's Draft Strategic Risk Register. The Draft Register had been developed by Officers, taking in the views of the Officers Risk Management Group, Service Managers and Chief Officers. It set out those risks that Officers considered could prevent the Council delivering the Vision and Promises set out in the Council's Corporate Plan.

Members were happy with the views and recommendations of the Audit Committee.

#### Public Sector Equality Duty

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

Resolved: That the Council's Strategic Risk Register be adopted.

#### 35. Financial Prospects and Budget Strategy 2015/16 and Beyond

The Portfolio Holder for Finance & Resources presented the report advising that the Council was now in the 5th year of using the current Business and Financial Planning Strategy that included the 10-year budget which had proved successful to date and put SDC in a much stronger financial position than most other Councils. The Finance & Resources Advisory Committee had considered the same report but was recommending that the Council Tax assumption of 3% for 2016/17 onwards should be reduced to 2%.

At the Audit Committee on 9 September 2014 the Council's external auditors, Grant Thornton, mentioned that the 10-year budget was excellent and a bedrock of the Council's success. Since the last 10-year budget had been agreed at Full Council in February, changes that had been made since then were a rolling 10-year budget on for one year and using the Budget Stabilisation - Reserve and Financial Plan Reserve balances.

Appendix B to the report showed a shortfall of £647k (i.e. £65k pa) however, the position was likely to change as Chief Officers were currently reviewing the growth and savings requirements for their services. These would be reported back to the relevant Advisory Committees. The Cabinet Advisory Committees would also get the opportunity to review the Service Plans and Service Change Impact Assessments (SCIAs). A budget update report would then be submitted to Cabinet in December which should almost finalise the budget subject to any late announcements coming from central government.

Members discussed the Finance & Resources Advisory Committee's view that the assumption that Council Tax would be increased by 3% in 2016/17 onwards was unrealistic. The Portfolio Holder for Finance & Resources pointed out that he had advised that Council Tax assumptions had been agreed by Members at Full Council in February 2014. It was thought that this would not be the right time to look at amending this assumption and was a debate to be had at a later date.

The Chairman restated that to survive going forward with the reduction of Revenue Support Grant and council tax support, required continual savings, local taxation and the generation of income. Council Tax increases were not the answer as a whole but were part of it and these were just assumptions.

### Public Sector Equality Duty

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

Resolved: That the ten year financial planning approach and principles set out in the report be endorsed.

### 36. Annual Treasury Management Report 2013/14

The Portfolio Holder for Finance & Resources and Chief Finance Officer presented the report which outlined the strategy adopted during the year, showed the position of the investment portfolio at the beginning and the end of the year and gave details of how the fund performed in comparison with previous years and against various benchmarks. It also highlighted that the overall return on the Council's investments exceeded the budget in 2013/14 by approximately £7,000; and the Council continues to adopt a very cautious investment approach.

The Chief Finance Officer stated that a call account had been opened with Svenska Handelsbanken, and £3m had been invested at 0.45% which is better than most available on the market.

Members noted and considered the relevant minute and recommendations received from the Finance & Resources Advisory Committee who had considered the same report, and commended the Principal Accountant for his work.

### Public Sector Equality Duty

**Cabinet - 11 September 2014**

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

Resolved: That the Annual Treasury Management Report for 2013/14, be approved.

It was moved by the Chairman and

Resolved: That, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the ground that likely disclosure of exempt information was involved as defined by paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information) as identified in Schedule 12A to the Local Government Act 1972.

Before any discussion took place it was noted that agenda item 7 'Gypsy and Traveller Plan – Responses to consultation and additional sites and pitches promoted' had already been discussed and a resolution passed so that any discussion would have no bearing on the decision already taken and was merely an opportunity for comments to be fed back to Officers.

The Chairman allowed a local Member to address the Cabinet and make some points in relations to sites detailed in appendices E and F that would be fed back to Officers for information.

**IMPLEMENTATION OF DECISIONS**

This notice was published on 15 September 2014. The decisions contained in Minutes 34, 35 and 36 take effect immediately. The decision contained in Minute 33 take effect on 23 September 2014.

THE MEETING WAS CONCLUDED AT 8.03 PM

CHAIRMAN



**Item 4 (a) – Performance Indicators and Targets for 2014/15**

Response from Local Planning & Environment Advisory Committee to the referral from Cabinet (Minute 26 - 17 July 2014).

Local Planning & Environment Advisory Committee – 23 October 2014 – Minute 20

The Committee considered the waste and recycling performance targets which had been presented to Cabinet at its meeting on 17 July 2014 along with an updated version as at 10 October 2014.

Resolved: That Cabinet be advised that the Advisory Committee were satisfied with the explanations in the commentary provided.

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**APPOINTMENTS TO OTHER ORGANISATIONS 2014/15 – EXECUTIVE (Kent Downs Area of Outstanding Natural Beauty Forum)**

**Cabinet – 13 November 2014**

Report of Chief Officer Legal and Governance

Status: For Consideration

Key Decision: No

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**Portfolio Holder** Cllr. Fleming

**Contact Officer(s)** Vanessa Etheridge Ext.7199

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**Recommendation:** That Councillor Piper be appointed as the Council's representative on Kent Downs Area of Outstanding Natural Beauty Forum for the remainder of the municipal year 2014/15, and the Council's thanks extended to Mr Bovington for his service.

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**Introduction**

- 1 It is the responsibility of the Cabinet to confirm the Council's executive appointments to other organisations.
- 2 Since the appointments made at the Special meeting of Cabinet on 13 May 2014, the appointed Council representative Mr. J. Bovington, who has represented the Council since 1999 on this outside organisation, has stepped down.
- 3 Cllr Piper as a local member and Portfolio Holder for Local Planning & Environment, has agreed to represent the Council, and has attended as a representative of the Council pending formal approval.

**Key Implications**

Financial

Attendance at meetings of Outside Bodies to which an Elected Member has been appointed by the Council constitutes an approved duty and there are costs involved.

Legal Implications and Risk Assessment Statement.

In not appointing to this Outside Bodies, there is a risk that the Council's designated representation will not be fulfilled.

## Agenda Item 5

### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	N/A
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

### **Conclusions**

Members are requested to consider and approve the appointment.

**Christine Nuttall**  
**Chief Officer for Legal and Governance**





## Agenda Item 6

October 2014. The exception to this is the Civil Injunction which will not come into force until the early Spring of 2015.

- 2 The Act also covers a range of other matters relating to firearms; protection from sexual harm and violence; forced marriage; amends the Extradition Act 2003; introduces changes to criminal justice and court fees; and amends various policing provisions. This reports deals only with the anti-social behaviour elements of the legislation.
- 3 The Home Office aim is that reforms within the Act will '*put victims at the heart of the response to anti-social behaviour and give professionals effective powers that are quick, practical and easy to use, providing better protection for victims and communities and a real deterrent to perpetrators*'.
- 4 The kind of anti-social behaviour the Act is aimed at is that which causes harassment, alarm, or distress. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords.

### New measures for tackling anti-social behaviour

- 5 The Act replaces nineteen pre-existing measures with six new measures for tackling anti-social behaviour. Each of the new measures is listed below.
- 6 Civil Injunctions
  - To stop or prevent individuals engaging in anti-social behaviour quickly. It is a civil order for anyone over the age of 10yrs old. A civil rather than criminal standard of proof is required – it is awarded on balance of probabilities that the person has engaged or is threatening to engage in behaviour capable of causing nuisance and annoyance
  - Can prohibit individuals from engaging in certain behaviour and can require them to engage in positive interventions
  - Applicants – Local Authority, Social landlords, Police, Transport for London, Environment Agency, NHS Protect
  - Power of arrest can be applied
  - Can be fixed or indefinite period for adults but can be a maximum of 12 months for under 18s
- 7 Criminal Behaviour Order (CBO)
  - Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti social individuals who are also engaged in criminal activity
  - The court must be satisfied beyond reasonable doubt that they have engaged in behaviour that has caused or likely to cause harassment, alarm or distress and that the Order will help prevent them from engaging in such behaviour.
  - The applicant can only be Prosecution in the criminal case (usually CPS) but can apply for a Criminal Behaviour Order at the request of the Police or Council

who would then become responsible for the cost of the Criminal Behaviour Order

- The anti-social behaviour does not need to be part of the criminal offence the individual are in court for.
- Will prohibit individuals from engaging in certain behaviour and can also require them to engage in positive interventions
- Can be fixed for a period of not less than 2 years or for an indefinite period

### 8 Dispersal Power

- The dispersal power is a flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community. The Council is not able to use this power
- There is no statutory requirement to consult the local council with the new dispersal power, but the authorising officer may consider doing so in some circumstances.
- Must specify the area to which it relates and can determine the time and the route to leave the area by
- Can confiscate any item that could be used to commit anti-social behaviour, crime or disorder
- Use in a specified locality must be authorised by a police inspector and can last for up to 48 hours
- A direction can be given to anyone who is, or appears to be, over the age of 10
- A person who is under 16 and given a direction can be taken home or to a place of safety. The community should be considered before using the dispersal power
- Breach is a criminal offence
- Failure to comply with a direction to leave: up to a level 4 fine and/or up to three months in prison although under 18s cannot be imprisoned
- Failure to hand over items: up to a level 2 fine (£1000)

### 9 Community Protection Notice (CPN)

- To stop a person, business or organisation committing anti-social behaviour which spoils the community's quality of life
- Behaviour has to have a detrimental effect on the quality of life in the locality, be of a persistent or continuing nature and be unreasonable
- Imposes requirements to stop doing specified things, requirements to do specified things and a requirement to take reasonable steps to achieve specified results
- Written warning has to be issued informing the perpetrator of the behaviour, requesting them to stop and the consequences of continuing
- Council Officers, Police Officers, PCSOs, if they have delegated powers and social landlords

## Agenda Item 6

### 10 Public Spaces Protection Order (PSPO)

- Designed to stop individuals or groups committing anti-social behaviour in a public space
- Behaviour has to have a detrimental effect on the quality of life in the locality, be of a persistent or continuing nature and be unreasonable
- Restrictions and requirements set by the council after consultation with Police, PCC and other relevant bodies
- Can be blanket restrictions/requirements or targeted against certain behaviours/times
- Can be enforced by Police Officer, Council Officers and PCSOs, if they have delegated powers
- Breach is a criminal offence
- The maximum duration of a PSPO is 3 years. They can also be varied if other problems are faced in the area during that time.

### 11 Closure Power Notice & Order

#### **Closure Notice**

- To allow the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder
- To be used if the following has occurred or will occur if power not used – nuisance to the public or disorder near premises
- Last for up to 48 hours
- Can be served out of court but cannot prevent owner or occupants accessing premises

#### **Closure Order**

- To allow the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder
- To be used if the following has occurred or will occur if power not used – disorderly, offensive or criminal behaviour, serious nuisance to the public or disorder near the premises
- Needs to be applied for through the courts after Notice has been served
- Can close a premise for up to 6 months and can restrict all access

The Act also introduces two new measures that aim to give victims a greater say in the way their concerns are dealt with via a new Community Remedy and the anti-social case reviews (the Community Trigger) process.

The community trigger and community remedy will empower victims and communities, giving them a greater say in how agencies respond to complaints of anti-social behaviour and out-of-court sanctions for offenders.

### 12 New Absolute Grounds for Possession

- The purpose of the new absolute ground for possession is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven in another court
- The new absolute grounds for possession will be available to social and private landlords
- Landlords will no longer have to prove that it is reasonable to grant possession but, instead, courts must grant possession if the landlord followed the correct procedure and at least one of the specified conditions is met
- Convicted of a serious offence (specified in Schedule 2A to the Housing Act 1985)
- Found by a court to have breached a civil injunction
- Convicted for breaching a criminal behaviour order (CBO)
- Convicted for breaching a noise abatement notice
- The tenant's property has been closed for more than 48 hours under a closure order for anti-social behaviour

### 13 Other Measures

- The Act also introduces the power for the Secretary of State to make regulations under which the keeper of a vehicle may be required to pay a fixed penalty where litter has been thrown, dropped or otherwise deposited from the vehicle
- Currently, a fixed penalty notice can only be issued when litter is thrown from a car if the person responsible for throwing the litter can be identified. This new provision would bring the legislation for littering offences in line with that for fly-tipping with the keeper of a vehicle being deemed responsible for any offences committed by those within the vehicle

### 14 Community Remedy

- The Police and Crime Commissioner (PCC) has recently consulted with members of the public, community groups and local authorities on the options to be included in a community remedy menu.
- The PCC needs to have the community remedy document in place by October 2014 and the findings from the consultation will support the development of the final proposals to be agreed between the PCC and Chief Constable.
- The Act requires each local policing body (and therefore not the Council) to prepare a community remedy document for its area with a list of actions to be carried out by a person who has:
  - engaged in anti-social behaviour or has committed an offence; and
  - is to be dealt with for that behaviour or offence without court proceedings
- The community remedy document will be used by the police as part of the existing process for delivering community resolutions
- It is proposed that this will give victims of low-level crime and anti-social behaviour a say in the punishment of perpetrators out of court

## Agenda Item 6

- The community remedy may also be used by the police when a conditional caution or youth conditional caution is given, as a means of consulting the victim about the possible conditions to be attached to the caution

### 15 Anti-social Behaviour Case Reviews (Community Trigger)

- The Act also enables members of the public to request a review of the actions taken by the Community Safety Partnership to deal with anti-social behaviour complaints, referred to as the Community Trigger. Government has conducted various pilots around the Country to test how differing criteria may be applied and how the review process would work in practice. The decision is left to all local authorities to decide what the criteria for their area will be and how the review process will take place.
- The arrangements are to be determined at District level. In Kent this means that there is the possibility of having 13 different criteria for Kent & Medway. Whilst the legislation allows for this, a Kent approach is being encouraged to avoid confusion.
- The proposed trigger in Appendix A is broadly in line with the trigger for other districts and boroughs in Kent and is based on the legislation and Home Office Guidance as follows:
- The trigger for a review should apply when there have been 3 or more complaints of the behaviour in the previous 6 month period; the anti-social behaviour was reported within 1 month of taking place and the application to use the trigger is made within 6 months of the most recent report of anti-social behaviour taking place. In deciding whether the trigger has been met, the following can also be taken into account: the persistence of the anti-social behaviour; the harm or potential harm caused by the anti-social behaviour; the adequacy of response to the anti-social behaviour.
- The Council will be involved in case reviews not only as an organisation whose action, or lack of action, may be the subject of a review, but also in reviewing the response of other partners when reviews are requested in respect of them. The intention is that this should be a multi-agency approach and partner organisations may be brought together in the form a peer review. After the members of the review group have reviewed the handling of a matter, they can make recommendations, for example that certain steps be taken in that particular matter.
- The anti-social behaviour case review will not replace Sevenoaks District Council's complaints procedures and individuals can still complain through the Council's usual processes if they are unhappy with the service received from a Sevenoaks District Council service.
- It is proposed that the Council's Community Safety Unit will be the first point of contact for members of the public requesting a review of their case. If a second stage review is requested, senior Community Safety Partnership representatives will be involved and it is recommend that the District Council's

Community Safety Portfolio Holder would also be involved at a second stage review.

- The legislation states that relevant bodies must publish prescribed information on the number of reviews, the number of applications, etc and as well as being publically available information, it is proposed these are reported to the Community Safety Partnership on a quarterly basis for review and scrutiny.

### **Key Implications**

#### Financial

The Council is likely to incur legal costs when applying for the new Civil Injunction or Criminal Behaviour Orders for example, or if it prosecutes an individual, or body, for failure to comply with a notice. Such applications or prosecutions will be made only on the basis of appropriate evidence, where the action is justified, proportionate and necessary and in consultation with legal colleagues.

Income from payment of a fixed penalty to the Council may be used to offset some of the costs associated with prosecution.

Some training may be required for individual staff within the Council and partner agencies and this would be match funded by the organisations concerned and with external funding if available.

It is anticipated that the powers will be used by existing staff, initially within current budgets. Based on previous experience with existing legislation, there is unlikely to be a sustained heavy use of the new powers. Partners have always worked together in the Sevenoaks District to deal with anti-social behaviour in its earliest stages. However, the new powers are intended to give Councils and partners a simpler way of dealing with anti-social behaviour and their availability may put additional pressure on the Council to use the legislation, resulting in new expenditure. Officers will monitor the use of the new powers and the effect that they may have on the Community Safety and Legal team's budgets.

#### Legal Implications and Risk Assessment Statement.

The Crime and Disorder Act 1998, places a duty upon local authorities to seek to prevent crime and disorder in its area in carrying out its duties. The Anti-social Behaviour and Policing Act 2014, provides a new set of powers for tackling anti-social behaviour.

The majority of these powers are unlikely to be used frequently by the Council, as they are in many cases a last resort, where other options have been tried and failed. However in some circumstances their use may be proportionate, justified and appropriate.

## Agenda Item 6

### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	All the powers promote equal opportunity and any enforcement would take the Equalities Act into consideration
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

### **Conclusions**

The Anti-Social Behaviour Police and Crime Act 2014 provides new powers that enable the Council to tackle anti-social behaviour, working co-operatively with the police, social landlords and other agencies.

The Government make it clear that their reforms are designed to put victims at the heart of the response to anti-social behaviour and give professionals the flexibility they need to deal with any given situation.

In guidance issued by the Home Office, it is made clear that the new powers are designed to be flexible, allowing professionals to adapt them to protect victims in a wide range of situations. There is also an expectation of increased partnership working, sharing of information and using early and informal interventions.

The proposed scheme of delegations will enable Officers to use the new powers. Members will be notified when Orders initiated by the Council are being taken forward in their ward.

### **Appendices**

A - Community Trigger Proposal

### **Background Papers:**

Home Office guidelines

**Lesley Bowles**

**Chief Officer Communities and Business**



## **Kent Community Trigger Document – Appendix A**

### **Proposed Community Trigger Threshold**

At least three incidents of anti-social behaviour reported to the relevant bodies within the previous six months.

The anti-social behaviour must be a repeat of the same or similar incident. The incidents must have been reported within one month of taking place.

### **Proposed Countywide Procedures – Information for professionals**

The Community Trigger application form and any publicity material for the trigger will be the same Countywide.

Applications for the trigger should be submitted directly to the local borough or district council, either online, via telephone or in writing. If an application is received by any other agency, they should refer it to the local Community Safety Unit based at the local borough or district council.

The borough or district council will record the application, alongside its own standard recording and reporting mechanisms, clearly identifying it as a Community Trigger application.

The application for the trigger will be considered by the Community Safety Unit at its daily tasking meeting to decide whether or not the trigger threshold has been met at which point the Community Trigger application will be validated.

If the Community Trigger has not been met, there will be a full reply by letter or e-mail, which will list all the incidents that were reported and the actions that have been taken by the partner agencies and how to report future community safety incidents.

If the Trigger has been met a first stage review will be initiated and undertaken by representatives of at least three partner agencies.

Once a review has been initiated, partners and agencies undertaking the review will share relevant information in a timely fashion. If information is not provided by any agency following a request this will be recorded as part of the review findings.

The process from beginning to end will last no longer than 25 working days and the applicant will be contacted and notified as appropriate during this time, for example when;

- a. The trigger application has been received
- b. The trigger threshold has not been met
- c. The Community Trigger review has been activated
- d. The results of the review panel and recommendations are finalised

There will be a final review after 6 months, by which point any actions set as part of

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a plan created by the recommendations/findings will need to be completed. This will be communicated to the resident and the case closed if no further action is required.

If the applicant requests a secondary review of the way their application for a Community Trigger was dealt with or are not satisfied with the outcome of their Community Trigger review then the borough/district council will initiate an independent panel to conduct a second stage review.

*In Sevenoaks District, the second stage review panel will be made up of senior members of the Community Safety Partnership together with an elected District Council Member who should be the Portfolio Holder for Housing and Community Safety or a deputy.*

The District Council will report the following Community Trigger data to the Community Safety Partnership quarterly and annually to the PCC & KCSP & within the annual Strategic Assessment.

- the number of applications for Community Trigger received
- the number of times the threshold for review was not met
- the number of reviews carried out, and
- the number of reviews that resulted in recommendations being made

It is proposed that this process is reviewed in September 2015 and any learning used to refine and improve the process.

### **Applications can be received:**

- ✓ Online
- ✓ Via Telephone
- ✓ In writing

Partner agencies forward all trigger applications to relevant Community Safety Unit.

Acknowledgement of trigger application sent automatically via email if reported online, within 2 days if made via telephone or writing.

Anonymous reporting will not be treated as a Community Trigger application.

Agencies involved will submit case information for the review, including vexatious reports or work in progress.

Failure to submit information will be included as part of the review findings and recommendations.

Decision letter to be sent to application as quickly as possible, but no later than 25 working days since the application was acknowledged.

## **BANK ACCOUNT SIGNATORIES**

### **Cabinet – 13 November 2014**

Report of the: Chief Finance Officer

Status: For Decision

Key Decision: No

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**Executive Summary:** This report seeks approval for a change to the list of Officers authorised to sign cheques and sanction banking instruments on behalf of the Council.

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**This report supports the Key Aim of** Effective Management of Council Resources.

**Portfolio Holder** Cllr. Ramsay

**Contact Officer** Roy Parsons, Principal Accountant - Ext 7204

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### **Recommendations to Cabinet:**

- a) That Mrs Kathryn Scott, former Technician Accountant, no longer be authorised to sign cheques and sanction banking instruments on behalf of the Council; and
  - b) That, pursuant to Finance Procedure Rules 4.73 and 4.74, Miss Joanne Cheeseman, Finance Officer, be authorised to sign cheques and sanction banking instruments on behalf of the Council in respect of all bank accounts other than the Chief Executive's Imprest Account.
- 

**Reason for recommendations:** As a result of Mrs Scott's departure from the Council, it is now necessary to replace her with another signatory.

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### **Background**

- 1 At present, four Officers plus the Chief Executive and Chief Finance Officer are authorised signatories to the Council's bank accounts. The departure of one of the four Officers means that a replacement is required.
- 2 It should be noted that the authority of Mrs Scott to sign cheques etc. was cancelled with the bank immediately upon her departure. Recommendation a) merely formalises this action.

### **Key Implications**

#### Financial

- 3 There are no financial implications.

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### Legal Implications and Risk Assessment Statement

- 4 Under Section 151 of the Local Government Act 1972, the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including the operation of banking facilities.
- 5 For day to day practical reasons, Officers need to be authorised to sign cheques and sanction banking instruments on behalf of the Council. Failure to have authorised signatories would severely restrict the Council in the way in which it could operate bank accounts and deal with its financial needs.
- 6 Protection is in place by the requirement for two signatories on items over £10,000 (£5,000 for housing benefit and local tax payments).

### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The recommendation is concerned with banking activities and does not directly impact upon a service provided to the community.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		No mitigating steps are required.

**Appendices:** None

**Background Papers:** [Constitution of Sevenoaks District Council – Appendix D \(Finance Procedure Rules\)](#)

**Adrian Rowbotham**  
**Chief Finance Officer**

**Item 8 – Variations to the “A Home of Your Own” scheme (DIYSO)**

The attached report was considered by the Housing and Community Safety Advisory Committee, relevant minute extract below:

Housing & Community Safety Advisory Committee – 8 October 2014 (Minute 19)

The Housing Enabling Officer presented the report which advised that decision to approve funding for Round 2 of the “A Home of Your Own” scheme (Diyso) and any associated variations to the scheme rested with the Housing & Community Safety and Local Planning & Environment Portfolio Holders. However the proposed variations 1 and 2, due to the potential amounts involved, were ‘Key Decisions’ for Cabinet to agree.

Public Sector Equality Duty

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

**Resolved: That the following proposed variations be recommended to Cabinet for adoption:**

‘Variation 1. For applicants who are housing association tenants, the value of the home to be purchased may be up to £350,000. This enhanced value cap would only apply where the applicant is assessed by Moat as suitable for a 3 or 4 bedroom home and the applicant is actually buying this size of home. The enhanced value cap would only be applied to a maximum of 3 purchases

Variation 2. For all applicants, the minimum initial share of the home to be purchased is reduced to a 35% share.’

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**VARIATIONS TO THE “A HOME OF YOUR OWN” SCHEME (DIYSO)**

**Cabinet 13 November 2014**

Report of Chief Housing Officer

Status: For consideration

Also considered by: Housing & Community Safety Advisory Committee - 8 October 2014

Key Decision: Yes

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**This report supports the Key Aims of safe and caring communities and a dynamic and sustainable economy.**

**Portfolio Holder** Cllr. Michelle Lowe

**Contact Officer(s)** Pat Smith Ext. 7296

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**Recommendation to Housing & Community Safety Advisory Committee:** That the proposed variations set out in paragraphs 2.1 and 2.2 be considered and a recommendation made to Cabinet.

**Recommendation to Cabinet:** That the proposed variations set out in paragraph 2.1 and 2.2 be considered and approved.

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**Reason for recommendation:** To ensure the proposed variations to the “A Home of Your Own” scheme are correctly approved.

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**Introduction and Background**

- 1.1. In the forthcoming annual report to the Housing & Community Safety and Local Planning & Environment Portfolio Holders regarding proposals for spending financial contributions collected for affordable housing, approval will be sought for a Round 2 of the “A Home of Your Own” scheme (DIYSO) with Moat. Currently, £1.35m financial contributions have been collected and which are unallocated. Sufficient funds are therefore in place to allow support of a Round 2, subject to Portfolio Holder approval.
  
- 1.2 Round 1 was first approved by Portfolio Holder Decision No: 18 (2012/3) - General Proposals for Spending in 2012/3. A funding split of 60:40 was agreed between Moat and the Council, with the Council’s funding totalling £480,000 plus on costs and Moat’s funding totalling £720,000. The funding is enabling 12 shared ownership purchases to be made on homes in the District to the value of £250,000. The Council’s contribution is recouped in all cases (when the

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purchaser acquires further shares or sells up) and will be used to enable affordable housing.

- 1.3 Priority is given to existing housing association tenants as their freed up affordable homes are used to re-house others in housing need. Of the purchases completed to date, 3 have involved housing association tenants. The remaining 9 purchases are all expected to involve first time buyers with a local connection to the District.
- 1.4 Due to market intelligence gathered from Round 1, a number of variations are proposed for Round 2 to encourage maximum take up and affordability, particularly amongst existing housing association tenants.
- 1.5 The decision to approve funding for Round 2 of the “A Home of Your Own” scheme (Diyso) and any associated variations to the scheme, rests with the Housing & Community Safety and Local Planning & Environment Portfolio Holders. However two of the proposed variations constitute a Key Decision under the Constitution. These proposed variations require Cabinet consideration and approval.
2. The two proposed variations requiring the approval of Cabinet are:
  - 2.1 Variation 1. For applicants who are housing association tenants, the value of the home to be purchased may be up to £350,000. This enhanced value cap would only apply where the applicant is assessed by Moat as suitable for a 3 or 4 bedroom home and the applicant is actually buying this size of home. The enhanced value cap would only be applied to a maximum of 3 purchases.

Justification - Moat report growing difficulty for purchasers in finding larger properties within the existing maximum value cap (£250,000). The proposed maximum value cap increase will facilitate moves for larger families. By limiting the number of purchases this will be available for (to a maximum of 3 qualifying applicants), the call on the overall funding pot will continue to be carefully managed.
  - 2.2 Variation 2. For all applicants, the minimum initial share of the home to be purchased is reduced to a 35% share.

Justification - Moat report affordability levels are such that some applicants are unable to afford the current minimum 50% initial share. However applicants are keen to move into home ownership and could afford to purchase a lesser share value. Under the national Help to Buy programme, housing associations may offer minimum share purchases as low as 25%. Under the “A Home of Your Own” scheme (Diyso), applicants are expected to buy the largest share they can afford, as assessed by Moat. The proposed minimum share will help more applicants be able to afford to purchase under the scheme.
  - 2.3 Subject to Portfolio Holder approval, Round 2 of the “A Home of Your Own” scheme (Diyso) would fund a further minimum 12 purchases (grants). The scheme would continue to be funded on the basis of a 60/40 split between Moat and the Council. However due to the variations proposed above, Moat’s contribution would be £1,287,000 maximum (Moat have already approved this) and the Council’s contribution would be £858,000 maximum (plus on costs of



£2,500 per purchase). As reported in paragraph (1.1) sufficient funds have been collected through planning contributions to allow Round 2 to be fully funded, subject to Portfolio Holder approval. These maximum figures are based on the “worst case” scenario, where the two proposed variations detailed in paragraphs (2.1) and (2.2) are fully taken up in every case. For example, for a 4 bedroom house costing £350,000 where the applicant (a housing association tenant) is acquiring a 35% share, the Council’s contribution would be £91,000 (and Moat’s £136,500); or for a 2 bedroom house costing £250,000 where the applicant is acquiring a 35% share, the Council’s contribution would be £65,000 (and Moat’s £97,500). These amounts exceed the level where a Key Decision is required.

**Other Options Considered and/or Rejected**

Subject to further discussion with Moat, it should be possible to progress a Round 2 of the “A Home of Your Own” scheme (Diyso) whether both of the variations set out in paragraphs (2.1) and (2.2) are approved, or just one of them is approved, or neither of them are approved. However market intelligence suggests unless both variations are approved, Round 2 will fail to have maximum impact and take up.

**Key Implications**

Financial

The report contains proposals involving the use of funds received through developer contributions. Funds are not committed before their receipt is certain. The Council recoups all monies committed under the scheme (or their share thereof) and these will be used to enable affordable housing in the future.

Legal Implications and Risk Assessment Statement.

Legal agreement to be in place if Members agree proposals.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The proposed variations to the scheme will ensure it is available to a wider section of the community than is currently available, e.g. greater consideration for larger families..
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		Positive impact of widening the scheme.

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### **Conclusions**

Subject to further discussion with Moat, it should be possible to progress a Round 2 of the “A Home of Your Own” scheme (Diyso) whether both of the variations set out in paragraphs (2.1) and (2.2) are approved, or just one of them is approved, or neither of them are approved. However market intelligence suggests approval of both variations will ensure Round 2 has maximum affect and impact in promoting affordable low cost home ownership within the community.

### **Background Papers:**

[Core Strategy](#) (Feb 2011)

[Affordable Housing Supplementary Planning Document](#) (Oct 2011).

Portfolio Holder report – [General Proposals for Spending in 2013](#) (Decision No. 18)

**Pat Smith**

**Chief Housing Officer**

**Item 9 – Annual Review of Parking Charges for 2015/16 and Christmas Parking 2014**

The attached report was considered by the Economic & Community Development Advisory Committee, relevant minute extract below:

Economic & Community Development Advisory Committee – 21 October 2014 (Minute 20)

The Parking Manager presented the annual review of parking charges which proposed car park and on-street parking charge options for 2015/16 and included consideration of free Christmas parking for 2014. Members were advised that the options for Westerham had been tabled and the Westerham Town Partnership were thanked for meeting a tight deadline.

The Committee was advised that the income being received this year was an improvement on the previous year and that in terms of actual income the increases approved for 2014/15 were being achieved.

A Member thanked Officers for the work that had been carried out with Westerham Town Partnership. There were concerns that increasing some of the parking fees would be high in percentage terms. Members were advised that the current parking scheme in Westerham had only been in place for 6 months.

Members discussed the evening charge and the potential effects of extending the day-time charges into the evening period. Whether charges for Sunday parking should be introduced was also discussed. In response to questions the Committee was advised that maximum parking times did not apply on Sundays and Bank Holidays and enforcement requirements would need to be considered if parking controls were to be proposed. A Member expressed the need for free residents parking. Members were advised that parking permit fees were not reviewed annually and did not feature in this review.

Members discussed the charging options for the car park charges and expressed concerns at the proposed increases in Sevenoaks Town Centre in respect to the Blighs car park for 30 minutes and 1 hour believing that these tariffs should remain unchanged. Members were advised that Option 3 did not contain any proposals to amend these charges. In respect to Option 3 Members suggested that the 3 hour charge should be increased to £5.00 to encourage the turnover of spaces. A Member raised concerns about the parking situation in the area of St Johns Hill and in view of this was not in favour of increasing the parking charges in the St. John's Hill car parks. Members discussed that a working group should be set up to review parking in the area of St. John's in more detail.

Members discussed the proposals for on street parking and whether a mixture of options 2 and 3 should be proposed. Some Members believed that as there was a surplus then the fees should not be increased. It was suggested that an "Option

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4” be proposed increasing the 30 minutes charge by 10p, the 2 hour charge by 20p and 4 hour charge by 10p.

In respect to the parking charges in Westerham, a Member proposed that no change be made to either the car park or on-street charges.

In respect to the free Christmas parking it was suggested that the preferred dates of the consultees be agreed.

A Councillor expressed concern that there was a lack of enforcement in some areas of the District which could affect residents and businesses. The Parking Manager advised that if there were specific roads causing problems at certain times of the day the Civil Enforcement Officers could visit. However, if cars were causing obstructions this was usually a Police matter.

### 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) the proposed car park charges for 2015/16 be as shown in Option 1-3 in Appendix B1, confirming that no changes be made to the evening charge, the St Johns Hill car parks or the Westerham car parks, and that the 3 hour charge for the Blighs car park be increased by 50p;
- b) the proposed on-street parking charges for 2015/16 be a mixture of Options 2 and 3 with the following charges being increased: the 30 minutes charge by 10p, the 2 hour charge by 20p and the 4 hour charge by 10p, and that no changes be made to the on-street charges in Westerham;
- c) free Christmas parking be provided in all car parks and on-street parking areas throughout the District for two Saturdays before Christmas 2014 and that the dates for the different areas be as preferred by the consultees, and that the cost in terms of lost income be funded from Supplementary Estimates; and
- d) a working group be set up to review the car parking fees at Sevenoaks St. John's and the Membership include Cllrs. Hogarth, Miss. Stack and Miss Thornton and report this to the Portfolio Holder for Economic and Community Development to report to Cabinet.
- e) to recommend to Council that cost in terms of lost income for free parking to be provided in all car parks and on-street parking areas throughout the district for two Saturdays before Christmas 2014 be funded from Supplementary Estimates.

*Note: The additional papers tabled at the meeting are attached.*

**ANNUAL REVIEW OF PARKING CHARGES FOR 2015/16 AND CHRISTMAS PARKING 2014**

**CABINET – 13 NOVEMBER 2014**

Report of: Chief Officer Environmental and Operational Services

Status: Consideration and comment

Also considered by: Economic & Community Development Advisory Committee – 21 October 2014

Key Decision: Yes

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**Executive Summary:** This report is the annual review of parking charges. It proposes car park and on-street parking charge options for 2015/16, and includes consideration of free Christmas parking for 2014

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**This report supports the Key Aims of** the effective management of Council resources and supporting and developing the local economy

**Portfolio Holder** Cllr. R Hogarth

**Contact Officer(s)** Gary Connor Ext 7310

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**Recommendation to Advisory Committee:** It be resolved that the following proposals be considered and that the views of this Committee be submitted to Cabinet for consideration in relation to:

- (a) the proposed car park charges for 2015/16, subject to consultation as noted in the report;
- (b) the proposed on-street parking charges for 2015/16, subject to consultation as noted in the report; and
- (c) the dates for free Christmas parking to be provided in all car parks and on-street parking areas throughout the district for two Saturdays before Christmas 2014; and the cost in terms of lost income be funded from Supplementary Estimates.

**Recommendation to Cabinet:** That the following be resolved:

- (a) the proposed car park charges for 2015/16 be confirmed, subject to consultation as noted in the report;
  - (b) the proposed on-street parking charges for 2015/16 be confirmed, subject to consultation as noted in the report; and
  - (c) the dates for free Christmas parking to be provided in all car parks and on-street parking areas throughout the district for two Saturdays before Christmas 2014 be confirmed; and that the cost in terms of lost income be funded from Supplementary Estimates.
-

**Recommendation to Council:** It be resolved that:

cost in terms of lost income for free Christmas parking to be provided in all car parks and on-street parking areas throughout the district for two Saturdays before Christmas 2014 be funded from Supplementary Estimates.

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**Reason for recommendation:** To ensure car parking charges are set to support a sustainable local economy.

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### **Introduction and Background**

- 1 One of the primary considerations when reviewing parking charges is to ensure the Council makes the best use of its parking spaces for the benefit of the local economy.
- 2 The Council's approach has been to ensure our parking charges are set to encourage people to visit our towns while at the same time promoting a good turnover of parking spaces for the benefit of businesses and visitors.
- 3 This has resulted in high use of the Council's car parks and on-street parking spaces, benefitting retailers. Past studies by the Local Data Company concluded that Sevenoaks town has one of the healthiest high streets in the country with the fewest number of empty shops for a town of its size. The Council's approach to setting parking charges has contributed to this success.
- 4 At the same time additional income generated from parking charges will allow the Council to cover the increased cost of providing parking, including maintenance, business rates and utility costs.
- 5 Any surplus income is invested in District Council services by contributing towards the Council's budget requirements at a time when the Council faces the biggest reductions in Government funding in its history.
- 6 The Council's 10 year budget, approved by Council in February 2014 assumes an increase in the levels of income of 3.5% to enable a balanced budget to be delivered. This includes income from parking.
- 7 This report sets out options for parking charges from April 2015 and also recommends that the Council considers repeating its free parking concession on two Saturdays before Christmas, to support local businesses

### **Background Information**

- 8 Car park ticket machines do not accept bronze coins, and because of the general lack of availability of 5p coins, parking tariffs are usually set to the nearest 10p. This practice is commonly adopted by local authorities. Although a tariff increase of 10p may be relatively low in monetary terms, it can be high in percentage terms depending upon the scale of the charge, particularly in relation to lower tariffs.

- 9 For guide purposes, current car parking charges for neighbouring authorities are attached as Appendix A.
- 10 For information, in relation to parking in the vicinity of rail stations, the current day charge for the station car parks operated on behalf of Southeastern Trains is £6.70 at Sevenoaks, £6.00 at Swanley and £3.50 at Knockholt station. Annual season ticket charges at Sevenoaks are £1,212 for Car Park 4 (off Morewood Close) and £1,467 for Car Park 1 (adjacent the station).

### **CAR PARKS**

- 11 A 3.5% budget increase for 2015/16 amounts to £73,215.
- 12 As at the end of September 2014 (approximate figures given), there was a shortfall of £30,000 for total car park income against budget target. Income from pay and display charges was £43,000 below target, whilst income from season tickets was £11,000 above target.
- 13 To achieve the additional income approved by Cabinet in respect to this financial year, after 6 months we would expect income from pay and display charges to be up by £31,000 on last year. Actual income is up nearly £34,000 compared to the same period last year. This shows, therefore, that the expected additional income is being achieved for this current year. It is worth noting that this is despite the reduction in spaces brought about by the Marks & Spencer development, as mentioned below.

### **The Blighs Development**

- 14 The development to provide a new Marks & Spencer store in London Road, Sevenoaks began in June 2013. As a result, 54 short stay spaces were lost from the Blighs car park, of which 5 formed part of the main Blighs car park. In June 2014, the Pembroke Road car park with 54 long stay spaces, which had initially been reduced to 33 spaces, was also lost to the development. No adjustment has been made to the budget target for parking income for the current year to take account of the significant reductions in parking spaces.
- 15 Due to the opening of the new Marks & Spencer store on 8 October, the overall parking situation in the town centre remains somewhat unsettled.
- 16 The Marks & Spencer development included the provision of a VMS (variable message signing) system for the town centre. Electronic signs have been installed on the main approaches to the town centre which indicate the number of spaces available in the town centre car parks, thus encouraging better use of parking facilities in the town.
- 17 The small upper, surface car park associated with the development (30 spaces) will be managed and operated by the Council as part of the Blighs car park, with the same conditions and charges applying. Transfer arrangements should be in place from the time of the store opening. The undercroft car park (49 spaces) is to be privately managed and, as far as we are aware, is not directly linked, in management terms, to the M&S store.

### **Proposals for the Buckhurst 2 Car Park**

- 18 The Council has recently submitted a planning application to provide approximately 300 additional parking spaces at the Buckhurst 2 car park. The proposals for the additional spaces form part of a separate investment strategy and, therefore, do not feature as part of this review. The existing spaces, however, were not included in the financial calculations and, hence, they do need to be included in the review.
- 19 It should be noted that any recommendations in respect to parking charges for the existing parking spaces at the Buckhurst 2 car park will automatically apply to the additional spaces proposed as part of the scheme.
- 20 The business case for the new car park was assumes an annual increase of 3% for pay and display and season ticket charges to enable the costs of the scheme to be self financing. The proposals contained in this review for 2015/16 take this into account.

### **Car Park Charges**

- 21 Proposals and options for car park charges are provided and attached as Appendix B. There are two versions shown, B1 and B2, to take account of whether a change to the evening parking charge is to be recommended. B1 assumes that a change to the evening charge is not included, whereas B2 assumes that it is. A proposal for the evening charge is discussed below. All income figures quoted are net of VAT.
- 22 The proposals within each option are not exclusive to that particular option, but can be interchanged or swapped with those in other options to provide a preferred set of proposals should Members so wish. However, care should be taken to maintain charging differentials, particularly between Blighs car park and the other short stay car parks in the town centre.
- 23 Included in Appendix B, as an example and as a possible option, is the income that could be derived from a flat 10p increase to all pay and display tariffs and a £10 increase to all season tickets.
- 24 In formulating the options, an attempt has been made to avoid the areas where increases were applied as a result of the previous review for the current financial year.

### **Westerham Parking Charges**

- 25 As noted in the appendix, the performance of the parking charges introduced in Westerham this year in response to the parking policies proposed by the Westerham Town Partnership, are being discussed with the Town Partnership and the Westerham Town Council. Therefore, this section of the appendix has not been completed. It is intended to report details at the time of the meeting.



### **Evening Charge**

- 26 The £1.00 evening charge was introduced in 2004. Over the years the use of a one-off payment for the evening period has caused confusion to car park users. This continues to be the case. Members may wish to consider removing the evening charge and instead extending the daytime charges through into the evening period. If this were to be done, a cut-off of 9.00pm is recommended as there are few parking purchases after this time.

### **Car Park Options**

- 27 Option 1 in Appendix B1: mainly proposes increasing the 30 minute and 1 hour charges in Blighs, which were not included last year, and increasing the 2, 3 and 4 hour charges in the other town centre car parks to try and maintain the charging differential. As previously stated, increases for the Buckhurst 2 car park are in line with the investment strategy for the proposed scheme. In respect to Swanley, a nominal 10p increase is proposed to the long stay charges in Swanley in order to reduce the amount of coinage required.
- 28 Option 2 in Appendix B1: includes an increase to the 2 hour charge in Blighs which enables the 2 hour charge in the other town centre car parks to be removed. Otherwise, this option is much the same as option 1.
- 29 Option 3 in Appendix B1: applies increases to the longer parking periods in all the town centre car parks to encourage the turn-over of spaces and to maintain the average hourly cost for each set of charges.
- 30 Options 1, 2 & 3 in Appendix B2: the inclusion of the evening charge enables the extent of the increases to the other parking charges to be reduced.
- 31 The two day ticket in the Bradbourne car park will be automatically adjusted to twice the day ticket rate.
- 32 The cost of altering ticket machines and signing has been taken into account in the budget figures provided.
- 33 The adjustment of car park charges will require an amendment to the Council's Off-Street Parking Places Order. The process requires the Council to undertake statutory public consultation by way of Public Advertisement of the proposals. To enable any revised charges to take effect at the beginning of April 2015, the proposals would need to be advertised and any objections received reported to Cabinet for consideration.

### **ON-STREET PARKING**

- 34 A 3.5% increase for 2015/16 amounts to £19,947.
- 35 As at the end of September 2014 (approximate figures given), income from on-street parking charges was £49,000 above target. The account as a whole was £30,000 in surplus.

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- 36 Income from pay and display charges for the first 6 months of this year is up by £38,000 compared to the same period last year. To achieve the additional income approved by Cabinet in respect to this financial year, we would expect to be £25,000 up at this point. This indicates, therefore, that the expected additional income is being achieved for the current year.
- 37 In view of the better than expected level of income received, Members may wish to consider freezing on street parking charges for 2015/16..
- 38 Three options are provided for consideration in Appendix C. The appendix comprises two pages, C1 and C2. C1 shows all the current charges for the different parking areas within the district. However, with the parking charge structure being more or less standardised across the district, the suggested increases can be shown against each parking period as opposed to each parking area, as shown in Appendix C2. Any increase approved would automatically be applied to any area where it featured within the district.

### **Westerham On Street Parking Charges**

- 39 As noted in the appendix, the performance of the parking charges introduced in Westerham this year in response to the parking policies proposed by the Westerham Town Partnership, are being discussed with the Town Partnership and the Westerham Town Council. Therefore, this section of the appendix has not been completed, but it is intended to report details at the meeting.

### **On-Street Options**

- 40 Option 1: in view of the positive situation of the on-street parking account, this option proposes freezing the current parking charges. .
- 41 Option 2: suggests a nominal 10p increase to the 30 minute charge. This achieves a 2.0% increase in the on street parking income which, taking into consideration the performance of the parking account, may be acceptable.
- 42 Option 3: applies a 20p increase to the 2 and 4 hour charges. This is aimed at improving the turn-over of spaces. The increases achieve 2.7% in respect to the budget target. Should additional income be required to achieve 3.5%, a 10p increase on the day charge in all areas would produce £5,900 of additional income providing an overall budget increase of 3.7%.
- 43 Any changes to the on-street parking charges would require an amendment to the Traffic Regulation Order. The process requires the Council to undertake statutory public consultation by way of Public Advertisement of the proposals.

### **CHRISTMAS PARKING 2014**

- 44 In previous years, to encourage people to shop locally and to support local businesses, the Council has provided free parking in all car parks and on-street parking areas on two Saturdays before Christmas. Members are recommended to consider repeating this free parking concession this year.

- 45 It should be noted that this would only apply to Sevenoaks and Westerham as parking charges in Swanley and in Halstead (outside Knockholt station) only apply Monday to Friday.
- 46 In connection with free Christmas parking, we understand that a request will be made by the Government's Department for Business Innovation & Skills and Department for Communities and Local Government to repeat the "UK Small Business Saturday" this December. The request is aimed at supporting small businesses and the viability of town centres. One of the suggested measures is the waiving of town centre parking charges for the day..
- 47 We are in the process of inviting the views of the Sevenoaks Chamber of Commerce, the Sevenoaks Town Council, the Westerham Town Council and the Westerham Town Partnership regarding the preferred dates for the free parking concession and the Small Business event. Any responses received will be reported at the time of the meeting.
- 48 It should be noted that the provision of free parking will enable people to park up to the maximum period of stay for the car parks should they so wish. This is likely to reduce the turnover of spaces. However, all parking areas will be enforced as normal to ensure compliance with the general conditions of use.
- 49 As for last year, all ticket machines will be closed-off with suitable signing provided to advise users that parking is free.
- 50 The parking areas operated by Sencio Community Leisure at the Sevenoaks leisure centre form part of the Suffolk Way car park. Sencio has always joined the Council in providing free parking at Christmas and will be requested to confirm its support again for this year.
- 51 It is estimated that the loss of income for all car parks and on-street areas throughout the district for each Saturday would be in the region of £9,000. Therefore, the total cost of providing free parking for two Saturdays is estimated at £18,000. It is suggested that should the free parking concession for 2014 be approved, it be funded from the Supplementary Estimates.

### **CHRISTMAS LIGHTS EVENTS 2014**

- 52 Members are advised that the provision of free parking in connection with Christmas Lights and Late Night Shopping events being held in Westerham on 27 November (free parking from 5pm) and in Sevenoaks on 28 November (free parking from 6pm) has recently been approved by the Council's Portfolio Holder for Economic and Community Development. The Council is pleased to support these annual events. It should be noted that the Sevenoaks event is also supported by Sencio Community Leisure.

## Agenda Item 9

### **Key Implications**

#### Financial

- 53 The Council's 10 year budget, approved by Council in February 2014 assumes an increase in the levels of income of 3.5% to enable a balanced budget to be delivered. This includes income from parking. .
- 54 The financial implications are evident in the report and appendices.

#### Legal Implications and Risk Assessment Statement.

- 55 As mentioned earlier in this report, any changes to the car park charges will necessitate an amendment to the Car Park Order and similarly, any changes to the on-street parking charges will necessitate an amendment to the Traffic Regulation Order. There are set legal processes to be followed in respect to both of these Orders.
- 56 The estimated figures are based upon current levels of patronage. The introduction of higher parking charges could lead to reduced patronage and, hence, the under-achievement of the income levels estimated in this report.

#### Equality Impacts

- 57 There is a low risk that any of the options presented will have an adverse impact on people with 'protected characteristics' under the Equality Act. There are no apparent issues of direct relevance to parking charges as our car parks are open to use by anyone who chooses to do so. Free parking is generally available in roads just out from the town centres, although in some cases this might be limited to 2 hours. Free parking is offered for those with disabilities who hold a Blue Badge and this remains unaffected. Any issues will be monitored through complaints received.

### **Conclusions**

- 58 Proposals and options to review the car parking charges for 2015/16 are detailed in the appendices to this report. It is important that the proposals are considered making reference to the Parking Charges for Neighbouring Authorities.

### **Appendices**

Appendix A – Parking Charges for Neighbouring Authorities  
Appendix B – Options for Car Park Charges  
Appendix C – Options for On-Street Parking Charges  
Appendix D - History of Parking Charges  
Appendix E – Westerham Parking – Review  
Appendix F – Response from Westerham Town Partnership  
Appendix G – Westerham Options

**Mr Richard Wilson**  
**Chief Officer Environmental and Operations Services**

**CURRENT PARKING CHARGES FOR NEIGHBOURING AUTHORITIES – AS AT OCTOBER 2014**

(Charges shown relate to town centre car parks)

	Dartford ①	Gravesham	Maidstone ②	Orpington (L.B. of Bromley)	Oxted (Tandridge)	Sidcup (L.B. of Bexley)	Tonbridge & Malling ③	Tunbridge Wells ④	Sevenoaks
<b>Charges apply:</b>	8am – 6.30pm Mon - Sat	8am - 6pm Mon - Sat	8am – 6.30pm Mon - Sun	7.30am - 6.30pm Mon - Sat	7am-5pm Mon - Frid	8am - 6pm Mon - Sun	8am - 6pm Mon - Sat	8am - 6pm Mon - Sat and 10am - 5pm On Sundays	8.30am - 6.30pm Mon - Sat
<b>Short Stay</b>									
									(Blighs in brackets)
0 - 30 minutes	--	--	50p	--		--	50p	--	-- (70p)
0 - 1 hr	£1.00	80p	90p	30p	Up to 4 hours free parking except in one car park where the charge is £4.60 for parking before 10am.	50p - 90p	£1.00	£1.00 - £1.20	£1.00 (£1.30)
1 - 2 hrs	£1.00	£1.50	£2.00	30p		£1.00 - £1.20	£1.70	£1.70 - £2.20	£1.80 (£2.70)
2 - 3 hrs	£2.00	£1.50	£2.00	--		£1.50 - £1.60	£2.30	£2.40 - £3.20	£2.50 (£4.50)
3 - 4 hrs	£2.00	£2.00	£3.00	--		£1.50 - £1.60	£3.00 - £3.50	£3.20 - £4.20	£3.50 --
Evenings	£1.00	--	£1.50	--		--	--	£1.00	£1.00
<b>Long stay</b>									
All day	£4.00	£3.00- £6.50	£6.00	n/a		£3.80 - £10.00	£5.20	£4.70 - £10.00	£4.40

- ① Dartford: one car park has 50p for up to 1 hour; the evening charge does not apply to all car parks  
 ② Maidstone: charges apply 7 days a week; a £1.50 charge applies evenings and overnight.  
 ③ Tonbridge & Malling: the 50p charge for 30 minutes is not available in all car parks.  
 ④ Tunbridge Wells: charges apply 7 days a week (but from 10 to 5 on Sundays).

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OPTIONS FOR CAR PARK CHARGES

CAR PARK TARIFFS - OPTIONS 1				Example		Proposed Increases			Estimated Income			
Item No.	Description	Charge Period	Current Charge	Income from 10p/£10 increase		Option 1-1	Option 1-2	Option 1-3	Option 1-1	Option 1-2	Option 1-3	
<b>1.0</b>	<b>SEVENOAKS TOWN CENTRE - Blighs</b>											
1.1	Short stay	30 minutes	70p	10p	£7,000	10p	10p		£7,000	£7,000		
1.2	" "	1 hour	£1.30	10p	£10,000	20p	20p		£20,000	£20,000		
1.3	" "	2 hours	£2.70	10p	£7,000		30p	30p		£21,000	£21,000	
1.4	" "	3 hours	£4.50	10p	£1,800			30p			£5,500	
	<b>Buckhurst 1, South Park, Suffolk Way</b>											
1.5	Short stay	1 hour	£1.00	10p	£14,000							
1.6	" "	2 hours	£1.80	10p	£8,500	20p	20p	20p	£17,000			
1.7	" "	3 hours	£2.50	10p	£3,600	30p	30p	50p	£11,000	£11,000	£18,000	
1.8	" "	4 hours	£3.50	10p	£2,300	30p	30p	50p	£7,000	£7,000	£12,000	
	<b>Buckhurst 2</b>											
1.9	Long stay	all day	£4.40	10p	£2,800	20p	20p	20p	£5,600	£5,600	£5,600	
1.10	Season tickets	year	£839	£10	£1,000	£20	£20	£20	£2,000	£2,000	£2,000	
<b>2.0</b>	<b>SEVENOAKS STATION</b>											
2.1	Long stay	all day	£6.80	10p	£2,500	20p	20p	20p	£4,000	£4,000	£4,000	
	Season tickets:											
2.2	Bradbourne	year	£1,090	£10	£1,300		£20	£20		£2,600	£2,600	
2.3	Sennocke	year	£1,130	£10	£700		£20	£20		£1,400	£1,400	
<b>3.0</b>	<b>SEVENOAKS ST JOHNS HILL</b>											
3.1	Short stay	30 minutes	20p	10p	£1,000			10p			£1,000	
3.2	" "	1 hour	40p	10p	£1,000			10p			£1,000	
3.3	" "	2 hours	60p	10p	£700			10p			£700	
3.4	" "	3-4 hours	£1.00	10p	£800			10p			£800	
3.5	Long stay	all day	£3.10	10p	£150			10p			£150	
<b>4.0</b>	<b>SWANLEY</b>											
4.1	Short stay	30 minutes	20p	10p	£300			10p			£300	
4.2	" "	1 hour	40p	10p	£300			10p			£300	
4.3	" "	2 hours	60p	10p	£300			10p			£300	
4.4	" "	3-4 hours	£1.00	10p	£800			10p			£800	
4.5	Long stay	all day	£3.90	10p	£300	10p	10p	10p	£300	£300	£300	
<b>5.0</b>	<b>WESTERHAM - Darent</b>											
5.1	Short stay	1 hour	free									
5.2	" "	2 hours	free									
5.3	" "	3 hours	free									
5.4	" "	4 hours	£1.20									
5.5	Long stay	all day	£3.10									
	<b>WESTERHAM - Quebec Avenue</b>											
5.6	Short stay	15 minutes	10p									
5.7	" "	30 minutes	20p									
5.8	" "	1 hour	50p									
5.9	" "	2 hours	70p									
5.10	" "	4 hours	£1.20									
5.11	Long stay	all day	£3.10									
	<b>WESTERHAM - Vicarage Hill</b>											
5.12	Short stay	15 minutes	10p									
5.13	" "	30 minutes	20p									
5.14	" "	1 hour	60p									
5.15	" "	2 hours	£1.50									
			<b>Total:</b>		<b>£68,150</b>				<b>Total:</b>	<b>£73,900</b>	<b>£81,900</b>	<b>£77,750</b>
			<b>Percentage:</b>		<b>3.26%</b>				<b>Percentage:</b>	<b>3.53%</b>	<b>3.92%</b>	<b>3.72%</b>

Possible options for the Westerham car parks have not been included at the time of writing this report as they are subject to discussion with the Westerham Town Partnership and the Westerham Town Council. It is intended to provide details to Members at the meeting.

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CAR PARK TARIFFS - OPTIONS 2				Example		Proposed Increases			Estimated Income		
Item No.	Description	Charge Period	Current Charge	Income from 10p/£10 increase		Option 2-1	Option 2-2	Option 2-3	Option 2-1	Option 2-2	Option 2-3
<b>1.0</b>	<b>SEVENOAKS - Evening Charge</b>										
	Short stay	evening	£1.00			Extend daytime charges to 9.00pm			£24,000	£24,000	£24,000
	<b>Blighs</b>										
1.1	Short stay	30 minutes	70p	10p	£7,000	10p			£7,000		
1.2	" "	1 hour	£1.30	10p	£10,000	10p	20p	20p	£10,000	£20,000	£20,000
1.3	" "	2 hours	£2.70	10p	£7,000	10p	30p	30p	£7,000	£21,000	£21,000
1.4	" "	3 hours	£4.50	10p	£1,800						
	<b>Buckhurst 1, South Park, Suffolk Way</b>										
1.5	Short stay	1 hour	£1.00	10p	£14,000						
1.6	" "	2 hours	£1.80	10p	£8,500	20p		20p	£17,000		£17,000
1.7	" "	3 hours	£2.50	10p	£3,600						
1.8	" "	4 hours	£3.50	10p	£2,300						
	<b>Buckhurst 2</b>										
1.9	Long stay	all day	£4.40	10p	£2,800	20p	20p	20p	£5,600	£5,600	£5,600
1.10	Season tickets	year	£839	£10	£1,000	£20	£20	£20	£2,000	£2,000	£2,000
<b>2.0</b>	<b>SEVENOAKS STATION</b>										
2.1	Long stay	all day	£6.80	10p	£2,500		20p			£4,000	
	Season tickets:										
2.2	Bradbourne	year	£1,090	£10	£1,300						
2.3	Sennocke	year	£1,130	£10	£700						
<b>3.0</b>	<b>SEVENOAKS ST JOHNS HILL</b>										
3.1	Short stay	30 minutes	20p	10p	£1,000						
3.2	" "	1 hour	40p	10p	£1,000						
3.3	" "	2 hours	60p	10p	£700						
3.4	" "	3-4 hours	£1.00	10p	£800						
3.5	Long stay	all day	£3.10	10p	£150						
<b>4.0</b>	<b>SWANLEY</b>										
4.1	Short stay	30 minutes	20p	10p	£300						
4.2	" "	1 hour	40p	10p	£300						
4.3	" "	2 hours	60p	10p	£300						
4.4	" "	3-4 hours	£1.00	10p	£800						
4.5	Long stay	all day	£3.90	10p	£300	10p	10p	10p	£300	£300	£300
<b>5.0</b>	<b>WESTERHAM - Darent</b>										
5.1	Short stay	1 hour	free								
5.2	" "	2 hours	free								
5.3	" "	3 hours	free								
5.4	" "	4 hours	£1.20								
5.5	Long stay	all day	£3.10								
	<b>WESTERHAM - Quebec Avenue</b>										
5.6	Short stay	15 minutes	10p								
5.7		30 minutes	20p								
5.8	" "	1 hour	50p								
5.9	" "	2 hours	70p								
5.10	" "	4 hours	£1.20								
5.11	Long stay	all day	£3.10								
	<b>WESTERHAM - Vicarage Hill</b>										
5.12	Short stay	15 minutes	10p								
5.13	" "	30 minutes	20p								
5.14	" "	1 hour	60p								
5.15	" "	2 hours	£1.50								
			<b>Total:</b>		<b>£68,150</b>				<b>£72,900</b>	<b>£76,900</b>	<b>£89,900</b>
			<b>Percentage:</b>		<b>3.26%</b>				<b>3.49%</b>	<b>3.68%</b>	<b>4.30%</b>

Possible options for the Westerham car parks have not been included at the time of writing this report as they are subject to discussion with the Westerham Town Partnership and the Westerham Town Council. It is intended to provide details to Members at the meeting.

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ON-STREET PARKING TARIFFS				Proposed Increases			Estimated Income		
Item No.	Description	Charge Period	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3
<b>6.0</b>	<b>SEVENOAKS TOWN CENTRE (High Street, London Road, South Park)</b>								
6.1	Short stay	30 minutes	20p						
6.2	" "	1 hour	60p						
6.3	" "	2 hours	£1.30						
<b>7.0</b>	<b>SEVENOAKS TOWN COMMUTER AREAS (Plymouth Drive, Holly Bush Lane)</b>								
7.1	Short stay	30 minutes	20p						
7.2	" "	1 hour	60p						
7.3	" "	2 hours	£1.30						
7.4	long stay	all day	£2.60						
<b>8.0</b>	<b>SEVENOAKS RAIL COMMUTER and COURTS AREAS (St Botolphs, Morewood Close)</b>								
8.1	Short stay	30 minutes	20p						
8.2	" "	1 hour	60p						
8.3	" "	2 hours	£1.30						
8.4	" "	4 hours	£2.40						
8.5	long stay	all day	£5.50						
<b>9.0</b>	<b>SWANLEY (Azalea Drive, Goldsel Road)</b>								
9.1	short stay	30 minutes	20p						
9.2	" "	1 hour	60p						
9.3	" "	2 hours	£1.30						
9.4	" "	4 hours	£2.40						
9.5	long stay	all day	£3.50						
<b>10.</b>	<b>KNOCKHOLT STATION</b>								
10.1	short stay	4 hours	£2.40						
10.2	long stay	all day	£3.50						
<b>11.0</b>	<b>WESTERHAM (The Green, The Grange, Market Square)</b>								
	short stay	15 minutes	10p						
11.0	" "	30 minutes	20p						
11.1	" "	1 hour	60p						
11.2	" "	2 hours	£1.50						
	<b>WESTERHAM (Croydon Road and Fullers Hill)</b>								
11.3	short stay	15 minutes	10p						
11.4	" "	30 minutes	20p						
11.5	" "	1 hour	60p						
11.6	" "	2 hours	£1.50						
11.7	" "	3 hours	£2.50						
						<b>Total:</b>	£0	£0	£0
						<b>Percentage:</b>	0.00%	0.00%	0.00%

This page shows the current parking charges for the various areas. Please see the next page Appendix C2 for the option proposals.

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ON-STREET PARKING TARIFFS			Proposed Increases			Estimated Income		
Item No.	Charge Period	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3
<b>Standard Charges Structure (excludes Westerham)</b>								
	30 minutes	20p		10p		nil	£11,200	
	1 hour	60p				nil		
	2 hours	£1.30			20p	nil		£13,600
	4 hours	£2.40			20p	nil		£1,600
	Day	varies				nil		
			<b>Totals:</b>			<b>£0</b>	<b>£11,200</b>	<b>£15,200</b>
			<b>Percentage:</b>			<b>0.0%</b>	<b>2.0%</b>	<b>2.7%</b>
<p>Note: Possible options for the Westerham car parks have not been included at the time of writing this report as they are subject to discussion with the Westerham Town Partnership and the Westerham Town Council. It is intended to provide details at the meeting.</p>								
<b>Example: Additional Income from 10p Increases (excludes Westerham)</b>								
	Charge Period	Current Charge	10p increase	Additional income				
	30 minutes	20p	10p	£11,200				
	1 hour	60p	10p	£7,500				
	2 hours	£1.30	10p	£13,600				
	4 hours	£2.40	10p	£1,600				
	Day	varies	10p	£5,900				

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# HISTORY OF PARKING CHARGES - CAR PARKS

APPENDIX D

(Showing charges as and when increased and approximate percentage increase)

		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>SEVENOAKS TOWN CENTRE</b>												
Evening charges		£1.00										
Short stay	1 hr	50p <span style="color: red;">25%</span>	60p <span style="color: red;">20%</span>		70p <span style="color: red;">17%</span>		80p <span style="color: red;">14%</span>		90p <span style="color: red;">13%</span>		£1.00 <span style="color: red;">11%</span>	
all excluding	2 hrs	£1.00 <span style="color: red;">43%</span>		£1.10 <span style="color: red;">10%</span>		£1.20 <span style="color: red;">9%</span>		£1.40 <span style="color: red;">17%</span>	£1.50 <span style="color: red;">7%</span>	£1.60 <span style="color: red;">7%</span>		£1.80 <span style="color: red;">12%</span>
Blighs	3 hrs	£1.50 <span style="color: red;">7%</span>		£1.60 <span style="color: red;">7%</span>		£1.80 <span style="color: red;">13%</span>		£2.00 <span style="color: red;">11%</span>	£2.10 <span style="color: red;">5%</span>	£2.20 <span style="color: red;">5%</span>		£2.50 <span style="color: red;">14%</span>
	4 hrs			£2.10 <span style="color: red;">5%</span>		£2.50 <span style="color: red;">19%</span>		£2.70 <span style="color: red;">8%</span>	£3.00 <span style="color: red;">11%</span>	£3.20 <span style="color: red;">7%</span>		£3.50 <span style="color: red;">9%</span>
Short Stay	30 mins		40p <span style="color: red;">33%</span>		50p <span style="color: red;">25%</span>		60p <span style="color: red;">20%</span>		50p <span style="color: red;">-17%</span>		70p <span style="color: red;">40%</span>	
Blighs only (started in 2002)	1 hr	60p <span style="color: red;">20%</span>	70p <span style="color: red;">17%</span>		80p <span style="color: red;">14%</span>	90p <span style="color: red;">13%</span>		£1.00 <span style="color: red;">11%</span>		£1.10 <span style="color: red;">10%</span>	£1.30 <span style="color: red;">18%</span>	
	2 hr	£1.20 <span style="color: red;">20%</span>		£1.40 <span style="color: red;">17%</span>		£1.50 <span style="color: red;">7%</span>		£1.70 <span style="color: red;">13%</span>	£2.20 <span style="color: red;">29%</span>	£2.30 <span style="color: red;">4%</span>	£2.50 <span style="color: red;">9%</span>	£2.70 <span style="color: red;">8%</span>
	3 hr	£1.80 <span style="color: red;">20%</span>		£2.00 <span style="color: red;">11%</span>	£2.20 <span style="color: red;">10%</span>	£2.50 <span style="color: red;">14%</span>		£2.70 <span style="color: red;">8%</span>	£3.60 <span style="color: red;">33%</span>	£3.80 <span style="color: red;">5%</span>	£4.20 <span style="color: red;">11%</span>	£4.50 <span style="color: red;">7%</span>
Long stay		£3.00 <span style="color: red;">20%</span>	£3.10 <span style="color: red;">3%</span>	£3.20 <span style="color: red;">3%</span>	£3.40 <span style="color: red;">6%</span>	£3.80 <span style="color: red;">12%</span>			£4.00 <span style="color: red;">5%</span>	£4.20 <span style="color: red;">5%</span>		£4.40 <span style="color: red;">5%</span>
Seasons (yr)	Buckhurst 2	£500 <span style="color: red;">11%</span>	£515 <span style="color: red;">3%</span>	£530 <span style="color: red;">3%</span>	£560 <span style="color: red;">6%</span>	£769 <span style="color: red;">37%</span>		£779 <span style="color: red;">1%</span>	£799 <span style="color: red;">3%</span>	£819 <span style="color: red;">3%</span>		£839 <span style="color: red;">2%</span>
	South Park	£500 <span style="color: red;">11%</span>	£515 <span style="color: red;">3%</span>	£530 <span style="color: red;">3%</span>	£560 <span style="color: red;">6%</span>	£769 <span style="color: red;">37%</span>		£779 <span style="color: red;">1%</span>	£799 <span style="color: red;">3%</span>	£819 <span style="color: red;">3%</span>		£839 <span style="color: red;">2%</span>
<b>SEVENOAKS STATION</b>												
Bradbourne	After 3.00 pm			£1.50								
	Day		£4.10 <span style="color: red;">3%</span>	£4.20 <span style="color: red;">2%</span>	£4.30 <span style="color: red;">2%</span>	£4.60 <span style="color: red;">7%</span>	£5.00 <span style="color: red;">9%</span>	£5.40 <span style="color: red;">8%</span>	£5.80 <span style="color: red;">7%</span>	£6.20 <span style="color: red;">7%</span>	£6.50 <span style="color: red;">5%</span>	£6.80 <span style="color: red;">5%</span>
	Season (yr)	£650 <span style="color: red;">18%</span>	£670 <span style="color: red;">3%</span>	£760 <span style="color: red;">13%</span>	£780 <span style="color: red;">3%</span>	£910 <span style="color: red;">17%</span>	£970 <span style="color: red;">7%</span>	£990 <span style="color: red;">2%</span>	£1,020 <span style="color: red;">3%</span>	£1,050 <span style="color: red;">3%</span>	£1,060 <span style="color: red;">1%</span>	£1,090 <span style="color: red;">3%</span>
Sennocke	2 hr	£1.00										
	After 3.00 pm			£1.50								
	Day		£4.10 <span style="color: red;">3%</span>	£4.20 <span style="color: red;">2%</span>	£4.30 <span style="color: red;">2%</span>	£4.60 <span style="color: red;">7%</span>	£5.00 <span style="color: red;">9%</span>	£5.40 <span style="color: red;">8%</span>	£5.80 <span style="color: red;">7%</span>	£6.20 <span style="color: red;">7%</span>	£6.50 <span style="color: red;">5%</span>	£6.80 <span style="color: red;">5%</span>
	Season (yr)	£720 <span style="color: red;">31%</span>	£740 <span style="color: red;">3%</span>	£800 <span style="color: red;">8%</span>	£820 <span style="color: red;">3%</span>	£950 <span style="color: red;">16%</span>	£1,010 <span style="color: red;">6%</span>	£1,030 <span style="color: red;">2%</span>	£1,060 <span style="color: red;">3%</span>	£1,090 <span style="color: red;">3%</span>	£1,100 <span style="color: red;">1%</span>	£1,130 <span style="color: red;">3%</span>
<b>SEVENOAKS ST JOHNS HILL</b>												
St. Johns &	30 mins			10p					20p <span style="color: red;">100%</span>			
St. James	1 hr			20p		30p <span style="color: red;">50%</span>			40p <span style="color: red;">33%</span>			
(started in 2001)	2 hrs			30p		50p <span style="color: red;">67%</span>			60p <span style="color: red;">20%</span>			
	2 to 4 hrs	60p <span style="color: red;">20%</span>				80p <span style="color: red;">33%</span>			£1.00 <span style="color: red;">25%</span>			
	Day	£2.00 <span style="color: red;">100%</span>				£2.20 <span style="color: red;">10%</span>		£2.50 <span style="color: red;">14%</span>	£2.70 <span style="color: red;">8%</span>	£2.90 <span style="color: red;">7%</span>		£3.10 <span style="color: red;">7%</span>

# HISTORY OF PARKING CHARGES - CAR PARKS

APPENDIX D

(Showing charges as and when increased and approximate percentage increase)

		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>WESTERHAM</b>												
Darent								30min	20p			
	Up to 2 hrs		30p <b>50%</b>		1 hr	30p n/a			40p <b>33%</b>		1 hr	free
	Day		70p <b>40%</b>		2 hrs	50p <b>67%</b>			60p <b>20%</b>		2 hrs	free
					2-4 hrs	80p <b>14%</b>			£1.00 <b>25%</b>		3 hrs	free
				£40 <b>14%</b>	Day	£1.50 <b>214%</b>		£2.00 <b>33%</b>	£2.70 <b>35%</b>	£2.90 <b>7%</b>	4 hrs	£1.20 <b>20%</b>
											Day	£3.10 <b>7%</b>
Quebec Avenue											15 mins	10p
								30min	20p			
	Up to 2 hrs		30p <b>50%</b>		1 hr	30p n/a			40p <b>33%</b>		1 hr	50p <b>25%</b>
	Day		70p <b>40%</b>		2 hrs	50p <b>67%</b>			60p <b>20%</b>		2 hrs	70p <b>17%</b>
					2-4 hrs	80p <b>14%</b>			£1.00 <b>25%</b>		2-4 hrs	£1.20 <b>20%</b>
				£40 <b>14%</b>	Day	£1.50 <b>214%</b>		£2.00 <b>33%</b>	£2.70 <b>35%</b>	£2.90 <b>7%</b>	Day	£3.10 <b>7%</b>
<b>SWANLEY</b>												
Park Road	30 mins		Free	10p					20p <b>100%</b>			
(started 2005)	1 hr		Free	20p		30p <b>50%</b>			40p <b>33%</b>			
	2 hrs		Free	30p		50p <b>67%</b>			60p <b>20%</b>			
	2 to 4 hrs		50p			80p <b>60%</b>			£1.00 <b>25%</b>			
	Residents (yr)		£40									
Bevan Place	30 mins		Free	10p					20p <b>100%</b>			
(started 2005)	1 hr		Free	20p		30p <b>50%</b>			40p <b>33%</b>			
	2 hrs		Free	30p		50p <b>67%</b>			60p <b>20%</b>			
	2 to 4 hrs		50p			80p <b>60%</b>			£1.00 <b>25%</b>			
	Day		£2.50			£ 3.00 <b>20%</b>			£3.50 <b>17%</b>	£3.70 <b>6%</b>		£3.90 <b>5%</b>
	Season (yr)		£396									
	Residents (yr)		£40									
Station Road	30 mins		Free	10p					20p <b>100%</b>			
	1 hr		Free	20p		30p <b>50%</b>			40p <b>33%</b>			
	2 hrs		Free	30p		50p <b>67%</b>			60p <b>20%</b>			
	2 to 4 hrs		50p			80p <b>60%</b>			£1.00 <b>25%</b>			
	Day	£2.50 <b>66%</b>				£ 3.00 <b>20%</b>			£3.50 <b>17%</b>	£3.70 <b>6%</b>		£3.90 <b>5%</b>



# HISTORY OF PARKING CHARGES - ON STREET

(Showing charges as and when increased and approximate percentage increase)

		2006	2008	2009	2010	2011	2012	2013	2014
<b>PAY &amp; DISPLAY</b>									
<b>Sevenoaks</b>									
Town centre shops (2004)	30 minutes							20p	100%
(High St, London Rd	1 hour	40p	33%	50p	25%	60p	20%		
South Park)	2 hours	90p	50%	£1.00	11%	£1.20	20%		£1.30 8%
		(and extended to 9.30pm)							
Town commuters (2008)	30 minutes		10p					20p	100%
(Hollybush Lane	1 hour		50p			60p	20%		
Plymouth Drive)	2 hours		£1.00			£1.20	20%		£1.30 8%
	Day		£2.00		£2.20	10%	£2.40	9%	£2.60 8%
Rail commuters (2008)	30 minutes		10p					20p	100%
(St Botolphs	1 hour		50p		60p	20%			
Morewood Close)	2 hours		£1.00		£1.20	20%			£1.30 8%
	4 hours						£2.20	(new)	£2.40 9%
	Day		£4.00	£4.50	13%	£5.00	11%	£5.30	6%
Courts area (2008)	30 minutes		10p					20p	100%
(Morewood Close)	1 hour		50p			60p	20%		
	2 hours		£1.00			£1.20	20%		£1.30 8%
	4 hours		£2.00		£2.20	10%			£2.40 9%
<b>Swanley</b>						30 min	10p	(new)	20p 100%
						1 hr	60p	(new)	
						2 hrs	£1.20	(new)	£1.30 8%
Rail commuters (2008)	4 hours		50p		60p	20%	4 hrs	£2.20	267%
(Azalea Drive & Goldsel Rd)	Day		£2.00	£2.50	25%	£3.00	20%	Day	£3.30 10%
<b>Knockholt Station</b>									
Rail commuters (Oct 2011)	4 hours					60p	(new)		£2.40 300%
	Day					£3.00	(new)		£3.50 17%

# HISTORY OF PARKING CHARGES - ON STREET

APPENDIX D

(Showing charges as and when increased and approximate percentage increase)

		2006		2008		2009		2010		2011		2012		2013		2014	
<b>PAY &amp; DISPLAY</b>																	
Westerham																	
The Geen (2002)	15 minutes	10p								Gone						10p	<i>(new)</i>
Market Square (2002)	30 minutes	20p	100%							10p				20p	100%		
The Grange (2002)	1 hour	40p	33%							50p	25%					60p	20%
	2 hours	60p	20%							£1.00	67%					£1.50	50%
Croydon Road (2007)	15 minutes	10p								Gone						10p	<i>(new)</i>
Fullers Hill (2002)	30 minutes	20p	100%							10p				20p	100%		
	1 hour	40p	33%							50p	25%					60p	20%
	2 hours	60p	20%							£1.00	67%					£1.50	50%
Pay														3 hrs		£2.50	<i>(new)</i>
<b>PERMITS &amp; WAIVERS</b>																	
Residents permits	First	£40	14%	£30	-25%								£35	17%			
	Second	£40	14%	£60	50%								£70	17%			
	Third	n/a		£100				£115	15%				£125	9%			
	Fourth	n/a		£200				£230	15%				£250	9%			
Residents' visitor vouchers	Each							£1.20	20%								
Non-residents permits:																	
Sevenoaks town commuters				£380		£250	-34%	£260	4%				£270	4%			
Sevenoaks rail commuters	Inner zone			£610				£630	3%				£650	3%			
	Outer zone			£725				£745	3%				£765	3%			
Residential business permits	First	£60						£100	67%				£110	10%			
	Second	n/a						£200					£210	5%			
Waivers	1 hour	n/a						£2.00									
	4 hours	n/a						£3.00									
	Day	£2.00						£6.00	200%								

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## Westerham Parking – Review of Parking Income after Six Months of New Charges

### Car Parks

Change to parking charges introduced in April 2014: the introduction of 3 hours free parking in the Darent car park and 15 minutes parking for 10p in the Quebec Avenue and Vicarage Hill car parks.

Expected change in income for the whole of 2014/15 compared to previous year:

Darent:	down	£7,700
Quebec Avenue:	up	£1,000
Vicarage Hill:	up	£6,000
<b>Total:</b>	<b>down</b>	<b>£700</b>

### Comparison for first 6 months of 2014/15:

	Expected income compared to previous year	Actual income compared to previous year	Difference
Darent	down £3,850	down £6,602	down £2,752
Quebec Avenue	up £500	up £443	down £57
Vicarage Hill	up £3,000	up £1,376	down £1,625
<b>Total:</b>	<b>down £350</b>	<b>down £4,783</b>	<b>down £4,434</b>

### On-Street

Change to parking charges introduced in April 2014: the introduction of 15 minutes parking for 10p in all areas and 3 hours parking in Croydon Road and Fullers Hill (previously a maximum of 2 hours parking)

Expected change in income for the whole of 2014/15 compared to previous year:

Croydon Road:	up	£8,300
The Green:	up	£8,317
The Grange:	up	£4,969
Market Square:	up	£4,914
Fullers Hill:	up	£5,400
<b>Total:</b>	<b>up</b>	<b>£31,900</b>

### Comparison for the first 6 months of 2014/15:

	Expected	Actual	Difference
Croydon Road	£4,150	£3,094	down £1,056
The Green	£4,159	£2,963	down £1,195
The Grange	£2,485	£ 210	down £2,275
Market Square	£2,457	£3,155	up £ 698
Fullers Hill	£2,700	£ 533	down £2,147
<b>Total:</b>	<b>£15,950</b>	<b>£9,975</b>	<b>down £5,975</b>

**Average monthly ticket sales for 2014/15**

**Car Parks**

	<b>Quebec Avenue</b>	<b>Vicarage Hill</b>
15 minutes	46	89
30 minutes	183	298
1 hour	276	543
2 hours	408	539
4 hours	263	n/a
Day	74	n/a
<b>Total (Av. month)</b>	<b>1,250</b>	<b>1,469</b>

Due to problems with the ticket machine, ticket sales information is not available for the Darent car park. It is believed, however, that the proportion of income tickets sold is 12% for 4 hours and 88% for all day. As a guide, applying this to the income received for the first 6 months suggests that 276 tickets were sold for the 4 hour period and 2,024 for the all day period. Average month figures would be 46 for 4 hours and 337 for all day.

**On-Street**

	<b>Charge</b>	<b>Market Square</b>	<b>The Grange</b>	<b>The Green</b>	<b>Fullers Hill</b>	<b>Croydon Road</b>
15 minutes	10p	656	208	124	205	320
30 minutes	20p	1,584	483	493	308	718
1 hour	60p	1,381	428	758	395	707
2 hours	£1.50	998	330	579	229	503
3 hours	£2.50	n/a	n/a	n/a	79	167
<b>Total (Av. month)</b>		<b>4,619</b>	<b>1,449</b>	<b>1,954</b>	<b>1,216</b>	<b>2,415</b>

### **Response from the Westerham Town Partnership**

We don't find the figures you have provided very helpful in explaining the reasons for shortfalls over expectations, because they are not accompanied by the previous 'actual' revenues and ticket numbers. We think the 'expected' was flawed because there seems to be no allowance for the reduced 4 hour and full day tickets in the light of the free 3 hours (c£9000), or for the shift from centre 2 hour parking to Darenth free parking.

Given the time scale, and attempting to be constructive, we have the following initial comments to feed into the committee:

#### **1. Structure:**

We do not have specific evidence, (would have appreciated the Darenth Car Park numbers) but we believe the flow of parking traffic is vastly improved. In order to gauge this, we need to look at current 'actual' against previous 'actual', which figures we don't have. We have anecdotal evidence that retailers are pleased with the extension to 3 hours in the Croydon Road. We appreciate the ability to advertise our 'pop and shop' and also to direct longer term parking to the free facility. Again anecdotal evidence from retailers is positive. There seems to be less congestion in the centre during the day (again anecdotal) ***Our recommendation is that the structure of charges is left unchanged.***

#### **2. Pricing:**

We find it hard to extract the actual revenue increase from your figures, and therefore judge the success of the 2014 changes - it is clear there is a shortfall against expectations (but we don't know precisely how these have been arrived at) but ***we need to analyse using an 'actual' comparison.***

#### **We recommend:**

- a) An overall increase in all on street prices of 10p starting at the 3 hour price first and only filtering down to the 30 minute price if necessary. No increase to the 'pop and shop' tariff for 15 minutes
- b) Ditto in car parks. Retain 3 hours free in Darenth Car Park
- c) Only if necessary, in order to avoid unpopular day charges, an extension of charging times, but not prices, both on and off street, (including Quebec Ave, which services the Hall, but which is often clogged up by residents' parking in the evening,) until 9.00pm. Darenth Car Park to be excluded.

#### **3. Westerham's Return**

In order to justify the extension of charging into the evening, we need to show a return to the town, in the form of an SDC investment in Westerham's amenities. Please write in a Westerham 'spend' into your signage and lighting budget, and engage with us on producing a plan.

**4. Overspill Car Park.** It has become apparent (evidence available) that we still have spaces pressure, even with our overspill, during the junior football matches, which take place on a Sunday. This is because the recent extension of 5 pitches has lead to a simultaneous influx of parents' cars, whereas previously there were staggered arrival timings. The overspill needs to be formalised into a permanent space, with the addition of **2 more rows of cars.**

**WESTERHAM OPTIONS**

**Car Parks:**

**Appendix G**

Tariffs that apply	Darent	Quebec Avenue	Vicarage Hill
15 minutes	free	✓	✓
30 minutes	free	✓	✓
1 hour	free	✓	✓
2 hours	free	✓	✓
3 hours	free		n/a
4 hours	✓	✓	n/a
All day	✓	✓	n/a

Possible options:	Option 1	Option 2	Option 3
15 minutes			
30 minutes			
1 hour			
2 hours	+ 10p	+ 10p	+ 10p
4 hours	+ 10p	+ 30p	+ 60p
All day	+ 10p	+ 40p	+ 90p
Additional Income:	£1,650	£3,500	£6,500

**On-Street:**

Tariffs that apply	Maket Square	The Green	The Grange	Fullers Hill	Croydon Road
15 minutes	✓	✓	✓	✓	✓
30 minutes	✓	✓	✓	✓	✓
1 hour	✓	✓	✓	✓	✓
2 hours	✓	✓	✓	✓	✓
3 hours	n/a	n/a	n/a	✓	✓

Possible options:	Option 1	Option 2	Option 3
15 minutes			
30 minutes		+ 10p	
1 hour	+ 10p	+ 10p	
2 hours	+ 10p	+ 10p	+ 20p
3 hours	+ 10p	+ 10p	+ 20p
Additional Income:	£7,800	£12,100	£7,000

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### **Item 10 – Business Continuity Planning**

The attached report was considered by the Economic & Community Development Advisory Committee, relevant minute extract below:

Economic & Community Development Advisory Committee – 21 October 2014  
(Minute 21)

The Head of Parking and Surveying Services gave a presentation on the revised Business Continuity Plan which incorporated recommendations from a recent audit that included five key recommendations. The plan provided a framework for the Council to continue to deliver services at acceptable predefined levels following a disruptive incident.

Members were advised that Business Impact Assessments for each service function of the Council had been undertaken on the criticality of each function. These were classed into one of four categories ranging from functions that had to be operated within 24 hours, 1 to 3 days, 3 to 7 days and those which could be left for over 7 days. The criticality of each function depended on statutory responsibility, legal agreements, financial implications and reputational damage. There were 24 critical functions that had to be operated within 24 hours.

In response to questions Members were advised that ‘denial’ was a term used for something that the council did not have and were given the example of the telephony systems being down. Members were also advised that if there was a pandemic flu outbreak, resources would be moved around the Council to maintain the critical services which could include staff working across different teams.

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 the revised Business Continuity Plan and Strategy be approved.

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## **BUSINESS CONTINUITY PLANNING**

### **Cabinet - 13 November 2014**

Report of	Chief Officer Environmental and Operational Services
Status:	For approval
Also considered by	Economic and Community Development Advisory Committee – 21 October 2014
Key Decision:	No

---

**Executive Summary:** This report provides an update to the Advisory Committee on the current Business Continuity Plan. The revised plan incorporates recommendations from a recent audit and provides a framework for the organisation to continue delivery of services at acceptable predefined levels following a disruptive incident.

This will improve the Council's resilience against the disruption of its ability to achieve its key objectives, and improve its ability to recover from any such disruption while protecting welfare and safety.

A Business Continuity Strategy is included within the revised Business Continuity Management Plan and is reproduced within this report.

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**This report supports the Key Aim of** Safe Communities; Healthy Environment; sustainable economy and effective management of Council resources.

**Portfolio Holder** Cllr. R Hogarth

**Contact Officer(s)** Kevin Tomsett – Head of Parking and Surveying Services  
Ext: 7368

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**Recommendation to Economic and Community Development Advisory Committee:** That the Advisory Committee recommend to Cabinet that the revised Business Continuity Plan and Strategy be approved.

**Recommendation to Cabinet:** That it be resolved that the revised Business Continuity Plan and Strategy be approved.

---

### **Introduction and Background**

- 1 Members last considered a report on business continuity at the Performance and Governance Committee on 19 February 2008. Since that time the arrangements for the Council fulfilling its statutory duties with regard to business continuity have changed considerably.

## Agenda Item 10

- 2 Following a budget saving agreed in 2010, the post of a dedicated Emergency Planning & Business Continuity Officer was deleted from the establishment and responsibility for the function was absorbed into the Building Control team with a greater emphasis on corporate responsibility and greater resilience in knowledge and response being spread over a number of Officers rather than through one dedicated Officer.
- 3 An internal audit of the Business Continuity Plan was undertaken prior to the 2012 Olympic and Paralympics Games and recommendations made, however, due to the unique demand of this period and the District being a host Authority to the Paralympic Road Cycling Event, bespoke PAN Kent Multi agency plans were put in place for this event.
- 4 The key recommendations were to review the business continuity plan to:
  - Reflect the new management organisational arrangements.
  - Review currency of critical functions and priorities.
  - Remove references to the Major Emergency Plan and incorporate relevant information within the Business Continuity Management Plan to create a stand alone document.
  - Provide additional information on exercising, maintaining and reviewing of the plan.
  - Creation of a glossary of terms
  - Incorporation of a Business Continuity Management strategy.

### **Statutory Responsibilities**

- 5 The Council has statutory responsibilities under the Civil Contingencies Act 2004 to have business continuity arrangements in place to ensure that they can continue to provide their critical functions in the event of a disruptive challenge.
- 6 This type of event could also require an emergency planning response to the community; as such there are appropriate links with the Emergency Plan and with its supporting documentation.

### **Business Continuity Management Plan**

- 7 The revised business continuity plan follows the principles of BS 25999 (ISO 22301) and is the ongoing management and governance process supported by management and appropriately resourced, to ensure that the necessary steps are taken to identify the impact of potential losses, maintain viable recovery strategies and plans, and to ensure continuity of service, through training, exercising, maintenance and review.
- 8 A Business Impact Assessment for each service function of the Council (as outlined in the Business Continuity Management Strategy), has been undertaken

which involved gathering information from each Service Manager on the level of criticality of each of their functions.

- 9 Each function was classed into one of four categories ranging from functions that must be operational within 24 hours, to those which could be left for over 7 days. For any function under seven days, minimum levels of staff, resources, IT and critical suppliers were identified. This information is compiled into the Business Impact Analysis.
- 10 Once implemented, staff will receive training on the plan, their function and role in any given scenario and recovery procedures before completing a table top exercise of the plan involving key staff and services.
- 11 The Business Impact Assessments and Plan will be reviewed on an annual basis, or, after any business continuity incident.

### **Key Components**

- 12 The revised draft (Version 11.0) of the Business Continuity Management Plan is attached as an appendix to this report. The key features of the plan are:
  - A business continuity management strategy, see extract below.
  - Alerting procedures, which are very similar to those in the Major Emergency Framework Document
  - Guidance on possible incident management structures. The exact structure required will be incident dependant, but it should be a clear structure for efficient command and control. For consistency the same concept is used as in the Major Emergency Framework Document
  - A section on pre-identified roles and responsibilities. This includes damage assessment, salvage, personnel issues and media relations. It also outlines mutual aid that may be available from other Kent local authorities
  - Incident management guidance for the different incident consequences (derived from the analysis of the impact assessments), including denial of premises, denial of IT and paper record systems, denial of staff, denial of utilities and denial of supplies and services
  - Guidance for the recovery phase
  - Guidance on function prioritisation, derived from the business impact analysis
  - As a denial of premises event will probably lead to a substantial extension of home-working, agreed guidance on the human resources implications of this
  - Schedules of premises, equipment, vehicles, agents, contractors that may be required

## Agenda Item 10

### **Business Continuity Management Strategy**

The objective of Business Continuity Management is to allow the Council to continue to provide its critical functions, and as many non-critical functions as possible, in the event of an unexpected disruption.

This will improve the Council's resilience against the disruption of its ability to achieve its key objectives, and improve its ability to recover from any such disruption while protecting welfare and safety.

To achieve this objective, the guidance and processes shown in national standards (BS 25999 – ISO 22301) will be used and having regard to good practice elsewhere.

There is a generally accepted cycle to this process:

- Understanding the organisation
- Determine BCM Strategy
- Develop and implement BCM response
- Exercise, maintain and review plans

With overarching programme management. For the business continuity process to be as effective as possible there is a need to embed business continuity management into the organisation's culture.

Understanding the organisation includes identifying the functions that the Council undertakes and compiling a Business Impact Analysis on each of those functions. It also includes the identification of the hazards that could cause a business disruption and undertake a Business Risk Assessment on those hazards.

The Business Impact Analysis and the Business Risk Assessment provide the information to compile a Business Continuity Plan. The aim of the Business Continuity Plan is to provide a framework in which to manage the response of the Council to an event which is likely to seriously obstruct it in the performance of its functions.

The objective of the plan is to enable the Council to exercise its functions in the event of an emergency, so far as is reasonably practicable.

Not all functions need be kept operating at normal levels. The plan should facilitate functions being at an acceptable level of operation within acceptable timeframe.

There is also a need to train staff. This should include general awareness training for managers and staff groups and specific training for 'key players' identified in the plans. This should assist in the embedding of Business Continuity into the organisation's culture.

There will be a need for ongoing management and maintenance of the Business Continuity capability and documentation.

**Key Implications**

Financial

The Council has a small budget for Business Continuity and Civil protection (£33,000) which is largely salary allocations for key staff responsibilities. In the event of invoking business continuity procedures and actions funding would need to be found from Partner Agencies, or from Council reserves, depending on the nature of the response.

Legal Implications and Risk Assessment Statement

The Council has statutory responsibilities under the Civil Contingency Act 2004 to prepare and maintain a Business Continuity Plan. Failure to have a plan in could potentially lead to critical services not being delivered in the event of a major incident.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

**Conclusions**

**Background Papers:** Business Impact Assessments

[SDC Major Emergency Plan](#)

**Appendix** Business Continuity Management Plan (*this is available in the Members Room, on request and is published on the website but due to its size is not printed as part of the agenda*)

**Richard Wilson**  
**Chief Officer Environmental and Operational Services**

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**Item 11 – E.U. Waste Framework Directive**

The attached report was considered by the Local Planning & Environment Advisory Committee, relevant minute extract below:

Local Planning & Environment Advisory Committee – 23 October 2014 (Minute 22)

The Chief Officer Environmental & Operational Services presented a report which provided an outline of the requirements of the England and Wales Waste Regulations 2011 (as Amended 2012), promoting high quality recycling. It summarised the methodology of the Waste Regulatory route map which had been accepted by the Environment Agency as an acceptable assessment to demonstrate compliance. An Independent Consultant had been engaged to undertake the assessment, and their findings were summarised together with conclusions reached. The conclusion reached was that, on the basis that the recommended actions, as outlined in the report, were implemented, the Council did not need to collect paper, card and plastic separately in order to promote high quality recycling. In response to a question the Chief Officer Environmental & Operational Services advised that it would cost considerably more to collect glass kerbside than the current arrangements. As previously reported to the Committee, Sainsburys had been looking at carrying out their own glass recycling at their stores but nothing had been implemented yet, and the Council's own glass recycling banks remained on site..

The Chairman endorsed the recommendation to Cabinet.

**It was unanimously**

**Resolved: That it be recommended to Cabinet**, on the basis that if the recommended actions identified in the report were implemented, there was good evidence that the Council did not need to collect paper, card and plastic separately in order to promote high quality recycling.

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**E.U. WASTE FRAMEWORK DIRECTIVE**

**Cabinet – 13 November 2014**

Report of Richard Wilson, Chief Officer Environmental and Operational Services

Status: For Decision

Also considered by: Local Planning and Environment Advisory Committee – 23 October 2014

Key Decision: Yes

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**Executive Summary:** This report provides an outline of the requirements of the England and Wales Waste Regulations 2011 (as Amended 2012), promoting high quality recycling.

It summarises the methodology of the Waste Regulatory route map which has been accepted by the Environment Agency as an acceptable assessment to demonstrate compliance.

An Independent Consultant has been engaged to undertake the assessment, and their findings are summarised together with conclusions reached.

The conclusion reached is that, on the basis that the recommended actions, as outlined in this report, are implemented, the Council does not need to collect paper, card and plastic separately in order to promote high quality recycling.

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**This report supports the Key Aim of** a clean and healthy environment.

**Portfolio Holder** Cllr. Piper

**Contact Officer(s)** Ian Finch 01959 567351  
Charles Nouhan 01959 567360

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**Recommendation to Local Planning and Environment Advisory Committee:**

It be resolved, that it be recommended to Cabinet, on the basis that the recommended actions identified in this report are implemented, there is good evidence that the Council does not need to collect paper, card and plastic separately in order to promote high quality recycling.

**Recommendation to Cabinet:**

It be resolved, that, on the basis that the recommended actions, identified in the report, are implemented, there is good evidence that the Council does not need to collect paper,

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card and plastic separately in order to promote high quality recycling.

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**Reason for recommendation:** Following an assessment undertaken to ensure compliance with the Regulations and in accordance with the Waste Regulations route map methodology, it is concluded that it is not necessary to separately collect paper, card and plastic to ensure high quality recycling.

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### Introduction and Background

#### Statutory Framework

- 1 The revised EU Waste Framework Directive issued in 2008 and transposed in the Waste (England and Wales) (Amendment) Regulations 2012, requires the UK to take measures to promote high quality recycling.
- 2 This includes a specific requirement, by 1 January 2015, to set up separate collections for paper, plastic, metal and glass as a minimum.
- 3 Collectors of this waste must collect these materials separately, unless it is not necessary to provide high quality recycle; or unless it is not technically, environmentally or economically practicable (TEEP).
- 4 Co-mingled collections of these materials will only be permissible after 2015 where it provides high quality recycles or where separate collection is not practicable.
- 5 The delay in the UK Government transposing this into National legislation was due to an unsuccessful judicial review of the amended regulations in 2013.
- 6 The Environment Agency is the enforcement Authority and their enforcement will be a risk based regime. They anticipate that enforcement action will be kept to an absolute minimum.
- 7 Where collection of waste paper, metal, plastic and glass is not already undertaken by means of separate collection, the Waste Collection Authority (WCA) can ensure compliance by:-
  - 7.1 Assessing the extent to which separate collection is necessary and practicable within the terms of the Regulations.
  - 7.2 Updating the assessment when making decisions affecting waste collection;
  - 7.3 Documenting their decisions and retaining a record of the evidence underpinning them.
- 8 Two or more of the waste streams may be collected using a co-mingled system, if the system achieves high quality recycling. The benchmark of 'High quality' should be taken as meaning that the recycle is similar in both quality and quantity to that achieved with good separate collection and is therefore able to be used by reprocessors for turning back into a product of similar quality to what it was originally.

- 9 When considering what is practicable (TEEP) the WCA should aim for the best environmental outcome and consider what is technically, environmentally and economically practicable. Practicability is set out in EU guidance as:-
- 9.1 Technically practicable – means that the separate collection may be implemented through a system which has been technically developed and proven to function in practise.
  - 9.2 Environmentally practicable – means that the added value of ecological benefit justifies possible negative environmental effects.
  - 9.3 Economically practicable – means it does not cause excessive costs in comparison with the treatment of non-separated waste stream.
- 10 The Environment Agency will have the ability to issue a compliance notice requiring a collector collecting any of the four materials to take specified steps within a period to ensure that a contravention does not continue to recur, or a stop notice prohibiting any further activity until the steps specified in the notice are complied with.

### **Waste Regulations Route Map**

- 11 In the absence of Government guidance on applying the ‘necessity test’ and TEEP, a working group comprising members of Local Authority Waste Networks and the Waste and Resources Action Programme (WRAP) has provided the Waste Regulation route map as a step by step guide to demonstrate compliance with the regulations. The route map has been accepted by the Environment Agency as an acceptable assessment to demonstrate compliance.
- 12 It presents a step by step process for Councils to follow as they assess whether their waste collection services are compliant with the requirement to separately collect certain materials.
- 12.1 Step 1 - Determine what waste is collected and how.  
The purpose of this step is to assemble the information regarding current waste collection as a point of comparison for separate collection.
  - 12.2 Step 2 - Check how collected materials are treated and recycled.  
An understanding of how each waste stream is currently managed and to gather information regarding recycling, treatment and disposal arrangements.
  - 12.3 Step 3 – Apply the Waste hierarchy. (Reduce, re-use, recycle, recovery, disposal)  
To apply the waste hierarchy to the material collected to determine what should be collected for recycling, recovery and disposal.
  - 12.4 Step 4 – Decide whether separate collection of the four materials is required.  
To determine whether separate collection of glass, metal, paper and plastic is necessary. The necessity test and practicability tests (TEEP).

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- 12.5 Step 5 – Obtain sign off (from Cabinet).  
Obtain appropriate sign off of your decision (Cabinet Minute).
- 12.6 Step 6 – Retain evidence to demonstrate the rationale for the decision reached.
- 12.7 Step 7 – Re-evaluation process. To ensure continuing compliance.

### **Assessment of whether current collection arrangements meet the England and Wales Waste Regulations 2011 (amended 2012).**

- 13 For the four materials identified, glass is already collected separately through bottle banks. Paper, card, plastic bottles and cans (aluminium and metal) are collected co-mingled by the weekly clear sack collection. Some card and mixed paper are collected separately through recycling banks.
- 14 With funding from the Kent Resource Partnership, Waste Consulting LLP, Waste and Resources Management Consultants, were approached to carry out an Independent assessment of the compliance of the Council's Collection Service against the requirements of the Regulations.
- 15 The Consultant's summary of the assessment is:-
  - 15.1 *"The regulations require actions to be taken to ensure waste undergoes recovery operations that comply with the 'Waste Hierarchy' and that all collectors should separately collect paper and card, glass, metals and plastics, unless it is not "necessary" or if it is technically, environmentally and economically impractical (TEEP Assessment) in order to promote 'high quality' recycling.*
  - 15.2 *This report's focus is on the Council's current ability to promote high quality recycling and therefore determine whether it is necessary to actually undertake a TEEP Assessment.*
  - 15.3 *The promotion of high quality recycling requires Councils to:*
    - a) *Ensure their collection methodology provides an effective means of capturing the target recycle materials; and*
    - b) *Ensure the paper, card, glass, metals and plastics collected is utilised for high quality recycling (where high quality recycling is interpreted as recycling material into a product of similar quality to that of its original use – what is known as 'closed loop' recycling to improve the quantity of material recycled as well as its end use quality).*
  - 15.4 *The report utilises the methodology outlined in the Waste Regulations Routemap and provides:*
    - *An assessment of the quantity of materials sent for recycling; and*
    - *An assessment of the end of use quality of the Council's recycling.*

- 15.5 *In assessing the 'quantity' of recycling, the report has had to rely on compositional analysis undertaken in 2008/09. A more current analysis is recommended. The assessment however identifies that capture rates for all materials appears to have fallen by over 5% since 2008/09 and in this respect the Council must do more to improve participation in recycling services, increase the amount of material presented and reduce levels of contamination.*
- 15.6 *Assessment of the current end use quality of the recyclate identified that a high percentage was high quality. The most significant element of failure relates to the end market use of kerbside collected paper. This material is part of the Councils comingled collection which is sent to a Material Recycling Facility (MRF) under contract with Kent County Council. Elements of the paper output from the MRF is being used to produce cardboard. This is lower standard of material and is therefore seen as not achieving the high quality requirement.*
- 15.7 *In order to demonstrate that the Council's collection methodology is consistent with the objectives of the rWFD this report identifies a range of actions to fulfil the requirements of various stages of the Routemap. These actions are detailed by the relevant Routemap stages, identified below:*
- *Stage 1: Undertake a compositional analysis, this will allow a more accurate assessment of capture rates and enable a greater targeting of high quality materials;*
  - *Stage 2: Implement measures to improve capture rates for paper & card, metals and plastics;*
  - *Stage 3: work with the KRP and KCC to identify means of improving existing MRF arrangements and ensure that both the end market quality controls are included within future MRF specifications and that high quality recycling opportunities are maximised;*
  - *Stage 4: The proportions of material sent to high quality recycling should be assessed regularly to ensure over 75% of materials are sent to high quality recycling;*
  - *Stage 5: An options appraisal for communicating to residents that glass should not be included in the clear sacks should be undertaken; and*
  - *Stage 6: As assessment of options to offer commercial premises the four materials for recycling should be undertaken.*
- 15.8 *Discussion is currently being undertaken with partner Districts and Kent County Council to identify whether the current end market use for all soft mix paper can be 'upgraded' to paper instead of cardboard. If this can be achieved the Council's 'High Quality Recycling' assessment would increase further.*

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- 15.9 *By addressing the above recommendations, in particular the management of the paper fraction and the implementation of a communications plan to drive up recycling quantities, the Council will have good evidence that it is not necessary to undertake separate collections of paper, card, glass, metals and plastics in order to promote high quality recycling”.*

### **Planned Actions**

#### **a) Communications**

- 16 Improving participation, set out rates and minimising contamination are fundamental to improving the Councils performance. To this end SDC has been given funding from the Kent Resource Partnership (£31,200) to conduct a resident’s communication campaign on recycling.
- 17 The funding is to be used to provide more information to the public about the Councils recycling services and ensure it is better engaged in the District’s efforts to reduce its waste stream and fully recover valuable resources from it.
- 18 The campaign ‘Recycle Right’ will include direct delivery to households, public relations – through events and press, and use of electronic media. The aim of the campaign is to boost both the quantity of dry recycling captured and improve the quality material. There will be topic-specific messages during the course of the campaign, including an improved version of the recycling message which all residents will receive with the delivery of recycling sacks.
- 19 The scope and reach of the campaign will be magnified by linking it to other related activities for example, an expanded kerbside collection service resulting from the new Provision of Dry Recyclate Processing for Kent County Council, Fresher for Longer, Pledge for Plastics. The second year of the campaign might include a smartphone and tablet-based App to link all District recycling activities and – where possible – national campaigns with the same goals.
- 20 In addition to the above, the Council plans to:
- Reinforce the campaign through articles every quarter in its In Shape magazine delivered to every District household;
  - The Councils website will be refreshed to provide updated information on services and performance; and
  - Incorporate kerbside recycling reminders in the rolls of 25 single use recycling sacks that it delivers to District households every 20 weeks.

#### **b) Improvement in Managing Material Recycling Facility (MRF) process and outlet markets**

- 21 In the short term the Council will work with its District partners, Kent County Council and the existing MRF contractor to:



- Further improve the current quality of SDC’s MRF material; and
- Investigate what options exist to further improve SDC’s current collection methodology to improve the end market use quality;

22 In the longer term the Council will work with its partners and KCC to ensure quality control and end market requirements are included within the MRF specification for future years.

**Key Implications**

Financial

The cost of the Consultants assessment was funded by the Kent Resource Partnership. With the interim conclusions reached, from the assessment, there is no need to change the current waste and recycling collection method.

Legal Implications and Risk Assessment Statement.

The assessment has been undertaken to ensure compliance with the requirements of the English and Wales Waste Regulations 2011 (amended 2012), in accordance with the revised EU Waste Framework Directive (rWFD).

The assessment has been undertaken in accordance with the Waste Regulations Route Map methodology. This methodology has been accepted by the Environment Agency as an acceptable assessment to demonstrate Compliance.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

**Conclusions**

On the basis that the recommended actions are implemented and a resolution of the management of the paper stream is achieved, there is good evidence that the Council

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does not need to collect paper, card and plastic separately in order to promote high quality recycling (the Necessity Test).

This assessment will need periodic review to ensure continued compliance.

**Background Papers:**

Interim assessment of whether current collection arrangements meet the England and Wales Waste Regulations 2011 (amended 2014) undertaken by Waste Consulting – October 2014.

**Richard Wilson**

**Chief Officer Environmental and Operational Services**

**Item 12 – Treasury Management Mid-Year Update**

The attached report will be considered by the Finance & Resources Advisory Committee on 11 November 2014, a Minute extract is therefore not yet available.

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## TREASURY MANAGEMENT MID-YEAR UPDATE

### Cabinet – 13 November 2014

Report of the: Chief Finance Officer

Status: For Consideration

Also considered by: Finance & Resources Advisory Committee – 11 November 2014

Key Decision: No

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**Executive Summary:** This report gives details of treasury activity in the first half of the current financial year, recent developments in the financial markets and fulfils the reporting requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management.

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**This report supports the Key Aim of** Effective Management of Council Resources.

**Portfolio Holder** Cllr. Ramsay

**Contact Officer** Roy Parsons, Principal Accountant - Ext 7204

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**Recommendation to Finance and Resources Advisory Committee:** That Cabinet be asked to approve the Treasury Management Mid-Year Update for 2014/15.

**Recommendation to Cabinet:** It be RESOLVED that the Treasury Management Mid-Year Update for 2014/15 be approved.

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**Reason for recommendation:** As required by both the Council's Financial Procedure Rules and the CIPFA Code, a mid-year report of treasury management activity is to be presented to Members for approval.

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### Background

- 1 The Council is required through regulations issued under the Local Government Act 2003 to produce an annual Treasury Management Strategy Statement, which includes the Annual Investment Strategy and Minimum Revenue Provision Policy, for the year ahead, a mid-year review report and an annual report covering activities during the previous year.
- 2 During 2014/15 the minimum reporting requirements are that the Council should receive the following reports:
  - an annual treasury strategy in advance of the year (Council 18/2/2014).
  - a mid year treasury update report (this report).

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- an annual report following the year describing the activity compared to the strategy.
- 3 In addition, monthly reports from our treasury management advisors, Capita Asset Services, are emailed to Members of the Finance and Resources Advisory Committee.

### **Introduction**

- 4 The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.
- 5 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 6 Accordingly, treasury management is defined as:
- “The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
- 7 This mid-year update report, prepared in compliance with CIPFA's Code of Practice on Treasury Management, covers:
- (a) An economic update for the 2014/15 financial year to 30 September 2014;
  - (b) interest rate forecasts;
  - (c) a review of the Treasury Management Strategy Statement and Annual Investment Strategy;
  - (d) a review of the Council's investment portfolio for 2014/15; and
  - (e) an update on the Icelandic bank investment.

### **Economic Update**

#### Economic performance to date and outlook

#### United Kingdom

- 8 After strong UK GDP quarterly growth of 0.7%, 0.8% and 0.7% in quarters 2, 3 and 4 respectively in 2013, (2013 annual rate 2.7%), and 0.7% in Q1 and 0.9% in Q2 2014 (annual rate 3.2% in Q2), it appears very likely that strong growth will

continue through 2014 and into 2015 as forward surveys for the services and construction sectors, are very encouraging and business investment is also strongly recovering. The manufacturing sector has also been encouraging though the latest figures indicate a weakening in the future trend rate of growth.

- 9 However, for this recovery to become more balanced and sustainable in the longer term, the recovery needs to move away from dependence on consumer expenditure and the housing market to exporting, and particularly of manufactured goods, both of which need to substantially improve on their recent lacklustre performance.
- 10 This overall strong growth has resulted in unemployment falling much faster through the initial threshold of 7%, set by the Monetary Policy Committee (MPC) last August, before it said it would consider any increases in Bank Rate. The MPC has, therefore, subsequently broadened its forward guidance by adopting five qualitative principles and looking at a much wider range of about eighteen indicators in order to form a view on how much slack there is in the economy and how quickly slack is being used up. The MPC is particularly concerned that the current squeeze on the disposable incomes of consumers should be reversed by wage inflation rising back above the level of inflation in order to ensure that the recovery will be sustainable. There also needs to be a major improvement in labour productivity, which has languished at dismal levels since 2008, to support increases in pay rates.
- 11 Most economic forecasters are expecting growth to peak in 2014 and then to ease off a little, though still remaining strong, in 2015 and 2016. Unemployment is therefore expected to keep on its downward trend and this is likely to eventually feed through into a return to significant increases in pay rates at some point during the next three years. However, just how much those future increases in pay rates will counteract the depressive effect of increases in Bank Rate on consumer confidence, the rate of growth in consumer expenditure and the buoyancy of the housing market, are areas that will need to be kept under regular review.
- 12 Also encouraging has been the sharp fall in inflation (CPI), reaching 1.5% in May and July, the lowest rate since 2009. Forward indications are that inflation is likely to fall further in 2014 to possibly near to 1%. Overall, markets are expecting that the MPC will be cautious in raising Bank Rate as it will want to protect heavily indebted consumers from too early an increase in Bank Rate at a time when inflationary pressures are also weak. A first increase in Bank Rate is therefore expected in Q1 or Q2 2015 and they expect increases after that to be at a slow pace to lower levels than prevailed before 2008 as increases in Bank Rate will have a much bigger effect on heavily indebted consumers than they did before 2008.
- 13 The return to strong growth has also helped lower forecasts for the increase in Government debt by £73bn over the next five years, as announced in the 2013 Autumn Statement, and by an additional £24bn, as announced in the March 2014 Budget - which also forecast a return to a significant budget surplus, (of £5bn), in 2018/19. However, monthly public sector deficit figures have disappointed so far in 2014/15.

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### United States

- 14 In September, the Federal Reserve continued with its monthly \$10bn reductions in asset purchases, which started in December 2013. Asset purchases have now fallen from \$85bn to \$15bn and are expected to stop in October 2014, providing strong economic growth continues. First quarter GDP figures for the US were depressed by exceptionally bad winter weather, but growth rebounded very strongly in Q2 to 4.6% (annualised).
- 15 The U.S. faces similar debt problems to those of the UK, but thanks to reasonable growth, cuts in government expenditure and tax rises, the annual government deficit has been halved from its peak without appearing to do too much damage to growth, although the weak labour force participation rate remains a matter of key concern for the Federal Reserve when considering the amount of slack in the economy and monetary policy decisions.

### Eurozone

- 16 The Eurozone is facing an increasing threat from weak or negative growth and from deflation. In September, the inflation rate fell further, to reach a low of 0.3%. However, this is an average for all EZ countries and includes some countries with negative rates of inflation. Accordingly, the ECB took some rather limited action in June to loosen monetary policy in order to promote growth. In September it took further action to cut its benchmark rate to only 0.05%, its deposit rate to -0.2% and to start a programme of purchases of corporate debt. However, it has not embarked yet on full quantitative easing (purchase of sovereign debt).
- 17 Concern in financial markets for the Eurozone subsided considerably during 2013. However, sovereign debt difficulties have not gone away and major issues could return in respect of any countries that do not dynamically address fundamental issues of low growth, international uncompetitiveness and the need for overdue reforms of the economy (as Ireland has done). It is, therefore, possible over the next few years that levels of government debt to GDP ratios could continue to rise for some countries. This could mean that sovereign debt concerns have not disappeared but, rather, have only been postponed.

### China and Japan

- 18 Japan is causing considerable concern as the increase in sales tax in April has suppressed consumer expenditure and growth. In Q2 growth was -1.8% q/q and -7.1% over the previous year. The Government is hoping that this is a temporary blip.
- 19 As for China, Government action in 2014 to stimulate the economy appeared to be putting the target of 7.5% growth within achievable reach but recent data has raised fresh concerns. There are also major concerns as to the creditworthiness of much bank lending to corporates and local government during the post 2008 credit expansion period and whether the bursting of a bubble in housing prices is drawing nearer.



**Interest Rate Forecasts**

20 The Council’s treasury advisor, Capita Asset Services, has provided the following forecast:

	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17
Bank rate	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.75%	2.00%	2.00%
5yr PWLB rate	2.70%	2.70%	2.80%	2.90%	3.00%	3.00%	3.10%	3.20%	3.30%	3.40%	3.50%	3.50%
10yr PWLB rate	3.40%	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.10%	4.10%	4.20%	4.30%	4.30%
25yr PWLB rate	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.80%	4.80%	4.90%	4.90%
50yr PWLB rate	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.80%	4.80%	4.90%	4.90%

21 Capita Asset Services undertook a review of its interest rate forecasts in mid August, after the Bank of England’s Inflation Report. By the beginning of September, a further rise in geopolitical concerns, principally over Ukraine but also over the Middle East, had caused a further flight into safe havens like gilts and depressed Public Works Loan Board (PWLB) rates further. However, there is much volatility in rates as news ebbs and flows in negative or positive ways. This latest forecast includes a first increase in Bank Rate in quarter 1 of 2015.

22 Capita Asset Services’ PWLB forecasts are based around a balance of risks. However, there are potential upside risks, especially for longer term PWLB rates, as follows: -

- A further surge in investor confidence that robust world economic growth is firmly expected, causing a flow of funds out of bonds and into equities.
- UK inflation being significantly higher than in the wider EU and US, causing an increase in the inflation premium inherent to gilt yields.

23 Downside risks currently include:

- The situation over Ukraine poses a major threat to EZ and world growth if it was to deteriorate into economic warfare between the West and Russia where Russia resorted to using its control over gas supplies to Europe.
- UK strong economic growth is currently dependent on consumer spending and the unsustainable boom in the housing market. The boost from these sources is likely to fade after 2014.
- A weak rebalancing of UK growth to exporting and business investment causing a weakening of overall economic growth beyond 2014.

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- Weak growth or recession in the UK's main trading partners - the EU and US, inhibiting economic recovery in the UK.
- A return to weak economic growth in the US, UK and China causing major disappointment in investor and market expectations.
- A resurgence of the Eurozone sovereign debt crisis caused by ongoing deterioration in government debt to GDP ratios to the point where financial markets lose confidence in the financial viability of one or more countries and in the ability of the ECB and Eurozone governments to deal with the potential size of the crisis.
- Recapitalising of European banks requiring more government financial support.
- Lack of support by populaces in Eurozone countries for austerity programmes, especially in countries with very high unemployment rates e.g. Greece and Spain, which face huge challenges in engineering economic growth to correct their budget deficits on a sustainable basis.
- Italy: the political situation has improved but it remains to be seen whether the new government is able to deliver the austerity programme required and a programme of overdue reforms. Italy has the third highest government debt mountain in the world.
- France: after being elected on an anti austerity platform, President Hollande has embraced a €50bn programme of public sector cuts over the next three years. However, there could be major obstacles in implementing this programme. Major overdue reforms of employment practices and an increase in competitiveness are also urgently required to lift the economy out of stagnation.
- Monetary policy action failing to stimulate sustainable growth in western economies, especially the Eurozone and Japan.
- Heightened political risks in the Middle East and East Asia could trigger safe haven flows back into bonds.
- There are also increasing concerns that the reluctance of western economies to raise interest rates significantly for some years, plus the huge Quantitative Easing measures which remain in place (and may be added to by the ECB in the near future), has created potentially unstable flows of liquidity searching for yield and therefore heightened the potential for an increase in risks in order to get higher returns. This is a return of the same environment which led to the 2008 financial crisis.

### **Treasury Management Strategy and Annual Investment Strategy update**

- 24 The Treasury Management Strategy Statement (TMSS) and Prudential Indicators for 2013/14 were approved by the Council on 18 February 2014. There are no

policy changes to the TMSS thus far and the details in this report merely update the position in the light of updated economic data.

- 25 The same goes for the Council's Prudential Indicators, namely the Capital Financing Requirement, External Debt and the Operational Boundary and the Limits To Borrowing Activity.

### **Investment Portfolio 2014/15**

- 26 In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. As described above, it is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the 0.5% Bank Rate. Indeed, the Funding for Lending scheme has reduced market investment rates even further. The potential for a prolonging of the Eurozone sovereign debt crisis, and its impact on banks, prompts a low risk and short term strategy. Given this risk environment, investment returns are likely to remain low.
- 27 The Council held £41.970m of investments as at 30 September 2014 (£33.050m at 31 March 2014) and the investment portfolio yield for the first six months of the year is 0.57% against 7 Day and 3 Month LIBID benchmarks of 0.34% and 0.41% respectively. A full list of investments held as at 30 September 2014 appears in the Appendix.
- 28 The approved limits within the Annual Investment Strategy were breached just once during the first six months of 2014/15. At the end of July 2014, an oversight resulted in the balance held in the Business Premium Account at Barclays to reach £4.055m, which, together with £2m of fixed deposits, exceeded the £6m limit we had set. The position was corrected the following day.
- 29 The Council's budgeted investment return for 2014/15 is £268k and performance for the year to date is £12k below budget. At this stage, the year-end forecast is expected to remain at £12k below budget.

### **Icelandic bank defaults**

- 30 This authority currently has an investment of £1m frozen in Landsbanki Islands hf. The investment was placed on 25 June 2007 at 6.32%, to mature on 25 June 2009. The bank went into administration during the global financial crisis in October 2008.
- 31 The Icelandic Government has stated its intention to honour all its commitments as a result of their banks being placed into receivership. The UK Government, Administrators and other agencies continue to work with the Icelandic Government to help bring this about. The Local Government Association has been coordinating the efforts of all UK authorities with Icelandic investments.
- 32 At the current time, the process of recovering assets is still ongoing with the Administrators. Following the successful outcome of legal test cases in the Icelandic Supreme Court in late 2011, the deposits made by local authorities rank as priority claims. The Administrators have now commenced the process of

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dividend payments and four such payments have been received amounting to approximately 54% of our claim. The latest assumption is that 100% of the Council's investment (and interest up to 22 April 2009) will be recovered in the period up to 2018/19.

- 33 In January and February 2014, a large number of local authorities sold their collective claims against the Landsbanki estate via a competitive auction process. The price at which the sale was concluded did not meet the Council's reserve and hence we remain part of a small group of authorities still holding their claims.
- 34 Members have been updated periodically on the latest developments in these efforts.

### **Key Implications**

#### Financial

- 35 The management of the Council's investment portfolio and cash-flow generated balances plays an important part in the financial planning of the authority. The security of its capital and liquidity of its investments is of paramount importance.

#### Legal Implications and Risk Assessment Statement

- 36 Under Section 151 of the Local Government Act 1972, the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including securing effective arrangements for treasury management.
- 37 This annual review report fulfils the requirements of The Chartered Institute of Public Finance & Accountancy's Code of Practice on Treasury Management 2009.
- 38 Treasury management has two main risks :
- Fluctuations in interest rates can result in a reduction in income from investments; and
  - A counterparty to which the Council has lent money fails to repay the loan at the required time.
- 39 Consideration of risk is integral in our approach to treasury management. However, this particular report has no specific risk implications as it is not proposing any new actions, but merely reporting performance over the last six months.

#### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or	No	The recommendation is concerned with investment management and does not directly impact upon a service provided to the community.

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
discriminate against different groups in the community?		
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		No mitigating steps are required.

**Conclusions**

- 40 The overall return on the Council’s investments up to the end of September 2014 is £12k below budget and is forecast to remain at that level by the end of the financial year.
- 41 The economic situation both globally and within the Eurozone remains volatile, and this will have consequences for the UK economy. Treasury management in the current and recent financial years has been conducted against this background and with a cautious investment approach.
- 42 Recovery of the Icelandic deposit is ongoing and further updates will be provided as and when monies are received.

**Appendices:** Investment Portfolio at 30 September 2014

**Background Papers:** Treasury Management Strategy for 2014/15 - Council 18 February 2014  
<http://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=121&MId=1666&Ver=4>

**Adrian Rowbotham  
 Chief Finance Officer**

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**SEVENOAKS DISTRICT COUNCIL**

List of Investments as at:- 30-Sep-14

Reference	Name	Rating	Country	Group	Amount	Start Date	Comm Rate	End Date	Curr Rate	Terms	Broker
	Santander UK plc (Business Reserve A/C)	A	U.K.	Santander	0	01-Apr-99			0.40000%	Variable	Direct
	Santander UK plc (Money Market A/C)	A	U.K.	Santander	0	09-Oct-06			0.40000%	Variable	Direct
	Clydesdale Bank plc (Base Tracker Plus - 15 Day)	A	U.K.	NAB	0	10-Sep-10			0.30000%	Variable	Direct
	Barclays Bank plc (Business Premium A/C)	A	U.K.		1,970,000	01-Oct-11			0.35000%	Variable	Direct
	Barclays Bank plc (Flexible IBCA)	A	U.K.		2,000,000	01-Jun-14			0.45000%	Variable	Direct
	National Westminster Bank plc (Liquidity Select)	A	U.K.	RBS	1,000,000	07-Oct-11			0.25000%	Variable	Direct
	National Westminster Bank plc (95 Day Notice)	A	U.K.	RBS	3,000,000	24-May-13			0.35000%	Variable	Direct
	Svenska Handelsbanken AB (Deposit A/C)	AA-	Sweden		3,000,000	23-Jul-14			0.45000%	Variable	Direct
	Ignis Liquidity Fund (Money Market Fund)	AAA	U.K.		5,000,000	11-May-12				Variable	Direct
	Insight Liquidity Fund (Money Market Fund)	AAA	U.K.		5,000,000	11-May-12				Variable	Direct
IP1155	Bank of Scotland plc	A	U.K.	Lloyds/HBOS	1,000,000	11-Feb-14	0.95000%	10-Feb-15		1 Year	Direct
IP1156	Bank of Scotland plc	A	U.K.	Lloyds/HBOS	1,000,000	21-Feb-14	0.95000%	20-Feb-15		1 Year	Direct
IP1177	Coventry Building Society	A	U.K.		1,000,000	15-Jul-14	0.45000%	15-Oct-14		3 Months	R P Martin
IP1186	Coventry Building Society	A	U.K.		1,000,000	29-Aug-14	0.45000%	28-Nov-14		3 Months	Tradition
IP1131	Lloyds Bank plc	A	U.K.	Lloyds/HBOS	2,000,000	08-Oct-13	0.98000%	07-Oct-14		1 Year	Direct
IP1136	Lloyds Bank plc	A	U.K.	Lloyds/HBOS	1,000,000	30-Oct-13	0.98000%	29-Oct-14		1 Year	Direct
IP1138	Lloyds Bank plc	A	U.K.	Lloyds/HBOS	1,000,000	04-Nov-13	0.98000%	03-Nov-14		1 Year	Direct
IP1160	Lloyds Bank plc	A	U.K.	Lloyds/HBOS	1,000,000	08-Apr-14	0.95000%	07-Apr-15		1 Year	Direct
IP1165	Lloyds Bank plc	A	U.K.	Lloyds/HBOS	1,000,000	29-Apr-14	0.95000%	28-Apr-15		1 Year	Direct
IP1167	Lloyds Bank plc	A	U.K.	Lloyds/HBOS	1,000,000	06-May-14	0.95000%	05-May-15		1 Year	Direct
IP1174	Lloyds Bank plc	A	U.K.	Lloyds/HBOS	1,000,000	03-Jul-14	0.95000%	03-Jul-15		1 Year	Direct
IP1176	Nationwide Building Society	A	U.K.		1,000,000	09-Jul-14	0.64000%	09-Jan-15		6 Months	Tradition
IP1182	Nationwide Building Society	A	U.K.		1,000,000	06-Aug-14	0.64000%	06-Feb-15		6 Months	Tradition
IP1185	Nationwide Building Society	A	U.K.		1,000,000	29-Aug-14	0.64000%	27-Feb-15		6 Months	R P Martin
IP1189	Nationwide Building Society	A	U.K.		2,000,000	23-Sep-14	0.66000%	23-Mar-15		6 Months	Tradition
IP1180	Skipton Building Society	BBB-	U.K.		1,000,000	22-Jul-14	0.43000%	22-Oct-14		3 Months	Sterling
IP1184	Skipton Building Society	BBB-	U.K.		1,000,000	29-Aug-14	0.43000%	01-Dec-14		3 Months	Direct
IP1151	Ulster Bank Ltd	A-	U.K.	RBS	1,000,000	29-Jan-14	0.85000%	28-Jan-15		1 Year	R P Martin
IP1179	Yorkshire Building Society	BBB+	U.K.		1,000,000	22-Jul-14	0.40000%	22-Oct-14		3 Months	Sterling
	<b>Total Invested</b>				<b>41,970,000</b>						
	<b>Matured Investment</b>										
IP813	Landsbanki Islands hf		Iceland		452,300	25-Jun-07	6.32000%	25-Jun-09		2 Years	R P Martin
	<b>Other Loan</b>										
	Sevenoaks Leisure Limited				250,000	29-Apr-08	7.00000%	31-Mar-18		10 Years	Direct

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**Item 13 – Financial Results 2014/15 – To the end of September 2014**

The attached report will be considered by the Finance & Resources Advisory Committee on 11 November 2014, a Minute extract is therefore not yet available.

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## **FINANCIAL RESULTS 2014/15 – TO THE END OF SEPTEMBER 2014**

### **Finance and Resources Advisory Committee – 11 November 2014**

Report of Chief Finance Officer

Status: For consideration

Also considered by: Cabinet – 13 November 2014

Key Decision: No

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**This report supports the Key Aim of** Effective Management of Council Resources

**Portfolio Holder** Cllr. Ramsey

**Contact Officer(s)** Helen Martin Ext. 7483  
Adrian Rowbotham Ext 7153  
Pav Ramewal Ext 7298

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**Recommendation to Finance and Resources Advisory Committee:** That the report be noted, and any comments forwarded to Cabinet.

**Recommendation to Cabinet:** Cabinet considers any comments from Finance and Advisory Committee and notes the report

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### **Introduction and Background**

#### **Overall Financial Position**

- 1 Six months into the year the results to date show an overall favourable variance of £873,000.
- 2 The year-end position is forecast to be £331,000 better than budget; this is 2.3% of the net budget for the year.
- 3 Both the results to date and forecasts include any significant accruals.
- 4 Officers have set a target favourable variance of between £400,000 and £500,000 in 2014/15 to enable:
  - funds to be put aside for development projects and asset maintenance;
  - funding of a Housing Stock Survey; and
  - in light of budget pressures expected in 2015/16, any further favourable variance to be applied to the Budget Stabilisation Reserve.

## Agenda Item 13

### Key Issues for the year to date

- 5 **Income** – investment income is performing just below target and is forecast to be slightly worse than budgeted at the year-end. This reflects the effect of continuing low interest rates. A small unfavourable forecast is shown to reflect this position.
- 6 **Income** from Planning, Building Control, Land Charges and On Street Parking are showing a combined favourable variance of £216,000 at the end of September; Income from Legal work in connection with s.106 agreements is £13,000 ahead of profile. Income from car parking is currently £30,000 behind profile and the loss of income from Pembroke and Old Bligh’s car parks is now showing. A grant of £97,000 has been received for the Transformation Challenge and will be used for efficiency work in Building Control.
- 7 **Budgets for Managed Premises** are currently showing favourable variances totalling £24,000 partly due to receipt of some backdated service charges. Some expenditure on Asset Maintenance work is behind profile, whilst quotes are being obtained, giving a variance of £33,000.
- 8 **Contracted and External services** - There has been less requirement to spend on contracted and external services in the year to date, and these budgets are currently showing a favourable variance of £85,000.
- 9 **Pay costs** – the actual expenditure to date on salaried staff (excluding those who are externally funded) is £260,000 below budget, but £61,000 of that relates to Direct Services and may be offset by agency staff costs held within the trading account. There are currently favourable variances arising from vacant posts in Communities and Business, Corporate Support, Direct Services and Planning. A small favourable variance would be expected at this time because the budget for 2014/15 includes provision for a 1% pay award but, as yet, there is no national agreement on the amount.
- 10 **Other Variances** include some savings on CCTV (transmission costs) £27,000; deferred expenditure on administrative supplies £31,000; re-negotiated arrangements with Dartford regarding the partnership agreement together with budgets for non-finance partnerships, where work is currently being contained within existing budgets, accounts for current variances of £112,000.
- 11 **Direct Services** – Direct Services’ results show a positive variance of £78,000 compared to budget.

### Year End Forecast

- 12 The year-end position is forecast to be £333,000 better than budget.
- 13 The re-negotiation of the partnership agreement with Dartford BC will continue in 2014/15.
- 14 Direct Services expect to achieve a surplus that is £101,000 better than budget.

- 15 Income from car parking is forecast to be £80,000 below budget at the year end.
- 16 Budgets for Discretionary Rate Relief (£100,000) are no longer required and this is offered as a SCIA saving for 2015/16. (SCIA 9).
- 17 Investment income is forecast to have a small unfavourable variance.

### **Future Issues and Risk areas**

- 18 Chief Officers have considered the future issues and risk areas for their services and the impacts these may have on the Council's finances as follows:
  - the investment strategy is constantly under review and reports are made regularly to FRAC;
  - It is likely that fee income has been positively affected by the adoption of the Community Infrastructure Levy (CIL) schedule, and application numbers might recede once the charge is in place. Application numbers & income will be kept under close review now the new charging schedule has started;
  - There remains the risk that planning decisions will be challenged, either at appeal or through the Courts, and future plan making costs following the Allocations and Development Management Plan (ADMP) examination;
  - It has proved difficult to recruit to some vacant posts especially in Planning and Communities and Business;
  - the Benefits workload is at a higher level than before the recession and additional resources are being used to address this;
  - Tax collection rates, though currently in line with the previous year are vulnerable and we are being proactive in contacting Council Tax Support customers;
  - Potential for in-year overspend on property asset maintenance costs dependant on survey works currently being scheduled for a number of assets; and
  - Following the introduction of retained business rates, the responsibility for payment of back dated appeals rests with this Council. The impact of any successful appeals is being closely monitored.
- 19 Planned savings for 2014/15 total £479,000, including the generation of income, particularly from new partnership working, and this remains a risk area for the current and for future years.

### **Key Implications**

#### Financial

The financial implications are set out elsewhere in this report.

#### Legal Implications and Risk Assessment Statement.

Under section 151 of the Local Government Act 1972, the Section 151 officer has statutory duties in relation to the financial administration and stewardship of the authority.

## Agenda Item 13

Detailed budget monitoring is completed on a monthly basis where all variances are explained. Future risk items are also identified.

### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The recommendation is concerned with sound control of the Councils finances and does not directly impact on services provided to the community
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		No mitigating steps are required

### **Appendices**

Appendix – September Budget Monitoring – Overall Summary

**Adrian Rowbotham**  
**Chief Finance Officer**

## 2. Overall Summary

### September 14 - Final

	Period	Period	Period	Period	Y-T-D	Y-T-D	Y-T-D	Y-T-D	Annual	Annual	Annual	2013/14
	Budget	Actual	Variance	Variance	Budget	Actual	Variance	Variance	Budget	Forecast (including Accruals)	Variance	Actual
	£'000	£'000	£'000	%	£'000	£'000	£'000	%	£'000	£'000	£'000	£'000
Communities and Business	72	54	17	24	543	451	93	17	992	919	73	989
Corporate Support	181	171	11	6	1,752	1,638	113	6	3,202	3,202	-	3,199
Environmental and Operational Services	166	82	84	51	1,390	1,143	247	18	2,509	2,520	-12	2,788
Financial Services	373	369	4	1	2,228	2,108	120	5	5,108	5,046	62	4,312
Housing	58	56	2	4	463	440	23	5	721	709	11	778
Legal and Governance	46	51	-5	-10	294	260	34	12	588	575	13	548
Planning Services	105	77	28	27	620	435	185	30	1,261	1,172	88	1,315
<b>NET EXPENDITURE (1)</b>	<b>1,001</b>	<b>860</b>	<b>141</b>	<b>14</b>	<b>7,289</b>	<b>6,475</b>	<b>815</b>	<b>11</b>	<b>14,380</b>	<b>14,144</b>	<b>237</b>	<b>13,929</b>
<i>Adjustments to reconcile to amount to be met from Reserves</i>												
Direct Services Trading Accounts	-8	-22	14	181	-127	-205	78	62	-64	-164	101	-230
Capital charges outside General Fund	-5	-5	-0	-0	-32	-32	-0	-0	-64	-64	-	-62
Support Services outside General Fund	-10	-10	0	0	-59	-59	0	0	-118	-118	-	-118
Redundancy Costs - all	-	0	-0	-	-	8	-8	-	-	-	-	-
<b>NET EXPENDITURE (2)</b>	<b>978</b>	<b>823</b>	<b>155</b>	<b>16</b>	<b>7,071</b>	<b>6,186</b>	<b>885</b>	<b>13</b>	<b>14,135</b>	<b>13,797</b>	<b>338</b>	<b>13,519</b>
Revenue Support Grant (incl. CT Support)	-185	-185	-	0	-1,113	-1,113	-	0	-2,225	-2,225	-	-2,678
Retained Business Rates	-158	-158	-	0	-949	-949	-	0	-1,898	-1,898	-	-1,862
New Homes Bonus	-116	-116	-	0	-695	-695	-	0	-1,389	-1,396	7	-993
Council Tax Requirement - SDC	-751	-751	-	0	-4,505	-4,505	-	0	-9,010	-9,010	-	-8,728
<b>NET EXPENDITURE (3)</b>	<b>111</b>	<b>-43</b>	<b>155</b>	<b>139</b>	<b>1,872</b>	<b>986</b>	<b>885</b>	<b>47</b>	<b>-387</b>	<b>-732</b>	<b>345</b>	<b>-742</b>
<i>Summary including investment income</i>												
Net Expenditure	111	-43	155	139	1,872	986	885	47	-387	-732	345	-742
Investment Impairment	-	-	-	0	-	-	-	0	-	-	-	-
Interest and Investment Income	-22	-23	1	-3	-130	-118	-12	-9	-244	-232	-12	-237
Overall total	89	-66	155	174	1,742	868	873	50	-631	-964	333	-979
Planned appropriation (from)/to Reserves									631	631	-	-
Supplementary appropriation from Reserves									-	-	-	-
Surplus									-	-333	333	-979

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**Item 14 – Community Infrastructure Levy (CIL) Governance**

The attached report was considered by the Local Planning & Environment Advisory Committee, relevant minute extract below:

Local Planning & Environment Advisory Committee – 23 October 2014 (Minute 24)

The Committee had previously agreed to the arrangement of a Community Infrastructure Levy (CIL) workshop to ensure that the development of governance arrangements by the committee was a Member-led process and to enable Members to debate the issues that the Council would need to consider in greater detail. The workshop had been held immediately prior to the meeting. Initial thoughts on the formation of a CIL spending board had included a panel type system pulled from a pool of members (similar to the Licensing Committee format) that should meet about three times a year with the decision endorsed at a higher level, but further consideration needed to be given to this and would be discussed at a future meeting of the workshop to be arranged. Until these arrangements were worked out it was recommended that the Council set out a non-exclusive list of the types of infrastructure that would be funded through CIL and those that would be secured/funded through planning obligations. The Council would not be able to use planning obligations to secure/fund something that was funded through CIL.

The Joint Planning Policy Team Leader referred to the report where it advised that anecdotal evidence across the country suggested a desire to secure greater control over CIL funding had been a deciding factor in town and parish councils preparing neighbourhood plans but may be unfair to less well resourced town and parish councils that consider themselves unable to bring forward a neighbourhood plan. A way to resolve this would be to give the 25% irrespective of whether there was a neighbourhood plan in place. It would leave the District Council with less funding available to allocate to its own projects or those of partners, such as KCC Education, KCC Highways or the NHS. There would, however, be nothing to prevent town and parish councils passing funding to these organisations where improvements in their infrastructure was considered to be the local priority.

A Member was concerned that smaller one member wards may not receive sufficient money to deliver infrastructure improvements and that there may be benefit in the Council retaining greater control for this reason. He was advised that the money could be passed on as contributions to other agencies for schemes that would benefit the area.

The Chief Planning Officer reported that it had been indicated by the Government that irrespective of the elections in May 2015, Neighbourhood Plans were to stay. This proposal was not to act as a disincentive, merely to make the system fairer. It was suggested that Members could continue to debate this proposal through the CIL workshops and then the Advisory Committee and Cabinet meetings would consider the governance structure or they could recommend to Cabinet that it

## Agenda Item 14

should agree to it now. The Chairman moved that the proposal should apply to 25% of the £125 per sq m residential rate (i.e. the previous agreed equalisation of rates regardless of whether a town or parish council is in the £125 per sq m or £75 per sq m charging area should apply) and it was duly seconded. The motion was put to the vote and

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

- a) all Town and Parish Councils, irrespective of whether they have a Neighbourhood Plan in place, be given control over the 25% of CIL; and
- b) the 'Regulation 123 List: Types of Infrastructure to be funded by CIL' as below, be adopted.

#### 'Community Infrastructure Levy

The following types of infrastructure will be funded through CIL receipts:

- Transport schemes other than site-specific access improvements;
- Flood defence schemes;
- Water quality schemes;
- Education;
- Health and social care facilities;
- Police and emergency services facilities;
- Community facilities;
- Communications infrastructure (beyond that directly secured by agreement between the developer)
- Green infrastructure other than site-specific improvements or mitigation measures (for example improvements to parks and recreation grounds).

The Council will not treat this list as exclusive and may use CIL to fund other types of infrastructure, subject to its governance arrangements. However the Council will not use CIL to fund site specific infrastructure to be secured through a planning obligation.

#### Planning Obligations

SDC will use planning obligations for site specific infrastructure, such as:

- Site specific access improvements (these could also be secured through s.278 of the Highways Act 1980 in some circumstances);
- On-site open space, for example children's play areas;
- Site specific green infrastructure, including biodiversity mitigation and improvement;
- On-site crime reduction and emergency services infrastructure, for example CCTV or fire hydrants; and
- Site specific Public Rights of Way diversions or impact mitigation.

Where required to accord with national or local policy, the Council will also use planning obligations to secure the re-provision of any infrastructure that is permitted to be lost through a planning permission granted for redevelopment of that site.

In addition, affordable housing provision and contributions, and related monitoring and legal fees, will continue to be secured through planning obligations.'

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**CIL GOVERNANCE**

**Local Planning and Environment Advisory Committee – 23 October 2014**

Report of Chief Planning Officer

Status: For Consideration

Also considered by: Cabinet - 13 November 2014

Key Decision: No

**Executive Summary:**

Local Planning and Environment Advisory Committee previously agreed to the arrangement of a CIL workshop to ensure that the development of governance arrangements by the committee is a Member-led process and to enable Members to debate the issues that the Council will need to consider in greater detail. This workshop is still to be held. It is recommended that, in the meantime, the Council sets out a non-exclusive list of the types of infrastructure that will be funded through CIL and those that will be secured/funded through planning obligations. The Council will not be able to use planning obligations to secure/fund something that it is funded through CIL.

**Portfolio Holder** Cllr. Robert Piper

**Contact Officer(s)** Steve Craddock Ext. 7315

**Recommendation To Cabinet:**

That the 'Regulation 123 List: Types of Infrastructure to be funded by CIL' is adopted.

**Reason for recommendation:**

To ensure that the Council is able to continue to seek provision or secure funding for site specific infrastructure through planning obligations.

**Introduction and background**

- 1 The Council adopted the CIL Charging Schedule on 18 February 2014 and qualifying developments permitted since 4 August 2014 are now liable to pay CIL.
- 2 As part of the process of adopting the CIL Charging Schedule, Cabinet tasked Local Planning and Environment Advisory Committee with developing the CIL governance arrangements. In March 2014, the Local Planning and Environment Advisory Committee resolved that a member/officer workshop should be set up in Summer 2014 to begin to consider CIL governance issues. It was proposed that, following this workshop, LPEAC would formally debate different CIL governance

## Agenda Item 14

models and make a recommendation to Cabinet. Due to other Planning Policy work priorities, the CIL workshop is still to be organised.

- 3 In order to prepare the CIL Charging Schedule, the Council was required to prepare a Draft CIL Infrastructure Plan (Background Document) to identify the scale of the funding gap for delivering infrastructure necessary to support development. This Draft Plan may provide a useful indication of the infrastructure required and the priorities of partner organisations (including town and parish councils). However, the document is largely based on information provided approximately 2 years ago and will need to be refreshed. The Draft Infrastructure Plan does indicate how important and challenging it will be for the Council to prioritise the allocation of funding to infrastructure projects. Whilst it is estimated that between 2014 and 2026 the delivery of the Core Strategy housing targets would lead to the Council receiving approximately £5-6 million, the costed projects previously identified sum to approximately £33,000,000. Approximately, £4-5 million would remain in the Council's control after town and parish councils have been transferred their share of the CIL receipts (under currently agreed proposals).

### **Infrastructure that can be funded through CIL**

- 4 The share of CIL that SDC will control must be spent on infrastructure to support the development of the District. It is important to note that, unlike Section 106 agreements, there is no need for the use of CIL to be directly linked to the development that pays it.
- 5 There is no definitive list of infrastructure that can be funded through CIL. However, the Planning Act 2008 provides the following indicative definition:

*“Infrastructure” includes-*

- (a) road and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities,
- (f) open spaces.

Government guidance on the use of s106 agreements suggested that other mechanisms exist to ensure that developers and utility companies provide sufficient connections to new properties and so this would not need to be provided through s106 agreements. The same could be said to apply to CIL.

- 6 It should be remembered that CIL is intended to largely replace s106 agreements as the mechanism that local planning authorities use to secure funding for infrastructure. Therefore, whilst the provision of new school places, greater library capacity, improved GP surgeries or improved bus services have previously been secured through s106 agreements, these types of projects will in the future need to be funded through CIL, instead, if no other funding exists and if the Council considers the schemes to be sufficient important.

- 7 The Council submitted a list of the types of projects to be funded through CIL and those to be funded/provided through s106 agreements to the CIL examination (referred to as a regulation 123 list). This list follows Government regulations on the use of s106 agreements, which suggests that they should be used to secure site-specific infrastructure, whilst CIL should be used for strategic projects. Given that this list formed part of the basis for the Charging Schedule being found sound, following a recent change in Government guidance, there is little scope for the Council to fundamentally change this without reviewing the Charging Schedule (appendix A). What flexibility does exist allows for more projects to be funded through CIL, rather than increasing the burdens placed on developers through s106 agreements.
- 8 It is suggested that three amendments are made to the regulation 123 list from the draft version submitted with the draft Charging Schedule for examination. These are included in the proposed list (appendix A) but are summarised below:
1. To confirm that the Council will not treat the list of infrastructure to be funded through CIL as exclusive and may use CIL to fund other types of infrastructure. However the Council will not use CIL to fund site specific infrastructure to be secured through an s106 agreement. This would be contrary to legislation and national policy.
  2. Where required to accord with national or local policy, the Council will also use planning obligations to secure the re-provision of any infrastructure that is permitted to be lost through a planning permission granted for redevelopment of that site.
  3. To add communications infrastructure, beyond that directly secured by agreement between the developer, to the list of infrastructure that CIL may be used to fund.
- 9 It is recommended that this list (appendix A) is adopted now (following LPEAC and Cabinet) to ensure that the Council is able to continue to use planning obligations in the ways set out in the list, which it will not be able to do if such a list is not published. Should the process for developing CIL governance arrangements indicate the need to amend this list then these changes can be made through a new resolution of Cabinet.

### **Payments to town and parish councils**

- 10 The Council resolved when it adopted the Charging Schedule that town and parish councils will receive an equal amount when a CIL-paying residential development occurs in their areas. As such, town and parish councils will receive £18.75 per sq m (15% of £125 per sq m) of the CIL payment if they do not have an adopted Neighbourhood Plan at the time the development is permitted to spend on infrastructure or £31.25 per sq m (25% of £125 per sq m) if they do have an adopted Neighbourhood Plan. As the charge for supermarkets, superstores and retail warehouses is a standard £125 per sq m across the District, town and parish councils will receive 15% or 25% of the same sum if a development of one of these types happens in their area. This does not preclude additional funds being passed to town or parish councils if the projects proposed are given

## Agenda Item 14

sufficiently high priority under the governance arrangements that will be developed.

- 11 Anecdotal evidence across the country suggests that a desire to secure greater control over CIL funding has been a deciding factor in town and parish councils preparing neighbourhood plans. Whilst neighbourhood plans are a positive tool for town and parish councils and local residents to shape the future of their areas, they can prove to be expensive for both town and parish councils (who are responsible for preparing the plans) and local authorities (who are responsible for supporting the preparation of plans and defending them at examination and paying for referenda), despite grants from Government. Giving town and parish councils control over the 25% of CIL that they would be entitled to if they had a neighbourhood plan would remove the financial incentive for them to prepare one. It would be hoped that this would result in neighbourhood plans coming forward only in areas where the town and parish council and/or the local community has a strong desire to make a positive contribution to the plan for the area. This may also help to prevent a situation whereby less well resourced town and parish councils that consider themselves unable to bring forward a neighbourhood plan are not penalised by being given less control over the development of infrastructure.
- 12 If Sevenoaks District Council were to adopt this approach and combine it with the agreement that payments should be equalised across the District, all town and parish councils would receive £31.25 per sq m of development. This would leave the District Council in control of £43.75 per sq m or £93.75 per sq m, depending on the charging area. Therefore, it would have less funding available to allocate to its own projects or those of partners, such as KCC Education, KCC Highways or the NHS. There would, however, be nothing to prevent town and parish councils passing funding to these organisations where improvements in their infrastructure was considered to be the local priority.
- 13 Subject to town and parish councils identifying an appropriate scheme(s) in advance that they would wish to fund through the CIL that is additional to what they are automatically entitled to, the Council is also able to adopt this approach under the current legislation. It is suggested that this should be discussed through the CIL workshop and formal debates at LPEAC and Cabinet.

### **CIL Governance Issues for SDC to consider**

- 14 The report to LPEAC in March 2014 raised a number of issues that would need to be considered through the CIL workshop and debates at LPEAC and Cabinet. These were:
  - What types of Infrastructure should be given highest priority?
  - Whether the Council wishes to identify different funding pots (e.g. local and strategic).
  - How to balance planning infrastructure delivery proactively and reacting to windfall developments?



- Whether agreements should be made with other authorities to transfer a certain amount or proportion of CIL receipts to pay for infrastructure that it funds up front.
- Who should have the power to make the final decision?
- How often should allocations of CIL funding be made?

15 Given that the proposal was to arrange a separate workshop to discuss these issues, little debate was had on them. However, an initial consensus seemed to be that a CIL spending board should be established to consider funding bids.

### **Instalment Policies**

16 In most circumstances, a developer must pay CIL in full 60 days after commencement, unless the Council adopts an instalments policy. This would apply regardless of the size of the development, which could lead to a developer having to pay a substantial CIL before it has had the chance to sell any of the dwellings. It is recommended that the Council adopts an instalment policy to help maintain the viability of these developments. It is recommended that this is also debated through the governance workshop.

17 The CIL regulations provide that each phase of a development has a separate charge associated with it. Therefore, only once the developer commences a particular phase does the 60 day payment period (or instalment policy) begin. This effectively provides an instalments policy for larger developments (over 100 dwellings, for example), which are unlikely to be built out in one phase.

### **Flexibility to make further changes to Governance Arrangements**

18 Governance arrangements for CIL do not need to be published for consultation or independent examination (unless changes to a regulation 123 list are proposed, when consultation is required). As the Council appears to be something of a 'front-runner' in this area, there may be opportunities to learn from experiences elsewhere. It is recommended that arrangements should be set up on the basis that they will be reviewed after 1-2 years. This will provide the opportunity to reflect on any lessons learnt, either from the Council's experience or the experience of other authorities. If, however, it is found that there is a fundamental problem with the arrangements put in place then the Council can review them at any stage.

### **Other Options Considered and/or Rejected**

Cabinet could not agree to the adoption of the proposed regulation 123 list. This option is not recommended by Officers on the basis that it would limit the Council's ability to secure s106 agreements for anything other than affordable housing.

### **Key Implications**

#### Financial

There are no financial implications of this recommendation.

## Agenda Item 14

### Legal Implications and Risk Assessment Statement.

Governance arrangements that are consistent with the CIL regulations must be agreed. If they are not then the Council runs the risk of challenges from developers over the use of CIL to the Ombudsmen being upheld.

### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The recommendation relates to how the Council should determine through which mechanisms infrastructure improvements should be secured not what infrastructure should be prioritised. As such, the decision will have no impact on these equality factors.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		n/a

### **Conclusions**

It is recommended that the arrangement of a CIL workshop would ensure that the development of governance arrangements by the committee is a Member-led process and would enable Members to debate the issues that the Council will need to consider in greater detail. This should be arranged, as per the previous LPEAC resolution. However, in the interim, the Council should adopt a regulation 123 list to ensure that it is not unduly limited from using planning obligations.

### **Appendices**

Appendix A – List of infrastructure types to be funded through CIL and S106 Agreements

### **Background Papers:**

[Draft CIL Infrastructure Plan](#) (July 2013).

**Richard Morris**  
**Chief Planning Officer**

**Appendix A**



**COMMUNITY INFRASTRUCTURE LEVY:**

**REGULATION 123 LIST:**

**TYPES OF INFRASTRUCTURE TO BE FUNDED BY CIL**

**November 2014**

## Agenda Item 14

### Community Infrastructure Levy

The following types of infrastructure will be funded through CIL receipts:

- Transport schemes other than site-specific access improvements;
- Flood defence schemes;
- Water quality schemes;
- Education;
- Health and social care facilities;
- Police and emergency services facilities;
- Community facilities;
- Communications infrastructure (beyond that directly secured by agreement between the developer)
- Green infrastructure other than site-specific improvements or mitigation measures (for example improvements to parks and recreation grounds).

The Council will not treat this list as exclusive and may use CIL to fund other types of infrastructure, subject to its governance arrangements. However the Council will not use CIL to fund site specific infrastructure to be secured through a planning obligation.

### Planning Obligations

SDC will use planning obligations for site specific infrastructure, such as:

- Site specific access improvements (these could also be secured through s278 of the Highways Act 1980 in some circumstances);
- On-site open space, for example children's play areas;
- Site specific green infrastructure, including biodiversity mitigation and improvement;
- On-site crime reduction and emergency services infrastructure, for example CCTV or fire hydrants; and
- Site specific Public Rights of Way diversions or impact mitigation.

Where required to accord with national or local policy, the Council will also use planning obligations to secure the re-provision of any infrastructure that is permitted to be lost through a planning permission granted for redevelopment of that site.

In addition, affordable housing provision and contributions, and related monitoring and legal fees, will continue to be secured through planning obligations.

**Item 15 – Statement of Community Involvement – Final for Adoption**

The attached report was considered by the Advisory Committee, relevant minute extract below:

Local Planning & Environment Advisory Committee –2014 (Minute 25)

The Senior Planning Policy Officer presented the report and outlined the proposed changes to the document arising from the comments made during a six week public consultation, and sought permission to adopt the SCI. The Council's Statement of Community Involvement in Planning (SCI) sets out how the Council proposes to engage local people and organisations in the development planning process, both in Planning Policy and Development Management and had been originally adopted in 2006. In 2013/14 it had been reviewed in order to bring it up to date with current planning legislation and new consultation methods and then sent out for consultation.

The Committee agreed that it was clear and well set out and asked that the final version, if adopted, also be sent out to Town and Parish Councils.

**Resolved: That it be recommended to Cabinet** to adopt the Statement of Community Involvement in Planning, as amended as set out in Appendix A to the report.

*Note: Appendix A has been circulated separately and is not attached to the main agenda.*

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**STATEMENT OF COMMUNITY INVOLVEMENT – FINAL FOR ADOPTION**

**Cabinet – 13 November 2014**

Report of: Chief Planning Officer

Status: For decision

Also considered by: Local Planning and Environment Advisory Committee – 23 October 2014

Key Decision: No

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**Executive Summary:**

The Council's Statement of Community Involvement in Planning (SCI) sets out how we propose to engage local people and organisations in the development planning process, both in Planning Policy and Development Management.

The 2006 adopted SCI was refreshed in 2013/14 in order to bring it up to date with current consultation methods, particularly in relation to electronic communication.

Consultation on the refreshed SCI was undertaken for six weeks earlier this year, and this report outlines the proposed changes to the document arising from the comments made during the public consultation, and seeks permission to adopt the SCI.

---

**This report supports the Key Aims of the Community Plan**

**Portfolio Holder** Cllr. Robert Piper

**Contact Officer(s)** Emma Boshell Ext. 7358

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**Recommendation to Local Planning and Environment Advisory Committee:** That the recommendation to Cabinet is endorsed.

---

**Recommendation to Cabinet:** That Cabinet adopts the Statement of Community Involvement in Planning, as amended (attached at Appendix A).

---

**Reason for recommendation:** To update the previously adopted Statement of Community Involvement to provide a current code of practice for community involvement in planning.

---

# Agenda Item 15

## **1. Background**

- 1.1 This Statement of Community Involvement (SCI) has been produced to make sure the Council can involve the community effectively in the development of local planning policy and decisions on planning applications.
- 1.2 The Council's first SCI was adopted in 2006. Since then there have been significant changes to the planning system and a refreshed version of the SCI was produced earlier this year to reflect the most up to date legislation and regulation changes.
- 1.3 We understand that in order to try to reach agreement within communities, people need to be involved from the early stages of the planning process. The SCI is therefore a public statement that lets communities and stakeholders know when and how they can be involved.

## **2. Consultation**

- 2.1 Earlier this year, Cabinet approved the draft SCI for public consultation. This was carried out for six weeks, from 23 May to 4 July 2014. All contacts on the Local Plan consultation database were notified by email or by letter, including Parish and Town Councils, and a notice was placed on the Council's website. Copies of the document were placed in local libraries for inspection.
- 2.2 A total of 4 comments were received from stakeholders and members of the public. A summary of these comments is set out in Appendix B.

## **3. Amendments**

- 3.1 There are a number of amendments that are proposed to the SCI, in order for it to be adopted. These amendments have been incorporated into the document which is attached at Appendix A.
- 3.2 The table in Appendix B sets out the proposed amendments in response to the comments made during the public consultation.
- 3.3 In addition to these, some general amendments are proposed in order to improve the document. These amendments are set out as follows:
  - i. There is a new section on permitted development in order to provide clear guidance for householders.
  - ii. Explanations have been given for some technical terms e.g. spatial, in order to provide clarity.
  - iii. The Enforcement section has been re-drafted in order to reflect new processes.

## **4. Conclusion and Next Steps**

- 4.1 This report sets out the proposed amendments to the SCI following public consultation. It is recommended that this document, as amended and attached at Appendix A, is adopted by the Council.



**Other Options Considered and/or Rejected**

The Council could continue to rely on the existing Statement of Community Involvement from 2006, but this is out of date, and therefore this option is not recommended.

**Key Implications**

Financial

No additional costs to the Council arise from the adoption of the SCI.

Legal Implications and Risk Assessment Statement.

All local authorities are required to produce an SCI to set out their vision and strategy for effective community participation.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The SCI is designed to ensure that Sevenoaks District Council effectively involves the community in the development of all documents, SPDs and DPDs that make up the Local Plan (also known as the LDF). The SCI also details how the Council consults on planning applications. The SCI aims to consider the needs and priorities of the whole community, and attempts to overcome any barriers which may prevent groups or individuals within the community from being involved in the planning process.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?	N/A	

**Appendices** – *have not been printed with the agenda but have been separately circulated, are available on the website and in the members room and on request*

[Appendix A – Statement of Community Involvement in Planning 2014 and](#)

[Appendix B – Representations on the Statement of Community Involvement](#)

**Background documents**

None

**Mr Richard Morris**

**Chief Planning Officer**

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**Item 16 – Update on the Allocations & Development Management Plan (ADMP)**

The attached report and supplementary papers were considered by the Local Planning & Environment Advisory Committee, relevant minute extract below:

Local Planning & Environment Advisory Committee – 23 October 2014 (Minute 26)

The Joint Planning Policy Team Leader presented the report which provided a summary of the comments received as part of the Main Modifications consultation and outlined the next steps for the adoption of the Allocations and Development Management Plan (ADMP). The ADMP supplemented the Core Strategy by identifying housing allocations, areas of employment and important areas of open space, and set out new development management policies, which were consistent with the National Planning Policy Framework (NPPF). The ADMP was examined by the Planning Inspectorate in March 2014 and a consultation on the Inspector's Main Modifications had been held between 21 August and 2 October 2014. Members' attention was drawn to the supplementary agenda which contained a late comment received from London Borough of Bromley and Appendix E which was a summary of the comments made during the main modifications consultation with responses as requested by the Inspector. There was the possibility that the Inspector could decide to reopen the hearings in relation to Fort Halstead. It was hoped that the report would be received by the end of the year so the ADMP could be adopted January/February 2015.

It was agreed that MM13: Core Strategy Review response should include the wording as set out in the main agenda 'Subject to the findings of an up-to-date Strategic Housing Market Assessment, which the Council will commence in 2014, the Council commits to undertake an early review of the Core Strategy, in part or in whole, within the next five years, in accordance with the National Planning Practice Guidance, in order to ensure that it has an up-to-date suite of policies and proposals in place to deliver sustainable growth in accordance with the NPPF.'

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

- a) the comments received through the ADMP Main Modifications consultation be noted; and
- b) the Council's responses to the comments made during the ADMP Inspector's main modifications consultation as set in Appendix E to the report, be agreed, subject to the additional wording outlined above.

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**UPDATE ON THE ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN (ADMP)**

**Cabinet – 13 November 2014**

Report of	Chief Planning Officer
Status:	For consideration
Also considered by:	Local Planning & Environment Advisory Committee – 23 October 2014
Key Decision	No

**Executive Summary:**

The Allocations and Development Management Plan (ADMP) supplements the Core Strategy by identifying housing allocations, areas of employment and important areas of open space. The ADMP also sets out new development management policies, which are consistent with the National Planning Policy Framework (NPPF).

The ADMP was examined by the Planning Inspectorate in March 2014 and a consultation on the Inspector’s Main Modifications was held 21 August – 2 October 2014.

This report provides a summary of the comments received as part of the Main Modifications consultation and outlines the next steps for the adoption of the ADMP.

**Portfolio Holder** Cllr. Piper

**Contact Officer(s)** Hannah Gooden Ext. 7178

**Recommendation to Cabinet:** That the comments received through the ADMP Main Modifications consultation are noted

**Reason for recommendation:** To progress the ADMP in accordance with the Local Development Scheme.

**Introduction and Background**

- 1 The Allocations and Development Management Plan (ADMP) was agreed by Full Council for submission for examination by the Planning Inspectorate in February 2013. Since then the ADMP has been:
  - published for interested parties to make comments on (between March and May 2013)
  - submitted for examination (in November 2013)

## Agenda Item 16

- examined through hearings (March 2014)
- published for consultation on the Main Modifications (21 August – 2 October 2014)

Whilst the hearings have now closed, the examination remains open until we receive the Inspector's report.

- 2 This report provides an update on the 'main modifications' public consultation.

### **Main Modifications**

- 3 The Inspector wrote to the Council in April setting out twelve proposed 'main modifications' to the ADMP that he considers need to be made to make the Plan sound (see Appendix A) following the hearings. The majority of these modifications are actually relatively minor in scale.
- 4 The two most significant modifications are the requirement for us to bring forward the allocation of the land west of Enterprise Way in Edenbridge for housing rather than continuing to allocate it as 'reserve land', and to provide greater certainty on the mix and scale of uses in the Policy relating to Fort Halstead.
- 5 An additional Main Modification (MM13) was proposed in July 2014 to commit the Council to an early review of the Core Strategy, in whole or in part, within the next five years.
- 6 These thirteen Main Modifications formed the basis of the recent public consultation (see Appendix B).

### **Main Modifications Consultation**

- 7 The consultation on the Inspector's Main Modifications was held for six weeks from 21 August – 2 October 2014.
- 8 Consultation letters and emails were sent out to all interested parties on our Local Plan mailing list, together with statutory consultees, including town and parish councils. Copies of the document were placed in Council offices and libraries for public inspection and public notices were placed in the local paper. A press release was also issued and consultation letters were sent out to all neighbours adjoining the reserve land site in Edenbridge.
- 9 Officers organised the following three drop-in information sessions (in Sevenoaks, Swanley and Edenbridge) during the consultation on the main modifications, in order to assist understanding of the proposed changes. About 40 people attended these sessions and Edenbridge was the most well attended session.

Thursday 4th September 4pm - 8pm – Clocktower Pavilion, Swanley Town Council

Monday 8th September 4pm - 8pm – SDC Offices, Sevenoaks

Tuesday 9th September 4pm - 8pm - Rickards Hall, Edenbridge

## Consultation Responses

- 10 A total of 55 responses were received during the consultation. These included representations from:
- ProVision (agents for one of the owners of the reserve land in Edenbridge)
  - Eynsford Parish Council
  - the Knockholt Society
  - Campaign to Protect Rural England (CPRE)
  - Kent Wildlife Trust
  - Highways Agency
  - Kent Downs AONB Unit
  - Halstead Parish Council
  - Southern Water
  - Paul Dickinson & Associates (agents to the owners of the Glaxo Smith Kline site in Leigh)
  - the Environment Agency
  - Edenbridge Town Council
  - Natural England
  - CBRE (on behalf of the owners of Fort Halstead)
  - Kent County Council (Environment Planning & Enforcement)
- 11 The remainder of the responses received have been from members of the public, mainly in relation to the reserve land in Edenbridge, with concerns relating to the proposed primary access from St Johns Way, affordable housing, flooding, infrastructure and open space. The total number of representations in relation to the reserve land in Edenbridge was 16.
- 12 In respect of this site, officers received notice of a community consultation by ProVision on draft proposals for the development of the reserve land in Edenbridge, one week prior to the end of the Main Modifications consultation. There were some enquiries by residents near the reserve land to ask if the SDC consultation could be extended to cover this period (3<sup>rd</sup>/4<sup>th</sup> October) beyond the statutory 6 week consultation period that was undertaken by the Council. No additional comments have been received.

## Agenda Item 16

- 13 A number of comments were concerned with Main Modification 8 for Policy EMP3 Fort Halstead. Representations were made by organisations and agents on behalf of landowners, with some representations raised by members of the public. The total number of representations in relation to Fort Halstead was 10. These included concerns over transport impacts, the impact on infrastructure, the site's location within the AONB and challenges to the options for the level of residential development considered by the Council to address the Inspector's concerns.
- 14 Summaries of the consultation responses are set out in Appendix C – Summary of ADMP Main Modifications Consultation Responses.

### **Next Steps**

- 15 Following the consultation, submitted comments will be sent to the Inspector in October along with a brief response to the submissions and a short commentary on any implications of the modifications in terms of the sustainability appraisal.
- 16 It is currently anticipated that the Inspector will draft his final report before the end of the calendar year. The Council will be sent an early fact-check draft of the report in advance of its publication.
- 17 Assuming the Inspector recommends that the ADMP can be found sound (with the Main Modifications), the Council will then need to decide whether to adopt the Plan. It is anticipated that the Plan for adoption will be reported to Advisory Committee on 27 January, Cabinet on 5 February (briefing on 8 January) and Full Council on 17 February.

### **Conclusions**

- 18 This report provides an update on recent progress on the ADMP, namely the public consultation on the main modifications for six weeks. It provides members of LPEAC the opportunity to consider issues raised during the consultation and the Council's response to them.

### **Other Options Considered and/or Rejected**

No other options considered at this stage.

### **Key Implications**

#### Financial

None – costs of preparing ADMP are part of planning policy budget

#### Legal Implications and Risk Assessment Statement.

None – The Council is required to consult on Inspector's main modifications



Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	EQIA have been carried out on the preparation of the ADMP.  Impacts of proposed main modifications assessed via SA process.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		n/a

**Appendices** Appendix A – Inspector’s letter to the Council regarding ‘main modifications’  
[http://www.sevenoaks.gov.uk/\\_data/assets/pdf\\_file/0011/138692/PA-021-Note-from-Inspector-re-Main-Modifications-and-Preliminary-Findings-24-4-14.pdf](http://www.sevenoaks.gov.uk/_data/assets/pdf_file/0011/138692/PA-021-Note-from-Inspector-re-Main-Modifications-and-Preliminary-Findings-24-4-14.pdf)

Appendix B – ADMP Main Modifications consultation document  
[http://planningconsult.sevenoaks.gov.uk/gf2.ti/f/490946/12968869.1/PDF/-/ADMP\\_Main\\_Modifications\\_August\\_2014\\_MM6\\_amended.pdf](http://planningconsult.sevenoaks.gov.uk/gf2.ti/f/490946/12968869.1/PDF/-/ADMP_Main_Modifications_August_2014_MM6_amended.pdf)

Appendix C – Summary of ADMP Main Modifications Consultation Responses

Supplementary report to Local Planning & Environment Advisory Committee

Appendix D – Late representations

Appendix E – Summary of Key Issues Raised and Responses

**Richard Morris**

**Chief Planning Officer**

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## SEVENOAKS ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN: MAIN MODIFICATIONS

### INSPECTOR'S PRELIMINARY FINDINGS

This note is without prejudice to any final Report that I may prepare but based on the evidence that I have read and heard I consider there are a small number of shortcomings in the document, relating to soundness, which the Council should address through the agreement of Main Modifications (MMs). They all relate to issues that were discussed at the Hearings and are summarised in the table below:

		Modification	Soundness reason
MM1	New policy	New policy EN5 - Landscape (see HDC49)	Consistent with national policy
MM2	Policy H1(c)	Change Gasholders Site boundary (para 4.2.4 of Council's Statement on Matter 4)	Justified
MM3	Policy H1(o)	Warren Court buffer and amended housing area/figures (see HDC58)	Justified
MM4	Policy H2(a)	Include Sevenoaks Delivery Office within boundary of H2(a) and up-date guidance (see para 4.27.1 of Council's Statement on Matter 4)	Justified
MM5	Policy H2(f)	Powder Mills - introduction of flexibility regarding the retention of Building 12 (see HDC62)	Justified and effective
MM6	See CS policy LO 6	Release of land at Edenbridge (see para 4.13.14 of Council's Statement on Matter 4 and HDC48)	Positively prepared, justified and effective
MM7	Paragraph 4.6	Clarification regarding the relationship between ADMP and CS policy SP8 (see HDC 52a)	Justified
MM8	Policy EMP3	Clarify policy on Fort Halstead	Positively prepared, justified and effective
MM9	Policy EMP4	Removal of open space designation at Broom Hill, Swanley (see HDC34)	Justified
MM10	Implementation and Monitoring	Performance indicators (see para 11.1.2 of Council's Statement on Matter 11)	Effective
MM11	Implementation	Proposed targets (see para 11.1.5 of	Effective

	and Monitoring	Council’s Statement on Matter 11)	
MM12	Implementation and Monitoring	CS targets added (see para 11.2.3 of Council’s Statement on Matter 11)	Effective

The Council is currently undertaking further work with regards to MM8 and as soon as that work is completed arrangements will be made to publish the detailed MMs on the Examination web site.

On this basis I am therefore inviting the Council to make a formal request under section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended) for me to recommend Modifications to the plan that would make it sound.

Following consultation on the MMs the Council should send me a copy of the submissions received; a brief response to those submissions and a short commentary on any implications of the MMs in terms of the sustainability appraisal.

*David Hogger*

Inspector

24<sup>th</sup> April 2014

# Allocations and Development Management Plan

## Main Modifications Consultation

August 2014



Local Plan





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## About the Main Modifications to the Allocations and Development Management Plan

### Proposed Main Modifications

The Allocations and Development Management Plan was submitted to the Secretary of State for examination by the Planning Inspectorate in November 2013.

Public hearings were held at the Council Offices in March 2014.

Following the public hearings, the Inspector wrote to the Council setting out proposed 'main modifications' to the ADMP that he considers need to be made to make the Plan sound following the public hearings.

All proposed modifications have been subject to Sustainability Appraisal and the findings presented in the Addendum to the ADMP Sustainability Appraisal Report.

These modifications are now subject to a 6 week consultation period.

Following the consultation, submitted comments will be sent to the Inspector along with a brief response to the submissions and a short commentary on any implications of the Modifications in terms of the sustainability appraisal.

The consultation runs from 9am on 21st August to 5pm 2nd October 2014.

### How to view the consultation documents

The consultation documents including supporting documents are available to view on the Council's consultation portal at [planningconsult.sevenoaks.gov.uk](http://planningconsult.sevenoaks.gov.uk).

Hard copies of the documents can be viewed at the Sevenoaks District Council offices and public libraries throughout the district (see [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk) for opening hours) during the consultation period.

The Council will also be holding public drop-in sessions, the details of which are available on the consultation portal.

### How to comment

You can make comments using several methods:

- By entering your comments through the online portal at [planningconsult.sevenoaks.gov.uk](http://planningconsult.sevenoaks.gov.uk)
- By completing and returning the consultation form found on the consultation portal to: [planning.policy@sevenoaks.gov.uk](mailto:planning.policy@sevenoaks.gov.uk) or Planning Policy, Sevenoaks District Council, Argyle Road, Sevenoaks, TN13 1HG

Comments should be received no later than 5pm on 2nd October 2014.



## Summary of Main Modifications

The table below sets out a summary of the main modifications recommended by the Inspector. Details of each Modification can be found in Section 3 and in the examination documents referred to below (for example HDC 49)

Table 1: Sevenoaks Allocations and Development Management Plan Main Modifications

<b>Ref</b>		<b>Modification</b>	<b>Soundness reason</b>
MM1	New policy	New policy EN5 - Landscape (see HDC49)	Consistent with national policy
MM2	Policy H1(c)	Change Gasholders Site boundary (para 4.2.4 of Council's Statement on Matter 4)	Justified
MM3	Policy H1(o)	Warren Court buffer and amended housing area/figures (see HDC58)	Justified
MM4	Policy H2(a)	Include Sevenoaks Delivery Office within boundary of H2(a) and up-date guidance (see para 4.27.1 of Council's Statement on Matter 4)	Justified
MM5	Policy H2(f)	Powder Mills - introduction of flexibility regarding the retention of Building 12 (see HDC62)	Justified and effective
MM6	See CS policy LO 6	Release of land at Edenbridge (see para 4.13.14 of Council's Statement on Matter 4 and HDC48)	Positively prepared, justified and effective
MM7	Paragraph 4.6	Clarification regarding the relationship between ADMP and CS policy SP8 (see HDC 52a)	Justified
MM8	Policy EMP3	Clarify policy on Fort Halstead	Positively prepared, justified and effective
MM9	Policy EMP4	Removal of open space designation at Broom Hill, Swanley (see HDC34)	Justified
MM10	Implementation and Monitoring	Performance indicators (see para 11.1.2 of Council's Statement on Matter 11)	Effective
MM11	Implementation and Monitoring	Proposed targets (see para 11.1.5 of Council's Statement on Matter 11)	Effective
MM12	Implementation and Monitoring	CS targets added (see para 11.2.3 of Council's Statement on Matter 11)	Effective
MM13	Paragraph 1.3	Commitment to review Core Strategy	Consistent with national policy

## Main Modification Details

The modifications below are expressed in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text. Changes to the maps are also included.

The page numbers and paragraph numbering refer to the submission ADMP which can be found as a supporting document to this consultation on the consultation portal [planningconsult.sevenoaks.gov.uk](http://planningconsult.sevenoaks.gov.uk) .

MM1 New Policy EN5 (Landscape)

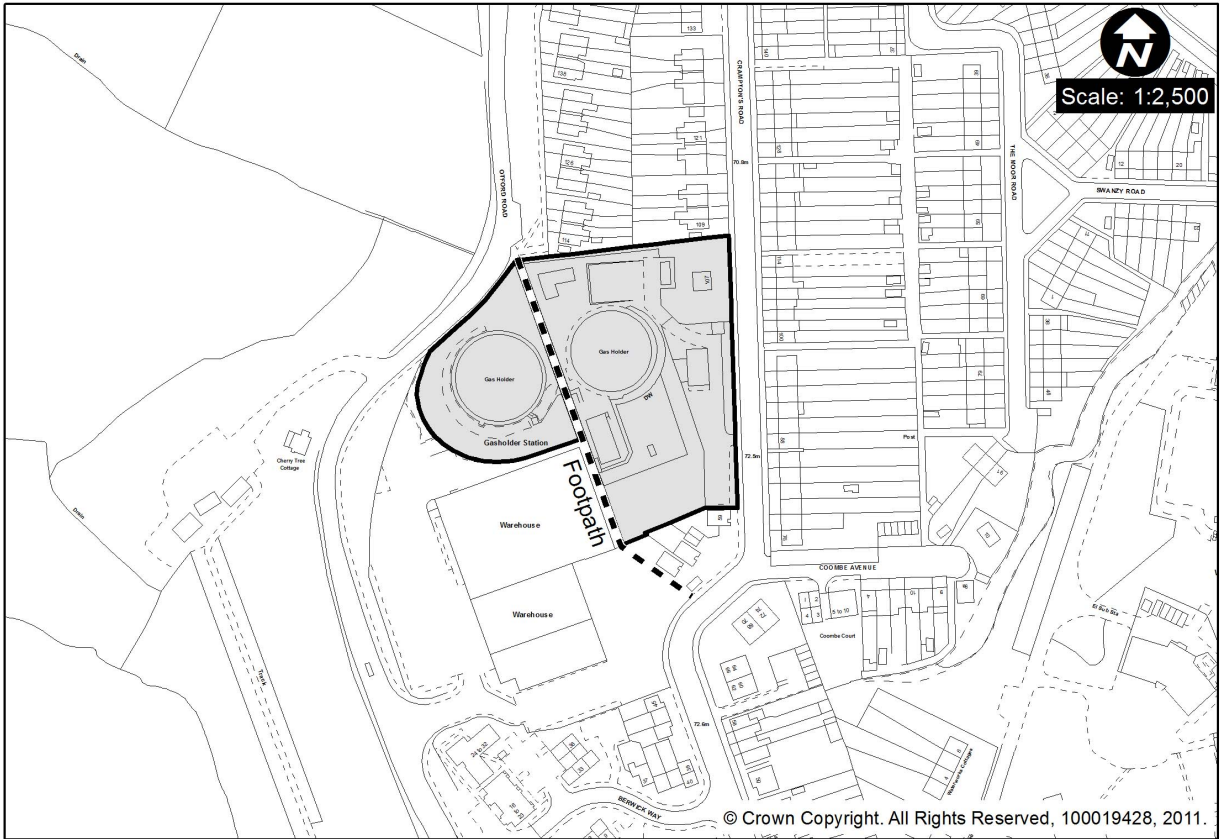
Ref	Page	Policy/ Paragraph	Main Modification
MM1	P.23	New Policy EN5 (Landscape)	<p><u>Landscape</u> The extensive area of landscape outside the towns and villages contributes significantly to the character of the District. The NPPF outlines the importance of protecting and enhancing valued landscapes and Policy LO8 of the Core Strategy ensures that the distinctive features that contribute to the special character of the landscape will be protected and, where possible, enhanced.</p> <p>61% of the District is located within the Kent Downs or High Weald Areas of Outstanding Natural Beauty (AONB). The NPPF gives great weight to conserving and enhancing landscape and scenic beauty of Areas of Outstanding Natural Beauty, and their setting, giving them the highest status of protection. The distinctive character of the AONBs plays an important part in defining the overall character of Sevenoaks District. Proposals in AONBs will be assessed against Core Strategy Policy LO8, ADMP Policy EN5 and other relevant policies. The AONB Management Plans and associated guidance set out a range of measures to conserve and enhance the distinctive features of each AONB. Any proposal within the AONB must take into account the guidance set out in the appropriate AONB Management Plan and any relevant more specific AONB guidance for example the Kent Downs AONB Landscape Design Handbook (2006), Kent Downs AONB Farmstead Guidance (2012) and Managing Land for Horses (2011).</p> <p>The character of the AONBs and the remainder of the countryside within the District is defined in the adopted Sevenoaks Countryside Assessment SPD. The SPD identifies a number of different character areas and will be used to assess the impact of proposals on landscape character. Tranquillity forms part of the character of certain parts of the landscape within the district as identified by the SPD. Proposals should respect the local landscape character and the specific features identified in the SPD. In addition, proposals should also enhance the character of the countryside by helping secure the landscape actions within the SPD where this would be feasible in relation to the proposal.</p> <div style="border: 1px solid black; background-color: #e6e6fa; padding: 5px; margin-top: 10px;"> <p><u>New Policy EN5: Landscape</u></p> <p>The Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape and have regard</p> </div>

		<p><u>to the relevant Management Plan and associated guidance.</u></p> <p><u>Proposals that affect the landscape throughout the District will be permitted where they would</u></p> <p><u>a) conserve the character of the landscape, including areas of tranquillity, and</u></p> <p><u>b) where feasible help secure enhancements in accordance with landscape actions in accordance with the Sevenoaks Countryside Assessment SPD.</u></p> <p><u>Delivery Mechanisms:</u></p> <p><u>The Kent Downs and High Weald Management Plans</u></p> <p><u>The Kent Downs AONB Landscape Design Handbook (2006), Kent Downs AONB Farmstead Guidance (2012) and Managing Land for Horses (2011) and associated guidance</u></p> <p><u>The Sevenoaks Countryside Assessment SPD</u></p> <p><u>Parish Plans</u></p> <p><u>The Residential Extensions SPD</u></p>
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## MM2 Policy H1(c) Sevenoaks Gasholder Station, Cramptons Road

Ref	Page	Policy/Paragraph	Main Modification
MM2	Appendix 3	H1(c) Sevenoaks Gasholder Station, Cramptons Road	Gross Area (Ha): <del>0.88</del> <u>0.98</u> Net Area (Ha): <del>0.88</del> <u>0.98</u> Approximate Net Capacity: <del>35</del> <u>39</u> <i>See Map Below</i> (for note only: 107 Cramptons Road is now included in the site boundary)

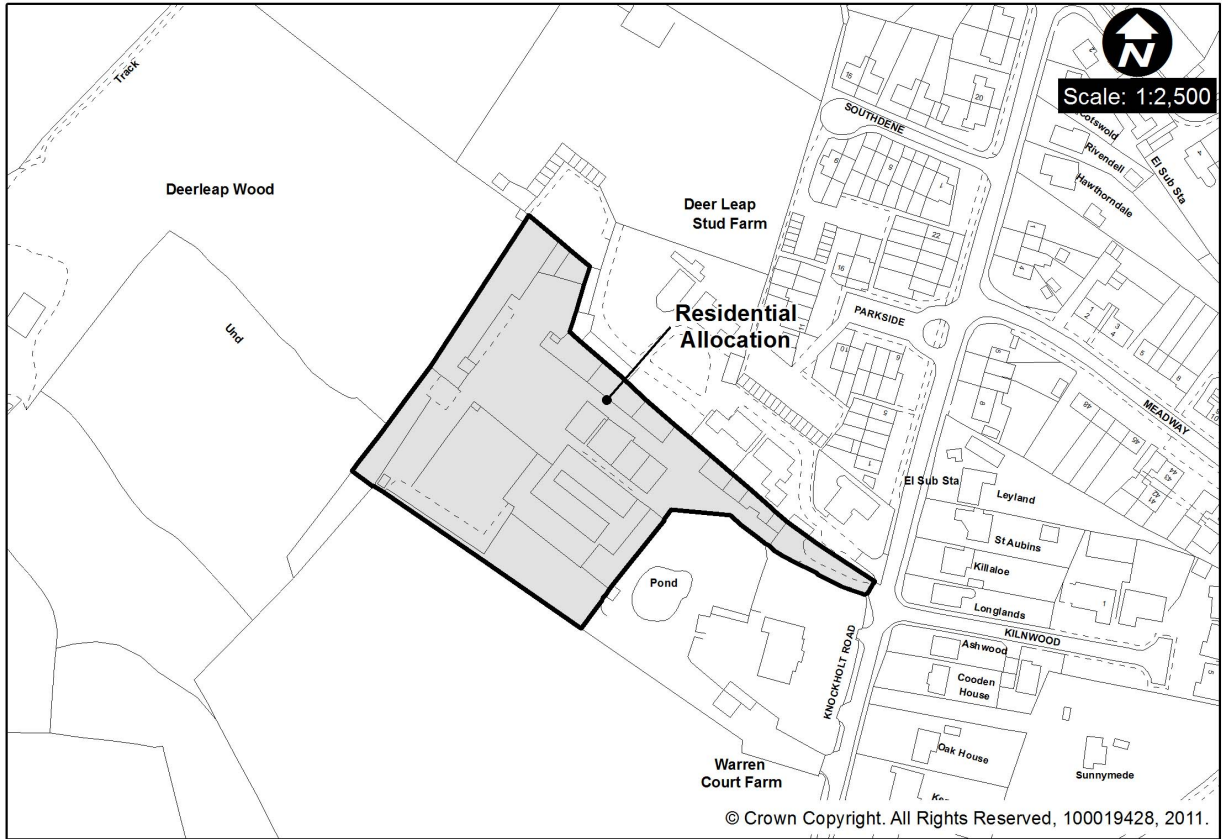




## MM3 Policy H1(o) Warren Court, Halstead

Ref	Page	Policy/ Paragraph	Main Modification
MM3	Appendix 3	H1(o) Warren Court, Halstead	<p>Landscape</p> <p>A buffer of woodland is required to protect and extend Deerleap wood to the rear of the site <del>as shown on the accompanying map.</del></p> <p>Gross Areas (Ha): 1.1</p> <p>Net Area (Ha): <del>0.69</del> <u>1.0</u> (to reflect narrow access route)</p> <p>Approximate Net Capacity: <del>15</del> <u>25</u></p> <p>(for note only: the hashed area of woodland buffer has been deleted from the plan)</p>

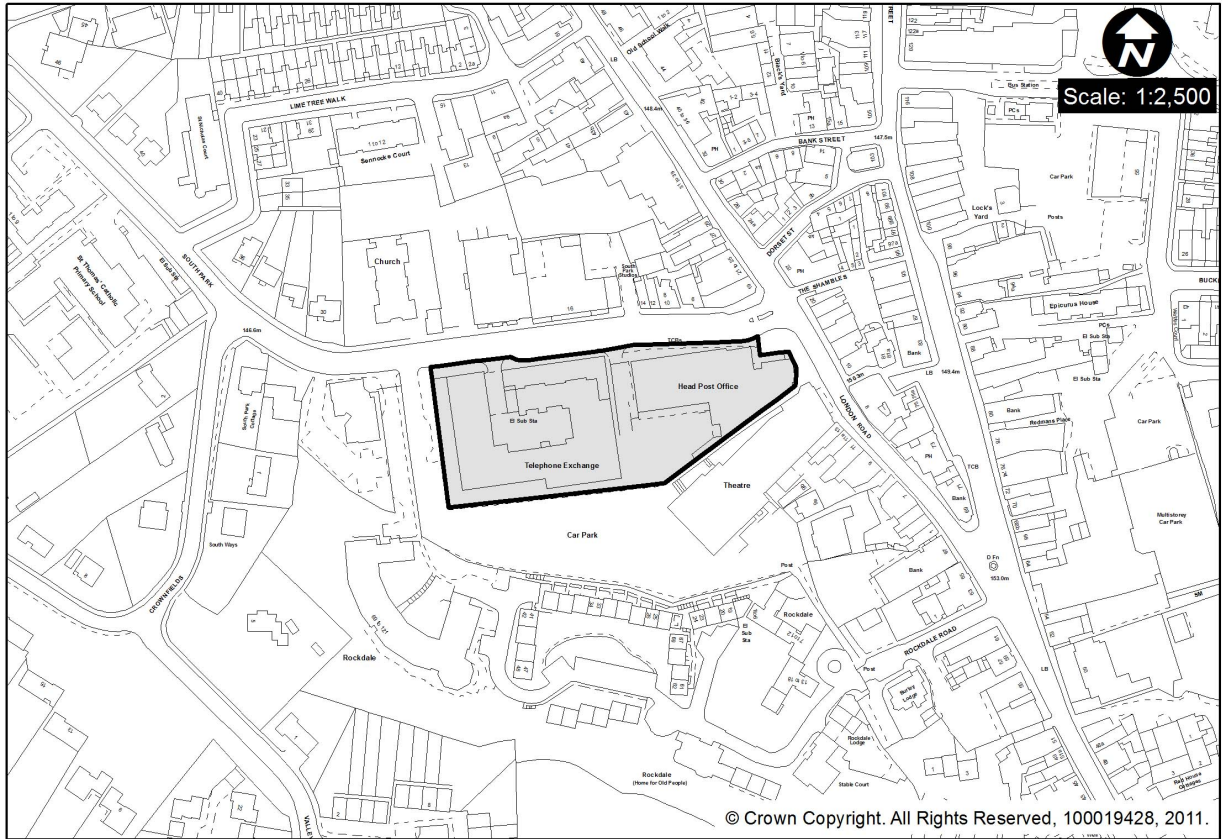






MM4 Policy H2(a) BT Exchange, South Park, Sevenoaks

Ref	Page	Policy/ Paragraph	Main Modification
MM4	Appendix 5	Policy H2(a) BT Exchange, South Park, Sevenoaks	<p>Site Address: <u>Delivery &amp; Post Office / BT Exchange, South Park, Sevenoaks</u></p> <p>Current Use: <u>Post Office / Delivery Office / Telephone Exchange</u></p> <p>Gross Area (Ha): <del>0.36</del> <u>0.6</u></p> <p>Net Area (Ha): <del>0.36</del> <u>0.6</u></p> <p>Approximate Net Housing Capacity: <del>25</del> <u>42</u></p> <p>Design and Layout</p> <p><u>If one element of the site is available for redevelopment in advance of the other, the development should be designed in such a way so as not to preclude the future integration of development, or the operation of the existing functions.</u></p> <p><u>The retention of the Post Office counter facility in a prominent location in the town centre will be required.</u></p> <p>(for note only: the post/delivery office area has been included in the site allocation)</p>



MM5 Policy H2(f) Glaxo Smith Kline, Powder Mills, Leigh

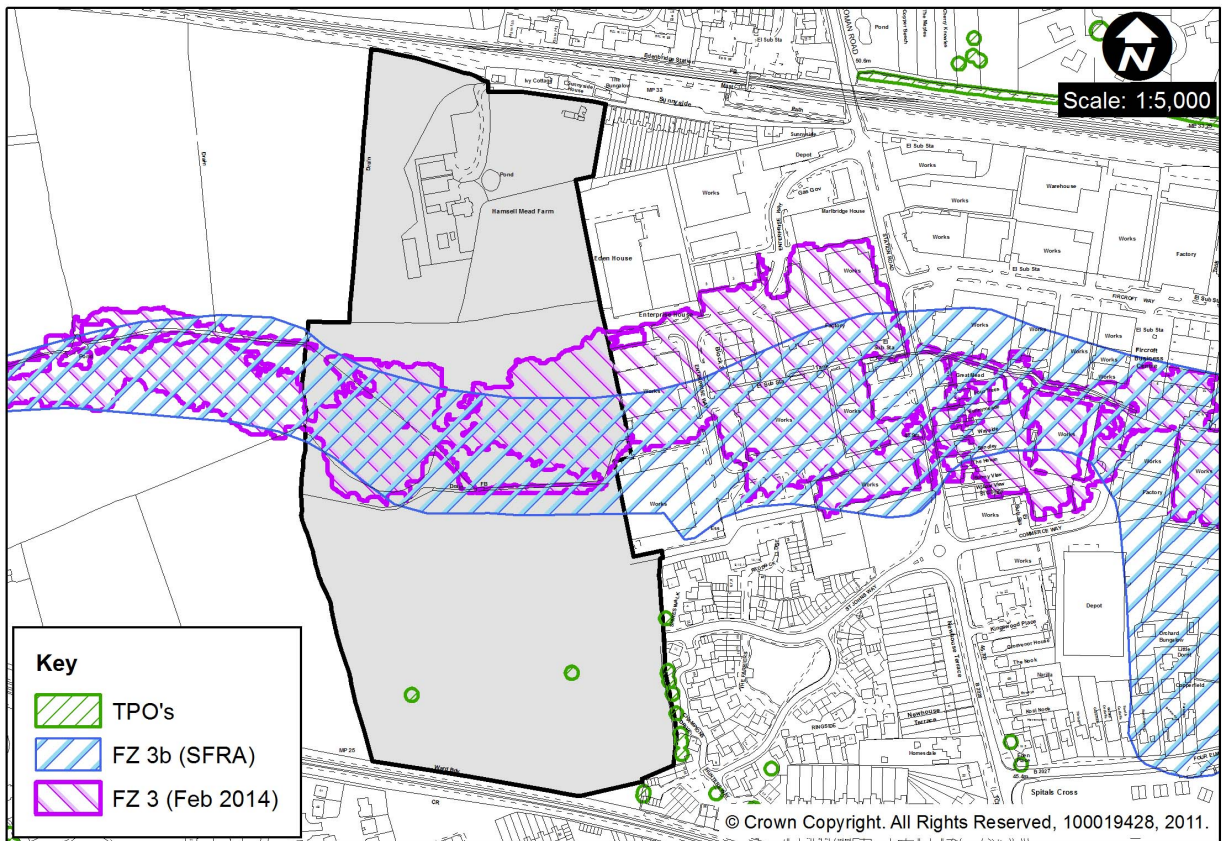
Ref	Page	Policy/Paragraph	Main Modification
MM5	Appendix 5	Policy H2(f) Glaxo Smith Kline, Powder Mills, Leigh	<p>Site Address: Glaxo Smith Kline, Powder Mills, Leigh</p> <p>Development Guide:</p> <p>Design and Layout</p> <p><u>The site is allocated for residential-led mixed use development, including an element of employment space. 'Building 12' shown on the accompanying map should be retained for employment use, or equivalent B1 floorspace (1582sqm) should be provided within the site,</u> with the remainder of the site laid out as residential development in a mix of unit types. Any proposal for residential development that does not include the retention of 'Building 12' <u>or equivalent B1 floorspace</u> would need to justify the loss of employment in line with Policy SP8 of the Sevenoaks Core Strategy.</p> <p>Infrastructure  <u>Unless it is confirmed that the proposed foul flow will be no greater than the existing contributing flows from existing premises, the development must provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water. The development should also ensure future access to the existing sewerage infrastructure, if required, for maintenance and upgrading purposes</u></p>

## MM6 Policy H1 (p) Land West of Enterprise Way, Edenbridge

Ref	Page	Policy/ Paragraph	Main Modification
MM6	P.28	Reserve Land Paragraph 3.10	<p>3.10 In order to ensure that housing supply remains flexible the Core Strategy (through L06) identifies land at Enterprise Way Edenbridge as a reserve site for housing. The policy states that the site cannot be brought before 2015 and should only be developed in the plan period if the Council cannot identify an adequate five year housing supply would be brought forward for development after 2015 only if required to maintain a five year supply of housing land in the District.</p> <p><u>However, following publication of the NPPF, it is considered that there is a need to bring forward the reserve site now to boost the supply of housing in the District where this would not conflict with strategic objectives (such as protection of the Green Belt and AONB) and the site is included in the residential development allocations in Policy H1. The site has scope for a mix of different types of affordable and market housing. This could include accommodation contributing to housing supply for those with particular needs including a care home facility.</u></p>
MM6 cont.	Appendix 3	Policy H1 (p) Land West of Enterprise Way, Edenbridge	(See following site allocation development guidance)



### H1(p) Land West of Enterprise Way, Edenbridge



<b>Site Address:</b>	Land west of St Johns Way and Enterprise Way, Edenbridge	<b>Settlement:</b>	Edenbridge
<b>Ward:</b>	Edenbridge North and East	<b>Proposed Allocation:</b>	Residential and Open Space
<b>Current Use / PP</b>	Greenfield and residential		
<b>Development Guidance:</b>			
<b>Design and Layout</b>			
<p>The site is dissected by an area of flood zone 3a and 3b as shown on the accompanying map. No residential development should be located within this area and sustainable drainage systems (SUDS) will be required as part of any scheme, together with a flood risk assessment. This river corridor should form a feature of the site, and should be managed and enhanced for biodiversity and recreation, in addition to its primary purpose as functional flood plain. Residential development should be located north and south of the constrained flood area.</p> <p>The development will need to be designed to minimise its impact on the Green Belt/ open farmland to the west and scheme design, including building heights and density, should reflect the edge of settlement location of this site. The relationship of the development to the railway lines to the north and south and to the residential and industrial estate to the east will need to be carefully addressed. Proposals should not prejudice the operation of the existing industrial estate, or compromise the amenity of existing and future residents.</p> <p>The size and context of the site make it suitable for a range of housing types, sizes and tenures, including affordable housing in accordance with Council policy. This site is also considered suitable for housing designed for older people (including those with special needs), as it is close to a range of services that would provide for the needs of future occupants.</p>			
<b>Landscape</b>			
<p>The TPO trees within and adjacent to the site should be preserved and form an integral part of the scheme. Landscaping and planting should be integrated into the development and will be required to screen the site from the adjacent countryside, and to provide a buffer between the railway lines, industrial estate, existing residential and the development site. These buffers will also provide biodiversity corridors which will enhance the green infrastructure network and make connections beyond the site. The river corridor should also include biodiversity enhancements. Site biodiversity surveys will be required to ensure any biodiversity concerns are adequately mitigated.</p> <p>Provision of public open space will be required to support the development. The type and layout of open space will be a matter for consultation with the local community, but could include amenity greenspace, children's playspace and allotments, as outlined in the Council's Open Space Study.</p>			
<b>Access</b>			
<p>A Transport Assessment will be required to support any future application for the development of the site. Walking / cycling routes into Edenbridge town centre and to Edenbridge / Edenbridge Town station should be improved.</p>			
<b>Infrastructure</b>			
<p>Contributions to CIL will be required. This should facilitate contributions to mitigate impacts of the development on infrastructure, including education.</p> <p>Delivery - Principal site owner promoting site for development. The site could come forward in phases, provided no one phase of development would prejudice the development of the area as a whole.</p>			

<b>Gross Area (Ha):</b>	11.8	<b>Net Area (Ha):</b>	9.2(2.6ha flood zone)
<b>Approximate Density (DPH):</b>	30	<b>Approximate Net Capacity:</b>	276
<b>Estimated Development Period:</b>	0-5 years (2012-2016) and 6-10 years (2017-2021)	<b>Source / Evidence Base:</b>	Core Strategy Reserve Land



## MM7 Employment Allocations Paragraph 4.6

Ref	Page	Policy/ Paragraph	Main Modification
MM7	P.37	Employment Allocations Paragraph 4.6	<p>Employment Allocations</p> <p>4.6 Core Strategy Policy SP8 is the overarching strategic policy that provides for the retention and creation of employment and business facilities and opportunities throughout the District. <u>It is founded on an evidence base that identifies that employment land supply and demands are broadly in balance over the Core Strategy period (to 2026) (URS Long Term Employment Space Projections, 2011).</u></p> <p><u>Core Strategy Policy SP8 allows for allocated employment sites to be redeveloped for other uses if it can be demonstrated that there is 'no reasonable prospect of their take up or continued use for business purposes during the Core Strategy period'. The Council will expect an applicant seeking a release under Policy SP8 to provide information to show that the site has been unsuccessfully marketed, for use of the existing buildings or partial or comprehensive redevelopment, for a period of at least one year, at a time when the site is available or will be available shortly. The Council will expect marketing to have been proactively carried out for uses potentially suitable for the site and at the appropriate price. In addition, the Council will expect the applicant to demonstrate that forecast changes in market conditions will not result in take up of all or part of the site. In considering this forecasting assessment, the Council will, where relevant and amongst other potentially relevant site-specific issues, have regard to the extent to which the evidence from the applicant suggests that:</u></p> <ul style="list-style-type: none"> <li>• <u>there is insufficient forecast demand for the specific land uses currently on the site;</u></li> <li>• <u>the location and accessibility of the site prevents it from being attractive for business uses, including any specific types of provision (including business start up units or serviced offices) that may be most appropriate for the location;</u></li> <li>• <u>the quality of existing buildings and infrastructure requires refurbishment or redevelopment which evidence suggests would not be viable, if necessary;</u> <u>and</u></li> <li>• <u>the redevelopment for alternative uses would provide non-business use (Use Class B) jobs.</u></li> </ul> <p>‡ <u>Core Strategy Policy SP8 promotes a flexible approach to the use of land for business and employment purposes and as such it is the role of this document to formally identify the sites to which Policy SP8 of the Core Strategy applies.</u></p>



MM8 Fort Halstead Policy EMP3

Ref	Page	Policy/ Paragraph	Main Modification
MM8	P.41-43	Fort Halstead Policy EMP3	<p><b>Fort Halstead</b></p> <p>4.13 Fort Halstead is a previously developed site within the Green Belt and the Kent Downs AONB that was originally a Ministry of Defence research establishment and is still occupied by defence related industries. It remains a major employer in the District.</p> <p>4.14 Proposals for a major residential-led mixed use redevelopment of the site were considered and rejected through the Core Strategy process. However the Core Strategy states (para 4.5.21) that the main requirements of the current occupiers of Fort Halstead, QinetiQ and the Defence Science and Technology Laboratory (DSTL), may vary during the Plan period. It adds that the implications of a future decline in occupancy of the site will be considered within the policy framework of the Core Strategy and relevant national planning policy</p> <p>4.15 Since the adoption of the Core Strategy, DSTL, the largest employer, has announced its intention to withdraw from the site by <del>2016</del>2017/8. The Council is working with DSTL, QinetiQ and the site owners to assess and mitigate the impact on the local economy of the planned withdrawal. It will also be working with the owners and other interested parties to develop achievable proposals for the future use and redevelopment of the site. <u>The landowners have stated their intention to bring forward a planning application to redevelop the site for a mix of uses including commercial and residential.</u></p> <p>4.16 Any proposals will be tested against the policy framework provided by the Core Strategy and relevant national policy. The Green Belt status of the site constrains the scale of development that can acceptably be accommodated, while its AONB status provides a further constraint on future development. However, there is substantial development on the site at present, as set out in the CLUED granted by SE/03/02897/LDCEX, and it remains an important employment site subject to Core Strategy Policy SP8 on the protection and regeneration of such sites. The Council will therefore expect future redevelopment to be employment-led, though it recognises that in view of the size of the site and the specialist nature of some of the buildings that there may be some scope for widening the mix of uses if required to support the employment-led regeneration, subject to policy considerations. The size of the site makes it feasible to accommodate a range of housing types and tenures. Policy considerations include the requirement for the resultant development to comply with sustainability principles, including conserving and enhancing the Kent Downs AONB, and sustainable transport proposals for accessing the site. The District Council will expect redevelopment</p>

proposals to provide for approximately 1200 jobs which were provided on site prior to the announced withdrawal of DSTL. The departure of DSTL creates an opportunity to redevelop the site to meet modern business needs. Any redevelopment should meet the following broad objectives:

1. It should be employment-led and should maintain the site's role as an important employment site in the District. Provision should be made for a range of employment uses sufficient to provide for approximately 1,200 jobs, equivalent to the level of employment on site prior to the announced withdrawal of DSTL. There should be flexibility to accommodate types of business with different space needs. Employment-uses should include provision for the retention of Qinetiq in premises to meet their needs and opportunities to attract and accommodate similarly high skilled jobs should be fully explored and planned for. Although not an essential requirement there would be some benefit in including a hotel which could complement other development on the site and assist in improving hotel provision in the District.

2. It should be deliverable. The Council recognizes that delivery of employment-led redevelopment is dependent on the development being viable. It has reviewed the viability of options for redevelopment in the light of the landowner's emerging proposals. This review shows that redevelopment for employment use alone would not be viable and therefore unlikely to come forward in a period that would enable the jobs lost by the departure of DSTL to be replaced in a timely manner. However, with the inclusion of residential development alongside the employment uses, there is the prospect of making the whole development viable. There is substantial development on the site at present, and a CLUED has been granted by the Council (SE/03/02897/LDCEX). The existing employment density of the site is relatively low which means there is scope to replace the existing jobs in a redevelopment on only part of the site creating space for significant residential development as part of a comprehensive development while still keeping within the existing developed area. Evidence produced on behalf of the landowner and reviewed by the Council shows that a development providing replacement employment provision and incorporating approximately 450 dwellings could potentially be accommodated within the existing built confines and without adverse impact on the AONB or an increase in development in the Green Belt. Such a development represents a useful addition to the Council's housing land supply and should enable a range of housing types and tenures to be included.

3. It should be comprehensive. Fort Halstead is a large site and the departure of DSTL could effectively render the whole site redundant unless redevelopment is undertaken. Redevelopment needs to be comprehensive and integrated to ensure a high quality outcome for the whole site and secure a viable future for QinetiQ on the site. A development agreement and phasing plan will be needed to ensure that the development is delivered as a whole in a timely way and in a way that is truly employment-led.

4. It should comply with sustainable development principles. This should include provision of appropriate community facilities on site proportionate to the scale of the development, sustainable transport proposals for accessing the site, sustainable construction methods and provision of green infrastructure and measures to conserve and enhance the Kent Downs AONB in which the site is situated.

5. It should result in no increased impact on the openness of the Green Belt and AONB within which the site lies. This means that development should be contained within the Major Employment Site boundary. In addition the overall quantity of development on the site should not increase (with the CLUED used as a reference point) and the height of buildings should also be contained to avoid any increased visual impact on the surrounding area. Existing woodland around the site incorporates ancient woodland that should be protected in its own right but in addition needs to be retained to ensure the developed site remains well-screened. As far as possible, the overall development should contribute positively to the AONB.

4.17 At this stage it is considered premature to set out a detailed proposal for future redevelopment and Policy EMP3 instead sets out broad sets out requirements for future development and the principles that will apply when redevelopment proposals are being considered. The delivery mechanism to the policy proposes the preparation of a development brief for the site to provide a more specific agreed planning framework.

4.18 The Core Strategy states (para 4.5.20) that the defined boundary of the site from the Saved Local Plan will be reviewed to more fully reflect the developed area in business use. This review has been carried out and the new boundary is shown in Appendix 6

#### **Policy EMP3 - Redevelopment of Fort Halstead**

Fort Halstead, as defined in Appendix 6, is allocated as a Major Employment Site in the Green Belt.

Redevelopment proposals will be expected to achieve a range of employment uses appropriate to an employment site such as research and development serviced offices and workshops or land-based employment, and generate at least the number of jobs that the site accommodated immediately prior to the announced withdrawal of DSTL from the site. Redevelopment may also include a hotel. Land based employment, such as the management of the woodland and downland will also be supported, subject to the criteria below.

Residential development of up to 450 units may also be permitted provided it forms part of a mixed used scheme that delivers an employment-led development and is designed and sited in a way that is consistent with the

provision of a range of employment uses appropriate to an employment site. It must also comply with other aspects of the policy.

The inclusion of appropriate community facilities and infrastructure to support the sustainable development of the site consistent with the policy will be required.

Redevelopment of the site will maintain or reduce the amount of built development on the site and be fully contained within the Major Employment Site Boundary. It should have no greater impact on the openness of the Green Belt. The height of the buildings must take into account the need to conserve and enhance the natural beauty of the countryside in this location.

Redevelopment proposals, ~~including those to widen the mix of uses on site, such as including an element of residential development and a hotel,~~ would be expected to:

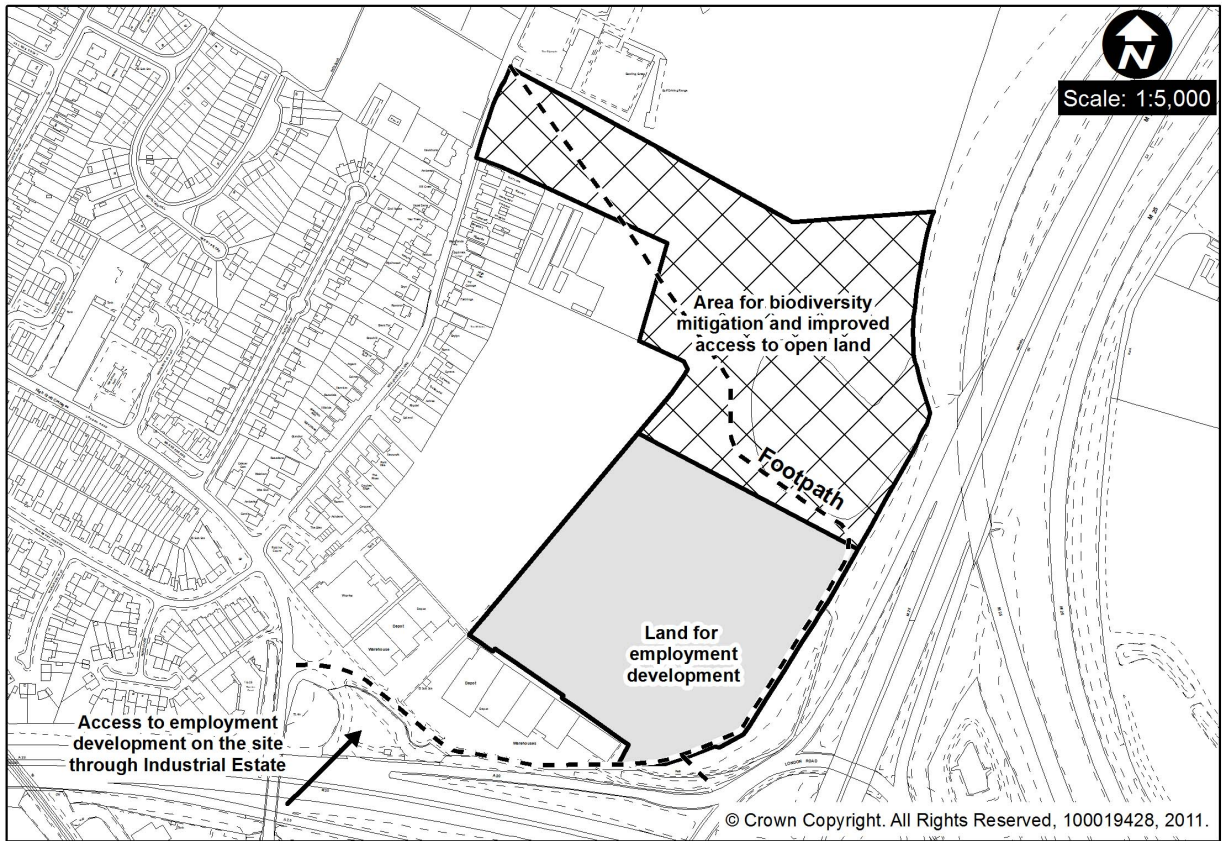
- Be sustainable in respect of the location, uses and quantum of development and be accompanied by a Travel Plan incorporating binding measures to reduce dependency of future occupants on car use;
- Provide accessibility to jobs, shops and services by public transport, cycling or walking, including proposals for onsite provision proportionate to the proposed development;
- Make a positive contribution to the achievement of aims and objectives of the Kent Downs AONB Management Plan and conserve and enhance the natural beauty and tranquillity of the Kent Downs Area of Outstanding Natural Beauty;
- Confirm, by way of a Transport Assessment, that the development would not have an unacceptable adverse impact on the local and strategic road networks;
- Protect and integrate the Scheduled Ancient Monument and listed buildings into the development with improved access and setting;
- Integrate existing dwellings located in close proximity to the boundary of the Major Employment Site into the new development;
- Incorporate principles of sustainable design and construction to minimise energy consumption in its construction and operation;
- Improve the provision and connectivity of green infrastructure, including the protection, enhancement and management of biodiversity and the provision of improvements to the Public Right of Way network.
- Provide for a comprehensive development and include a phasing plan, including phasing of infrastructure

			<p data-bbox="592 208 1378 275">provision, showing how each phase of the development will contribute to the implementation of the policy.</p> <p data-bbox="592 349 879 387">Delivery Mechanism:</p> <p data-bbox="592 414 1350 539">A Planning Brief will be prepared to guide the redevelopment of Fort Halstead, in consultation with, amongst others, the site owners, local parish councils, the Kent Downs AONB Unit and infrastructure providers</p>
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## MM9 EMP4 Land at Broom Hill, Swanley

Ref	Page	Policy/ Paragraph	Main Modification
MM9	P.44	Broom Hill Paragraph 4.30	The 'Employment Land Review' (2007) and the 'Employment Land Review Update' (2011) are based on the development of 4.1ha of the total 8.1ha allocated for employment use at Broom Hill. <del>This provides the opportunity to consider a mix of uses on the site. Planning permission was recently granted for residential development on the western half of the site for up to 61 dwellings, partly on the basis that employment requirements could be met on the eastern half.</del> The Council consider that the site is suitable for a mix of employment proposed allocation remains suitable for employment development, as well as providing opportunities for improved open space provision on the site and land in the Green Belt to the north.
		Appendix 4	EMP4 Land at Broom Hill, Swanley (Note: annotation 'land to be maintained as open space' deleted on the western edge of the site)
		Appendix 9	Delete designation 2053 (Land at Broom Hill) for natural and semi natural open space on the map of Swanley. Delete corresponding entry in the schedule (listed as 2063).





## MM10&amp;MM11 Implementation and Monitoring: Performance Indicators and Targets

Ref	Page	Policy/ Paragraph	Main Modification	
MM10 & MM11	Various	Implementation and Monitoring Performance Indicators and Targets	<b>Performance indicator</b>	<b>Proposed Target</b>
			<b>Environment p. 26</b>	
			Number of applications for demolitions in Conservation Areas	No demolitions should be granted contrary to advice from the Conservation Officer and/or English Heritage.
			<b>Housing p. 36</b>	
			Progress on delivering new housing on Housing Allocation sites	Housing allocations completed in line with the phasing set out in the development guidance in Appendix 3 of the ADMP
			Progress on delivering new housing on mixed use allocation sites	All mixed use allocation sites completed in line with the phasing set out in the development guidance in Appendix 5 of the ADMP
			Additional completed units from residential subdivision	No additional completed units granted contrary to policy or overturned at appeal following a refusal
			Number of completed housing sites with a net loss of units	No more than 5% of completed housing sites to have net loss during the plan period.*
			<b>Economy and Employment p. 45</b>	
			Maintenance of Employment Allocations and Major Developed Employment Sites in the Green Belt	No loss of Employment Allocations and Major Developed Employment Sites in the green belt
			Progress on Broom Hill development	Development completed within the Plan period.
			Change in Employment floor space in non allocated sites	No annual net loss of employment floor space across the District
			<b>Town and Local Centres p. 55</b>	
			Percentage of A1 frontage within Primary Frontages	At least 70% A1 frontage within Primary Frontage of Sevenoaks Town Centre



of Sevenoaks Town Centre	
Percentage of A1 frontage within Primary Retail Frontage of Edenbridge Town Centre	At least 45% A1 frontage within Primary frontage of Edenbridge Town Centre
<b>Green Infrastructure and Open Space p. 65</b>	
Development of school playing fields	No development of school playing fields contrary to policy or overturned at appeal
<b>The Green Belt p. 83</b>	
Proportion of additional employment floor space in Urban Confines	90% of newly built employment (B use classes), excluding replacement buildings, to be within the Urban Confines during the plan period**
Proportion of completed housing in Urban Confines	80% housing units to be built within Urban Confines***
Proportion of residential Green Belt applications overturned at appeal for: Extensions, Basements, Outbuildings, Replacement dwellings	No refused proposals for extensions, basements, outbuildings or replacement dwellings overturned at appeal
Net additional caravan/mobile home units for agricultural and forestry workers in the Green Belt	No refused proposals for additional caravan/mobile home units for agricultural and forestry workers in the Green Belt overturned at appeal
<b>Leisure and Tourism p. 87</b>	
Additional Hotel and Tourist Accommodation Units in Urban Confines and Green Belt	No net loss of hotel and tourist accommodation in the District
Additional Tourist attractions and facilities	No net loss of tourist attractions and facilities in the District
Number of equestrian related applications	No refused equestrian related development overturned at appeal

		<table border="1"> <tr> <td><i>overturned at appeal</i></td> <td></td> </tr> <tr> <td><i>Development at Brands Hatch</i></td> <td><i>No refused proposals for development at Brands Hatch overturned at appeal</i></td> </tr> <tr> <td colspan="2"><b>Community Facilities p.89</b></td> </tr> <tr> <td><i>Development of redundant school buildings</i></td> <td><i>No development of redundant school buildings where the applicant was not able to show that alternative community uses were not previously considered.</i></td> </tr> <tr> <td colspan="2"><b>Travel and Transport p. 94</b></td> </tr> <tr> <td><i>Number of developments which include publicly accessible electric vehicle charging points</i></td> <td><i>A net increase in electric vehicle charging points over the plan period</i></td> </tr> <tr> <td><i>Number of developments which depart from Vehicle Parking Guidance Note</i></td> <td><i>No developments permitted which depart from Vehicle Parking Guidance Note</i></td> </tr> </table>	<i>overturned at appeal</i>		<i>Development at Brands Hatch</i>	<i>No refused proposals for development at Brands Hatch overturned at appeal</i>	<b>Community Facilities p.89</b>		<i>Development of redundant school buildings</i>	<i>No development of redundant school buildings where the applicant was not able to show that alternative community uses were not previously considered.</i>	<b>Travel and Transport p. 94</b>		<i>Number of developments which include publicly accessible electric vehicle charging points</i>	<i>A net increase in electric vehicle charging points over the plan period</i>	<i>Number of developments which depart from Vehicle Parking Guidance Note</i>	<i>No developments permitted which depart from Vehicle Parking Guidance Note</i>
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<i>Development at Brands Hatch</i>	<i>No refused proposals for development at Brands Hatch overturned at appeal</i>															
<b>Community Facilities p.89</b>																
<i>Development of redundant school buildings</i>	<i>No development of redundant school buildings where the applicant was not able to show that alternative community uses were not previously considered.</i>															
<b>Travel and Transport p. 94</b>																
<i>Number of developments which include publicly accessible electric vehicle charging points</i>	<i>A net increase in electric vehicle charging points over the plan period</i>															
<i>Number of developments which depart from Vehicle Parking Guidance Note</i>	<i>No developments permitted which depart from Vehicle Parking Guidance Note</i>															
		<p>* <u>Since 2006, 548 housing sites have been completed of which 7 (2.8%) had an overall net loss of units.</u></p>														
		<p>** <u>Since 2006, 1.4% of additional newly built (excluding replacements) employment (B use classes) floorspace built within the District was within the Green Belt.</u></p>														
		<p>***<u>Since 2006, 80% of net housing was built within the Urban Confines. Of the remaining 20%, 17% completed housing units were considered appropriate development within the Green Belt including rural exception sites, conversions of existing buildings and redevelopment of sites where there is no greater harm to the openness of the green belt.</u></p>														

MM12 Implementation and Monitoring: Core Strategy Performance Indicators and Targets

Ref	Page	Policy/ Paragraph	Main Modification	
MM12	Various	Implementation and Monitoring Core Strategy Performance Indicators and Targets	<b>Core Strategy Performance Indicator</b>	<b>Target</b>
			<b>Chapter 1. Sustainable Communities and Development Principles p.14</b>	
			Proportion of completed housing in main settlements of Sevenoaks, Swanley and Edenbridge	68% of the housing supply in predicted to be within Sevenoaks Urban Area and Swanley. 74% of the housing supply is predicted to be within Sevenoaks Urban Area, Swanley and Edenbridge.
			Change in Employment floor space in the Main Settlements	The overall stock of employment land to be maintained
			Proportion of additional employment floor space in Urban Confines	The overall stock of employment land to be maintained
			Proportion of completed housing in Urban Confines	No new dwellings were allowed on appeal by the Planning Inspectorate within the Green Belt
			Changes in Settlement Hierarchy services and facilities score for individual settlements	No loss of services and facilities that serve the local community within rural settlements
			<b>Chapter 2. Environment p. 26</b>	
			Performance of new housing against Building for Life criteria	Two thirds of new housing development to be rated good or better against the Building for Life criteria and no development to be rated poor.
			Changes in Settlement Hierarchy services and facilities score for individual settlements	No loss of services and facilities that serve the local community within rural settlements
			Change in the number of Heritage Assets	No loss of listed buildings, historic parks and gardens, scheduled monuments or sites of archaeological interest.
			Change in Conservation Area extents	No reduction in the extent of Conservation areas due to insensitive development
			<b>Chapter 5. Town and Local Centres p.55</b>	

			Change in Retail floorspace in the main settlements	Approximately 4000sqm net additional floorspace to be provided in Sevenoaks Town Centre by 2026.
			Swanley Regeneration Scheme	A town centre regeneration scheme, consistent with the Core Strategy, to be approved within five years and completed within ten years of the Core Strategy adoption.
			Changes in Settlement Hierarchy services and facilities score for individual settlements	No loss of services and facilities that serve the local community within rural settlements
<b>Chapter 6. Green Infrastructure and Open Space p.65</b>				
			Protection of Open Space Allocations	To maintain the Open Space allocations
<b>Chapter 9. Community Facilities p.89</b>				
			Changes in Settlement Hierarchy services and facilities score for individual settlements	No loss of services and facilities that serve the local community within rural settlements

## MM13 Commitment to review Core Strategy

Ref	Page	Policy/ Paragraph	Main Modification
MM13	Page 11	Paragraph 1.3 Core Strategy	<p>Core Strategy</p> <p>1.3 The Core Strategy promotes sustainable development. It is the over-arching planning document that sets out the Council's vision, strategic objectives and broad policies for the amount and location where future development should be sustainably located in the District over the period 2006 -2026, as well as a number of generic policies concerning, for example, design quality, sustainable development and infrastructure provision.</p> <p><u>Subject to the findings of an up-to-date Strategic Housing Market Assessment, which the Council will commence in 2014, the Council commits to undertake an early review of the Core Strategy, in part or in whole, within the next five years, in accordance with the National Planning Practice Guidance, in order to ensure that it has an up-to-date suite of policies and proposals in place to deliver sustainable growth in accordance with the NPPF.</u></p> <p>A summary of the approach included in the Core Strategy is set out below.....</p>

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## Appendix C – Summary of ADMP Main Modifications Consultation Responses

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
<b>Summary of Main Modifications</b>				
AMM4	Ladybird Studios (Keith Balderson)	Ladybird Studios	Observations	* Infrastructure should be improved/in place prior to any residential development commencing.
AMM27	Highways Agency (Tony Ferris)	Highways Agency	Observations	* No comment at this stage from the Highways Agency
AMM35	Kent Wildlife Trust (Vanessa Evans)	Kent Wildlife Trust	Observations	* No comment on MM1 to MM7 and MM9 to MM13
AMM38	Environment Agency (Jennifer Wilson)	Environment Agency	Observations	* No major concerns over the proposed modifications.
AMM45	Highways Agency (Kevin Bown)	Highways Agency	Observations	* No comment to make on proposals
AMM46	Kent County Council (Ms Liz Shier)	Kent County Council	Support	* Generally supportive of the modifications and the commitment to review the Core Strategy within the next five years
<b>MM1 New Policy EN5 (Landscape)</b>				
AMM6	Eynsford Parish Council (Holly Ivaldi)	Eynsford Parish Council	Support	* Supports the new policy EN5 (Landscape)
AMM18	Kent Downs AONB (Jennifer Bate)	Kent Downs AONB	Support	* The Kent Downs AONB supports this modification.
AMM39	CPRE Protect Kent (Sevenoaks Committee) (Brian Lloyd)	CPRE Protect Kent (Sevenoaks Committee)	Support with Conditions	* Supports the modification. * Believes the following additional wording should be added to the second paragraph and the delivery mechanism in reference to AONB guidance - "and any updates to them"
AMM47	Kent County Council (Ms Liz Shier)	Kent County Council	Support	* Supportive of the policy, yet more emphasis must be placed on all landscape, regardless on whether it lies within the AONB or not. * A detailed historic landscape characterisation of Sevenoaks would be beneficial to understanding development requirements in relation to Sevenoaks' landscape character. * Policy should include towns and villages - as per the Euro Landscape Convention.

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
				* Clarity between the Countryside Assessment SPD and the AONB guidance would be beneficial when assessing development against these two documents.
<b>MM2 Policy H1(c) Sevenoaks Gasholder Station, Cramptons Road</b>				
AMM3	Ladybird Studios (Keith Balderson)	Ladybird Studios	Observations	* Believes a heat & power station could be incorporated into the development to improve amenity for future developments in Sevenoaks District
AMM51	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* No known archaeology
<b>MM3 Policy H1(o) Warren Court, Halstead</b>				
AMM33	Halstead Parish Council (Gillian King Scott)	Halstead Parish Council	Object	* Object to the number of dwellings proposed for Warren Court Farm * Cites Core Strategy Policy SP8 - retention of employment space * Believes that Warren Court Farm should remain for employment not residential
AMM40	CPRE Protect Kent (Sevenoaks Committee) (Brian Lloyd)	CPRE Protect Kent (Sevenoaks Committee)	Object	* Objects the modification. * Understands the need for housing, but proposal is only proportionate if the woodland buffer is removed. * Concerns that the size of the woodland buffer will be minimal, offering very little protection to Deerleap Wood. * Believes that the original woodland buffer annotated should be retained - density of housing should be 20 units at 30 units per hectare (as opposed to the current 22 units per hectare)
AMM52	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* No known archaeology
<b>MM4 Policy H2(a) BT Exchange, South Park, Sevenoaks</b>				
AMM2	Ladybird Studios (Keith Balderson)	Ladybird Studios	Observations	* Believes land could be used better with postal/telephone services provided for the ground floor of the development. * Support resident's car park needs to be considered for below the development.
AMM7	Eynsford Parish Council (Holly Ivaldi)	Eynsford Parish Council	Support	* Supports the retention of a post office counter facility but would like to see this strengthened to provide a "full crown" counter facility
AMM53	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* No known archaeology
<b>MM5 Policy H2(f) Glaxo Smith Kline, Powder Mills, Leigh</b>				
AMM28	Southern Water (Sarah Harrison)	Southern Water	Support	* Support the proposed modification and withdraw previous comments providing the changes are adopted.



Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
AMM30	Paul Dickinson & Associates (Paul Dickinson)	Paul Dickinson & Associates	Support	* Support the modification. * Text jointly produced and agreed between Ashill and SDC. * Other representation made showing concern with the lack of acknowledgement with the boundary.
AMM31	Paul Dickinson & Associates (Paul Dickinson)	Paul Dickinson & Associates	Observations	* Observations that the site boundary has not been addressed in the Main Modifications consultation * Boundary is important to making the Plan sound (Examining Local Plans - Procedural Guidance by PINS Dec. 2013) * Boundary issue was deemed by the Inspector as important and therefore should be considered in the Main Modification consultation
AMM37	Environment Agency (Jennifer Wilson)	Environment Agency	Support	* Support the proposed amendment for Policy H2(f) * Recommends that the previous operator of the site releases their right to abstract water from Powder Mill stream for firefighting purposes, allowing the EA to improve their operation of the Leigh Flood Storage Area. * Remediation of contamination should be considered as part of the development. * Any development should be compliant with the NPPF and EA guidance.
AMM54	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* Historic structural remains of early mill buildings located through formal archaeological works and detailed mitigation measures secured.
<b>MM6 Policy H1 (p) Land West of Enterprise Way, Edenbridge</b>				
AMM10	Ron Rogers		Object	* Access to the site via St. Johns Way unfeasible due to children playing and the access is narrow. * Construction vehicles will not be able to access the site via this road. * Any construction vehicle should access the site via Enterprise Way
AMM9	JAMES Rogers		Observations	* Observations regarding the allocation * Unclear regarding the affordable housing element and the amount that will be required * Affordable housing should be integrated * Supports two access roads yet would like to see one side double yellow lines in St Johns Way and improved calming measures. * More detail of the scheme would be interesting to look at.
AMM11	John Isherwood		Object	* The number of dwellings proposed is too much for the area. * Works out that the proposed net gain in houses will equate to 700 people in Edenbridge (a 10% increase in the population) * An increase in the population will have a knock on effect on the infrastructure, services and facilities. * The land acts as a reservoir for flooding and its seen as a "green lung" for the town. * Believes that

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
				Edenbridge is being forced to take the additional housing instead of Sevenoaks and the surrounding area.
AMM12	Irvine		Object	* Concerns over the primary access being in St Johns Way * Increased traffic increases risk to road safety * Narrow entrance to the site * Flooding on the site has not been considered * Enterprise Way should be the primary access
AMM13	Irvine		Object	* Inherent flood risk to the existing housing
AMM15	R. A. Manville		Observations	* Concerns over the amount of traffic along the Main Road with the development of the new Sainsbury's on Faircroft Way. * Traffic congestion would be problematic for school runs from St. Johns Way. * Concerns over drainage and sewerage and whether Southern Water would cope with the additional capacity. * Potential development of a Premier Inn in Enterprise Way? Wondering if this is still the case?
AMM16	Vernon King		Object	* Edenbridge is getting unfair treatment over the distribution of development within the District - intensification. * The number of houses proposed is not reflective of Edenbridge's own needs / sustainability objectives. * SDC planning imperatives have no relation to Edenbridge's needs. * Concerns over the pressure on existing infrastructure, local services, facilities, schools, doctors, policing etc. * Concerns over the attendance to the Edenbridge consultation, coupled with the lack of publicity for the event.
AMM17	Alison Bull		Object	* Aware that development will occur on the site - land west of Enterprise Way * Concerns regarding the access to the site, with narrow access at St Johns Way (attachments illustrate resident's cars parked along both sides of St. Johns Way) * States that Enterprise Way should be the primary access to the site. * Increased traffic will pose a risk to road safety, especially for children playing in the amenity space at St Johns Way. * Increasing pressure on limited infrastructure, public transport and services within the Edenbridge area. * Concerns over the distribution of funds acquired from CIL - wants a reassurance that the money will be spent in the St Johns Way area as opposed to the remainder of the parish or beyond. * ATTACHMENTS: 3 photographs of St Johns Way showing narrow access and vehicles either side of the road

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
AMM19	Edenbridge Town Council (Eaton)	Edenbridge Town Council	Observations	* Town Council are supportive of landscaping policy for MM6 Land West of Enterprise Way. * Supportive that the policy makes provision for open space, amenity space, children's play space & allotments.
AMM21	James Morgan		Object	* Development can not be supported from the existing infrastructure * Pressure on limited facilities and services. * Increased traffic poses increased road safety risks. * Pressure on educational needs (both primary and secondary) * The proposal must be stopped and only allow smaller developments on existing sites. * Edenbridge citizens should be included in the plan making process - SDC should make District development aspirations a lot clearer.
AMM22	Stephen Smith		Object	* St Johns Way not fit for purpose due to width of the road * Increased traffic flow will impact on sight lines * Road safety for children with increased traffic flow * Development will occur on a flood plain * Raising concerns over contamination with a culvert running past the BP garage (in the event of flooding) * Development will increase pressure on current limited facilities/services/infrastructure * Concerns on what developers will give to the town in the result of planning permission (CIL focus) * Why isn't the SDC consultation coinciding with the developer's consultation - SDC consultation should be made longer to accommodate this and allow residents to comment further
AMM23	Mr A.J. Sears		Observations	* Concerns over increased development will increase pressure on drainage systems. * Increased flooding risk to St Johns Way. * Increased traffic on a narrow road. * Increased road safety risk for children in the area of the Beeches & St Johns Way
AMM24	Hannah Leniston		Object	* Flood risk on site should not permit development * Orchard on the site is important to the residents of Sunnyside.
AMM25	Natural England (John Lister)	Natural England	Support	* Supportive of the development guidance for the policy
AMM29	Southern Water (Sarah Harrison)	Southern Water	Support with Conditions	* Support the Modification with conditions. * Unable to gauge the requirements for sewerage for the site, without the number of dwellings proposed. * No

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
				objection to the allocation of the Land West of Enterprise Way. * Study carried out identifies insufficient capacity in the existing provision to accommodate the additional demand - yet deem this not as a constraint for development, as criterion should be in place to support the delivery (NPPF paras 17, 21 & 157) * Concern over the start of development prior to the commencement of improving capacity beforehand - this should be made clear in the development guidance. * Suggests additional criteria: The development should provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.
AMM49	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* KCC School Commissioning Plan shows that Edenbridge will exceed capacity in the short term. * CIL/S106 payments should contribute to the needs of extra provision and be met through the development; not through KCC itself. * Advises a review into SDC's CIL Charging Schedule to ensure that the collection of contributions is sufficient to mitigate the impacts of major developments. * No known archaeology
<b>MM7 Employment Allocations Paragraph 4.6</b>				
AMM8	Eynsford Parish Council (Holly Ivaldi)	Eynsford Parish Council	Support	* Supports the modifications to the Employment Allocations paragraph 4.6.
<b>MM8 Fort Halstead Policy EMP3</b>				
AMM1	Ladybird Studios (Keith Balderson)	Ladybird Studios	Observations	* Concerns over the visual impact of development
AMM14	Knockholt Society (Tony Slinn)	Knockholt Society	Object	* The scale of development is unfeasible and impractical for the area. * Pressure on local services, facilities and infrastructure. * Pressure on Star Hill Road with a proposed 1000 additional vehicles servicing 450 additional homes. * Kent AONB unit object to the proposal - described as "off the menu" * Quotes the examination of the Core Strategy in January 2011, where it was originally proposed to have 1000 homes on it. The Society believes the fact that the proposal has gone from 1000 to 450 homes does not negate the impact.
AMM20	Kent Downs AONB (Jennifer Bate)	Kent Downs AONB	Object	* KDAONBE considers MM8 for EMP3 to be unsound and unjustified. * Agrees that the Planning Inspector's request of the acceptable number of dwellings has

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary	
Page 167				been achieved, but the figure chosen is unacceptable and unjustified. * Smaller residential components for Fort Halstead haven't been considered and put forward to the Council for discussion. * Concerned that the proposal goes against employment-led approach - now more of a residential-led approach has been taken. * There has been an "abuse of process" in the options produced to LPEAC and Cabinet on the residential element for Fort Halstead redevelopment and in response to the Inspector's request. GREEN BALANCE REPORT RESPONSE TO MM8 * Concerns over the amount of employment land - 16ha employment to 25ha for residential use (making it residential-led as opposed to employment-led). * Viability concerns over the number of dwellings chosen for examination (450) with unjustified evidence. * Location of the site is within the AONB and Greenbelt. * Concerns over how the viability has been presented by officers to LPEAC and Cabinet. - i.e. no other scheme concerning less than 450 dwellings were put forward, to show that other options were available. * Recommends that the Inspector re-opens any hearing into the development of Fort Halstead as part of the ADMP examination to the Main Mods. * ATTACHMENTS: KDAONBE response in PDF format; Report & Recommendations on MM8 for KDAONBE by Green Balance	
	AMM26	Natural England (John Lister)	Natural England	Support	* Supportive of the planning brief attached to the policy including mitigation to the AONB.
	AMM32	Halstead Parish Council (Gillian King Scott)	Halstead Parish Council	Object	* Objects to the proposed 450 dwellings. * Quotes 380 rural units to be provided between 2014-2026 from the Core Strategy (Core Strategy - Housing Development Provision in Rural Settlements) * Not in keeping with Core Strategy Policy L07 * Infrastructure is limited for more development. * No evidence to support the reintroduction of employment on For Halstead to support the 450 new homes.
	AMM34	Armstrong (Kent) LLP C/O CBRE (Alison Tero)	Armstrong (Kent) LLP C/O CBRE	Support with Conditions	* Supportive the amendments with conditions. * Consider the alteration of the wording from "[...] 450 units may be also be permitted [...]" to "[...] 450 units will be also be permitted [...]" to comply with NPPF para. 154 * Sufficient evidence and clarity yet the policy wording needs to be more robust i.e. changing the

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
				wording of "may" to "will". * A development brief should only apply when "[...] a planning application has not been progressed in the near future" * Supports the conclusions of the SA.
AMM36	Kent Wildlife Trust (Vanessa Evans)	Kent Wildlife Trust	Support	* Supportive of the policy. * Stresses the importance of protection to the ancient woodland, and screening as the site sits in the AONB * Emphasis needs to be placed on protection, enhancement and future management of the ancient woodland and downland in its own right.
AMM41	CPRE Protect Kent (Sevenoaks Committee) (Brian Lloyd)	CPRE Protect Kent (Sevenoaks Committee)	Object	* Draws attention to Inspector's comments regarding SDCs response (PA020) to Matter 6 of ADMP examination - the wording of policy currently unsound and more work to be done over sustainability and viability. * CPRE accepts the Inspectors decision for a residential component at Fort Halstead yet objects to the number of units proposed (450). * Concerns over the site promoter and SDC wishing to progress development of the site in a planning application and Development Brief SPD as fait accompli. * Concerns that no further work has been produced to support the sustainability and viability of 450 dwellings, as per the Inspectors requests - the ADMP SA seems to be the only valid piece of additional work conducted. * Concerns over other options for viability were not brought forward to Members by Officers i.e. 450 dwellings was the only option. * Concerns that the SA prepared was not done with an open mind; notes that 8 of 13 SA objectives have been changed in a positive direction, but SA fails to demonstrate alternative scales of residential development and viability as they were screened out or not tested. * Concerns over Objective 9 conclusions in the SA addendum as it conflicts with Objective 5 conclusions. * Unclear from the wording how infrastructure and community services will be supported, both existing and new. * Concerns that the development is becoming residential-led, as opposed to being employment-led as stated in the Plan, with more land designated for residential-use, and 450 new dwellings makes up 14% of the total SDC housing target. * Concerns over the appropriateness of development within the Greenbelt & AONB. * Delivery mechanism has not changed and it is unclear how an SPD will work, in line with a Planning Performance Agreement (PPA) and

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
				expected planning application to be submitted late 2014 - shows disregard to the Plan-making process.
AMM44	Toby Kearns		Object	* Concerns over the increases in road traffic if Fort Halstead goes ahead. * Concerns over road safety. * Little/no provision for cyclists or pedestrians along Star Hill Road.
AMM48	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* Agrees that some residential component should be applied but this should be balanced against the site's sensitivities. This can only be provided by a balanced evidence base. * Welcomes the opportunity to aid in the shaping of the planning brief, but has concerns that a planning application will be prior to the Brief's completion * KCC will have to re-evaluate its position on school places in the surrounding area and review its need for new school places to meet the demands of the development. * Special measures will need to be in place to protect heritage assets. * Advises a review into SDC's CIL Charging Schedule to ensure that the collection of contributions is sufficient to mitigate the impacts of major developments. * Policy needs to state that the site contains a Scheduled Monument – Fort Halstead (1004214) and 4 Grade II Listed Buildings and 2 locally listed historic buildings.
<b>MM9 EMP4 Land at Broom Hill, Swanley</b>				
AMM55	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* Ring ditches recorded to the north as cropmarks.
<b>MM10&amp;MM11 Implementation and Monitoring: Performance Indicators and Targets</b>				
AMM42	CPRE Protect Kent (Sevenoaks Committee) (Brian Lloyd)	CPRE Protect Kent (Sevenoaks Committee)	Object	* Generally supportive of MM10 & MM11, yet oppose the 2nd proposed target ("Proportion of completed housing in Urban Confines") under "the Greenbelt (p.83)". * Appreciates that 100% development can not be achieved within urban confines (aspiration that development should be restricted to urban confirms as per Para. 4.1.9 of the Core Strategy). * Assumes that the 80% performance target includes the allocation of 450 units at Fort Halstead - if this is the case and previous comments on MM8 are taken into account, then this performance target should be reduced.



Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary
<b>MM12 Implementation and Monitoring: Core Strategy Performance Indicators and Targets</b>				
AMM50	Kent County Council (Ms Liz Shier)	Kent County Council	Observations	* Considers "Environment pg. 26 – Change in the number of Heritage Assets" unrealistic. * Difficult to register the number of heritage assets in the County - a number are found after planning permissions are granted and are often lost. * Suggests the approach of identifying and measuring the lost of heritage assets, especially those worthy of protection. * Suggests the use of a Local List of Heritage Assets (like TWBC)
<b>MM13 Commitment to review Core Strategy</b>				
AMM5	Pro Vision Planning & Design (Robin Buchanan)	Pro Vision Planning & Design	Observations	* Commenting on the examination of the ADMP * Concerns over a perceived "lack of commitment" regarding a new SHMA and reviewing of the housing target for the CS * Notes ADMP P.I. didn't make a precondition of the CS review to include a new SHMAA * Unsure about the level of clarity between SDC and the ADMP P.I. over the conditions for CS review
AMM43	CPRE Protect Kent (Sevenoaks Committee) (Brian Lloyd)	CPRE Protect Kent (Sevenoaks Committee)	Support with Conditions	* Supports the modification, yet concerned that this is conditional on the outcome of the new SHMA - believe this does not meet the expectations of the Inspector (PA023). * Believe that this conditionality should be removed, to provide more robustness to the modification.



**UPDATE ON THE ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN (ADMP) –  
ADDITIONAL PAPERS**

**Local Planning & Environment Advisory Committee – 23 October**

Report of Chief Planning Officer

Status: For Consideration

Also considered by: Cabinet – 13 November 2014

Key Decision: No

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**Portfolio Holder** Cllr. Piper

**Contact Officer(s)** Hannah Gooden Ext. 7178; Steve Craddock Ext. 7315

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**Additional Recommendation to Local Planning & Environment Advisory Committee:**

(a) That the recommendation to Cabinet is endorsed

**Recommendation to Cabinet:**

(a) That the Council's responses to the comments made during the ADMP Inspector's main modifications consultation are agreed

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**Reason for recommendation:** To progress the ADMP in accordance with the Local Development Scheme.

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The Inspector undertaking the ADMP examination has asked the Council to prepare a summary of the comments made during the main modifications consultation and to respond to these. The summary and responses are set out in appendix E. Appendix D contains a late comment from Bromley Council.

**Appendices**

Appendix D – Summary of late response received from Bromley Council

Appendix E – Main Modifications: Summary of key issues raised and Council responses

**Richard Morris**  
**Chief Planning Officer**

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## APPENDIX D – Late Representations

Comment ID	Respondent Name	Company / Organisation	Nature of representation	Summary	Date Received
MM8 Fort Halstead Policy EMP3					
AMM56	Mary Manuel	Bromley Borough Council	Support	* Supportive of the broad objectives of the redevelopment * Intensification of the site should be accompanied by a Transport Assessment to show the assumed increases in vehicular movements to and from the site. * Notes that development should not have an adverse impact on the road network.	16 <sup>th</sup> October 2014

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**Sevenoaks District Council**

**Allocations and Development Management Plan:**

**Main Modifications: Summary of key issues raised and Council responses**

The following is a summary of what Sevenoaks District Council considers to be the key issues raised by respondents to the Allocations and Development Management Plan: Inspector's Main Modifications consultation. The main modifications published for consultation aim to address concerns raised by the Inspector during the examination that concern the soundness of the plan.

**MM1: New Landscape Policy**

No objections or strategic issues raised. Policy designed to help protect and enhance valued landscapes in the District, particularly within the AONB. The Sevenoaks Countryside Assessment SPD (adopted 2011) provides a detailed landscape character assessment of Sevenoaks District, which can be considered in conjunction with this policy (and the AONB Management Plans)

**MM2: Sevenoaks Gasholder Station, Cramptons Road**

No objections or strategic issues raised

**MM3: Warren Court Farm**

- 1) The allocation of housing for Warren Court, Halstead is unsustainable with the removal of the woodland buffer, and undermines the Core Strategy's objective of preserving employment land in rural areas.***

The Council's submitted ADMP included an identified woodland buffer on the site. At examination, the Council was invited by the Inspector to consider whether the buffer should be referenced in the text rather than illustrated, as there was no evidence to justify the exact size of the buffer. The Council's proposed amendment would see the extent of the woodland buffer identified through the development management process rather than the plan making process. The site area has been amended to reflect the fact that the woodland buffer will now form part of the design of the development, rather than be allocated separately, and may not need to be of the exact size set out previously in the ADMP. This will allow the site to make a greater contribution towards meeting housing needs. The Council does not consider it necessary to revise the proposed modification but notes that the site capacity presented in the plan is an approximation and that lower numbers of units may be acceptable in the event that a buffer of the size identified in the submitted plan is required and it is not demonstrated that the density across the remaining site accords with Core Strategy policy SP7.

As well as objecting to the increase in the number of dwellings, Halstead Parish Council objected to the loss of employment land as a result of this allocation. The re-allocation of this land from employment to residential is not a matter being considered through the main modifications consultation. Whilst Halstead Parish Council has objected to this proposal in the past, it did not object at the pre-submission stage. The proposal to re-

allocate this land will provide additional housing to meet the need that exists in the District and will result in the regeneration of a poor quality commercial site, as recognised by the Council's Employment Land Review, without having an adverse impact upon the character and openness of the Green belt.

**MM4: BT Exchange, South Park, Sevenoaks**

**1) *Concerns were raised about where the post office facility would be replaced and what form of provision this would take.***

There is support for retail use on this site, alongside residential development. Therefore, the Post Office counter facility could be re-provided as part of the redevelopment but it is considered unnecessary to insist upon it. The key requirement is that the counter is re-provided in a prominent location in the town centre, as provided for in the guidance.

One representation suggests that the policy should require the re-provision of a Crown Post Office. The Council supports the retention of the existing range of Post Office services but considers that it would be too prescriptive to require a replacement 'crown' facility, given that the development is not phased until the period 2022-26, by which time further changes to the Post Office structure and/or service provision could have taken place. The Council considers that a minor amendment to the modification could be made to state:

'The retention of the Post Office counter facility, providing the same range of services, in a prominent location in the town centre will be required'.

**MM5: Former Glaxo Smith Kline site, Powder Mills, Leigh**

**1) *Concern from the agents of the landowner that there has been no amendment to the boundary of the site allocation proposed.***

The Inspector's main modifications (set out in his letter of 24 April 2014) did not indicate that a change to the boundary of the site is necessary to ensure that the plan was sound. The Council's justification for the proposed boundary is set out in its statement to the examination. The Council notes that this issue was discussed at the examination hearing sessions, but the Council's records do not indicate that it was asked by the Inspector to consider a main modification on this issue and HDC62, prepared by the Council during the examination setting out potential amendments to the Former GSK site policy and development guidance, does not consider an amendment to the boundary.

**MM6: Land West of Enterprise Way, Edenbridge**

**1) *There are concerns that the primary access to the site attributed to St Johns Way will not be able to cope with the potential additional traffic and that this will lead to safety concerns.***

St Johns Way is a residential road that was built to a standard that envisaged the future development of this site (hence the roundabout at St Johns Way and the road-head to the entrance of the site). The Council consulted Kent Highway Services (KHS) on the allocation of land west of St Johns Way when it was invited to respond to the Inspector's

concerns about the policy position on the reserve land during the examination (HDC48 & HDC48a). KHS proposed that a primary access be made through St Johns Way, with secondary access being made through Enterprise Way. The main modification is consistent with this and suggests that providing two accesses to the site is particularly important because of the flood risk zone in the centre of the site.

The Main Modification (MM6) states clearly that when submitting a planning application, a Transport Assessment (or Statement) will be required, and recognises that improving access to both Edenbridge stations would be beneficial. The Council would expect this to address any significant increases in travel flow and capacity during and following the completion of the development. This may require measures to improve road safety, additional traffic calming measures, the creation of pedestrianized access or “home safe” zones.

A number of residents suggested that Enterprise Way should be the primary access for construction vehicles. The Council agrees that this would be preferable, given the existing uses on Enterprise Way, but suggests that this should be considered through a future planning application, in consultation with Kent Highway Services.

The Council notes that Kent Highway Services did not object to the access arrangements proposed in relation to the site.

**2) *There are concerns that flooding on the site has not been adequately considered.***

The site plan that is proposed to be included in the ADMP identifies the area at risk of flooding and the design guidance states that no residential development should be located in this area. In addition, a Flood Risk Assessment is required to be submitted with the application and it is proposed that the site should include sustainable urban drainage systems (SUDS), which will help prevent the development from compounding the flood risk. The Council notes that no objections have been received from the EA.

**3) *There is concern that additional dwellings will create undue pressure on limited local services and infrastructure. Questions were also raised about the percentage of affordable housing that would be expected.***

The proposal that the site should be developed at some point is a long standing planning policy commitment in Sevenoaks District. It was originally released from the Green Belt in 1990 to meet potential long term development needs and the Local Plan (2000) allocation ‘safeguarding’ the land for future development was replaced by Core Strategy (2011) policy LO6, which identifies it as ‘reserve land’. The NPPF requires that local authorities seek to boost significantly the supply of housing in their areas. The site is able to make an important contribution towards this. Whilst the Council agrees that this is a substantial development and that the impacts of it need to be properly considered, it is not correct to suggest that the burden of providing new housing is falling disproportionately on Edenbridge. Prior to the proposed allocation of this site, only one site in Edenbridge (Station Approach) was proposed for allocation in the ADMP, for the development of 20 dwellings. The largest development due to take place in the plan period (2006-2026) remains West Kent Cold Store (500 dwellings) in Dunton Green, Sevenoaks.

The Council has introduced a Community Infrastructure Levy Charging Schedule, which sets out a viable level of the contributions that developers will need to make towards infrastructure to support development. This will apply to the site and will allow infrastructure improvements to be delivered alongside the development. The Council does not consider that a review of the Charging Schedule is necessary to support this development. From the Council's experience, it is unlikely that a development of this size will necessitate major on-site social infrastructure, such as a school, (as opposed to contributing to off-site improvements), which would justify considering it as a strategic site through a revised Charging Schedule, where infrastructure would be secured through a s106 agreement.

The Council would have no objection to a criterion being added to the design guidance to state that the 'development should provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water'.

The Council would expect to secure 40% affordable housing on the site, in accordance with Core Strategy Policy SP3.

#### **MM7: Employment Allocations (regarding Core Strategy Policy SP8)**

No objections or strategic issues raised

#### **MM8: Fort Halstead**

- 1) It has been suggested that there is a lack of justification for the 450 residential unit figure now proposed to be included in the policy and that there has been 'an abuse of process' in its preparation. Some respondents believe that the Council did not adequately consider whether lower levels of residential development could address the Inspector's concerns and provide for a deliverable redevelopment.***

He It has been necessary for the Council to amend the policy on Fort Halstead because of the Inspector's concerns that the policy as submitted would not be sound, particularly because it was not sufficiently clear in relation to the level of residential development. The modification responds to this concern by specifying a level of residential development.

The Council's note on Revisions to the Policy on Fort Halstead (Examination Document HDC65A) sets out the research that was carried out in Section 3 and the research outcomes in Section 4. The research involved reviewing existing evidence, including evidence submitted on behalf of the landowner for the examination and commissioning additional work particularly in relation to the AONB Report, the Landscape and Visual Appraisal, the Lighting Statement (HDC65c) and the Ecological Management Plan (HDC65d). A supplement to the Sustainability Appraisal was also produced which is described in more detail below.

A key input was the findings of the Council's review of the Armstrong Kent Viability Appraisal. This showed that a development with 450 dwellings would be viable, enabling the delivery of the employment development and a contribution to other planning objectives, including affordable housing.



The option of allowing for a higher figure was rejected for reasons set out in para 4.13 of HDC65A. With regard to a lower figure the findings of the sensitivity testing in the viability review looking at variations in policy requirements suggested that a significantly lower figure could not maintain viability. Even at 450 units the review suggests that significant policy requirements would have to be compromised to achieve a viable scheme, including Code for Sustainable Homes and affordable housing. The figure tested of 20% affordable housing is only half the policy requirement under Core Strategy Policy SP3 and in some scenarios even this is not viable. Significantly fewer units mean reduced viability which the viability review suggests would mean compromising policy requirements to an unacceptable degree. In view of these findings further explicit testing of a lower figure was not considered justified.

Kent Downs AONB Unit claims that the viability assessment, and therefore the Council's response to the Inspector's concerns, is flawed because it compares the gross development value (GDV) of the proposed development scenarios to the £27m purchase price, which includes a 'hope value'. This is not correct. Knight Frank did come to their own conclusions about the existing value of the site, as referred to on p5 of the report. Non-viable schemes are those considered to produce a GDV below the Knight Frank land value, whilst those that it can confidently be claimed are viable have a GDV above the purchase price. The marginal schemes are those producing a GDV between these two values, which reflects the fact that it is common in viability assessments to include an uplift or buffer on the existing use value but that there is no set value for what this should be. The Council notes that the AONB Unit has not submitted any alternative evidence on the appropriate land value or on the viability of alternative forms of development. It also notes that the AONB Unit's approach to development viability does not appear to accord with the NPPF, which identifies providing competitive returns to willing land owners and developers as critical components of a viable scheme (para 173).

The approach to the sustainability appraisal is outlined in para 3.7(b) of HDC65A. To assist in ensuring independence, consultants were appointed to carry out this assessment rather than doing the work "in house". The sustainability appraisal needs to consider reasonable alternatives and section 3.3 of the SA Report sets out the approach taken to identifying reasonable alternatives, including other options that were screened out. The outcomes of the viability review did not suggest a lower level of housing development would be a reasonable alternative to the development with 450 units, as it would be likely to be a non viable (and hence not a reasonable) alternative.

Overall the Council considers that it has responded appropriately to the Inspector's concerns. It has reviewed evidence submitted and carried out further research. Reasonable alternatives have been considered leading to identification of a proposed amendment that it considers to be sound.

Finally the Council does not accept that there has been any "abuse of process". This claim appears to be based on a view that Officers have simply accepted the landowner's proposals and not carried out a proper assessment, which is not correct for reasons set out above. It is also suggested that Members were not made aware of the position of the AONB Unit and CPRE. This is also not accepted as Members have been advised of representations made on the plan, including the opposition of both organisations to any residential development on the site.

- 2) *It has been suggested that the proposed policy would lead to a residential-led rather than employment-led redevelopment with only 4ha of land allocated for new employment.***

The Council's proposed modification is based on an acceptance that the inclusion of 450 dwellings is necessary to enable the delivery of a viable redevelopment providing for the replacement of the existing jobs on site. It is a policy that remains driven by the employment objectives for the site and as such is still employment-led. The responses assume that the modified policy accepts the division of land uses proposed by the landowners in their representations but this is not the case. The Council does recognise that there is scope to replace the existing employment on site more efficiently in a reduced area but the modified policy contains no figures for the proportion of the site to be used for residential, commercial or other uses. This was a conscious decision to maintain flexibility with the potential to accommodate different types of employment development with different space needs, as explained in paras 4.8 and 4.9 of document HDC65A.

- 3) *Concerns have been raised about the transport implications of the redevelopment of Fort Halstead and the inability of local infrastructure to meet the needs of the new community.***

Kent County Council considers that Sevenoaks District Council may need to review its CIL Charging Schedule to ensure that the necessary infrastructure can be secured to support the redevelopment of Fort Halstead. Redevelopment to include housing was not envisaged by the Council's adopted plan at the time the CIL Charging Schedule was prepared. It was not identified as a strategic site through the viability assessment nor were the infrastructure requirements tested as part of the preparation of the CIL infrastructure plan evidence base. The proposed policy recognises the importance of necessary infrastructure being provided to support the development. The Council will consider whether the likely CIL payment due for the redevelopment will provide this necessary infrastructure and if not will consider how it can ensure that this is secured through a planning obligation.

Two representations object to the use of Star Hill as a vehicular access to the development suggesting that the road is unsuitable. In response, the modified policy makes no specific mention of access via Star Hill and the acceptability of Star Hill as a means of access will be considered in taking the proposals forward through the development management process.

- 4) *Concerns have been raised about the visual impact***

The Council commissioned a specific independent review of the visual impact appraisal of the landowner's proposals by expert consultants (HDC66c). It considers that such a review was a proportionate response to the proposals and would add that the review involved visiting viewpoints around the site. The CPRE in its response highlights some qualifications in the report regarding the landowner's assessment but this does not undermine or invalidate the overall conclusion of the report in para 4.4.5, that the landowner's proposals would be able to comply with the relevant criteria in Policy EMP3.

**5) The landowner's timetable for submitting a planning application is inconsistent with the proposed delivery mechanism (to prepare an SPD).**

The landowner has stated an intention to submit a planning application before the end of the calendar year. The Council does not endorse this timetable and considers it would have been more appropriate for a planning application to follow the completion of the SPD. However, the Council has no control over the timetable for submitting applications and has to consider proposals as they come forward. It is entering into a Planning Performance Agreement (PPA) with the landowner. The PPA is a procedural document that seeks to ensure appropriate matters are discussed at the pre application stage and sufficient resources are available to the Council to review the landowner's emerging proposals. It does not involve any specific endorsement of the contents of the proposed planning application and at the time of writing is not yet finalised.

**6) The landowner of the Fort Halstead site considers that the proposed policy does not provide sufficient certainty and should state that up to 450 dwellings "will" be permitted rather than "may".**

The Council accepts that it is necessary to amend the plan to specify the quantum of residential development that would be acceptable. The figure of 450 units is based on its review of the landowner's viability assessment and represents the scale of development that would be necessary to enable the delivery of its employment objectives for the site without adverse environmental impact. The Council also recognises that the site will not be available for development until after 2018, notwithstanding the landowner's intention to submit a planning application before the end of the calendar year, and it is possible that over time future updates may lead to some detailed change in the viability equation. In these circumstances it considers, on balance, that the use of the term "may" provides a justifiable degree of flexibility and is not in conflict with the NPPF or its supporting Planning Policy Guidance.

**7) Developing 450 homes at Fort Halstead would be contrary to Core Strategy for development in rural settlements and specifically contrary to Policy SP7 regarding Halstead.**

The Council recognises that the revised policy for Fort Halstead is a departure from the Core Strategy, in respect of the distribution of development if not Policy SP8, but considers it to be justified due to the change in circumstance since the Core Strategy was produced, namely the decision of DSTL to relocate and the consequent need to include residential development to enable a viable redevelopment that replaces the employment. Core Strategy Policy LO7 applies to development in the settlement of Halstead and not redevelopment at Fort Halstead which is separate from the existing Halstead village.

**8) The policy should include specific reference to the protection, enhancement and future management of the ancient woodland and downland in its own right.**

This representation is seeking an amendment to part of the original policy that the council is not proposing to change. In reviewing the policy in response to the Inspector's concerns the Council consciously adopted an approach of limiting changes to those aspects over which the Inspector expressed concerns regarding soundness. In doing so

it took account of the Inspector's comment that other objectives summarised in the bullet points were wholly appropriate (Inspector's note para 8) and that the Submission plan policy had been published and previously subject to the opportunity to make representation. The Council recognises the importance of the downland and woodland in ecological and landscape terms but considers the policy as drafted provides adequate protection.

**9) CPRE and the AONB Unit both suggest that the examination hearings should be re-opened to consider the proposed policy change for Fort Halstead.**

The Council does not agree that it is necessary to re-open the hearings in relation to Fort Halstead. There was a full debate in the examination hearings on the appropriate scale and form of development at Fort Halstead. At that time the case for 450 dwellings was put by the landowners and challenged by CPRE and the AONB Unit so the case for and against this level of housing development was fully debated. The Council has set out its reasons for incorporating the 450 unit figure (but not other changes advocated by the landowner) in its response to the Inspector and other parties have had the chance to comment through written submissions. Re-opening the examination hearings at this late stage is not necessary in the Council's view.

**MM9: Broom Hill, Swanley**

No objections or strategic issues raised

**MM10 & MM11: Performance Indicators and Targets**

No strategic issues raised. The target related to the proportion of completed housing units in urban confines (set at 80%) is reflective of our current position (see footnote \*\*\* in the consultation document) The 20% of units to date built outside of the urban confines were predominantly in relation to rural exception sites for affordable housing, conversions of rural buildings and redevelopments of existing brownfield sites.

**MM12: Core Strategy Targets**

No objections or strategic issues raised. Heritage Assets indicator and target set within adopted Core Strategy. Council currently developing a Local List of Heritage Assets to assist with monitoring

**MM13: Core Strategy Review**

**1) There was some concern that the Council's commitment to review the Core Strategy is conditional on the findings of a new Strategic Housing Market Assessment (SHMA).**

The Council considers that any revision to the Core Strategy should be dependent on the evidence, which it has committed to prepare, indicating that revisions are necessary. Amongst other evidence, the preparation of the Strategic Housing Market Assessment referred to in the modification and a Strategic Housing Land Availability Assessment, taking account of extant national policy and guidance, as well as the continuation of Duty to Cooperate discussions, will indicate whether the Council's Core Strategy housing

target, for example, will need to be amended. Initial indications suggest that the housing target will need to be modified, but it would be premature to commit to a review when the supporting evidence base is not yet available. The Council considers that the proposed modification provides helpful guidance on how it will approach the process. The Council is proposing to follow a sound approach by preparing evidence to allow it to consider the appropriate approach to plan making through the Core Strategy review.

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**Item 17 – Gypsy and Traveller Plan**

The attached report and supplementary papers were considered by the Local Planning & Environment Advisory Committee, relevant minute extract below:

Local Planning & Environment Advisory Committee – 23 October 2014 (Minute 27)

The Joint Planning Policy Team Leader presented a report which outlined the content of the recent government consultation (Planning and Travellers which was published 14 September and possible implications for the Council. The report also set out the alternative sites proposed through the call for sites, that could be subject to a supplementary consultation in the autumn/winter and outlined the proposed next steps to progress the Plan. Members' attention was drawn to the supplementary agenda which contained details of the recent government amendment to the National Planning Practice Guidance.

To make progress on the preparation of the Gypsy and Traveller Plan in accordance with the Local Development Scheme it was proposed that the Council should acknowledge that the Government was consulting on changes to national policy on Gypsies and Travellers in the supplementary sites consultation but continue to prepare its plan on the basis of national policy in place at the current time. Some aspects of the consultation were a fairly radical departure from existing policy and could change following the consultation and/or the General Election. Following the supplementary sites consultation, there would be the opportunity for the Council to reflect on the changes made to national policy before submitting the plan for examination.

The Portfolio Holder endorsed the recommendations as a sensible direction. The Joint Planning Policy Team Leader advised that the gypsy and traveller unit at KCC thought that an unintended consequence of the new proposals was unauthorised encampments.

**Resolved: That it be recommended to Cabinet** that the Council undertake a supplementary site options consultation, to provide an opportunity for interested parties to comment on potentially suitable alternative site options, put forward through the recent call for sites.

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**GYPSY AND TRAVELLER PLAN**

**Cabinet – 13 November 2014**

Report of Chief Planning Officer

Status: For Decision

Also considered by: Local Planning and Environment Advisory Committee – 23 October 2014

Key Decision: Yes

**Executive Summary:**

This report outlines the content of the recent government consultation (Planning and Travellers, published 14 September) and possible implications for SDC.

It also sets out the alternative sites proposed through the call for sites, that could be subject to a supplementary consultation in the autumn/winter.

The report outlines the proposed next steps to progress the Plan.

**This report supports the Key Aim of Caring Communities and Green Environment from the Community Plan**

**Portfolio Holder** Cllr. Piper

**Contact Officer(s)** Hannah Gooden Ext.7178 and Steve Craddock Ext.7315

**Recommendation to Local Planning and Environment Advisory Committee:** That the recommendation to Cabinet is endorsed.

**Recommendation to Cabinet:** That the Council undertakes a supplementary site options consultation, to provide an opportunity for interested parties to comment on potentially suitable alternative site options, put forward through the recent call for sites.

**Reason for recommendation:**

To make progress on the preparation of the Gypsy and Traveller Plan in accordance with the Local Development Scheme. The Council should acknowledge that the Government is consulting on changes to national policy on Gypsies and Travellers in the supplementary sites consultation. However, the Council should continue to prepare its plan on the basis of national policy in place at the current time. Some aspects of the consultation are a fairly radical departure from existing policy and may change following the consultation and/or the General Election. Following the supplementary sites consultation, there will be the opportunity for the Council to reflect on the changes made

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to national policy before submitting the plan for examination.

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### **Government Consultation (Planning and Travellers)**

- 1 The commentary below sets out briefly the content of the consultation and implications for SDC. The consultation on Planning and Travellers was published by DCLG on Sunday 14 September for 10 weeks (until 23 November).
- 2 The Government states that it is keen to deliver a planning system that applies equally and fairly to all. If travellers have given up travelling permanently, it is proposed that they are to be treated in the same way as the settled community.
- 3 The Government states that it is concerned that current policy is not giving sufficient protection to Green Belt and other sensitive areas (SSSI/AONB/National Parks).
- 4 The consultation document proposes thirteen questions and a response to this consultation will be prepared in consultation with the Portfolio Holder.

### **Consultation Section 2 - Ensuring fairness in the planning system.**

- 5 The word 'permanently' is proposed to be deleted from the definition of travellers i.e. if travellers have given up travelling *permanently*, and apply for a permanent site then the application would be treated in the same way as an application from the settled community. In SDC, where the majority of land is Green Belt / AONB, local planning policies seek to resist the positioning of caravans (or new dwellings) in these areas. It is unlikely to be economically viable to develop a caravan site within the built confines of settlements. This in effect means that the Council is unlikely to be able to issue any planning consents for permanent sites.

### **Consultation Section 3 – Protecting sensitive areas and the Green Belt**

- 6 The government wants to clarify the level of protection afforded by national policy (the NPPF) to sensitive areas (which it lists as areas protected under Birds and Habitats Directives, SSSIs, Local Green Space, AONB and National Parks).
- 7 Government policy is proposed to be amended so that the absence of a five year supply of sites would no longer be considered a significant material consideration in the above areas in favour of the grant of temporary consent (it would be a material consideration). This re-iterates the ministerial statement (from January 2014) which said that unmet need is unlikely to outweigh harm to the Green Belt. This in effect means that the Council would also be unlikely to be able to issue planning consents for temporary sites, as the majority of the District falls into these constrained areas.
- 8 Following the publication of the Planning and Travellers consultation, the Government has updated the National Planning Practice Guidance to state that in decision taking, unmet need is unlikely to outweigh the harm to the Green Belt and constitute very special circumstances.

#### **Consultation Section 4 – Addressing unauthorised occupation of land**

- 9 The government wants to address ‘intentional unauthorised occupation’ as it states that retrospective planning permission is to correct ‘innocent mistakes where applicants are unaware the planning permission is required’ and this is being flouted. Therefore intentional unauthorised occupation would be regarded as a material consideration that weighs against the grant of permission.
- 10 There is also a section that sets out that where a local authority has a large-scale unauthorised site (which is then cleared), there is no assumption that the local authority then has to meet their traveller site need in full. It is likely that this is in response to the clearance of Dale Farm, Basildon.

#### **Consultation Annex A – Draft Planning Guidance for Travellers**

- 11 The Government is also updating the guidance for objectively and accurately assessing the pitch need (i.e. the GTAA guidance), which is set out at Appendix A. This section also clarifies that Temporary Stop Notices can be used where a breach of planning control has occurred on land occupied by a third party. If these consultation proposals become government policy, the Council is likely to need to update its needs assessment evidence base document (the GTAA) to identify whether those people that have stopped travelling have done so temporarily or permanently.

#### **Implications of the Government Consultation for SDC**

- 12 If the proposals within the consultation document are adopted, SDC is unlikely to be able to issue either permanent or temporary consent for gypsy and traveller pitches in the District.
- 13 Applications for permanent consent for pitches in the Green Belt/AONB will be judged against SDC planning policy (see Allocations and Development Management Plan Policy GB6 - siting of caravans and mobile homes in the Green Belt), and are likely to be refused. The Policy restricts this type of development other than for agricultural/forestry activity and with a proven need.
- 14 Applications for temporary consent for pitches in the Green Belt/AONB are likely to be refused, as the unmet need and personal circumstances of applicants are unlikely to outweigh harm to the Green Belt to constitute ‘very special circumstances’, under revised national policy. The consultation document does not, however, propose to amend paragraph 15 of Planning for Traveller Sites, which allows local authorities to amend Green Belt boundaries to meet an identified need for Gypsy and Traveller pitches.
- 15 Since very little land in the District is not constrained by Green Belt/AONB designations, the result of these proposed changes is that they are likely to drive the need elsewhere. The Council would need to use the ‘duty to co-operate’ to try and ensure that unmet need is addressed by neighbouring authorities with less strategic policy constraints. However, unlike recent ‘duty to co-operate’ discussions, the Council would be starting from a position, where its need would likely be significantly lower and it would be under less threat of developments being permitted in the Green Belt if need is not met.

### **Implications for the SDC Gypsy and Traveller Plan**

- 16 The Council's Gypsy and Traveller Plan has been prepared in accordance with the current 'Planning policy for traveller sites (March 2012)' and unless/until this is replaced, this remains the prevailing planning policy related to gypsies and travellers. Until the consultation closes and the government decides whether to implement, drop or modify the new proposals, these should only be considered as potential future options and not as adopted government policy. It should be noted that the proposed changes have been seen as relatively controversial by sections of the community and commentary suggests that the consultation and any resultant changes to policy may not be a straightforward process, and may be subject to future legal challenges if implemented.
- 17 Our work programme for the Gypsy and Traveller Plan outlines that the Council will undertake a supplementary site options consultation, this autumn/winter, to provide an opportunity for interested parties to comment on potentially suitable alternative site options, put forward through the recent call for sites.
- 18 It is recommended that the Council continues with this consultation, but that the document contains a clear caveat that the Government is currently consulting on proposals that may affect planning policy for travellers, and that any subsequent changes will be taken into account.
- 19 It should be acknowledged that many of the responses to any supplementary consultation may highlight that the location of the sites (in the Green Belt/AONB) and the proposals to make these sites permanent, are inconsistent with the government consultation document as drafted. However, the Council would need to reiterate the above response that until the government decides whether to implement, drop or modify the new proposals, they should not be viewed as adopted government policy
- 20 The alternative is to pause until the government consultation has concluded and the changes are either implemented, dropped or modified. The risk is that this may leave SDC in 'limbo' for some time (i.e. the response may come before or after the elections in May 2015), and will lead to a further delay in the production of this Plan. If the Council was to pause at the release of every planning consultation, it would be very difficult to make any progress in planning policy formation. Therefore, the recommendation is to continue with the proposed supplementary consultation, whilst acknowledging that there is a live government consultation that may have future implications for the Plan.

### **SDC Supplementary Sites Consultation**

- 21 Many alternative sites were suggested during the Council's recent 'call for sites', which requested landowners and other interested parties to suggest land that might be suitable for Gypsy and Traveller pitches.
- 22 The recommendation is that these sites are now subject to a Supplementary Sites Consultation to provide an opportunity for interested parties to comment on potentially suitable alternative site options, put forward through the recent call for sites. The Supplementary Sites Consultation document is set out at Appendix A, which includes detailed site assessments for each of the sites outlined below.

- 23 An initial 'high level' desktop assessment was undertaken of the suitability of each of these sites, and land registry searches were undertaken where the land-owner was not known. Site visits were conducted on sites which were considered to be potentially suitable following the initial 'high level' desktop assessment. The potential alternative site options are set out in the following paragraphs below.
- 24 These sites were reported to Advisory Committee and Cabinet in September. The track changes in the charts set out where further information has been received on these sites since these meetings.

<b>Source</b>	<b>Potential Number of Additional/Alternative Pitches</b>
Sites with planning applications submitted (Table 1)	8 ( <del>10</del> ) pitches
Extensions to Existing Sites (Table 2)	28 ( <del>26</del> ) pitches
New sites suggested by landowners (Table 3)	5 ( <del>8</del> ) pitches
<b>TOTAL</b>	<b>41 pitches</b>
Number of remaining pitches from initial consultation document (30 pitches were removed)	41 pitches
<b>GRAND TOTAL</b>	<b>82 pitches</b>

<b>Table 1</b>		
<b>New Site / Extension</b>	<b>Potential No. of Pitches</b>	<b>Notes</b>
<b>New or extended sites with planning applications submitted</b>		
Hilltop Farm, London Road, Farningham	5	Planning application submitted – pending consideration
Malt House Farm, Lower Road, Hextable	2	Planning application submitted – pending consideration
Bluebell Paddock, Gravesend Road, Ash-cum-Ridley	1	Planning application submitted – pending consideration
Button Street, Swanley	2	Planning permission now issued
	<b>8 pitches</b>	

## Agenda Item 17

<b>Table 2</b>		
<b>New Site / Extension</b>	<b>Potential No. of Pitches</b>	<b>Notes</b>
<b>Extensions to Existing Sites</b>		
<u>Button Street, Swanley (Existing Site)</u>	<u>2</u>	<u>Temporary permission issued. Proposal to convert temporary to permanent permission now suggested for consultation</u>
Button Street, Swanley (Extension)	4	Submitted through a Representation – more pitches (9) were suggested but, given the comments expressed from the settled and G&T communities about how smaller sites are easier to integrate, only 4 are proposed for consultation
Two Barns, Knatts Valley, West Kingsdown	<del>3</del> 4	Feedback from G&T survey ( <u>an additional pitch was requested</u> )
Fordwood Farm, New Street Road, Hodsoll Street	3	Feedback from G&T survey
<del>Polhill Park, Polhill, Halstead (existing G&amp;T site)</del>	<del>2</del>	<del>Feedback from G&amp;T survey. A formal response to the consultation from KCC is still awaited and should confirm whether there is potential for additional pitches at this site. A response from KCC was received that did not promote this site – SDC is working with KCC to see if there are any options for expansion</del>
Seven Acres Farm, Hever Road, Edenbridge	5	Feedback from G&T survey – more pitches (10) were suggested but, given the comments expressed from the settled and G&T communities <u>and members</u> about how smaller sites are easier to integrate, only 5 (+7 considered in the previous consultation) are proposed for consultation
Bournewood Brickworks, Stones Cross Road, Crockenhill	7	Feedback from G&T survey
Holly Mobile Home Park, Hockenden Lane, Swanley	2	Feedback from G&T survey
<u>Land North of Pembroke House, Swanley</u>	<u>1</u>	<u>Site suggestion from third party supported by landowner</u>
	<b>28 pitches</b>	

<b>Table 3</b>		
<b>New sites suggested by landowners</b>	<b>Potential Number of pitches</b>	<b>Notes</b>
Little Foxes Farm, Roman Road, Marsh Green, Edenbridge	2 pitches	<u>Site is not considered suitable due to access issues - Kent Highways Services have advised that site entrances from Hartfield Road are unsuitable and Roman Road is outside the land ownership of the site promoter</u>
Fairhavens, Mussenden Lane, Horton Kirby	6 5 pitches	<u>Capacity reduced to five pitches following site visit due to environmental designations on site (ancient woodland and local wildlife site)</u>
<b>Total</b>	<b>5 pitches</b>	

- 25 In summary, the further call for sites has elicited 41 potential pitches to date, which together with the remaining pitches from the initial consultation document (also 41 pitches), provides sufficient sites to meet the District’s identified need (71 pitches to 2026) with a modest margin to provide for flexibility and a fall-back in case certain sites do not come forward.
- 26 The Council has continued to investigate additional sites suggested to it by third parties to see whether the landowner is supportive of the allocation. To date, only one landowner (Land at Pembroke House, Swanley) has indicated that a site suggested by a third party is deliverable. The list of sites (suggested by third parties) is set out in Gold Appendix 1.

**Conclusion and Next Steps**

- 27 It is recommended that the ‘supplementary site options’ consultation is held in autumn/winter 2014 to give interested parties the opportunity to comment on the new potential site options.

**Other Options Considered and/or Rejected**

- 28 The Council could decide to put the Plan on hold until the government consultation has concluded and the changes are either implemented, dropped or modified. The risk is that this will lead to delay (i.e. the response may come before or after the elections in May 2015), and will lead to the elongation of the production of this Plan. If the Council was to pause at the release of every planning consultation, it would be very difficult to make any progress in planning policy formation. Therefore, the recommendation is to continue with the proposed supplementary consultation, whilst acknowledging that there is a live government consultation that may have future implications for the Plan

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## Key Implications

### Financial

Any expenses incurred in the preparation of the Plan will be met from the existing budget.

### Legal Implications and Risk Assessment Statement.

National planning policy requires the Council to be able to show a rolling 5 year supply of deliverable pitches. If the Council is unable to demonstrate a 5 year supply then this will currently need to be given significant weight by the Council or the Planning Inspectorate in support of any planning applications for Gypsy and Traveller pitches.

If the Council were to decide not to progress the Plan, resources in the Planning Policy team would be diverted onto other work-streams, such as the Core Strategy review, CIL implementation and Character Area Appraisals. However, the costs/risks of not preparing a Plan are related to the above issue, that without a Plan in place, the Council is at risk of losing appeals on unplanned and potentially inappropriate Gypsy and Traveller sites.

In relation to risks to the delivery of sites, if landowners were to decide not to promote an identified site for this use, the Council would need to undertake an additional call for sites, if the reduction of the site severely affected the total number of pitches.

### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	Yes / No	An Equalities Impact Assessment was a background document to the Gypsy and Traveller Site Options consultation. It is not a site specific assessment and, therefore, the decision on individual sites will not affect the findings of that assessment, subject to the Council still being able to prepare a plan and the same site selection criteria being applied.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes / No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

## Appendices

Appendix A – Gypsy and Traveller Plan - Supplementary Site Options Consultation Document

Appendix B – Gypsy and Traveller Plan - Supplementary Site Options Consultation – Site Assessments

Appendix C – Gold – Sites suggested by third parties where landowners have been approached



**Background Papers:**

1. [Planning and Travellers: Proposed changes to planning policy and guidance](#) (CLG, 2014)
2. [Planning Policy for Traveller Sites](#) (CLG, 2012)
3. [National Planning Policy Framework](#) (CLG, 2012)
4. [National Planning Practice Guidance](#) (CLG, 2014 – latest version)
5. [Designing Gypsy and Traveller Sites: Good Practice Guide](#) (CLG, 2008)
6. [Gypsy and Traveller Equalities Impact Assessment](#) (2014)
7. [Gypsy, Traveller and Travelling Showpeople Accommodation Assessment – Sevenoaks](#) (2012)

**Richard Morris**

**Chief Planning Officer**

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**Gypsy and Traveller Plan  
Supplementary Site Options Consultation Document**

**October 2014**

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## **1. Introduction**

- 1.1 The Gypsy and Traveller Plan is being prepared as part of the Local Plan for Sevenoaks District. The Plan, once adopted, will allocate sites for future Gypsy and Traveller pitches up to 2026. The Gypsy and Traveller Plan should be read in conjunction with the Core Strategy and the Allocations and Development Management Plan.
- 1.2 Local Planning Authorities are required to identify the local accommodation needs of their gypsy and traveller community and allocate suitable and deliverable sites through their Local Plan. (Planning Policy for Traveller Sites 2012)
- 1.3 In September 2014 the Government published a consultation on Planning and Travellers. The Government states that it is keen to deliver a planning system that applies equally and fairly to all. If travellers have given up travelling permanently, it is proposed that they are to be treated in the same way as the settled community. The Government also wants to clarify the level of protection afforded by national policy to the Green Belt and other sensitive areas (Sites of Special Scientific Interest/Area of Outstanding Natural Beauty/National Parks).
- 1.4 As the proposed changes are still in draft and subject to consultation the Council has decided to continue with the production of the Gypsy and Traveller Plan, through this supplementary site options consultation. Any changes to adopted national planning policy, following the government consultation, will be taken into account before the Council decides on the number and location of pitches to be included in the version of the plan that it will submit for independent examination.
- 1.5 In May 2014, Sevenoaks District Council consulted on potential site options for Gypsy and Traveller pitches across the District. Inclusion in the Site Options Consultation document did not necessarily mean that the sites would be taken forward to examination. This remains the case.
- 1.6 In September 2014 the Council ruled out the sites at Fort Halstead and Land South of Mesne Way, Shoreham from further consideration to 2026.
- 1.7 This Gypsy and Traveller Supplementary Site Options document seeks views on sites which have not previously been subject to consultation or where additional pitches are now being proposed on previously identified sites.
- 1.8 As with the previous consultation, inclusion within this document does not mean that the site will be carried forward through examination into the final adopted version of the plan. The inclusion of a site in this document has no weight in the

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determination of applications on the land.

- 1.9 Section 5 outlines the Supplementary Site Options and Appendix 1 provides maps for each of the sites.

### **How to comment**

We wish to hear from you regarding the set of site options put forward in this document to meet the identified need for providing Gypsy and Traveller accommodation across the District.

The consultation period runs from \*\* to \*\* 2014 and all comments should be received by \*\* on \*\* 2014.

How to comment:

You can make representations using several methods:

By completing the form online ([hyperlink](#))

Email your response to [ldf.consultation@sevenoaks.gov.uk](mailto:ldf.consultation@sevenoaks.gov.uk)

By completing and returning the response form.

Additional copies of the response form can be downloaded at: ([hyperlink](#))

## **2. Background**

- 2.1 Local Planning Authorities are required by National Planning Policy for Travellers (2012) to assess and plan for (including through the Duty to Cooperate) the accommodation needs of the Gypsy, Traveller and Travelling Showpeople populations within the District.
- 2.2 The Council undertook a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment in March 2012 which identified the accommodation need in the District up until 2026. The Study identified a need for 40 pitches to be delivered within the District between 2012 and 2016 and a further 32 pitches from 2017-2026 giving a total of 72 up to 2026. One permanent pitch has since been permitted, therefore reducing the total need to 71 pitches.
- 2.3 Subject to the outcome of the Government's current consultation on national planning policy, unless agreement can be reached with neighbouring authorities to share responsibility for meeting requirements and provide Gypsies and Travellers with opportunities to settle in different areas, the Sevenoaks District Gypsy and Traveller Plan will allocate sites to meet this identified need.
- 2.4 This Gypsy and Traveller Plan Supplementary Site Options Consultation Document identifies sites for pitches in addition to those which were consulted upon in May 2014. Each site has been assessed according to the criteria adopted in the Core Strategy policy SP6 and that in Planning Policy for Traveller Sites for their potential suitability. The criteria have been outlined in Section 4 of this document.

### Core Strategy Policy SP6

#### Provision for Gypsies and Travellers and Travelling Showpeople

Sites will be provided by means of allocations in the Allocations and Development Management DPD for gypsies and travellers and, if required, for travelling showpeople. The identification of sites in the Allocations and Development Management DPD will take account of the following criteria:

- a. The site should be located within or close to existing settlements with a range of services and facilities and access to public transport
- b. The site is of a scale appropriate to accommodate the facilities required and will offer an acceptable living environment for future occupants in terms of noise and air quality
- c. Safe and convenient vehicular and pedestrian access can be provided to the site
- d. The site is not located within an area liable to flood
- e. The development will have no significant adverse landscape or biodiversity impact. In the AONBs, sites should only be allocated where it can be demonstrated that the objectives of the designation will not be compromised.
- f. Alternatives should be explored before Green Belt locations are considered.

Land allocated for gypsies and travellers and travelling showpeople will be safeguarded for this purpose so long as a need exists in the District for accommodation for gypsies and travellers and travelling showpeople.

Proposals for sites for gypsies and travellers and travelling showpeople on other land outside existing settlement confines will only be permitted where it is first demonstrated that the development is for occupation by gypsies and travellers or travelling showpeople and that the proposed occupant has a need for accommodation that cannot be met on lawful existing or allocated sites in the region. In addition development proposals will need to comply with criteria a – e above.

For the purposes of this policy gypsies and travellers are people who meet the definition in Circular 01/06, as set out in the Core Strategy glossary.

### **Sustainability Appraisal**

- 2.5 All potential sites have been subject to Sustainability Appraisal. The outcomes of the Sustainability Appraisal process will assist in determining which sites will be taken forward into the Council's submission document.

### **Defining Gypsy and Travellers, and Sites and Pitches**

- 2.6 For the purposes of this document, the definition of Gypsy and Travellers is taken from the national Planning Policy for Traveller Sites (2012):

#### Gypsies and Travellers -

*“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”*



- 2.7 The Government released a consultation on Planning and Travellers in September 2014. The consultation includes proposed changes to the definition of Gypsies and Travellers, through the deletion of the word “permanently”. As this proposal is still at the consultation stage it has not been taken into account in this Supplementary Site Options document. Should this change be adopted by Government the emerging Gypsy and Traveller Plan will be altered accordingly.
- 2.8 The terms ‘site’ and ‘pitch’ are often used to describe Gypsy and Traveller accommodation, and are commonly confused. It is important therefore to note what is meant by each term to ensure they are not mis-used.

### What do we mean by ‘site’ and ‘pitch?’

- 2.9 A Gypsy and Traveller site is an area of land on which Gypsies and Travellers are accommodated. Sites contain one or several units of accommodation. These units are known as a pitch. A pitch is generally home to one household. For example, a public site will almost certainly be home to several families, each occupying their own pitch within that site.
- 2.10 There is no set definition of what should be contained within a pitch, but it is generally accepted that an average family pitch must be capable of accommodating a large trailer and touring caravan, an amenity building, parking space for two vehicles, and a small garden area (DCLG Designing Gypsy and Traveller Sites – Good Practice Guide para.7.12). Taking into account the available guidance, it is generally accepted that an average pitch size is approximately 500sqm.

### **3. Preparing the Gypsy and Traveller Supplementary Plan Site Options**

3.1 This Plan has been prepared in accordance with:

*National and local policies:*

- The National Planning Policy Framework 2012
- Planning Policy for Traveller Sites 2012
- Sevenoaks District Core Strategy 2011
- The Community Plan for Sevenoaks 2013
- Statement of Community Involvement 2006

*Evidence base:*

- Gypsy, Traveller and Travelling Showpeople Accommodation Assessment for Sevenoaks (2012)

*Key Assessments and Appraisals:*

- Sustainability Appraisal of the potential site allocations highlighting any potential conflicts and measures to mitigate these, and ensuring the Plan is aligned with the principles of sustainable development.
- Equalities Impact Assessment to ensure the document has been prepared in an inclusive manner, and to identify any impacts on specific groups of race, gender, disability, age or religion.

*Engagement with key stakeholders including consultation on:*

- Core Strategy criteria-based Policy SP6 (2011)
- Call for Sites 2010, 2011, 2012, 2014
- Gypsy and Traveller Plan Site Options Consultation Document May 2014

#### **Call for Sites and Previous Consultations**

3.2 Calls for gypsy and traveller sites to be put forward to the Council were included in the Allocations (Options) consultation in 2010 and the Development Management: Draft Policies for Consultation in 2011. Following this, the Council formally decided to allocate sites for Gypsies and Travellers through a Gypsy and Traveller Plan rather than in the Allocations and Development Management Plan.

- 3.3 A third Call for Sites was undertaken in August 2012. This involved contacting Gypsies and Travellers living in the District, Gypsy and Traveller organisations and all those who registered an interest in the issue through consultations as part of the Local Plan. Parish and Town Councils were also contacted for their views on any potential sites within their areas.
- 3.4 Discussions have also been held in-house with Housing, Property, Development management and Enforcement Teams to suggest potential sites in SDC ownership or others than may come forward through the planning system. Discussions have also taken place in a similar manner with Kent County Council regarding the potential for any new sites, or existing sites to be put forward to assist with meeting the identified need for Sevenoaks District.
- 3.5 In May 2014 the Council undertook public consultation on potential site options for Gypsy and Traveller pitches across the District. The sites included in the Site Options Consultation Document May 2014 had been considered the most suitable from those which had been submitted to the Council through the previous Call for Sites.
- 3.6 The consultation also included a further 'call for sites', requesting landowners and other interested parties to suggest land that might be suitable for Gypsy and Traveller pitches. This consultation ran for an additional two weeks beyond the main consultation, in order to provide the maximum opportunity for sites to be suggested. It was also hoped that this 'call' would help to provide the Council with the opportunity to address the uneven distribution of sites across the District (existing sites focused in the northern half of the District and around Edenbridge), as the 'call' sought site suggestions in any location in the District.
- 3.7 The sites submitted to the Council were subject to a desktop constraints assessment and site visits and these potential supplementary site options are set out in this consultation document. Many of the sites that were put forward through the call for sites are for additional pitches on existing sites, that have been promoted by the Gypsy and Traveller community to provide additional pitches for their growing families.
- 3.8 Many sites suggested during the recent call for sites (and before and after it) were suggested by individuals and organisations that did not own the land. The Council contacted the owners of those sites where the planning constraints that applied to them were not so significant as to indicate that there was little possibility of an allocation being found sound. As the deliverability / availability of a site is a critical factor in whether it can be included in a plan (see section 4), where the allocation of a site has not been supported by a landowner, it has not been included in this consultation document.

#### **4. Site Assessment Criteria**

- 4.1 Adopted Core Strategy Policy SP6 (Provision for Gypsies and Travellers and Travelling Showpeople) and CLG's Planning Policy for Traveller Sites sets out a number of criteria against which potential sites are assessed. It is the Council's preference that all potential sites meet all the criteria, however Sevenoaks District has significant planning and landscape constraints including 93% Greenbelt and 61% Areas of Outstanding Natural Beauty; therefore it is unlikely that potential sites will satisfy all the criteria.
- 4.2 Site availability is the key factor in considering the deliverability of a site, and this should be considered before any other criteria are assessed, as a site that is not available can not be taken forward.
- 4.3 The following sequential approach is recommended in terms of site assessment and weighting of the criteria:
- Is the site available?
  - Is the site subject to any constraints that impact upon human health (e.g. flood zone and, in extreme cases, noise or air quality impacts)?
  - Does the site impact upon any designated biodiversity, landscape or heritage assets?
  - Assessment of the site against other constraints such as access and sustainability (see Core Strategy Policy SP6 and CLG's Planning Policy for Traveller Sites)
- 4.4 The sites presented in the May 2014 Site Options document (with the exception of the Fort Halstead and Land South of Mesne Way, Shoreham, sites) and in this Supplementary Site Options document represent the sites which have been assessed as the most suitable for allocation of those proposed to date. The individual site assessments of the sites included in this Supplementary Site Options consultation have been included in Appendix 2 to this document.

#### **Site Assessment Consultation Question**

Do you agree with the Council's sequential approach to site assessments?

## **Green Belt**

- 4.5 The Metropolitan Green Belt covers 93% of Sevenoaks District. Core Strategy Policy SP6 'Provision for Gypsies and Travellers and Travelling Showpeople' states that "alternatives should be explored before Green Belt locations are considered". This therefore presents a large constraint to meeting the identified need.
- 4.6 National Policy dictates that Gypsy and Traveller pitches are inappropriate development within the Green Belt. However, as with other forms of inappropriate development in the Green Belt, if very special circumstances exist then development may be acceptable. The lack of suitable sites outside of Green Belt land to meet identified needs could contribute to the justification of exceptional circumstances to allocate land that is currently Green Belt. All the existing sites in the District are in the Green Belt. It is therefore reasonable, and in accordance with existing national policy, to explore Green Belt land if all other alternatives have been fully explored and exhausted (including through the Duty to Cooperate) before such sites are considered.
- 4.7 Previously the council has lost appeal decisions due to the weight Planning Inspectors have given to the issue of identified need for pitches that has not been met. National Planning Policy (PPTS para.27) makes it clear that opportunities can arise for the granting of permanent or temporary pitches if an up-to-date five year supply of deliverable sites can not be demonstrated.

## **Areas of Outstanding Natural Beauty**

- 4.8 Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. Gypsy and Traveller sites are not precluded from being located within Areas of Outstanding Natural Beauty (AONB). The consideration of development in AONBs must take account of the need for the development, alternatives that exist to meet the need elsewhere and the impact on the environment, landscape and recreational opportunities, once opportunities to moderate this impact has been taken into account (NPPF, para 116). In some circumstances it will be possible to overcome an impact through screening that is consistent with the local character. However, in other circumstances sites will be so visible in the landscape that no amount of mitigation will be able to overcome the impact. As the most suitable sites are selected going forward in subsequent stages of the Gypsy and Traveller Plan

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preparation, any design and layout guidance will need to consider how any impacts can be suitably mitigated, if possible.

### **Sustainable Locations**

- 4.9 In terms of sustainability, sites for Gypsy and Traveller pitches would ideally be located within or close to existing settlements with a range of services (i.e. those defined as service villages or higher in the Settlement Hierarchy). The distribution of new Gypsy and Traveller pitches throughout the district should be considered. Concentrations in particular parts of the district (with sparse populations) could put a strain on infrastructure and public services and this factor should be taken into consideration.
- 4.10 All sites have been assessed for their relative accessibility to local settlements. This is primarily because there are no agreed distance thresholds contained within national or local policy which can be used to reject sites purely on these grounds. Local authorities are also advised in national policy and guidance to be realistic about the availability of alternatives to the car in accessing local services.

## 5. Supplementary Site Options

- 5.1 The Supplementary Site Options have been put forward to the Council through the Call for Sites carried out as part of the previous Site Options consultation in May – July 2014.
- 5.2 Each site has been visited and assessed and has been deemed suitable for consideration as a potential site option. This is no guarantee that the Council will consider these sites appropriate allocation as the plan progresses. Site Assessments can be found in Appendix 2 to this document.
- 5.3 The previous consultation included sites which have pitches with temporary planning permission to be allocated for permanent permission. Some of these sites have since come forward to be allocated for further pitches in addition to those already on site. Where this has been assessed as a suitable option the additional pitches are now part of this supplementary sites consultation.

Table 1: Supplementary Site Options

Site details	Current Status	How identified	Proposed no. of additional permanent pitches	Total number of pitches on site (including existing permanent)
Land West of Button Street, Swanley (Existing Site)	Temporary Permission for 2 pitches.	Not included in previous consultation as planning application was under consideration	2 pitches	2 pitches
Land West of Button Street, Swanley (Extension)	Vacant Site	Put forward for pitches through the May 2014 consultation.	4 pitches	4 pitches (+2 pitches on the adjacent existing site)
Holly Mobile Home Park, Hockenden Lane, Swanley	Temporary permission for 3 pitches	Additional pitches put forward through the May 2014 consultation	2 pitches	5 pitches
Land North of Pembroke House, Leydenhatch Lane, Swanley	Permanent permission for 1 pitch	Additional pitch put forward in September 2014.	1 pitch	2 pitches
Bournewood Brickworks, Stones Cross Road, Crockenhill	Permanent permission for 1 pitch.	Additional pitches put forward through the May 2014 consultation	7 pitches	8 pitches

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Fairhavens, Mussenden Lane, Horton Kirby	Non-gypsy and traveller permission for mobile homes.	Pitches put forward through the May 2014 consultation	5 pitches	5 pitches (+ existing mobile homes not restricted to Gypsy and Traveller use)
Fordwood Farm, New Street Road, Hodsoll Street	Temporary permission for 1 pitch.	Additional pitches put forward through the May 2014 consultation	3 pitches	4 pitches
Two Barns, Knatts Valley, West Kingsdown	Permanent permission for 1 pitch.	Additional pitches put forward through the May 2014 consultation	4 pitches	5 pitches
Seven Acres Farm, Hever Road, Edenbridge	Temporary permission for 7 pitches	Additional pitches put forward through the May 2014 consultation	5 pitches	12 pitches
<b>TOTAL</b>			<b>33 pitches</b>	

5.4 The Council is now consulting the public on these Supplementary Site Options. Maps showing each site have been included in Appendix 1 to this document.

### **Sites with Live Planning Applications**

5.5 As at October 2014 the Council is currently considering three sites for planning permission.

Table 2: Sites with Live Planning Applications

Site	Potential pitches
Hilltop Farm, London Road, Farningham	5 pitches
Malt House Farm, Lower Road, Hextable	2 pitches
Bluebell Paddock, Gravesend Road, Ash-cum-Ridley	1 pitches
<b>TOTAL</b>	<b>8 pitches</b>

5.6 These sites have not been included as part of the Supplementary Site Options Consultation document as this would pre-empt the Development Management process. However, if these sites are considered suitable for temporary permission



then there may be opportunities to consider allocating the sites for permanent pitches through the preparation of this plan in the future.

**Supplementary Sites Consultation Question**

Do you think the number of pitches proposed for each potential site option is acceptable? If not, why not?

**Additional Sites (Call for Sites)**

Can you suggest any additional sites that you consider suitable for use as Gypsy and Traveller sites. Please include a site address and map.

- 5.7 The total number of pitches included in this supplementary sites consultation and the site options consultation (excluding those previously ruled out) is as follows:

Potential additional pitches included in Site Options Consultation (May 2014)	71 pitches
Pitches on sites ruled out of further consideration in the preparation of the Gypsy and Traveller Plan	- 30 pitches
Potential additional pitches included in Supplementary Site Options Consultation	33 pitches
Potential additional pitches on sites with live planning applications	8 pitches
<b>Total</b>	<b>82 pitches</b>

The identified level of potential Gypsy and Traveller pitches provides the Council with a ‘buffer’ to continue with the preparation of the plan in the event that the circumstances on some sites change or if further sites are ruled out by the Council following the close of the consultation.

## 6. Sites Considered Unsuitable for Allocation


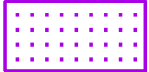











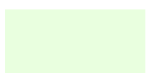

6.1 The following sites have been put forward to the Council by landowners but have been assessed as unsuitable for allocation. Site assessments for these sites can be found in Appendix 2 of this document.

Table 3: Sites Considered Unsuitable for Allocation

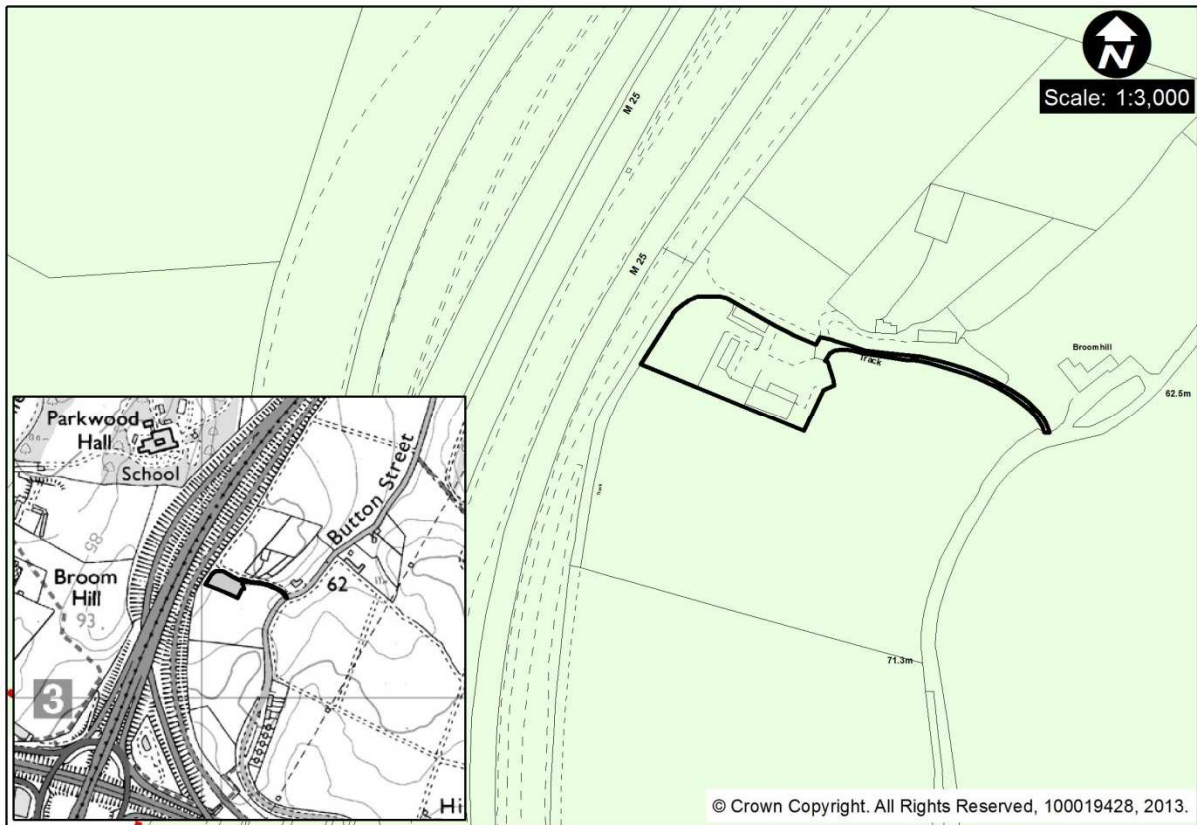
Site	Key Reasons
Footpath Nursery Bungalow, New Barn Road, Swanley	Allocation of this land for Gypsy and Traveller pitches has not been taken forward. This part of the Green Belt is strategically important to maintain the separation between Swanley and Hextable. It is exactly the type of 'green wedge' space that was designed to be protected by the designation of the Green Belt.
Land at Park Lane, Swanley	Allocation of this land for Gypsy and Traveller pitches has not been taken forward as it is inconsistent with the Council's understanding of the personal circumstances of the current occupiers and the planning reason recently put forward to vary conditions relating to the current permission SE/07/02075/FUL)
Land North of Pilgrim's Oast, Otford	This site was promoted by the landowner to the Council in Spring 2014. The site is currently allocated for protected open space under Local Plan Policy EN9 and this allocation is carried forward into the Allocations and Development Management Plan under Policy GI2. Past applications for development on this site have been refused by the Council and by Planning Inspectors at Appeal.
Little Foxes Farm, Marsh Green	Taking account of the advice of Kent Highways and the potential access issues from Hartfield Road and Roman Road, this site is not considered suitable for Gypsy and Traveller pitches.

**Appendix 1 – Site Details for Potential Site Options**

**Key**

-  Potential Gypsy & Traveller Plan  
Supplementary Site Options November 2014
-  Flood Zone 3a
-  Flood Zone 3b
-  Flood Zone 2
-  TPO's
-  Listed Building
-  Public Right of Way
-  Ancient Woodland
-  Sites of Special Scientific Interest
-  Scheduled Monuments
-  Conservation Areas
-  Local Wildlife Sites
-  Area of Outstanding Natural Beauty
-  Metropolitan Green Belt
-  Policy EN9 Protected Open Space

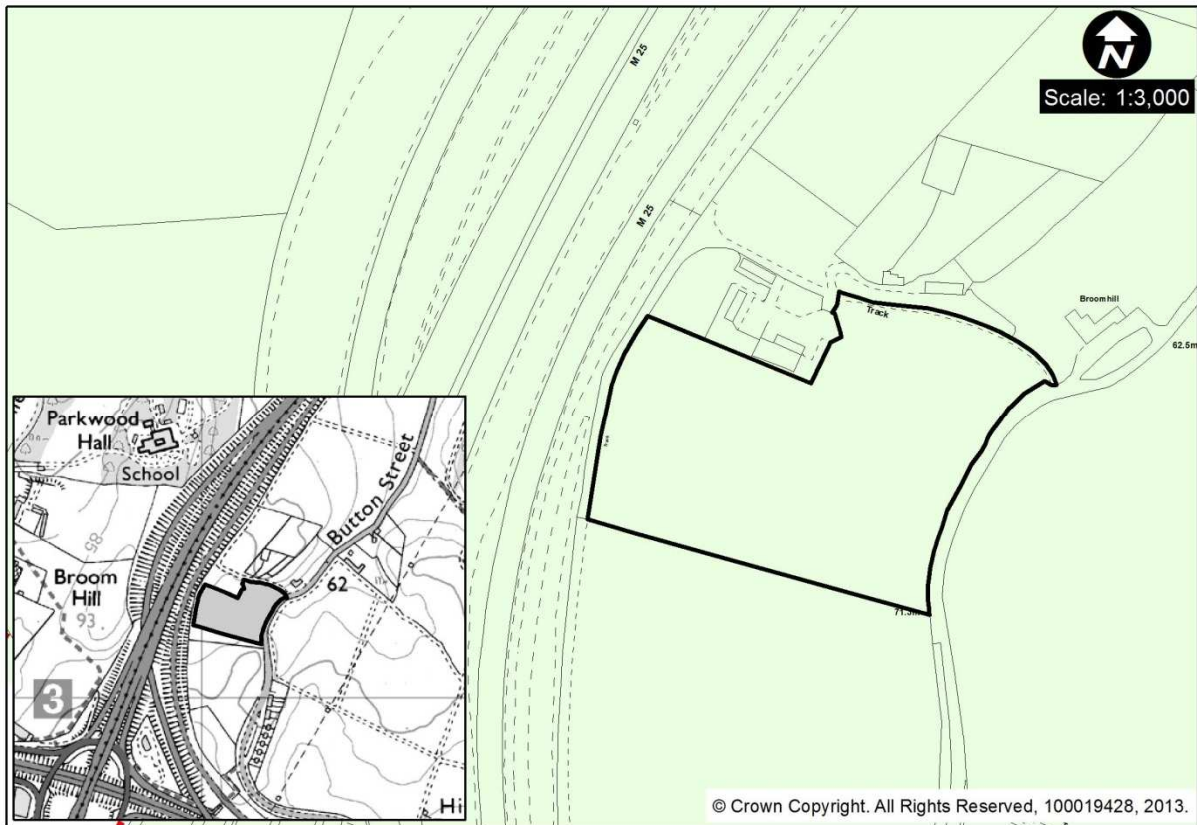
**Land West of Button Street, Swanley (Existing Site)**



Current status of the site:	Temporary Permission for 2 pitches
Proposed Number of permanent pitches to allocate:	2

Consult on as a potential allocation?

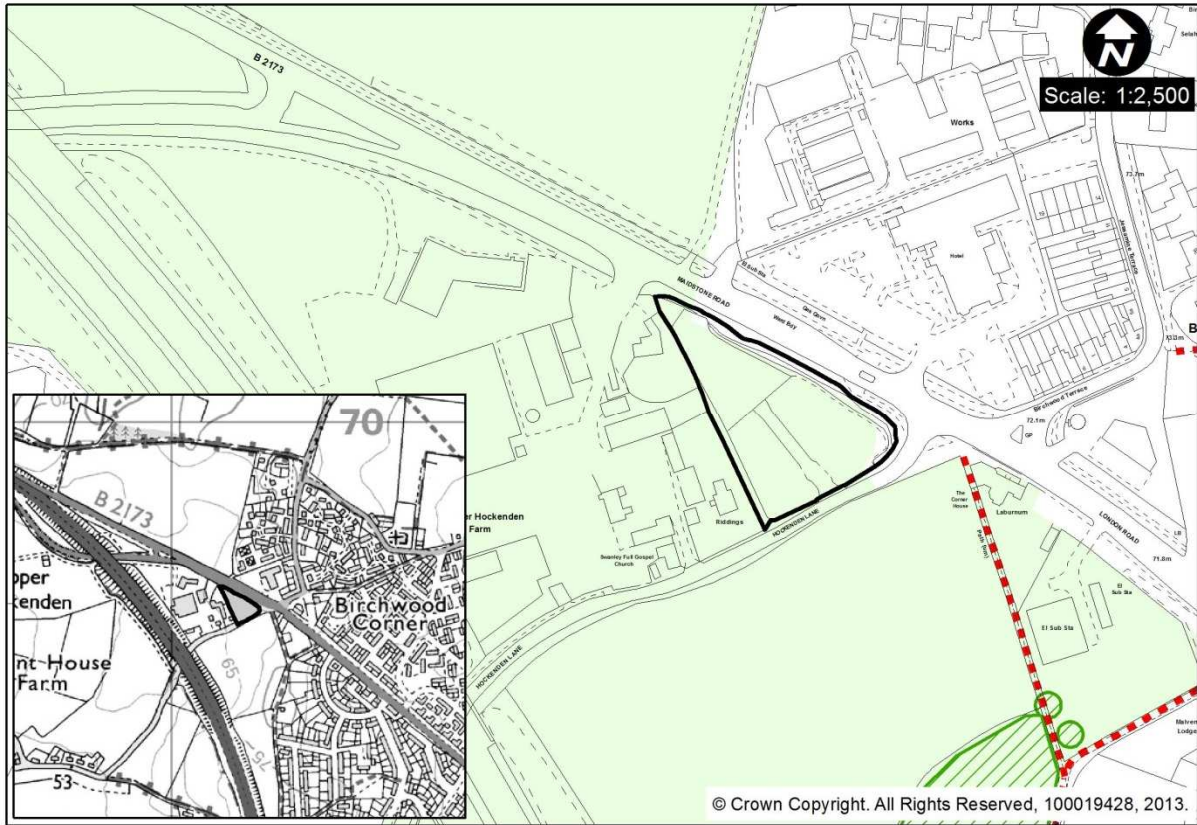
**Land West of Button Street, Swanley (Extension)**



Current status of the site:	Vacant Site
Proposed Number of permanent pitches to allocate:	4

Consult on as a potential allocation?

**Holly Mobile Home Park, Hockenden Lane, Swanley**

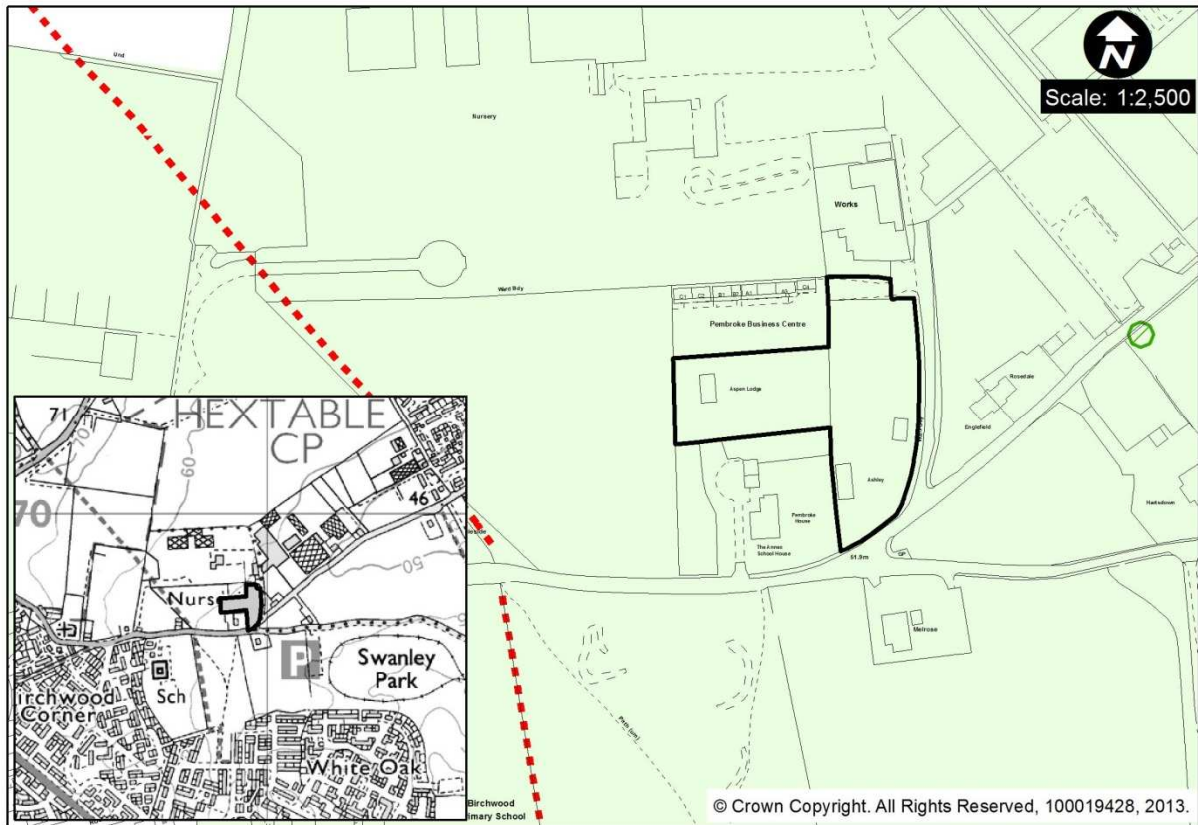


Current status of the site:	Temporary permission for 3 pitches
Proposed Number of permanent pitches to allocate:	5 (2 additional pitches)

Consult on as a potential allocation?



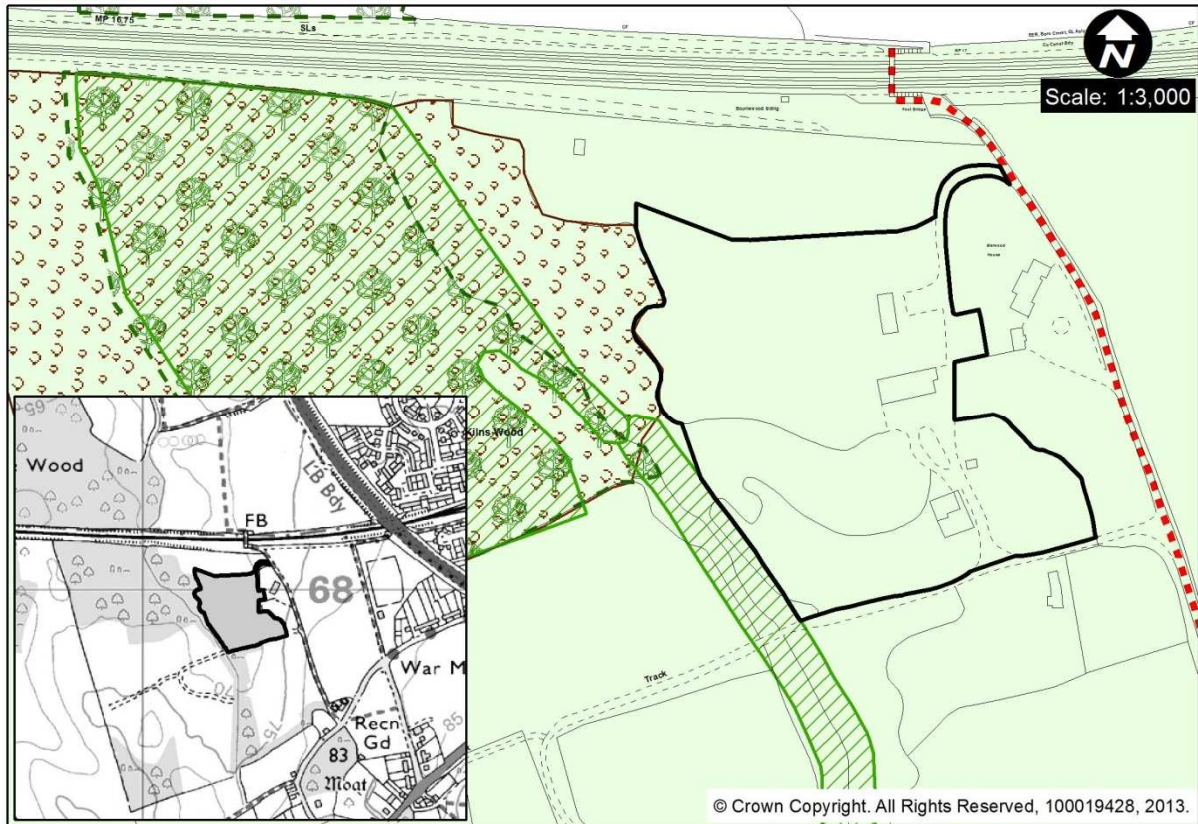
**Land North of Pembroke House, Leydenhatch Lane, Swanley**



Current status of the site:	Permanent permission for 1 pitch
Proposed Number of permanent pitches to allocate:	2 (1 additional pitch)

Consult on as a potential allocation?

**Bournewood Brickworks, Stones Cross Road, Crockenhill**



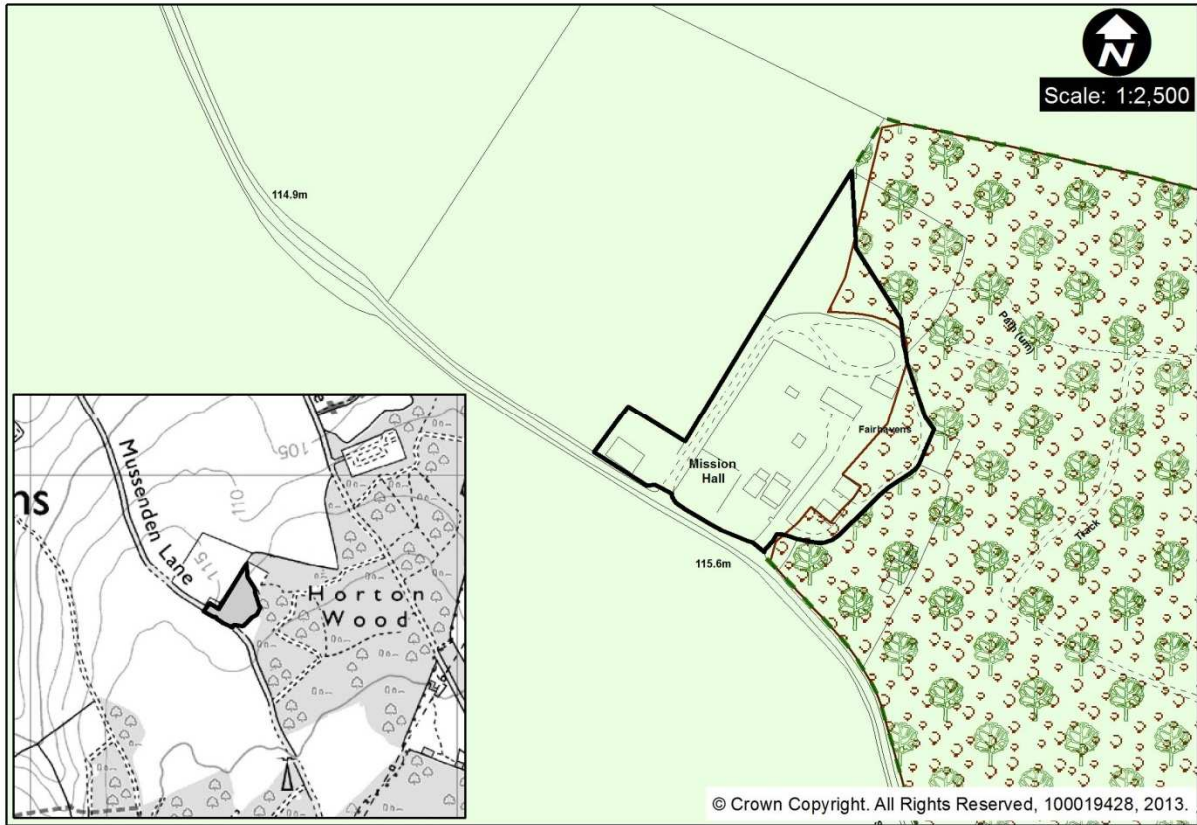
Current status of the site:	Permanent permission for 1 pitch
Proposed Number of permanent pitches to allocate:	8 (7 additional pitches)

Consult on as a potential allocation?





**Fairhavens, Mussenden Lane, Horton Kirby**

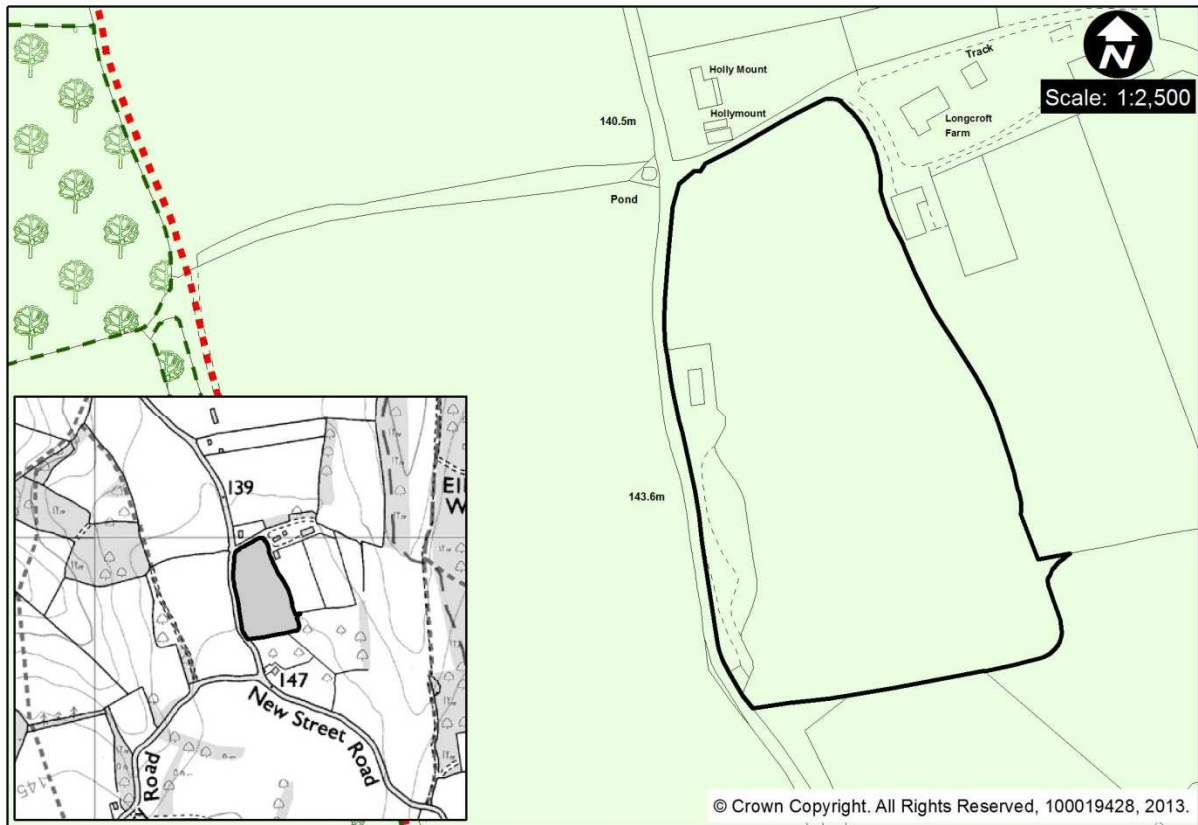


Current status of the site:	Non-Gypsy and Traveller permission for mobile homes
Proposed Number of permanent pitches to allocate:	5

Consult on as a potential allocation?



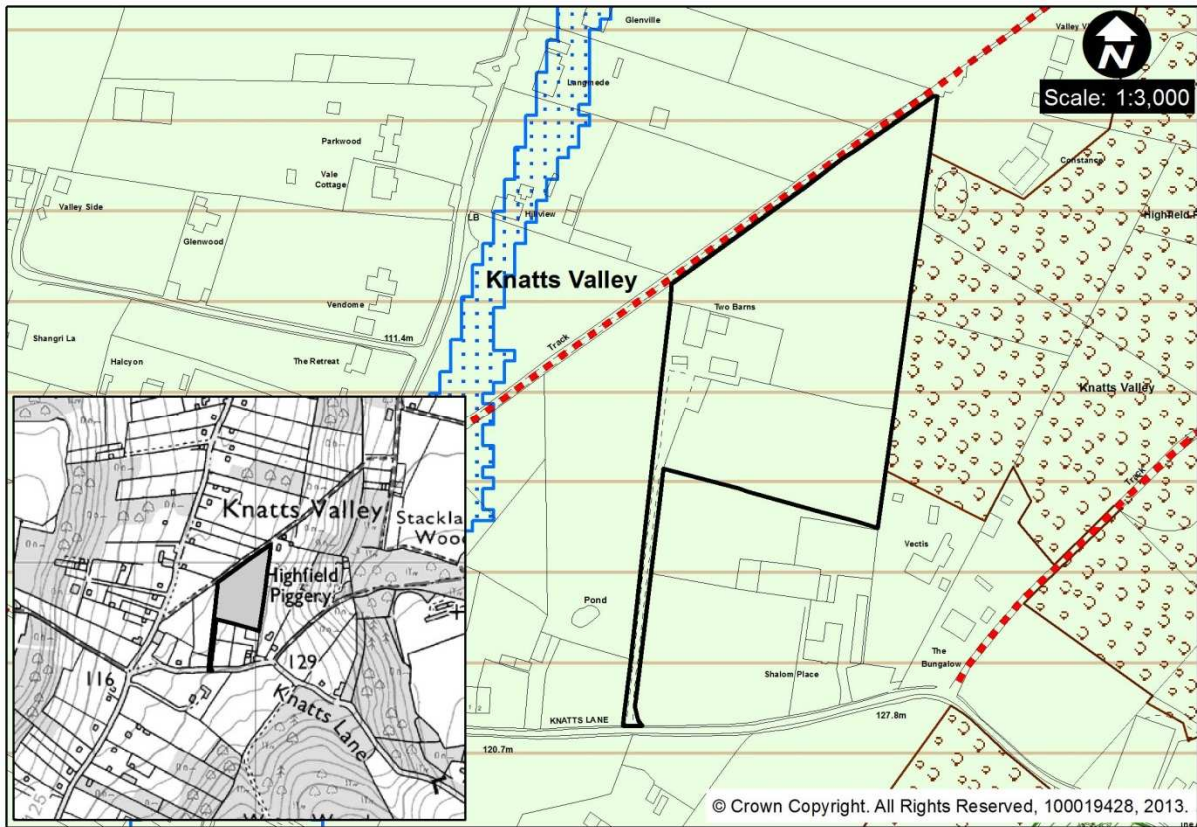
**Fordwood Farm, New Street Road, Hodsoil Street**



Current status of the site:	Temporary permission for 1 pitch
Proposed Number of permanent pitches to allocate:	4 (3 additional pitches)

Consult on as a potential allocation?

**Two Barns, Knatts Valley, West Kingsdown**



Current status of the site:	Permanent permission for 1 pitch
Proposed Number of permanent pitches to allocate:	5 (4 additional pitches)

Consult on as a potential allocation?



**Seven Acres Farm, Hever Road, Edenbridge**



Current status of the site:	Temporary permission for 7 pitches
Proposed Number of permanent pitches to allocate:	12 (5 additional pitches)

Consult on as a potential allocation?



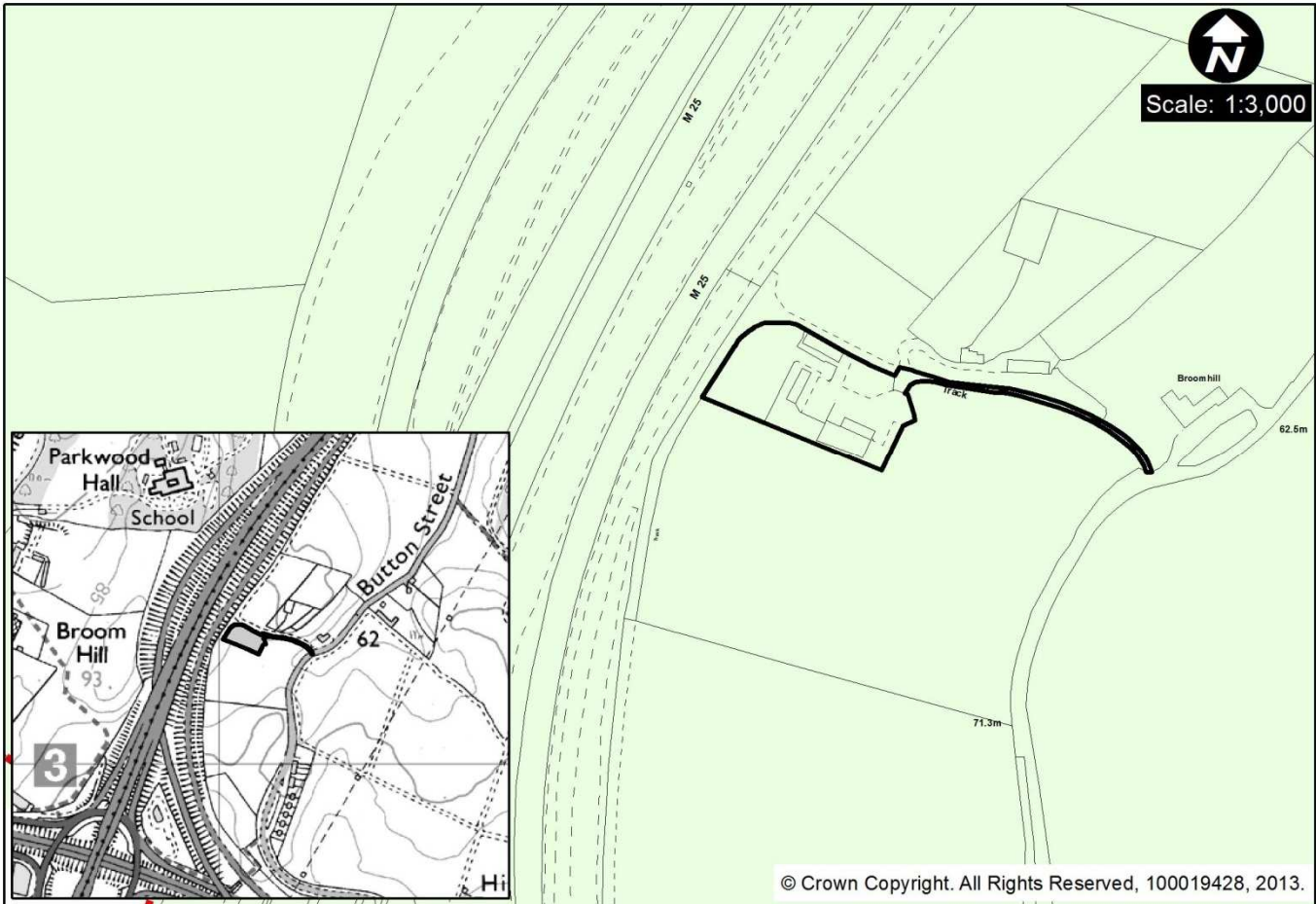
Gypsy and Traveller Plan  
Supplementary Site Options Consultation –  
Initial Site Assessments

October 2014

**Part 1 – Sites Included in Consultation Document**



Site Address: Land West Button Street, Swanley (Farningham, Horton Kirby and South Darenth Ward) (Existing)



<p><b>Site Description:</b></p>	<p>The site is approximately 0.35ha and is situated in close proximity to the M25 motorway. It is in a fairly open rural location, set back from any residential development. This site has temporary planning permission for 2 pitches. An adjacent site is also being considered through this consultation for 4 additional pitches, totalling 6 potential pitches on the wider site.</p>	
<p><b>Relevant Planning History</b></p>	<p><b>Application Details</b></p>	<p><b>Application History</b></p>
	<p>03/00624/FUL Stationing of two mobile homes for two Gypsy families and change of use from grazing to residential.</p>	<p><b>Refused and Appeal Dismissed</b> Reasons for refusal include that the proposal constitutes inappropriate development which is by definition harmful to the Green Belt, and openness and quality of the landscape. No special circumstances were deemed to outweigh this harm. Harm was also found to highways safety and the promotion of sustainable patterns of development.</p>
	<p>07/00178/FUL Continuation of residential use of land by gypsy families with two mobile homes, one touring caravan and ancillary structures.</p>	<p><b>Allowed on Appeal</b> Temporary permission granted for 4 years for 2 mobile homes and 2 touring caravans for the named applicants only. No commercial activities can take place on the land.</p>
	<p>12/03287/CONVAR Variation of condition 1 (limited period of 4 years) and condition 2 (cease</p>	<p><b>Refused</b> The reason given for refusal was that the applicant failed to demonstrate that the</p>

## Agenda Item 17

	use) of SE/07/00178/FUL (Continuation of residential use of land by gypsy families with two mobile homes, one touring caravan and ancillary structures) - to allow permanent use of the land		location will ensure satisfactory environment for permanent residential occupancy due to the adverse impacts from air quality and noise generated by the nearby motorway.	
	13/03227/FUL Continuation of residential use of land by gypsy families with two mobile homes, two touring caravan and ancillary structures.		Approved 01/10/2014 Personal temporary permission.	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	The site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is relatively flat with a slight slope up from Button Street to the motorway.	The site is fairly well connected by road to the local services provided in Swanley, providing large scale convenience retail facilities, and educational facilities. There are however no PROWs or public transport so access to these facilities would be by private transport.
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)</b>
	The site lies within an AQMA Buffer Zone. This itself does not indicate the site is constrained by noise or air quality issues, but that it could have an impact upon the AQMA.	The privacy of the occupiers has not been raised as an issue previously when temporary permission was granted so is not considered to be an issue.	The site is not in the AONB and has no national or local nature conservation designation.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>		<b>Impact on amenity for existing residents</b>	<b>Vehicle and pedestrian access</b>
	The site is located in an area of fairly open		There is limited impact on the amenity for existing	There is an existing vehicular access onto



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	countryside.	residents due to the fairly isolated location of the site.	Button Street.
<b>Suitability:</b>	<p>The site has been granted temporary planning permission for 2 pitches.</p> <p>The site is located outside of an AONB and is not constrained by other nature designations or impacts the setting of any Heritage Assets. It does however lie within an AQMA buffer zone and has potential air and noise quality impacts. Given that the site has provided Gypsy and Traveller pitches for more than a decade, this is not considered to be an overriding constraint.</p>		
<b>Deliverability:</b>	<p>The site is available and has been granted temporary planning permission for 2 temporary pitches.</p>		

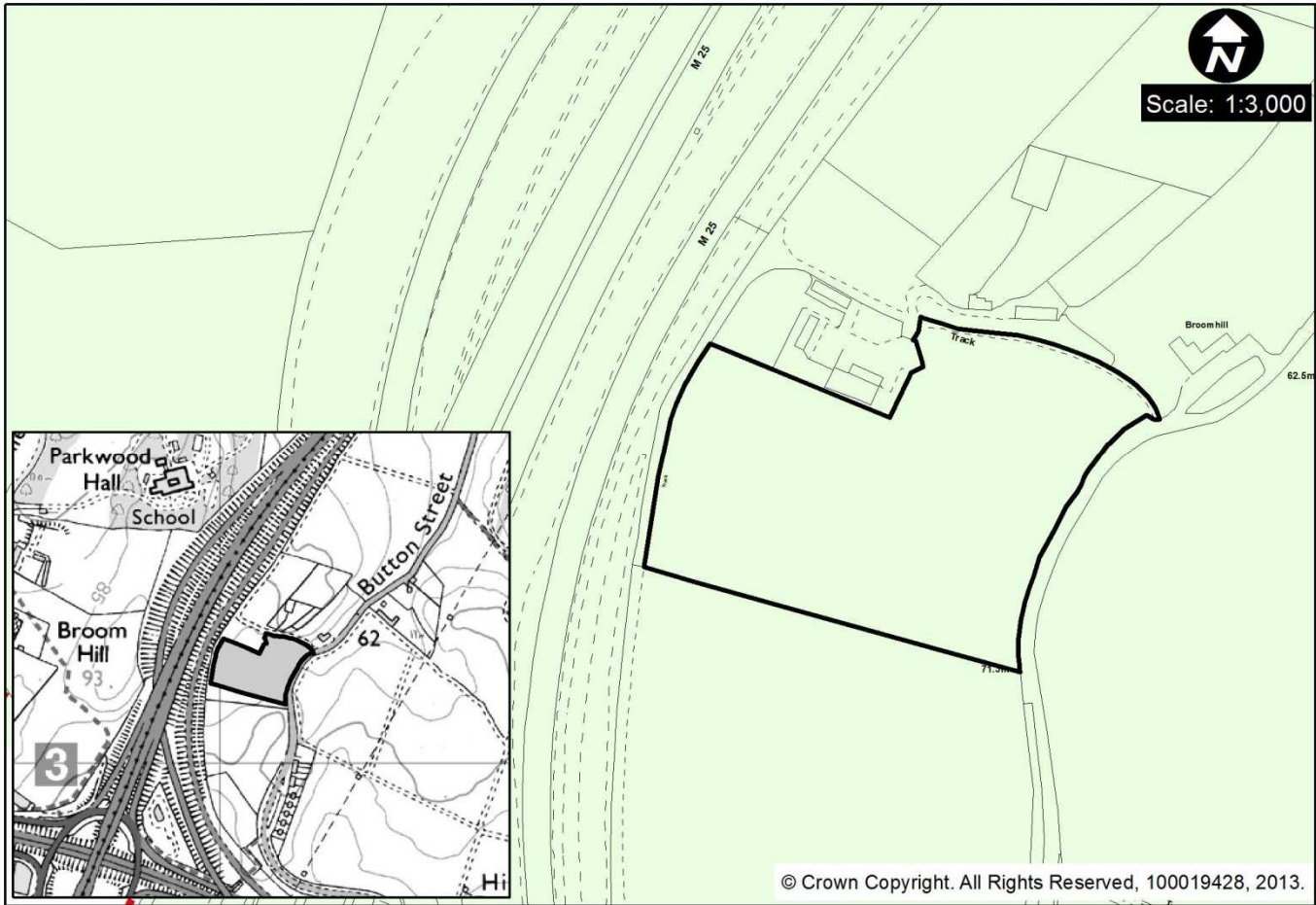
Consult on potential to allocate?



<b>Potential Capacity</b>	Total of 2 permanent pitches.
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Site Address: Land West Button Street, Swanley (Farningham, Horton Kirby and South Darenth Ward) (Extension)



<b>Site Description:</b>	The site is approximately 2.00ha and is situated in close proximity to the M25 motorway. It is in a fairly open rural location, set back from any residential development. This site is under consideration for 4 additional pitches. The adjacent site contains 2 temporary pitches, totalling 6 pitches on the wider site.	
<b>Relevant Planning History (wider site)</b>	<b>Application Details</b>	<b>Application History</b>
	03/00624/FUL Stationing of two mobile homes for two Gypsy families and change of use from grazing to residential.	<b>Refused and Appeal Dismissed</b> Reasons for refusal include that the proposal constitutes inappropriate development which is by definition harmful to the Green Belt, and openness and quality of the landscape. No special circumstances were deemed to outweigh this harm. Harm was also found to highways safety and the promotion of sustainable patterns of development.
	07/00178/FUL Continuation of residential use of land by gypsy families with two mobile homes, one touring caravan and ancillary structures.	<b>Allowed on Appeal</b> Temporary permission granted for 4 years for 2 mobile homes and 2 touring caravans for the named applicants only. No commercial activities can take place on the land.
12/03287/CONVAR Variation of condition 1 (limited period of 4 years) and condition 2 (cease use) of SE/07/00178/FUL	<b>Refused</b> The reason given for refusal was that the applicant failed to demonstrate that the location will ensure satisfactory	

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	(Continuation of residential use of land by gypsy families with two mobile homes, one touring caravan and ancillary structures) - to allow permanent use of the land		environment for permanent residential occupancy due to the adverse impacts from air quality and noise generated by the nearby motorway.	
	13/03227/FUL on adjacent site Continuation of residential use of land by gypsy families with two mobile homes, two touring caravan and ancillary structures.		Approved 01/10/2014 Personal temporary permission granted.	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	The site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is relatively flat with a slight slope up from Button Street to the motorway.	The site is fairly well connected by road to the local services provided in Swanley, providing large scale convenience retail facilities, and educational facilities. There are however no PROWs or public transport so access to these facilities would be by private transport.
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)</b>
	The site lies within an AQMA Buffer Zone. This itself does not indicate the site is constrained by noise or air quality issues, but that it could have an impact upon the AQMA.	The privacy of the occupiers has not been raised as an issue previously when temporary permission was granted so is not considered to be an issue.	The site is not in the AONB and has no national or local nature conservation designation.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>		<b>Vehicle and pedestrian access</b>
	The site is located in an area of fairly open	There is limited impact on the amenity for existing		There is an existing vehicular access onto

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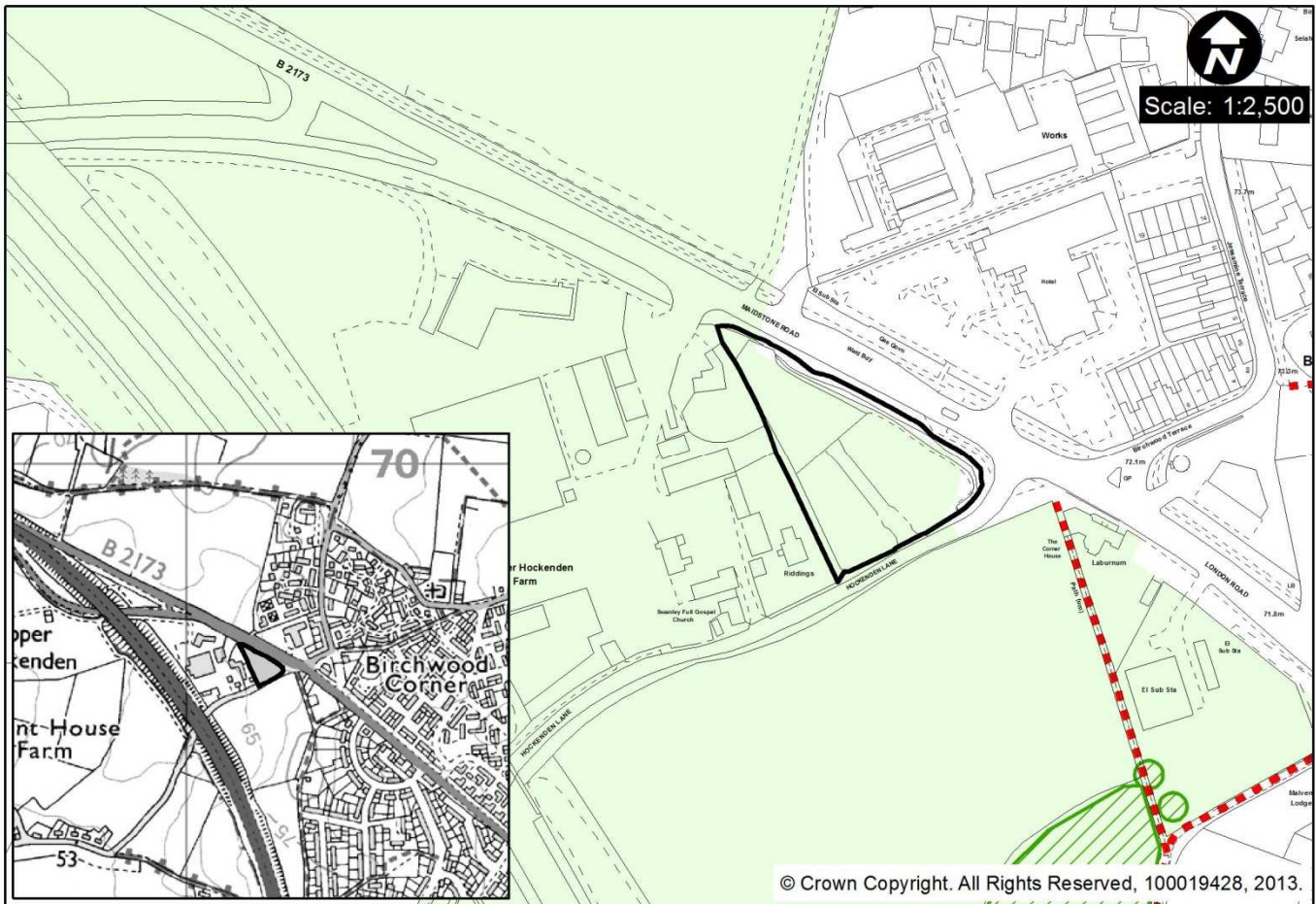
	countryside.	residents due to the fairly isolated location of the site.	Button Street.
<b>Suitability:</b>	<p>The site is located outside of an AONB and is not constrained by other nature designations or impacts the setting of any Heritage Assets. It does however lie within an AQMA buffer zone and has potential air and noise quality impacts. Given that the site has provided Gypsy and Traveller pitches for over a decade, these are not considered to be overriding constraints.</p> <p>The landowners proposed the site for 9 pitches through the May 14 Site Options Consultation, however after taking into account the comments expressed from settled G&amp;T communities about how smaller sites are easier to integrate, a proposal for 4 pitches in the period to 2026 has been included in this consultation document.</p> <p>The adjacent land has recently been granted temporary planning permission for 2 pitches.</p>		
<b>Deliverability:</b>	<p>The site is available and was put forward by the landowners through the May 2014 Site Options Consultation.</p>		

Consult on potential to allocate?



<b>Potential Capacity</b>	Total of 4 permanent pitches.
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Site Address: Holly Mobile Home Park, Hockenden Lane, Swanley



<p><b>Site Description:</b></p>	<p>This is a temporary site containing 3 pitches and is 0.38 ha in size. The site is a triangular parcel of land located on the corner of Hockenden Lane and London Road/Maidstone Road, which have established residential frontages, and lies opposite a hotel and restaurant complex.</p>	
<p><b>Relevant Planning History</b></p>	<p><b>Application Details</b></p>	<p><b>Application History</b></p>
	<p><b>04/02643/FUL</b> Change of use to residential caravan site for two gypsy families with 4 caravans and one transit pitch.</p>	<p><b>Refused and Appeal Dismissed (29/11/05)</b> Reasons for refusal include harm to the Green Belt in this area of undeveloped land; no provision made for adequate visibility at the access point and could result in harmful conditions to road safety; and the proposal would not be in keeping with the open countryside and rural character of this area.</p>
<p><b>07/03543/FUL</b> Change of use to caravan site for stationing of 5 caravans (3 mobile homes and 2 touring caravans) for Travellers, with retention of associated hardstanding, septic tank, sheds and fencing (retrospective). Two utility blocks are proposed on the site.</p>	<p><b>Approved (15/08/08)</b> Permission granted for 3 years for the named applicants. No more than 5 caravans, 3 of which to be static can be stationed on the land at any one time.</p>	

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	<b>11/02120/CONVAR</b> Variation of condition 1 of SE/07/03543/FUL - (Change of use to caravan site for stationing of 5 caravans (3 mobile homes and 2 touring caravans) for Travellers, with retention of associated hardstanding, septic tank, sheds and fencing (retrospective). Two utility blocks are proposed on the site.) To either make the site permanent or renew the time limited condition for a further temporary period.		<b>Approved (16/12/11)</b>  Permission granted for 3 years for the named applicants. No more than 5 caravans, 3 of which to be static can be stationed on the land at any one time, and no commercial activity can be carried out.	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	This site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is flat	Site is considered to be well connected to local services and public transport routes.
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designated Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered parks and Gardens, and Conservation Areas)</b>
	The site is not located within an AQMA. There may be potential noise impacts due to the proximity to the A20.	Site is currently fairly well screened from the main road. It is visible from Hockenden Lane at the entrance way, but has further screening along the western edge.	The site is not in the AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>		<b>Vehicle and pedestrian access</b>
	Whilst the site lies outside of the built up area of Swanley, there are several other low level buildings in the surrounding area. The	This is a well kept site, with some soft landscaping acting as screening for existing residents. It is therefore not considered to impact		The current access had no objections from the local Highway Authority in the most recent permission. It is close to the junction with London

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	<p>site also lies opposite a larger hotel and restaurant complex. The site is not considered to be intrusive in the landscape or impact the local character of the area.</p>	<p>significantly on the amenities of surrounding residents.</p>	<p>Road.</p>
<b>Suitability:</b>	<p>This site is considered to be sustainable in terms of location and connection to local services. It is currently a well kept site, with some existing soft landscaping providing a degree of screening for both current occupiers, and surrounding neighbours, lessening the impact on the local character of the area. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 5 years and in all other respects is considered suitable for 5 permanent pitches.</p> <p>Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers is considered to be potentially suitable when assessed against the suitability criteria.</p>		
<b>Deliverability:</b>	<p>The site is available. It currently has temporary planning permission until December 2014.</p> <p>This site was consulted on for 3 pitches (existing temporary to permanent) in May 2014. The response from the Gypsy and Traveller community to the consultation stated that an additional 2 pitches could be accommodated on the site.</p>		

Consult on potential to allocate?



<b>Potential Capacity</b>	Total of 5 permanent pitches (3 existing temporary pitches and an additional 2 pitches)
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	This site lies fully within the Metropolitan Green Belt. It is a sensitive Green Belt location, as it contributes to keeping Swanley and Hextable separate.	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is flat	Site is considered to be well connected to local services and public transport routes.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designated Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered parks and Gardens, and Conservation Areas)
	The site is not located within an AQMA.	Site is currently fairly well screened from the road and from Pembroke House	The site is not in the AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>	<b>Vehicle and pedestrian access</b>	
	Whilst the site lies outside of the built up area of Swanley, there are several other low level buildings in the surrounding area. The site already has two mobile homes and an additional pitch in the centre of the site is unlikely to have a negative impact on the character of the area	This site is open with two existing mobile homes. An additional pitch is unlikely to have any significant impact on the existing residents.	There is vehicular access from a track accessed from College Road.	
<b>Suitability:</b>	<p>This site is considered to be sustainable in terms of location and connection to local services. It is currently has some existing soft landscaping providing a degree of screening for both current occupiers, and surrounding neighbours, lessening the impact on the local character of the area. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 10 years and in all other respects is considered suitable for an additional permanent pitch.</p> <p>Although the site is located in the strategically important area of Green Belt between Swanley and Hextable the site is in existence and the proposed additional pitch would be in the centre between the existing pitch and mobile</p>			

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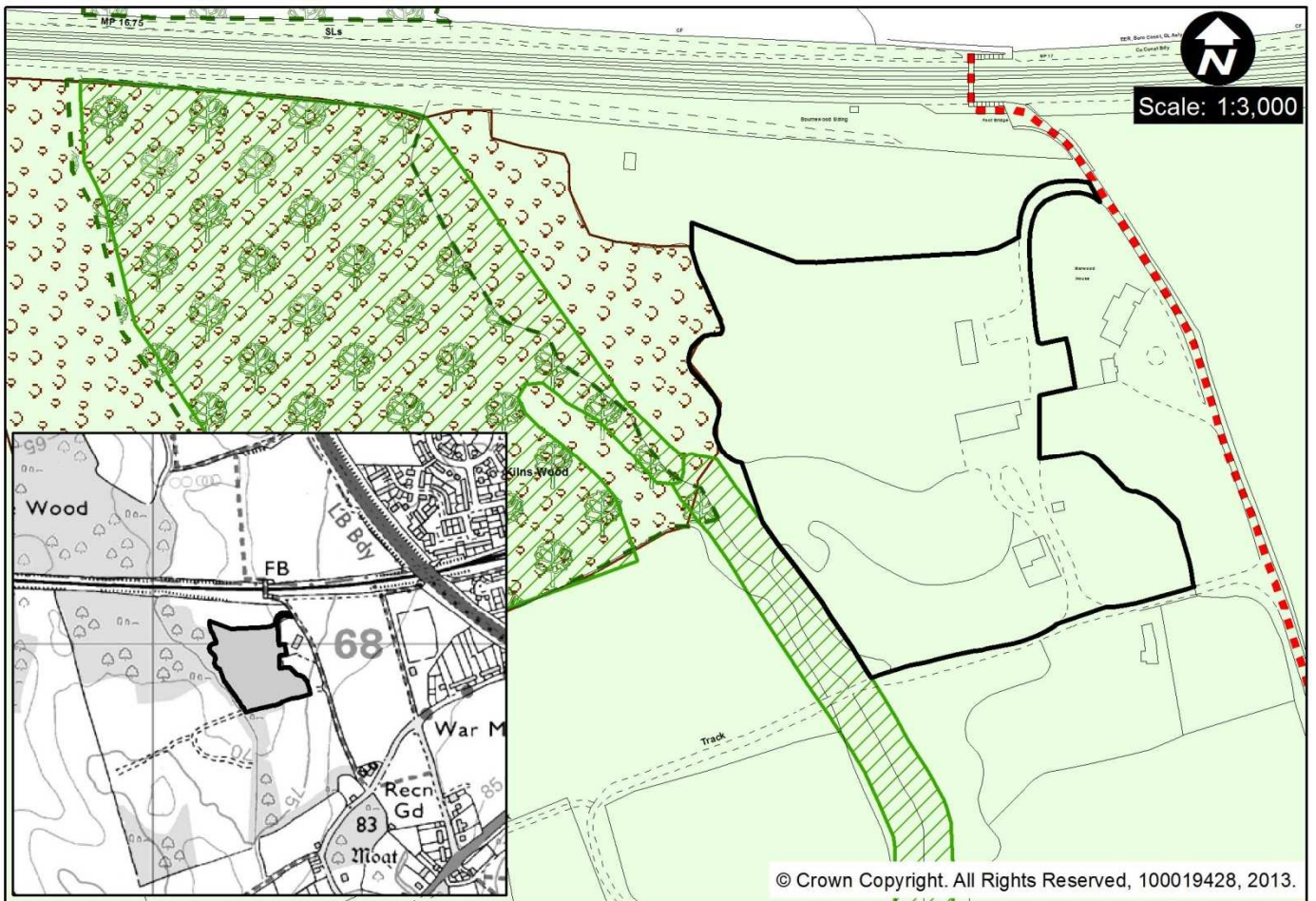
	<p>home.</p> <p>Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers is considered to be potentially suitable when assessed against the suitability criteria.</p>
<b>Deliverability:</b>	The site is available and has been promoted by the landowner in September 2014 for one additional pitch.

Consult on potential to allocate?



<b>Potential Capacity</b>	Total of 2 permanent pitches (1 existing permanent pitch and an additional 1 pitch)
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Site Address: Bournemouth Brickworks, Stone Cross Road, Crockenhill



<p><b>Site Description:</b></p>	<p>Large grassed site off Stones Cross Road. Site approached via long driveway (PROW) with paddock to east. Site consists of a large property (Marwood House) and mobile home to rear. Site bounded to the north by railway, west by woodland and road/track on south and eastern boundary. Land mainly flat, with some scrubland, and woodland to east. Some commercial activities on site.</p>	
<p><b>Relevant Planning History</b></p>	<p><b>Application Details</b></p>	<p><b>Application History</b></p>
	<p>99/02368/FUL Temporary planning permission for 2 no mobile homes.</p>	<p>Refused 04/01/2000 Reasons for refusal include that the site would cause harm to the openness of the Green Belt.  Dismissed on appeal 20/06/2000</p>
	<p>07/01940/FUL Proposed retention &amp; relocation of mobile home</p>	<p>Refused 07/03/2008 Reasons for refusal include that the site would cause harm to the openness of the Green Belt and have a detrimental impact on the character of the local landscape.</p>
	<p>08/02348/FUL Retention of Mobile Home</p>	<p>Approved 13/01/2009 The permission is conditioned to be used by specific named persons for a period of 3 years.</p>
	<p>10/03295/FUL Change of use of land to rear garden</p>	<p>Refused 01/07/2011 Reasons for refusal include that the site</p>

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	area of existing residential mobile home, plus retention of timber outbuilding & other residential ancillary building, & associated uses		would cause harm to the openness of the Green Belt.	
	<b>11/02166/FUL</b> Proposed relocation of mobile residential unit <b>13/00040/CONVAR</b> Variation of condition 5 of application reference SE/11/02166/FUL Proposed relocation of mobile residential unit with amendment to extend the time limit for a further 3 months.		<b>Approved 17/11/2011</b> The permission is conditioned to be used by specific named persons for a period of 3 years.  <b>Conditions varied on appeal to grant permanent permission 10/10/2012</b>	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	This site lies fully within the Metropolitan Green Belt.	The SFRA and Environment Agency Mapping indicated that this site is not within Flood Zones 2 and 3 and is not liable for flooding.	Large site. Relatively flat	Site in close proximity to Crockenhill and Swanley
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)</b>
	Potential noise issues related to adjacent railway and quarry	Site some distance from other residential properties and some screening. PROW along driveway	Wooded area to west of site is ancient woodland and a local wildlife site (Hook Spring and Tile Kilns Wood). Not AONB.	Wooded area to west of site is an area of archaeological potential
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>		<b>Vehicle and pedestrian access</b>
	Site situated down long access road and therefore not highly visible in local landscape. Any site extension should not be within or impact upon the wooded area to the east that is subject to	Site some distance from other residential properties and some screening exists.		Existing access from Stones Cross Road

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	landscape and heritage designations		
<b>Suitability:</b>	Large site able to accommodate additional pitches. Site owner has indicated that the preference would be to site any additional pitches to south and east of existing house. Existing site in relative close proximity to services, but with limited impact on the residential amenity of neighbouring properties. Any additional pitches should not adjoin or impact upon the local wildlife site or ancient woodland designations to the west, or the commercial/infrastructure operations to the north. Recommendation to consider as additional site option.		
<b>Deliverability:</b>	This site was submitted by the landowner for potentially 7 additional pitches through the May 2014 Site Options Consultation. The landowner stated that the land is available.		

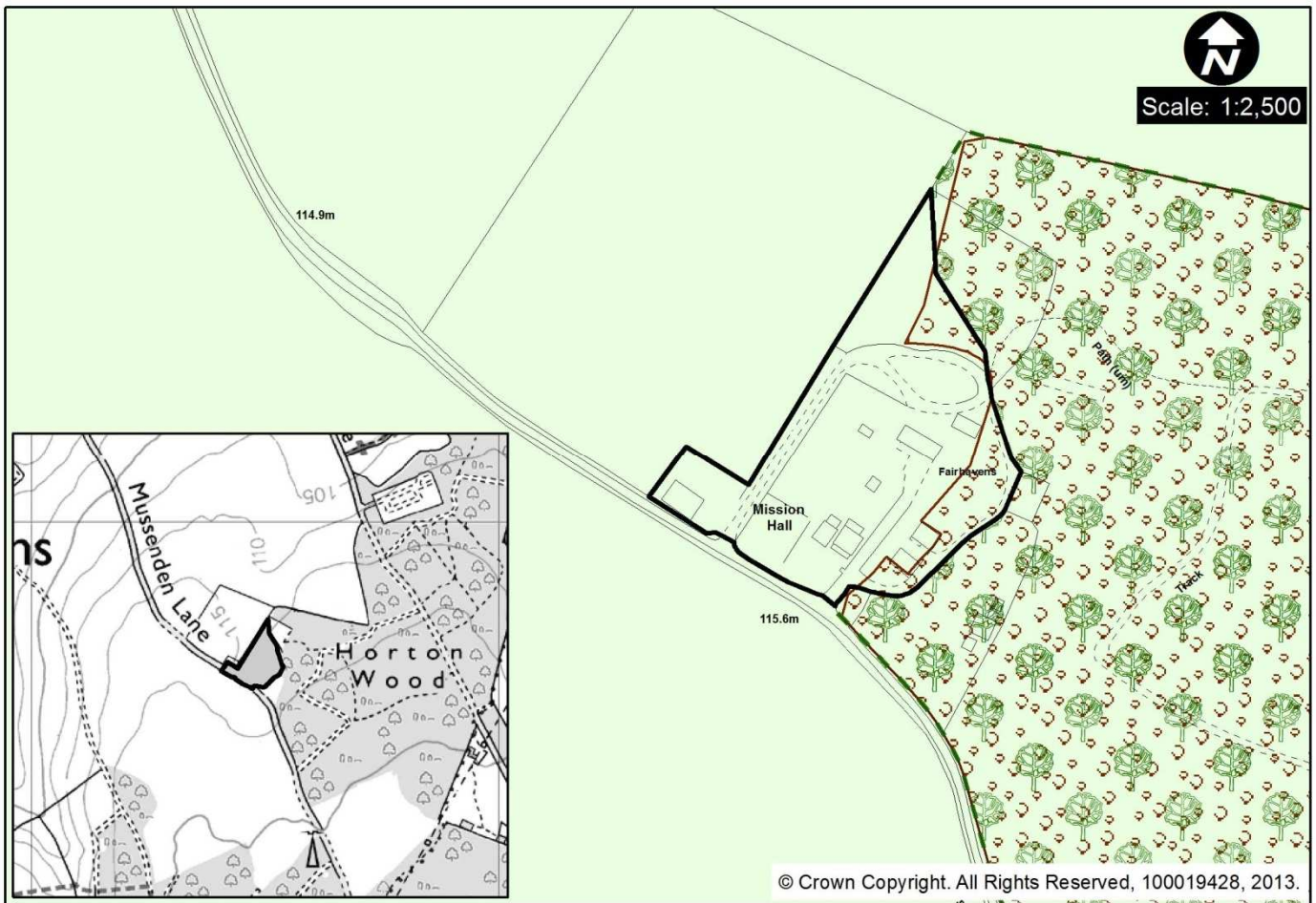
Consult on potential to allocate?



<b>Potential Capacity</b>	Total of 8 permanent pitches. (1 existing permanent permission and 7 additional pitches)
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Site Address: Fairhavens, Mussenden Lane, Horton Kirby



<b>Site Description:</b>	The site is between Horton Kirby and Fawkham Green, It lies on the edge of Horton Wood which is designated ancient woodland and a local wildlife site. Site area is 0.86ha. It contains both grassed areas and areas of hardstanding and lies on lower ground than that to the north west.			
<b>Relevant Planning History</b>	<b>Application Details</b>		<b>Application History</b>	
	96/01063/HIST The use of land as a residential caravan site for the stationing of no more than four caravans at any one time, as amended by letter received 20/8/96.		Approved 20/09/1996 Lawful Development Certificate for use for four caravans (not restricted to Gypsy and Traveller use)	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	This site lies fully within the Metropolitan Green Belt.	The SFRA and Environment Agency Mapping indicated that this site is not within Flood Zones 2 and 3 and is not liable for flooding.	Relatively flat but sloping towards the west.	Site is fairly remote and would require access by car. 1.7km from the hamlet of Fawkham Green, 2.1km from The Service Village of Horton Kirby and 2.8km from the



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				Local Service Centre at New Ash Green.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	No potential Air or Noise quality issues.	Site some distance from other residential properties and some screening.	Adjoins Horton Wood which is Ancient Woodland and a Local Wildlife Site.	Adjoins Horton Wood which is ancient woodland.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>		<b>Vehicle and pedestrian access</b>
	Mobile Homes (not restricted for Gypsy and Traveller use) already on site, additional units would be placed within the existing built up site area which is unlikely to substantially affect the visual impact of the site. This will, however, be a matter to be considered through determination of any planning application.	Site some distance from other residential properties		Existing access from Mussenden Lane. This is a rural lane with no pavements.
<b>Suitability:</b>	Site with existing mobile homes (not restricted for Gypsy and Traveller use). Site area is suitable for 5 Gypsy and Traveller pitches. Any pitches should not adjoin or impact upon the local wildlife site or ancient woodland designations. Recommendation to consider as additional site option.			
<b>Deliverability:</b>	This site was submitted by the landowner for Gypsy and Traveller pitches through the May 2014 Site Options Consultation.			

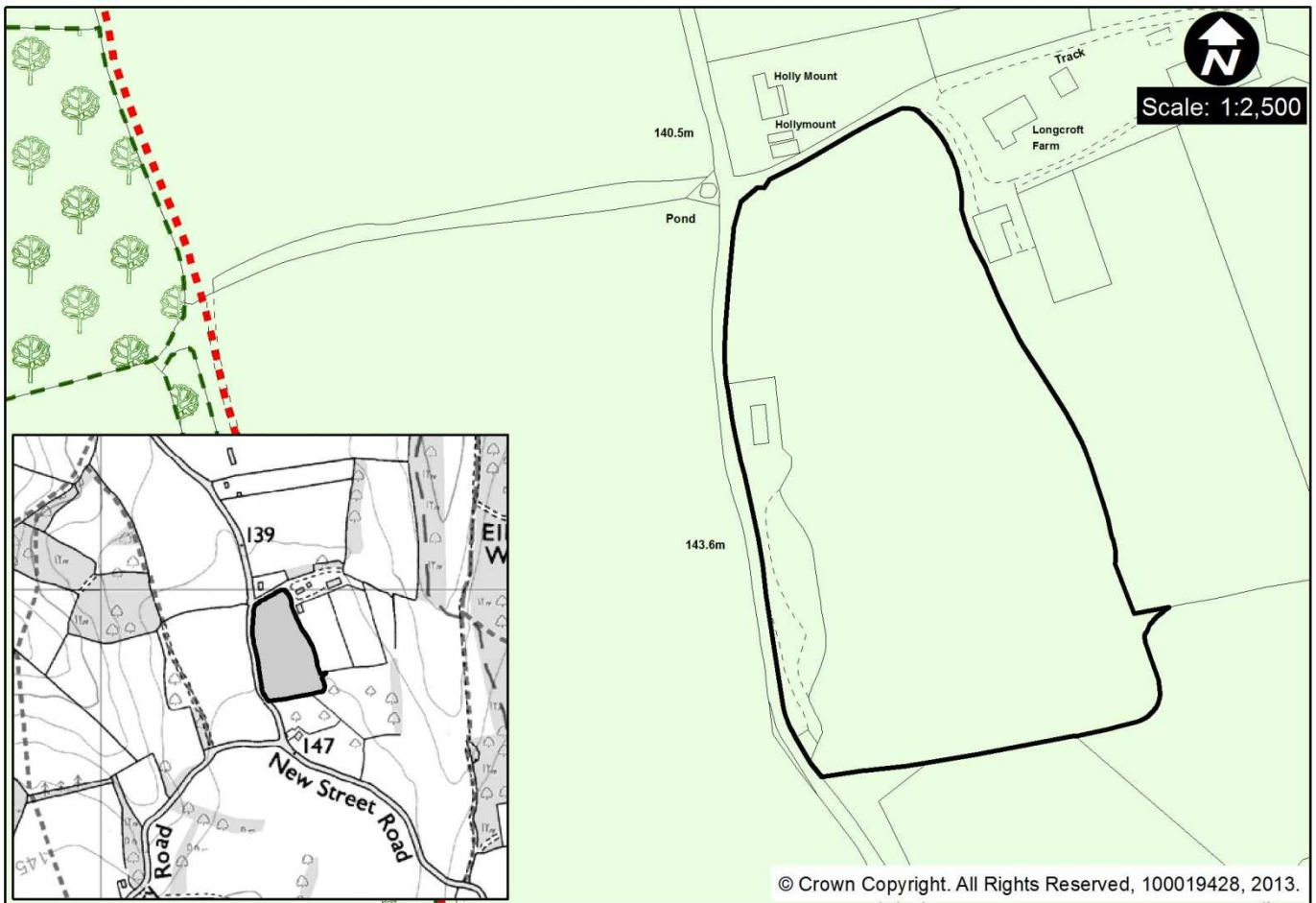
Consult on potential to allocate?



<b>Potential Capacity</b>	Total of 5 permanent Gypsy and Traveller pitches. (Site also has permission for 4 mobile homes not restricted to Gypsy and Traveller use)
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Site Address: Fordwood Farm, New Street Road, Hodsoil Street



<p><b>Site Description:</b></p>	<p>This site is approximately 2.44ha and has temporary planning permission for the stationing of 1 mobile home and 1 touring caravan (1 pitch). The site lies within an area of scattered and sporadic development, with dwellings to the north, and a farm to the south. The site is grassed, well-screened from road with access to south and existing mobile home to rear (north) of site.</p>	
<p><b>Relevant Planning History</b></p>	<p><b>Application Details</b></p>	<p><b>Application History</b></p>
	<p>03/00623/FUL</p> <p>Change of use to residential, stationing of one mobile home and one touring caravan for a Gypsy Family.</p>	<p><b>Refused and Appeal Dismissed</b></p> <p>Reasons for refusal include inappropriate development that would be harmful to the maintenance and openness of the Green Belt, and detract from the rural character of the countryside.</p>
<p>05/00126/ENF</p> <p>Without planning permission the making of a material change in the use of the land by the change from agriculture to use for the stationing of caravans for residential purposes.</p>	<p><b>Appeal Allowed and Enforcement Notice quashed (24/04/06)</b></p> <p>Planning permission granted by appeal for the stationing of no more than 1 mobile home and 1 touring caravan at any one time for a temporary period of 3 years. No other buildings, structures, containers or lorry bodies shall be erected or placed on the land. No more than one commercial vehicle shall be</p>	



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		parked on the land.		
	09/00822/CONVAR Change of use from agricultural land to agricultural with standing caravan for residential purposes.		Approve (25/03/14) Temporary permission for a further 2 years for 1 mobile home and 1 touring caravan to vary the condition for the permission granted by the earlier appeal.	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	The site is within the Metropolitan Green Belt.	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	Relatively flat grassed site	The site is in a fairly remote location. Nearest settlement is New Ash Green approximately 1.4km away
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)</b>
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	Well screened from road by extensive hedging but it is understood that views into the site exist from the dwellings to the north / north-east	The site is not in an AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>		<b>Vehicle and pedestrian access</b>
	Site is screened in the wider landscape but it is understood that views of the site are available from the dwellings to the north / north-east. Making the site permanent may provide an opportunity for the Council to secure	Neighbouring properties at some distance and not likely to be any significant privacy/overlooking issues		Existing vehicular access is from New Street Road, which was considered to be adequate by the Inspector of the 2006 Appeal, and no issues raised by Kent Highways. Pedestrian access would be from the same point. However this is a rural

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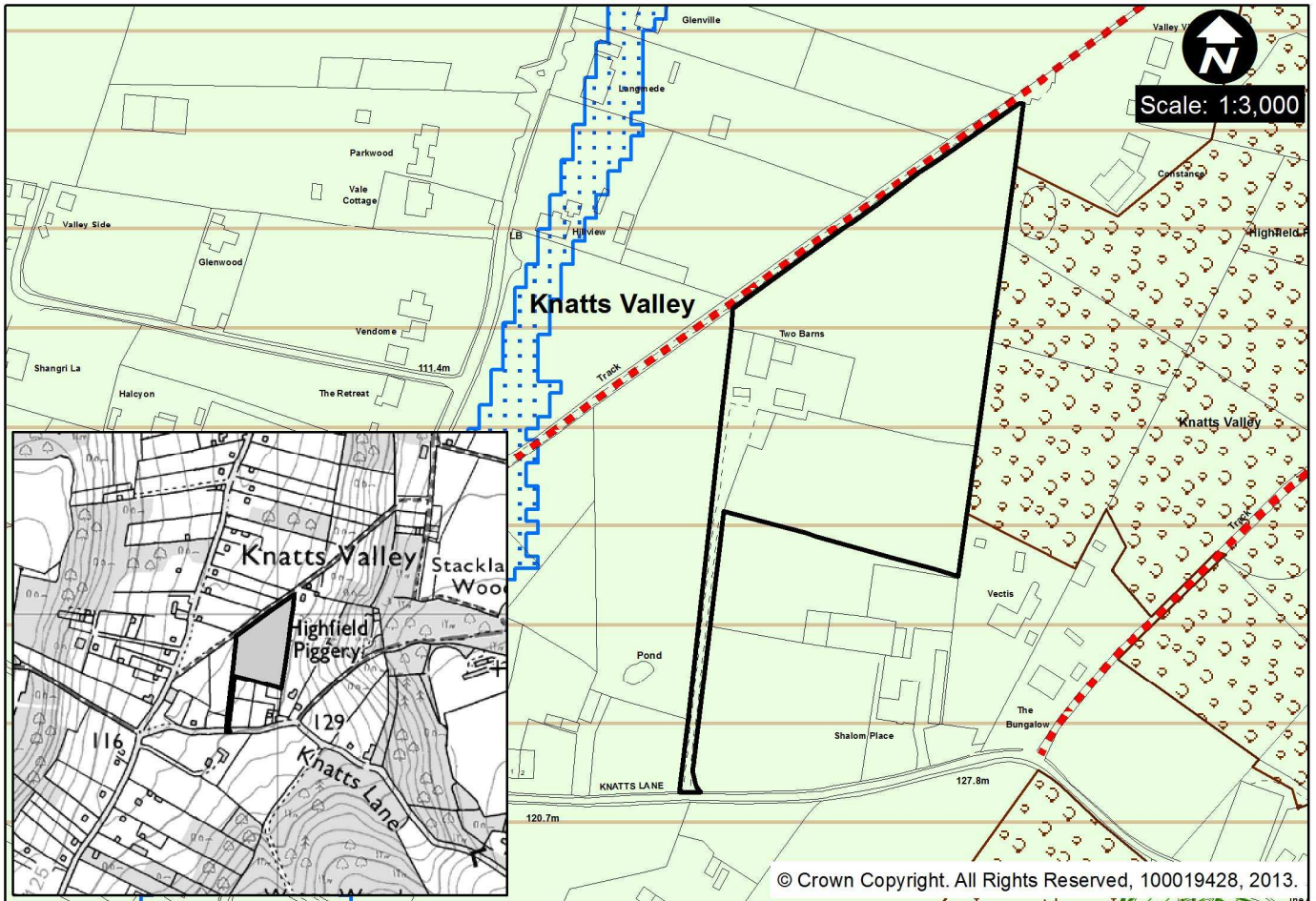
	improved screening, if necessary.		lane and there are no pavements or PROWs in close proximity.
<b>Suitability:</b>	Site is in the green belt and a fairly remote location. However, it is not constrained by any landscape/heritage designations, it is an existing (temporary) site and is well screened. The size of the site means it is capable of accommodating additional pitches and it is recommended that this is considered as an additional site option.		
<b>Deliverability:</b>	The site is available. It currently has temporary planning permission for a standing caravan until March 2016. The landowners put forward the site for allocation of 3 additional pitches through the May 14 Site Options Consultation.		

Consult on potential to allocate?



<b>Potential Capacity</b>	Total of 4 permanent pitches (1 existing temporary pitch and an additional 3 pitches)
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Site Address: Two Barns, Knatts Lane



<b>Site Description:</b>	Site is approached along narrow access track from Knatts Lane. Site is predominantly grassed, sloping eastwards up the hill. Site is vegetated on boundary, including track boundary to north			
<b>Relevant Planning History</b>	<b>Application Details</b>		<b>Application History</b>	
	97/00291/HIST Siting of mobile home for a gypsy family on own site.	Refused 21/05/1997 Reasons included impact on the openness of the Green Belt and detrimental to the character of the local area and the AONB		
00/00975/FUL Continued use of land to station one mobile home and one touring caravan for a gypsy family together with incidental building operations.	Refused 20/10/2000 Reasons included impact on the openness of the Green Belt and detrimental to the character of the local area and the AONB  Allowed on appeal 15/01/2001 Personal permanent permission granted.			
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	This site lies fully within the Metropolitan Green Belt	The SFRA and Environment Agency Mapping indicates that the site is not within Flood Zones 2 and	Land rises to the east. Eastern boundary of sites fairly well landscaped reducing visibility of	Knatts Valley is a remote location. West Kingsdown is approximately 1.3km from the site

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		3 and is not liable to flooding.	site. This is a large site able to accommodate additional pitches	
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	None	Existing site. Site set back from properties on Knatts Lane and separated from properties on Knatts Valley Road by track (PROW). Additionally, planting on site boundary provides privacy screening	Sites lies within the Kent Downs AONB. Adjacent to Knatts Valley LWS. Some views into site from rising land to east, but existing site has mature planting on boundary. Limited views into site from PROW	AONB.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The existing site is of limited visibility and development should have a limited impact on the character of the surroundings	Limited impact. Site is set back from adjacent properties and screening on boundary	Existing track access from Knatts Lane	
Suitability:	Existing site well landscaped with mature shrubbery to boundaries, with limited visibility or impact on adjacent properties. Site is within AONB and some views into site from higher ground to the east, but this is somewhat mitigated by site planting. Site considered to be of sufficient size and potentially suitable to accommodate additional pitches. Any additional pitches must be placed away from, and not have a detrimental impact on the adjoining Local Wildlife site.			
Deliverability:	The site is available. The site was put forward by the landowners during the May 14 Site Options Consultation.			

Consult on potential to



allocate?

Potential Capacity	Total of 5 permanent pitches (1 existing permanent and 4 additional)
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Site Address: Seven Acres Farm, Hever Road, Edenbridge



<p><b>Site Description:</b></p>	<p>This is a temporary site containing 7 pitches and is approximately 2.55ha. The site is situated along a busy rural road, and abuts the railway line. It is situated in close proximity to a public Gypsy and Traveller site at Romani Way.</p>	
<p><b>Relevant Planning History</b></p>	<p><b>Application Details</b></p>	<p><b>Application History</b></p>
	<p>05/01966/FUL Change of use to residential and stationing of six mobile homes, six utility rooms and six touring caravans for gypsy family.</p>	<p><b>Approved at appeal (09/11/06)</b> Inspector granted permission for 3 years to the named applicants. No more than 6 mobile homes and 6 touring caravans to be stationed on the site at any one time.</p>
	<p>09/02953/FUL Change of use for stationing of caravans for residential use with associated development (new access, driveway and retain extension to existing hard standing and septic tanks)</p>	<p><b>Approved (17/09/10)</b> No more than 6 mobile homes and 6 touring caravans to be stationed on the site at any one time. Permission is temporary for a period of 3 years.</p>
<p>13/02565/FUL A mixed use application for the retention of a barn for B1 use and the use of land for the stationing of caravans for residential purposes for 7 gypsy pitches together with the formation of additional hard standing</p>	<p><b>Approved (26/02/14)</b> Temporary permission is granted for 3 years for the named applicants for the stationing of 7 caravans for residential purposes together with additional ancillary hardstanding, and the retention of a barn for B1 use.</p>	

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	ancillary to that use.			
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	This site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is within Flood Zone 3b (functional floodplain). However, updated Flood Map information from the Environment Agency confirms that the site is actually located fully within Flood Zone 1 and therefore the land use is considered to be appropriate.	The site is relatively flat.	Site is considered to be fairly well connected to local services provided at Edenbridge Town centre; however these would be access by road as there is not a footpath available.
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)</b>
	Site is situated close to the railway line, but the railway line is situated in a significant cutting, reducing any potential noise impacts. The site is not considered to experience significant air quality issues.	Site is not particularly well screened. However Hever Road contains landscaping along the highway boundary which proves a degree of screening of the site from the road.	The site is not within an AONB and has no national or local nature conservation designations.	The site does not contain any designated heritage assets nor would it affect the setting of any such assets.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>		<b>Vehicle and pedestrian access</b>
	This is a relatively prominent site in the landscape with views in and out of the site, and can be viewed from several locations along	Site is not considered to impact on existing residents due to the distance from other properties. The site is however situated in close		Existing vehicular access from Hever Road is considered to be suitable. However this is a busy road and there is no pedestrian pavement.

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	Hever Road.	proximity to the public traveller site on Hever Road.	
<b>Suitability:</b>	<p>The site is located along a busy road leading into Edenbridge Town, so is considered to be fairly well connected to the local service centre.</p> <p>The site is also located outside of any AQMAs and is not subject to any nature or heritage designations.</p> <p>Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 7 years and in all other respects is considered suitable for 12 pitches.</p> <p>Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for Gypsy and Traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with potential mitigation measures such as further landscaping and screening to conserve local character, and sustainable drainage mitigation measures, following further advice to be sought from the EA) is considered a potentially suitable option when assessed against the criteria for suitability.</p>		
<b>Deliverability:</b>	<p>The site is available. It currently has temporary planning permission for 7 pitches until February 2017.</p> <p>The landowners indicated that the site could accommodate an additional 10 pitches. However, given the comments expressed from the settled and G&amp;T communities about how smaller sites are easier to integrate, the site is considered suitable for an additional 5 pitches, totalling 12 pitches on this site.</p> <p>A Phase 1 contaminated land assessment may be required as there is a former landfill on the site.</p>		

Consult on potential to Allocate?

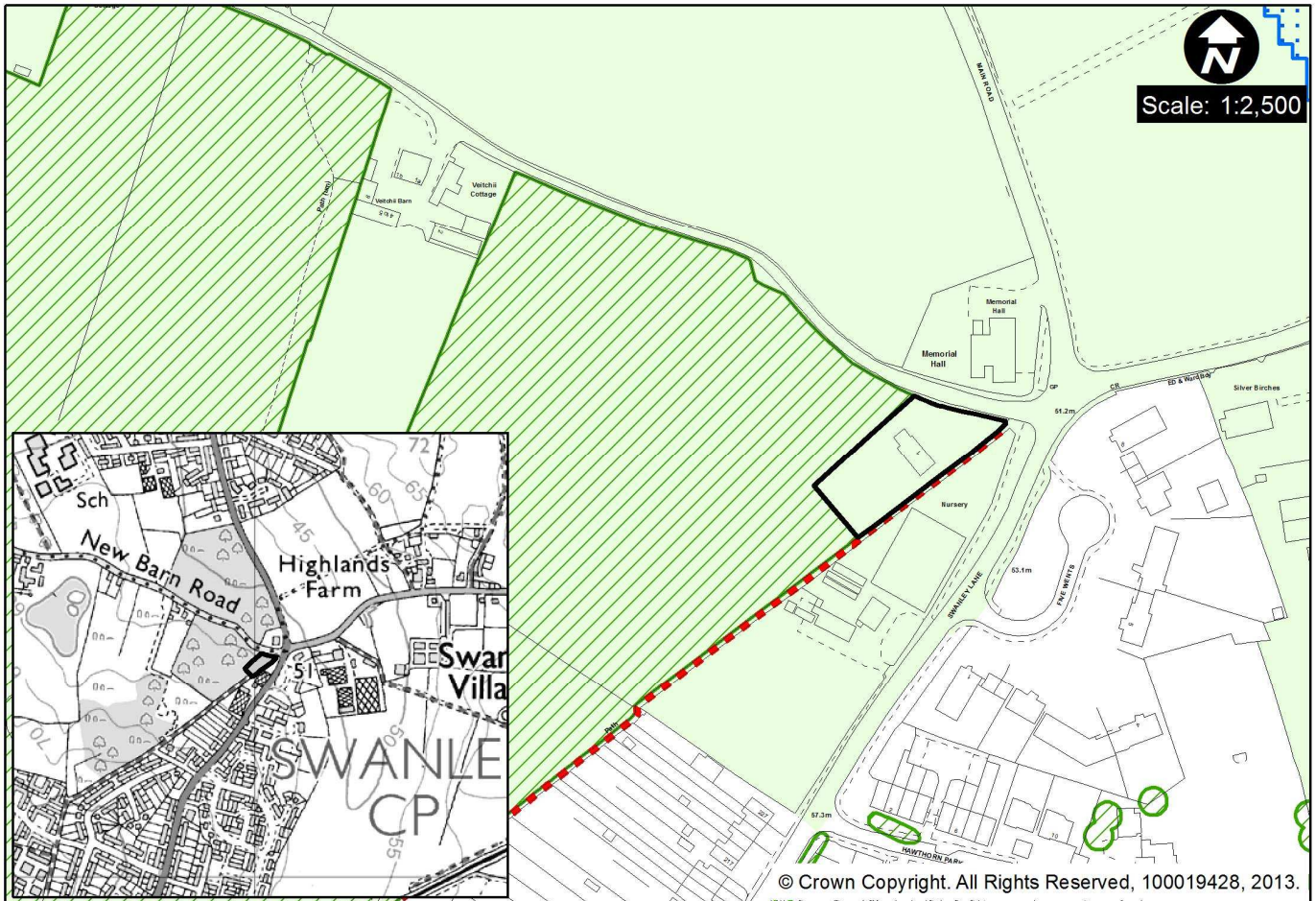


<b>Potential Capacity</b>	12 total permanent pitches. (7 existing temporary and 5 additional pitches)
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**Part 2 – Sites Not Included in Consultation Document**



Site Address: Footpath Nursery Bungalow, New Barn Road, Swanley

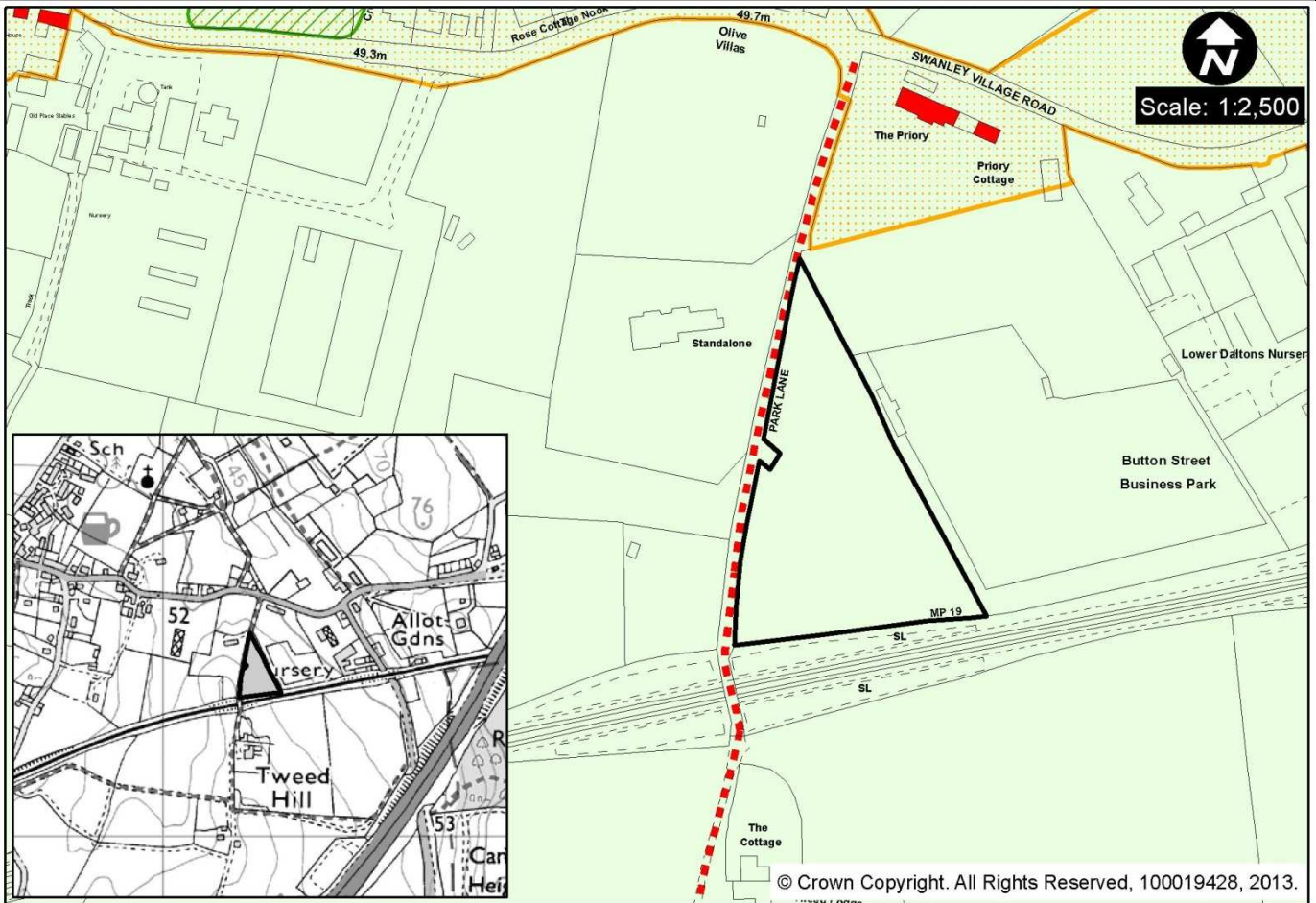


<b>Site Description:</b>	The site lies on the edge of Swanley within the Metropolitan Green Belt. The site is adjacent to protected woodland.			
<b>Relevant Planning History</b>	<b>Application Details</b>		<b>Application History</b>	
	08/01345/FUL Change of Use from Residential Dwelling to Residential Dwelling and mobile home for a Gypsy family		Refused 01/03/2010 Reasons for refusal include the impact on the openness of the Green Belt and harm to the adjacent dwelling.	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	Yes. The site is a sensitive Green Belt location between Swanley and Hextable.	No	The site is relatively flat.	Site lies on the edge of Swanley.
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designated Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)</b>

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	None	A bungalow already exists on site and a previous decision has found that the development of pitches on the site will have a negative impact on it.	Adjacent to a PROW and protected trees.	None
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>	<b>Vehicle and pedestrian access</b>	
	Any additional pitches are likely to have a detrimental impact on the character of the local area.	A bungalow already exists on site and any additional pitches will have a negative impact on the amenity of that property.	Access from New Barn Road. No highways objection to previous application.	
<b>Suitability:</b>	The allocation of this land for Gypsy and Traveller pitches is not proposed. This part of the Green Belt is strategically important to maintain the separation between Swanley and Hextable. It has also been found in previous decisions that the development of Gypsy and Traveller pitches on the land will have a negative impact on the existing dwelling.			
<b>Deliverability:</b>	Site has been put forward by the owner but is not considered as an option at this stage.			

Site Address: Land at Park Lane, Swanley Village



<p><b>Site Description:</b></p>	<p>Site to east of Park Lane and north of railway line. Site bounded by fencing and mature planting. Site laid out with some hard-standing and flat grassed paddock area.</p>			
<p><b>Relevant Planning History</b></p>	<p><b>Application Details</b></p>		<p><b>Application History</b></p>	
	<p>06/02550/FUL Change of Use to residential, stationing of two mobile homes, a touring caravan and associated hardstanding.</p>		<p>Refused 25/05/2007 Reasons for refusal include the impact on the openness of the Green Belt and the effect on the Conservation Area and local landscape character</p>	
	<p>07/02075/FUL Change of Use to residential, stationing of two mobile homes (with associated mobility ramps), two touring caravans, a car port and associated hardstanding (Resubmission of SE/06/02550/FUL).  13/03843/CONVAR Removal of conditions 3 (Residency), 4 (Occupation restriction) and 6 (Siting) of planning permission SE/07/02075/FUL</p>		<p>Approved 20/02/2008 Granted personal permission.</p>	
<p><b>Constraints:</b></p>	<p><b>Green Belt</b></p>	<p><b>Flood Risk</b></p>	<p><b>Topography</b></p>	<p><b>Connection to local services</b></p>
	<p>Yes</p>	<p>No</p>	<p>Flat site. Predominantly</p>	<p>Site adjacent to Swanley village</p>

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			grassed. In terms of space, has capacity to accommodate additional pitches	(hamlet with limited facilities)
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	Rear of site adjacent to railway	Existing site well landscaped with mature shrubbery to boundaries	Not in AONB. Adjacent to a PROW.	Site adjacent to a Grade 2 Listed Building (The Priory) and Swanley Village conservation area. However, site well screened from both and unlikely to have any impact
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>	<b>Vehicle and pedestrian access</b>	
	The site is of limited visibility and development would have a limited impact on the character of the surroundings. Potential impact on PROW.	Site is already in existence. Limited neighbouring properties (The Priory, Standalone, Tweed Estate). Unlikely to be any privacy / overlooking issues from site.	Existing access from Park Lane (road is in poor condition)	
<b>Suitability:</b>	Existing site well landscaped with mature shrubbery and fencing to boundaries, not in the AONB and with limited visibility or impact on adjacent properties. Site is not considered to have an adverse impact on the adjacent listed building and conservation area and therefore site considered to be potentially suitable to accommodate additional pitches.			
<b>Deliverability:</b>	This proposal has not been taken into account because it is inconsistent with the Council's understanding of the personal circumstances of the current occupiers and the planning reasons recently put forward to vary conditions relating to the current permission.			



Site Address: Land North of Pilgrim's Oast, Otford

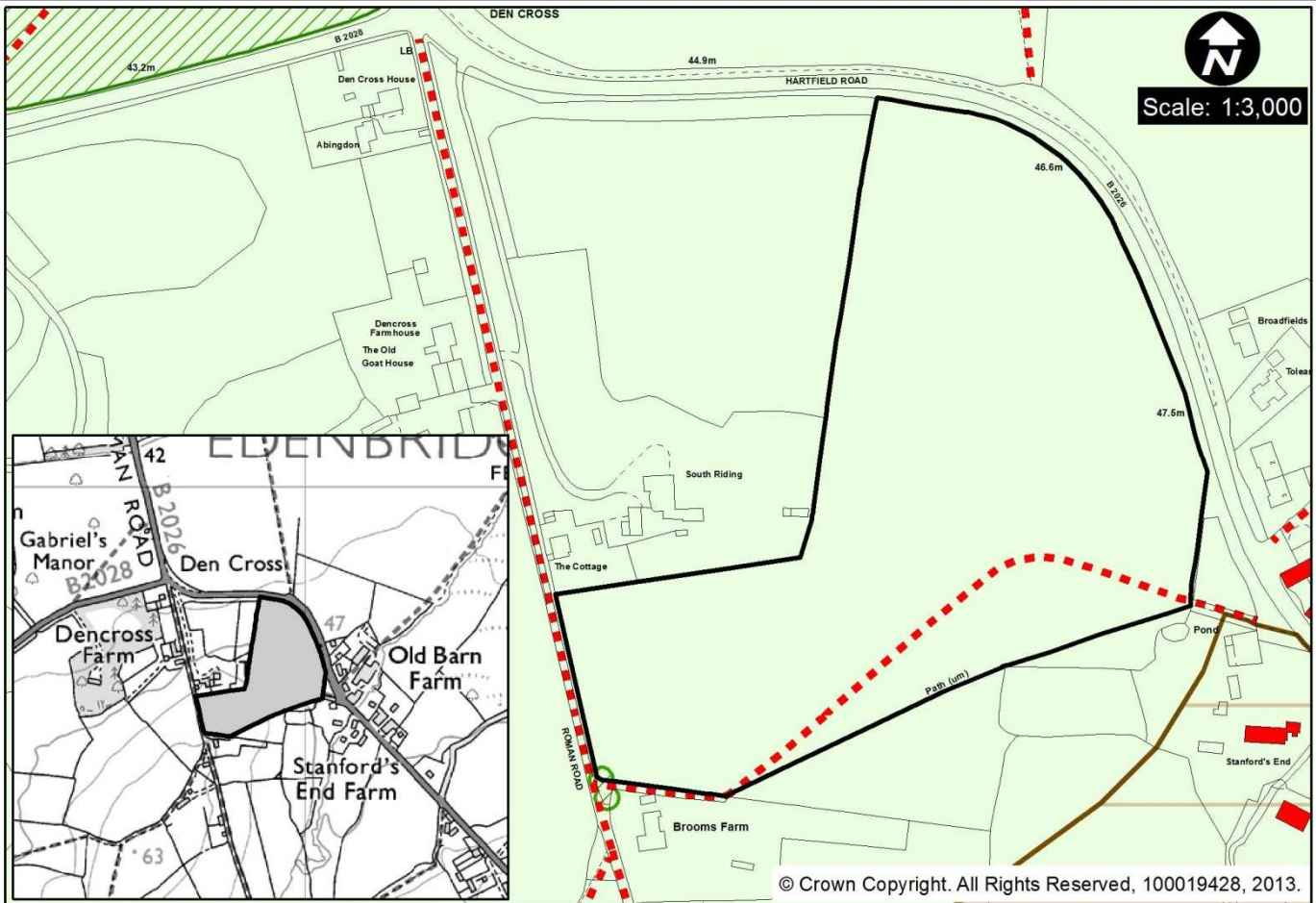


<b>Site Description:</b>	Greenfield site within the built confines of Otford. The site is designated protected open space under Local Plan Policy EN9 and Policy GI2 in the emerging Allocations and Development Management Plan.		
<b>Relevant Planning History</b>	<b>Application Details</b>		<b>Application History</b>
	08/00642/FUL and 08/01780/FUL Erection of 4 Bed Detached House with associated Parking.		Refused 08/05/2008 and 28/08/2008 Reasons for refusal include the EN9 open space designation, the detrimental impact on local character and potential traffic and access implications.  <b>Appeal Dismissed 11/02/2009</b>
	10/00541/FUL Erection of a 4 bedroom dwelling house with integral garaging.		Refused 07/05/2010 Reasons for refusal include the EN9 open space designation and the detrimental impact on local character  <b>Appeal Dismissed 22/11/2010</b>
13/00562/FUL Erection of single subterranean Class C3 dwellinghouse		Refused 22/04/2013 Reasons for refusal include the EN9 open space designation, the detrimental impact on local character and surrounding trees.  <b>Appeal Dismissed 07/02/2014</b>	
<b>Constraints:</b>	Green Belt	Flood Risk	Topography Connection to local services

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	No	No	Flat site. Predominantly grassed. In terms of space, has capacity to accommodate pitches	Site within Otford
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	Close to railway.	Site would be very prominent from the highways and neighbouring properties.	Adjacent to a PROW and the AONB.	None
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>	<b>Vehicle and pedestrian access</b>	
	The site is very prominent from the highway through Otford. Development of the site could have a detrimental impact on the local character.	Pitches would be very visible from the highway.	Access from the main highway on a sharp bend. This was cited as a reason for refusal for a residential property in a previous planning decision.	
<b>Suitability:</b>	This site lies within an area designated as open space by the adopted Local Plan policy EN9 and emerging Allocations and Development Management Plan Policy GI2. The planning history of the site indicates the importance that the Council and Planning Inspectors have placed on this land remaining open. For this reason, and the potential impact on the adjacent AONB, the site is not considered to be a suitable option to potentially provide any Gypsy and Traveller pitches.			
<b>Deliverability:</b>	Site has been put forward by the owner but has been assessed as unsuitable.			

Site Address: Little Foxes Farm, Marsh Green



<b>Site Description:</b>	The 4.22ha site comprises open land on the edge of Edenbridge. The site is not well screened from the main road.			
<b>Relevant Planning History</b>	<b>Application Details</b>		<b>Application History</b>	
	09/01419/FUL Erection of two stables and a feed store/tack room. Construction of new vehicular access and hard standing on land north of Brooms Farm.		Approved 27/08/2009	
<b>Constraints:</b>	<b>Green Belt</b>	<b>Flood Risk</b>	<b>Topography</b>	<b>Connection to local services</b>
	This site lies fully within the Metropolitan Green Belt	The SFRA and Environment Agency Mapping indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is relatively flat.	The site appears to be remote but is less than 1km from the edge of Edenbridge.
	<b>Noise and Air Quality</b>	<b>Privacy of Site for Occupier</b>	<b>Landscape (e.g. AONB), Biodiversity</b>	<b>Designated Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation</b>

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				Areas)
	No apparent issues.	This site is very open with little screening.	The site does not lie within the AONB but is near the edge. A PROW crosses the site.	Part of the site lies within an area of archaeological potential related to the Roman Road.
<b>Impact:</b>	<b>Impact on local character and identity of local surroundings</b>	<b>Impact on amenity for existing residents</b>	<b>Vehicle and pedestrian access</b>	
	The impact on local character would depend on where the pitches were proposed within the site and how well screened they are.	This would depend on where the pitches were proposed within the site.	<p>Roman Road is a single track road, with limited passing places. It is understood this is a private road outside of the site ownership.</p> <p>Kent Highways have advised that neither of the existing entrances on Hartfield Road would be suitable for a Gypsy or Traveller site, due to inadequate visibility on to the 50mph road.</p>	
<b>Suitability:</b>	Taking account of the advice of Kent Highways and the potential access issues from Hartfield Road and Roman Road, this site is not considered suitable for Gypsy and Traveller Pitches.			



### **Recent Changes to National Planning Practice Guidance – Gypsies and Travellers**

As well as consulting on changes to planning policy on Gypsies and Travellers, the Government recently amended the National Planning Practice Guidance, which seeks to provide further information on how national policy should be applied. The change made was to state that in ‘decision taking’:

*Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt.*

#### Planning Policy

These changes do not affect the weight to be given to Green Belt in plan making. Para 15 of Planning Policy for Traveller Sites continues to allow local authorities to consider allocating sites that are currently in the Green Belt in exceptional circumstances where there is an unmet need for pitches. Proposals in the Government’s consultation document on changes to planning policy for Gypsies and Traveller may change this situation. The report to LPEAC and Cabinet proposes that the Council continues to prepare the Gypsy and Traveller Plan by undertaking a supplementary sites consultation. Any consultation document would, however, need to contain clear caveats to explain that it is being undertaken on the basis of existing national policy and that the Council will reconsider whether the number of pitches and locations of sites are appropriate if the Government introduce the proposed changes.

#### Development Management

The change to the NPPG does affect development management decisions in Sevenoaks District now. Whilst there may be cases where the combination of unmet need and other factors constitute very special circumstances, **it is likely to be the case that planning permission will need to be refused for new and extended Gypsy and Traveller sites in the Green Belt, where the need for pitches is the only argument that the applicant has for very special circumstances.** This would not prevent a site that has been refused permission on the grounds that very special circumstances do not justify inappropriate development in the Green Belt from subsequently being considered in the Gypsy and Traveller Plan under existing national policy.

**It could be argued that the change in guidance does not constitute such a significant change in circumstances that those sites already granted temporary planning permission should be refused a time-limit extension to allow the Council to complete the preparation of its Gypsy and Traveller Plan or for changes to Government policy to be introduced.** It is recommended that a cut off date for temporary permissions of 31 December 2017 is adopted to allow the preparation of the Gypsy and Traveller Plan to be completed, in the context of the uncertainty caused by the Government’s consultation, and for applicants to prepare applications for permanent permissions following the plan’s adoption. In coming to the conclusions above, it is noted that the Government’s Planning Policy for Traveller Sites continues to state that the lack of a five year supply of

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deliverable sites is a significant material consideration in granting temporary permissions. The Council will not be able to demonstrate a five year supply of sites until its Gypsy and Traveller Plan is adopted. It is appropriate that the suitability of these existing sites for permanent permission is addressed through the plan making process, in accordance with the reasons for granting temporary permission on them originally.

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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