

13 July 2023 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 05.07.23



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https://www.youtube.com/channel/UCIT1f_F5OfvTzjZk6Zqn6g


Cabinet


Membership:


Chairman, Cllr. Thornton; Vice-Chairman, Cllr. Perry Cole
Cllrs. McArthur, Dyball, Maskell and Reay


Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.


	Pages	Contact
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Committee held on 15 June 2023, as a correct record	(Pages 1 - 4)	
2. Declarations of interest Any interests not already registered.		
3. Questions from Members (maximum 15 minutes)		
4. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees (if any)		
5. Bank Account Signatories	(Pages 5 - 8)	Jessica Booth Tel: 01732227436
REPORTS ALSO CONSIDERED BY THE CABINET ADVISORY COMMITTEES		
6. Public Spaces Protection Order - The Vine Proposed consultation	(Pages 9 - 46)	Kelly Webb Tel: 01732 227474
		
7. Meeting Point Update	(Pages 47 - 78)	Detlev Munster Tel: 01732 227099

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|-----|--|-------------------|---------------------------------------|
| 8. | Adoption of Conservation Area Appraisal Updates and Extensions to Conservation Areas
 | (Pages 79 - 92) | Rebecca Lamb
Tel: 01732 227334 |
| 9. | Gypsy and Traveller Allocation Policy

 | (Pages 93 - 108) | Sharon Donald
Tel: 01732 227131 |
| 10. | Intermediate Housing Policy

 | (Pages 109 - 120) | Sharon Donald
Tel: 01732 227131 |
| 11. | Financial Monitoring 2022/23: Provisional Outturn | (Pages 121 - 156) | Alan Mitchell
Tel: 01732 227483 |
| 12. | Financial Monitoring 2023/24 - Early Indications | (Pages 157 - 164) | Adrian Rowbotham
Tel: 01732 227153 |

 Indicates a Key Decision

 indicates a matter to be referred to Council

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

CABINET

Minutes of the meeting held on 15 June 2023 commencing at 7.00 pm

Present: Cllr. Thornton (Chairman)

Cllr. Perry Cole (Vice Chairman)

Cllrs. McArthur, Dyball, Maskell and Reay

Cllrs. Alger, Bulford, Camp, Granville, Gustard, Harrison, Robinson, Shea, Skinner, Streatfeild, Varley and Williams were also present.

Cllr Manston was present via a virtual media platform which does not constitute attendance under the Local Government Act 1972.

5. Minutes

Resolved: That the Minutes of the meeting of Cabinet held on 20 April 2023 and Special Cabinet held on 23 May 2023, be approved and signed by the Chairman as a correct record.

6. Declarations of interest

No additional declarations of interest were made.

7. Questions from Members (maximum 15 minutes)

A Member asked about the call for rural sites as part of the local plan process. The Chairman responded that the timeframe for the Regulation 18 consultation was set and it was planned to take place in the autumn. The Member followed-up by asking whether the 7000 homes mentioned some months ago were being sought. The Chairman set out that this was not a fixed number of homes which must be found.

A Member asked about voter identification, asking about the public being deterred from voting and the steps taken to encourage the vote. The Chairman asked the Chief Executive to provide information on the impact of voter ID in due course.

8. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees (if any)

There were none.

9. Liability For Trees on Common Land

The Portfolio Holder for Cleaner & Greener introduced the report which updated Members on the current management of a number of Commons pursuant to a scheme made under the Commons Act 1899 and the extent of the Council's

liability. The Head of Direct Services advised that the Council made a scheme for the regulation and management of any Common within the District, under Section 1 on the Commons Act 1899 which was approved in 1925 by the Secretary of State and amended in 1963 and 1966. The Scheme identified approximately 280 hectares of commons land.

Legal advice on the Council's liability for trees on commons land had significantly changed. The Council's primary obligation is to preserve and protect the trees from harm, such as stopping unauthorised felling, rather than active arboriculture management. As there were identified owners of the Commons, the duty of care under the Occupiers Liability Act imposed a statutory duty on the occupier on visitors' safety. The Council should thus also change its working practice, to reflect Counsel's advice and recent case law, as it was not reasonable to expect the Council to bear all costs for arboriculture works across the commons land scheme.

Members discussed the report.

Public Sector Equality Duty

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

Resolved: That the recommendations set out in paragraphs 17-20 of the report be approved.

10. Government's Resilience Framework

The Portfolio Holder for Cleaner & Greener presented the report which provided an update on the UK Government Resilience Framework which had been published in December 2022. The new framework was built around three fundamental principles: a need for a shared understanding of the risks we face; focus on prevention and preparation; and that resilience requires a whole of society approach. The Government framework proposed a number of fundamental changes to the current local arrangements for resilience forums and accountability.

The Head of Direct Services advised that the framework was the first articulation of how the UK Government would deliver on a new strategic approach to resilience. He further highlighted to Members that the multi-agency work across planning, preparation, response and recovery at the local level would continue to be the building block of the UK's resilience. All risks and emergencies and their impacts were local; only some are regional or national.

In recognition of the central, and growing, role of Local Resilience Forum (LRF) and to ensure that all parts of England could anticipate, prevent, prepare for, respond, and recover from risks and emergencies, the UK Government planned to work to significantly strengthen LRFs. The Kent Resilience Forum had been recognised as current best practice. The three pillars to the reform were Leadership, Accountability, and Integration of resilience into the UK's levelling up and growth mission and wider local policy and place making.

Public Sector Equality Duty

Cabinet - 15 June 2023

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

Resolved: That the report be noted.

IMPLEMENTATION OF DECISIONS

This notice was published on 16 June 2023. The decisions contained in Minutes 9 and 10 take effect immediately.

THE MEETING WAS CONCLUDED AT 7.17PM

CHAIRMAN

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BANK ACCOUNT SIGNATORIES

Cabinet - 13 July 2023

Report of: Deputy Chief Executive and Chief Officer - Finance & Trading

Status: For Decision

Key Decision: No

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.

This report supports the Key Aim of: efficient management of the Council's resources.

Portfolio Holder: Cllr. Kevin Maskell

Contact Officer: Alan Mitchell, Ext: 7483

Recommendation to Cabinet:

- a) That Mr Joshua Bell, Senior Accountant, no longer be authorised to sign cheques and sanction banking instruments on behalf of the Council.
- b) That, pursuant to Financial Procedure Rules 4.73 and 4.74, Ms Holly Meadows, Senior Accountant, be authorised to sign cheques and sanction banking instruments on behalf of the Council.

Reason for recommendation: To update the list of authorised signatories for the Council's bank accounts.

Introduction and Background

- 1 For the Council's bank accounts, currently four officers plus the Chief Executive and the Deputy Chief Executive and Chief Officer - Finance & Trading are authorised signatories. It is in respect of these accounts that the changes detailed below are required
- 2 The Council also operates an imprest account for use by the Legal Section to defray small but urgent items of expenditure. This account operates independently of the Council's main bank accounts. It is funded up to a

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maximum of £700 at any one time. The authorised signatories to it are members of the Legal Section.

- 3 In addition, bank accounts are operated on behalf of Quercus 7 Limited and Quercus Housing Limited. The authorised signatories to these are the company directors.

Changes Required

- 4 The Council's Financial Procedure Rules require Cabinet approval for officers other than the Chief Executive or Section 151/Chief Finance Officer to be able to sign cheques or sanction banking instruments on behalf of the Council.
- 5 Following change in personnel the replacement of the previous signatory by adding the new Senior Accountant to the list of authorised signatories. This would increase the number to five officers plus the Chief Executive and the Deputy Chief Executive and Chief Officer - Finance & Trading

Key Implications

Financial

There are no financial implications.

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, including the operation of banking facilities.

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 in place would severely restrict the Council in the way in which it could operate bank accounts and deal with its financial needs.

Protection is in place by:

- (i) limiting the balance held in the Chief Executive's Imprest Account to a maximum of £700 at any one time and requiring dual signatories on amounts over this sum; and
- (ii) requiring dual signatories on the other bank accounts for items over £10,000 (£5,000 for housing benefit and local tax payments).

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

Members are being asked to update the list of authorised signatories to the Council's bank accounts.

Adrian Rowbotham

Deputy Chief Executive and Chief Officer - Finance & Trading

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Item 06 – Public Spaces Protection Order – The Vine Proposed Consultation

The attached report was considered by the People & Places Advisory Committee on 20 June 2023. The relevant Minute extract is below.

People & Places Advisory Committee (20 June 2023, Minute 10)

The Health and Community Safety Manager presented the report which sets out a proposed 6 week public consultation for a Public Spaces Protection Order (PSPO) for 3 years at the Vine and surrounding green areas in Sevenoaks. The Council had a duty to do all that was reasonable to prevent crime and disorder in its area and work towards delivering the objectives of the Sevenoaks District Community Safety Plan. The Community Safety Unit worked alongside Sevenoaks Town Council and it had been agreed by them as the area was owned by them.

Over many years there had been reoccurring Anti-Social behaviour and criminal damage at the Vine however this year has seen an increase in this behaviour.

The restrictions proposed for the PSPO were to include:

- Failing to comply with a direction not to consume, in breach of this order, alcohol, or anything which an authorised person reasonably believes to be alcohol where the authorised person reasonably believes that a person has engaged in anti- social behaviour.
- Failing to surrender a container of alcohol (whether open or not) when asked to do so by an authorised person.
- Engaging in anti-social behaviour which is likely to cause harassment alarm and distress to those persons in the locality.
- Not to return within 24 hours.

Members discussed the report. In response to concerns raised, the Officers advised that young people would be consulted via the schools, and looking at dates it would be possible for the result of the consultation to come to the November meeting of the Advisory Committee. Members were also advised that dispersal orders were only put in on an evidence base and would only cover weekends and may not be in place every weekend. A PSPO would involve signage and detail what could not be carried out at the Vine and surrounding areas, but people would only be asked to move on, if they were causing Anti-Social behaviour.

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If the consultation was agreed to take place, Members were encouraged to complete the public consultation where they would be able to detail their thoughts in regards to the PSPO.

Public Sector Equality Duty

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

Resolved: That

- a) the contents of the report and the process for implementing a Public Spaces Protection Order (PSPO), be noted; and
- b) the recommendation to Cabinet to authorise a 6 week consultation with members of the public and partners on implementing a PSPO at The Vine and surrounding grass areas, be supported.

PUBLIC SPACES PROTECTION ORDER – THE VINE SEVENOAKS

Cabinet – 13 July 2023

Report of: Deputy Chief Executive and Chief Officer People & Places

Status: For Approval

Also considered by: People & Places Advisory Committee – 20 June 2023

Key Decision: Yes

Executive Summary: The Council has a duty to do all that it reasonably can to prevent crime and disorder in its area and work towards delivering the objectives of the Sevenoaks District Community Safety Plan. The Community Safety Unit working alongside Sevenoaks Town Council would like to propose to undertake a public consultation to start the process of a Public Spaces Protection Order (PSPO) for 3 years at The Vine and surrounding green areas, Sevenoaks. The area proposed is owned by Sevenoaks Town Council and has been agreed by them.

This report supports the Key Aim of: The Sevenoaks District Community Safety Partnership Plan and Community Plan

Portfolio Holder: Cllr Lesley Dyball

Contact Officer(s): Kelly Webb, Ext. 7474

Recommendation to People and Places Advisory Committee

- a) To note the contents of the report and the process for implementing a Public Spaces Protection Order (PSPO).
- b) To support a recommendation to Cabinet to authorise a 6 week consultation with members of the public and partners on implementing a PSPO at The Vine and surrounding grass areas, commencing on 24 July 2023.

Recommendation to Cabinet

- c) To note the contents of the report and the process for implementing a Public Spaces Protection Order (PSPO).
- d) To authorise a 6 week consultation with members of the public and partners on implementing a PSPO at The Vine and surrounding grass areas, commencing on 24 July 2023.

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Introduction and Background

1. The Anti-social Behaviour, Crime and Policing Act 2014 placed a new duty on the Council to tackle Anti-social Behaviour (ASB), working co-operatively with the Police, social landlords and other agencies. The Act put victims at the heart of the response to ASB and was intended to give professionals the flexibility they needed to deal with any given situation.
2. Public Spaces Protection Orders (PSPOs) were one of a number of new tools contained within the Act and were intended to deal with a particular nuisance or problem in a particular area that was detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They were designed to ensure the law-abiding majority could use and enjoy public spaces, safe from anti-social behaviour.
3. Councils are responsible for making the PSPO, although the Police also have enforcement powers. District Councils take the lead in England with county councils undertaking the role only where there is no district council. The power is not available to parish councils or town councils.
4. The PSPOs have replaced dog control orders, designated public place orders (also known as Alcohol Control Zones) and gating orders.

The requirements of a PSPO

5. The Council can make a PSPO on any public space in its own boundary area. The definition of a public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission, for example a shopping centre. It does not just apply to land owned by the District Council but to any open space anywhere in the district (even land owned by parish councils or Kent County Council).
6. Before making a PSPO the Council must consult with the local police. This is an opportunity for the Police and Council to share information about the area and the problems being caused as well as to discuss the practicalities of enforcement. In addition, the owner or occupier of the land should be consulted as well as community representatives as appropriate.
7. In addition to the specific statutory consultation requirements, the Council has to adhere to the publication requirements which form part of the Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 ("The regulations"). These specify both advertising requirements and the need for notification to be placed on land affected.

8. The test for a PSPO is designed to be broad and focus on the impact anti-social behaviour is having on victims and communities. A PSPO can be made by the Council if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:
- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
 - is, or is likely to be, persistent or continuing in nature;
 - is, or is likely to be unreasonable; and
 - justifies the restrictions imposed.

9. The Statutory Guidance for frontline professionals on the Anti-social Behaviour, Crime and Policing Act 2014 advises that

'the council should give due regard to issues of proportionality: is the restriction proposed proportionate to the specific harm or nuisance that is being caused? Councils should ensure that the restrictions being introduced are reasonable and will prevent or reduce the detrimental effect continuing, occurring or recurring. In addition, councils should ensure that the Order is appropriately worded so that it targets the specific behaviour or activity that is causing nuisance or harm and thereby having a detrimental impact on others' quality of life. Councils should also consider whether restrictions are required all year round or whether seasonal or time limited restrictions would meet the purpose.'

10. In relation to groups hanging around/ standing in groups/ playing games, the guidance advises as follows

'It is important that councils do not inadvertently restrict everyday sociability in public spaces. The Public Spaces Protection Order should target specifically the problem behaviour that is having a detrimental effect on the community's quality of life, rather than everyday sociability, such as standing in groups which is not in itself a problem behaviour.'

Where young people are concerned, councils should think carefully about restricting activities that they are most likely to engage in. Restrictions that are too broad or general in nature may force the young people into out-of-the-way spaces and put them at risk. In such circumstances, councils should consider whether there are alternative spaces that they can use.

People living in temporary accommodation may not be able to stay in their accommodation during the day and so may find themselves spending extended times in public spaces or seeking shelter in bad weather. It is important that public spaces are available for the use and enjoyment of a broad spectrum of the public, and that people of all ages are free to gather, talk and play games.'

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11. A single PSPO can include multiple restrictions and requirements in one order. It can prohibit certain activities, such as the drinking of alcohol, as well as placing requirements on individuals carrying out certain activities, for instance making sure that people walking their dogs keep them on a lead.
12. Should the PSPO be implemented, the Council will work with the Police to ensure that front-line officers are aware of the power and how to use it, to maximise the impact of the PSPO.
13. A breach of the PSPO is a criminal offence, which can be dealt with, either by way of a fixed penalty notice (FPN) or prosecution. If prosecuted, an individual could be liable for a fine.
14. The maximum duration of a PSPO is three years but they can last for shorter periods where appropriate. At any point before expiry the council can extend a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or reoccurring. If a new issue arises in an area where a PSPO is in force the council can vary the terms of the order at any time. This can change the size of the restricted area or the specific requirements or restrictions. As well as varying the PSPO, a council can also seek to discharge it at any time.

The proposed PSPO for The Vine, Sevenoaks

15. The Sevenoaks District Community Safety Partnership Strategy and Action Plan is developed and supported by agencies across the District who can have an impact on reducing crime, anti-social behaviour and the fear of crime. The Strategy helps to:
 - Reduce and detect crime
 - Reduce anti-social behaviour and the fear of crime
 - Strengthen community involvement
16. Officers from agencies including Sevenoaks District Council, Sevenoaks Town Council, Kent Police, Kenward Trust, West Kent Housing Youth Services have used data, evidence and professional judgement to develop this proposed PSPO and have considered all issues/areas against the stated test process. Over many years there has been reoccurring Anti-Social Behaviour (ASB), Underage Drinking, Drug Use and Criminal Damage at the Vine, usually occurring from April to June. However this year has seen ASB, criminal damage, underage drinking (alcohol) and drug misuse. Following the fireworks evening at The Vine a number of pupils from local and out of area schools have been arranging meet ups at the Vine. These meet ups have been mainly on a Friday evening and has consisted on some evenings up to 200 young people congregating on The Vine.

17. From 5 November 2022 to 6 May this year, there were 31 reports to Police regarding The Vine and a further 11 reports to the Community Safety Unit. Although this may not seem a lot of reports, each report has recorded over 50-100 gathering on the Vine, reports have been fighting, underage drinking, intimidation, drug use, criminal damage, rubbish including smashed glass in the grass and public disorder.
18. A Task & Finish Group was set up and continues to meet up to look at the actions around the Vine. Appendix B sets out the initial Action Plan and a further updated one.
19. A neighbourhood survey was sent out to local residents in March 2023. 12 surveys were returned identifying the following concerns:-
 - ASB – large gatherings of young people
 - Drug Use
 - Damage to the Pavilion
 - Underage Drinking
 - Intimidation and feeling unsafe
 - Injuries to dog paws due to smashed glass
 - Adverse effect on residents, businesses and visitors
20. Sevenoaks Town Council raised this at their two youth council meetings who agreed that the PSPO should be put in place.
21. The restrictions proposed for the PSPO are to include:
 - Failing to comply with a direction not to consume, in breach of this order, alcohol, or anything which an authorised person reasonably believes to be alcohol where the authorised person reasonably believes that a person has engaged in anti- social behaviour.
 - Failing to surrender a container of alcohol (whether open or not) when asked to do so by an authorised person.
 - Engaging in anti-social behaviour which is likely to cause harassment alarm and distress to those persons in the locality.
 - Not to return within 24 hours.

Consultation

22. There is a requirement on the Council to consult when implementing or varying a PSPO. The specific wording of the Act sets out that Local Authorities are obliged to consult with:

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23. a) The chief officer of police, and the local policing body, for the police area that includes the restricted area (Kent Police has agreed that this should be the Chief Inspector, District Commander);
- b) Whatever community representatives the local authority thinks it appropriate to consult;
- c) The owner or occupier of land within the restricted area;
24. We will also be consulting directly with local ward councillors in the wards affected.

Next steps

25. The Council would like to conduct a formal 6-week consultation to allow residents and visitors to provide their comments and to provide feedback on a PSPO covering a geographical area cover The Vine and surrounding green areas.
26. A public consultation would be made available via our partners in the voluntary sector to engage with groups likely to be affected.

Enforcement processes and penalties

27. It is an offence for a person, without reasonable excuse, to:
- do anything that the person is prohibited from doing by a PSPO
 - fail to comply with a requirement to which the person is subject under a PSPO.
28. If a person fails to adhere to the PSPO they may be issued with a Fixed Penalty Notice (FPN). Where the FPN is not paid within the required timescale, court proceedings may be initiated.
29. FPNs issued to under 16s will be sent to the alleged offender under cover of a letter, which will also be copied to the parent/guardian. FPNs for under 16s will not be issued on the spot.
30. Fixed Penalty Notices will be issued by authorised District Council staff. The table below shows what other councils in Kent charge. Once the PSPO consultation has been completed, a further report will be presented to People and Places Advisory Committee and Cabinet later this year, outlining the responses and seeking approval to proceed with implementing the PSPO. Within this update report, it will be proposed that we increase our current FPN fee to £100 with no reduction for early payment, in line with what other councils charge across Kent to ensure greater consistency.

Authority	Fine charged
Ashford	£100 fixed fee and no reduction if paid early
Canterbury	£100 fixed fee and no reduction if paid early
Dartford	£100 fixed fee and no reduction if paid early
Dover	£100 reduced to £75 if paid within 10 days.
Folkestone & Hythe	£100 fixed fee and no reduction if paid early
Gravesham	£75 with no reduced fee for early payment

Reasons for recommendation

31. The Council could chose to not take any further action, however the Council has a duty to do all that it reasonably can to prevent crime and disorder in its area and work towards delivering the objectives of the Sevenoaks District Community Safety Plan. The implementation of any PSPO assists the Council with meeting these requirements by providing the Council and Police with additional powers to tackle the issues identified.

Key Implications

Legal Implications and Risk Assessment Statement.

32. The power to make a PSPO is contained in section 59 of the 2014 Act. A local authority can only make a PSPO if it is satisfied on reasonable grounds that the conditions set out at paragraph 1.2.3 have been met.
33. A public consultation has to be completed for 6 weeks before a PSPO can be authorised.
34. In deciding whether to make/ extend/ vary or discharge a PSPO, the Council is required to have particular regard to the rights or freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights.
35. Once the final PSPO measures are agreed the PSPO will need to be published in accordance with the regulations made by the Secretary of State.
36. The Council needs to ensure that the powers are used in a reasonable, consistent, appropriate and proportionate manner and must comply with the consultation requirements set out in this report.

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37. The area that the PSPO covers must be considered as part of the consultation and data collection, as the Council must evidence that there is a significant nuisance or problem in a specific area that is detrimental to the local community's quality of life.
38. If we do pursue a new PSPO it will be important to ensure that its scope and the process for introduction is in accordance with the powers and requirements of the 2014 Act. Any challenge to a PSPO would have to be made by an interested person by way of an application in the High Court for permission to seek a Judicial Review. That application must be made within six weeks of the PSPO being made. An interested person is someone who lives in, regularly works in, or visits the restricted area.
39. A person who receives an FPN due to a breach of PSPO can also challenge the validity of the order. This means that only those who are directly affected by the restrictions have the power to challenge. This right to challenge also exists where an order is varied by a council. Interested persons can challenge the validity of a PSPO on two grounds. They could argue that the council did not have power to make the order, or to include particular prohibitions or requirements.
40. In addition, the interested person could argue that one of the requirements (for instance, consultation) had not been complied with. When the application is made, the High Court can decide to suspend the operation of the PSPO pending the verdict in part or in totality. The High Court can uphold the PSPO, quash it, or vary it.
41. The Council will have to take measures to mitigate against these risks by, for example, embarking on a full consultation process, publishing the proposed order and map and putting in place measures to publicise the PSPO through street signage and an intention to publish the final Order on the Council website in accordance with the act.

Financial

There are limited capital or revenue implications associated with this report. The primary cost if we were to proceed with a PSPO would be installing new signage through the proposed PSPO zone and would be met from existing budgetary provision and also from the land owner (Sevenoaks Town Council. This will cost approximately £500-£1000. There may be a staffing resource implication for the District Council for issuing Fixed Penalty Notices and the work associated with this.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

Wellbeing

If we were to work towards introducing a new PSPO this will enable the Council and its partners to utilise additional powers to tackle street based anti-social behaviour within the selected area, helping to increase quality of life and wellbeing in the area affected.

Conclusion

The Council has a duty to do all that it reasonably can to prevent crime and disorder in its area and work towards delivering the objectives of the Sevenoaks District Community Safety Plan. The implementation of any PSPO assists the Council with meeting these requirements by providing the Council and Police with additional powers to tackle the issues identified. This report seeks Cabinet approval to commence a 6 week public consultation for the new PSPO at The Vine. Once the consultation is complete and results have been evaluated, they will be presented to the relevant Advisory Committee and Cabinet for final consideration and decision to implement the PCSO.

Appendices

Appendix A – Draft Public Spaces Protection Order

Appendix B – Task & Finish Group Action Plan x 2

Appendix C – Draft Consultation Questions

Sarah Robson

Deputy Chief Executive and Chief Officer – People & Places

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ORDER**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014****SECTION 59****PUBLIC SPACES PROTECTION ORDER**

This order is made by the SEVENOAKS DISTRICT COUNCIL (the 'Council') and shall be known as the **Public Spaces Protection Order, The Vine, Sevenoaks 2023**.

PRELIMINARY

1. The Council, in making this Order is satisfied on reasonable grounds that:

The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality, and that:

- the effect, or likely effect, of the activities:
 - is, or is likely to be, of a persistent or continuing nature,
 - is, or is likely to be, such as to make the activities unreasonable, and
 - justifies the restrictions imposed by the notice.
2. The Council is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
 3. The Council has had regard to the rights and freedoms set out in the European Convention on Human Rights. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

THE ACTIVITIES

4. The Activities prohibited by this Order are:
 - i. Failing to comply with a direction not to consume, in breach of this order, alcohol, or anything which an authorised person reasonably believes to be alcohol where the authorised person reasonably believes that a person has engaged in anti- social behaviour.

- ii. Failing to surrender a container of alcohol (whether open or not) when asked to do so by an authorised person.
- iii. Engaging in anti-social behaviour which is likely to cause harassment alarm and distress to those persons in the locality.
- iv. Returning to the area within 24 hours after being asked to leave.

THE PROHIBITIONS

5. A person shall not engage in any of the Activities listed at paragraph 4(i), 4(ii), 4(iii) and 4 (iv) anywhere within the Restricted Area known as “The Vine, Sevenoaks” and marked on the map at Schedule 1 of this order and labelled “The Vine Restricted Area and surrounding grass areas”.
6. This Prohibition is subject to the Exception stated below.
7. Not to return within 24 hours after being asked to leave.

THE REQUIREMENT

8. A person who is believed to have engaged in a breach of this Order is required to give their name and address to a police officer, police community support officer or other person designated by the Council.

THE EXCEPTION

9. Nothing in this order shall apply to a person who is consuming alcohol on premises listed in section 62 of the 2014 Act, the full text of section 62 appears at Schedule 2 of this Order.

DEFINITIONS

10. In this Order the following words or phrases are defined as follows:

‘Alcohol’ has the same meaning as in section 191 of the Licensing Act 2003, the full text of s.191 appears at the end of this Order.

‘Anti-social behaviour’ means conduct that has caused or is likely to cause nuisance, annoyance, harassment, alarm or distress to any person.

‘Authorised Officer’ means an employee or agent of the Authority who is authorised for the purpose of giving directions under this Order.

‘Council’ means Sevenoaks District Council.

‘Restricted Area’ means the The Vine and surrounding grasslands, Sevenoaks as shown on the maps at Schedule 1 of this order and labelled “The Vine, Sevenoaks Restricted Area” and shaded with a red boundary line.

'2014 Act' means the Anti-Social Behaviour, Crime and Policing Act 2014.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

11. This Order is made on **insert date** and will come into force at midnight on **insert date** and will expire at midnight on **insert date**.
12. At any point before the expiry of this three-year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

Dated **insert date**

**THE COMMON SEAL OF
SEVENOAKS DISTRICT COUNCIL**
was hereunto affixed in the
presence of:

Martin Goodman
Head of Legal Services
Authorised Signatory



insert seal

WD/374

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

ALCOHOL

Section 63 of the Anti-Social Behaviour Crime, and Policing Act 2014 provides that where a constable or authorised person has reason to believe that a person has been consuming alcohol in breach of this PSPO or intends to consume alcohol in circumstances which would be a breach of this PSPO, the constable or authorised person may require that person not to consume alcohol or anything which is reasonably believed to be alcohol and/or surrender anything believed to be alcohol or a container for alcohol. Failure to comply without having a reasonable excuse is an offence. A requirement is not valid if, when asked to do so, the constable or authorised person, fails to show evidence of their authorisation. **Section 62** (set out in full below) contains a list of exceptions where the ban on consuming alcohol does not apply).

CRIMINAL OFFENCE

Section 67 of the Anti-Social Behaviour Crime, and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse:

- (a) to do anything that the person is prohibited from doing by a public spaced protection order, or
- (b) to fail to comply with a requirement to which the person is subject under a public spaces protection order.

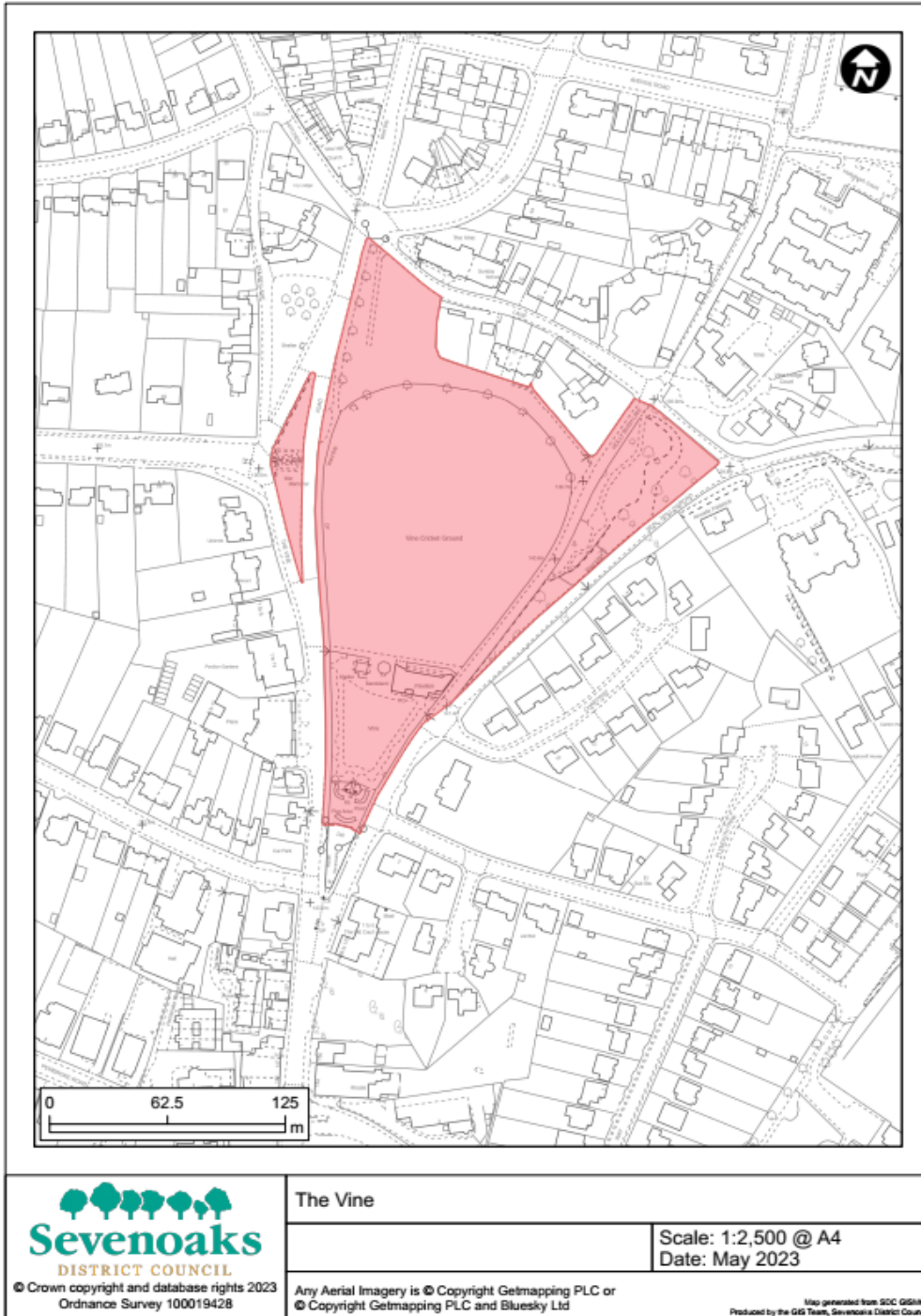
PENALTY

A person who is guilty of an offence under this Order shall be liable to a £100.00 Fixed Penalty Notice, or upon summary conviction to a fine not exceeding level 3 (currently £1000) on the standard scale.

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interest person is someone who lives in, regularly works in or visits the Restricted Areas. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council. Interested persons can challenge the validity of this order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with. When an application is made the High Court can decide to suspend the operation of the order pending the court's decision, in part or in totality. The High Court has the ability to uphold or quash the order or any of its prohibitions or requirement

Map of the Vine and Grass Areas - PSPO Outline



Schedule 2 - LEGISLATION

Section 62 – Anti-Social Behaviour, Crime and Policing Act 2014 Premises etc.

to which alcohol prohibition does not apply

- (1) A prohibition in a public spaces protection order on consuming alcohol does not apply to—
 - (a) premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
 - (b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
 - (c) a place within the curtilage of premises within paragraph (a) or (b);
 - (d) premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;
 - (e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses).
- (2) A prohibition in a public spaces protection order on consuming alcohol does not apply to council-operated licensed premises—
 - (a) when the premises are being used for the supply of alcohol, or
 - (b) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.
- (3) In this section—

“club premises certificate” has the meaning given by section 60 of the Licensing Act 2003;

“premises licence” has the meaning given by section 11 of that Act;

“supply of alcohol” has the meaning given by section 14 of that Act.
- (4) For the purposes of this section, premises are “council-operated licensed premises” if they are authorised by a premises licence to be used for the supply of alcohol and—
 - (a) the licence is held by a local authority in whose area the premises (or part of the premises) are situated, or
 - (b) the licence is held by another person but the premises are occupied by a local authority or are managed by or on behalf of a local authority.

Section 63 - Anti-Social Behaviour, Crime and Policing Act 2014 Consumption of alcohol in breach of prohibition in order

- (1) This section applies where a constable or an authorised person reasonably believes that a person (P)—
- (a) is or has been consuming alcohol in breach of a prohibition in a public spaces protection order, or
 - (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.
- In this section “*authorised person*” means a person authorised for the purposes of this section by the local authority that made the public spaces protection order (or authorised by virtue of section 69(1)).
- (2) The constable or authorised person may require —
- (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
 - (b) to surrender anything in P's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.
- (3) A constable or an authorised person who imposes a requirement under subsection (2) must tell P that failing without reasonable excuse to comply with the requirement is an offence.
- (4) A requirement imposed by an authorised person under subsection (2) is not valid if the person—
- (a) is asked by P to show evidence of his or her authorisation, and
 - (b) fails to do so.
- (5) A constable or an authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.
- (6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Offences

67 - Anti-Social Behaviour, Crime and Policing Act 2014 Offence of failing to comply with order

- (1) It is an offence for a person without reasonable excuse—
- (a) to do anything that the person is prohibited from doing by a public spaces protection order, or
 - (b) to fail to comply with a requirement to which the person is subject under a public spaces protection order.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

- (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.
- (4) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63).

191 – Licensing Act 2003 Meaning

of “alcohol”

- (1) In this Act, “*alcohol*” means spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor in any state, but does not include—
 - (a) alcohol which is of a strength not exceeding 0.5% at the time of the sale or supply in question,
 - (b) perfume,
 - (c) flavouring essences recognised by the Commissioners of Customs and Excise as not being intended for consumption as or with dutiable alcoholic liquor,
 - (d) the aromatic flavouring essence commonly known as Angostura bitters,
 - (e) alcohol which is, or is included in, a medicinal product or a veterinary medicinal product,
 - (f) denatured alcohol,
 - (g) methyl alcohol,
 - (h) naphtha, or
 - (i) alcohol contained in liqueur confectionery.

- (2) In this section—

“*denatured alcohol*” has the same meaning as in section 5 of the Finance Act 1995 (c. 4);

“*dutiable alcoholic liquor*” has the same meaning as in the Alcoholic Liquor Duties Act 1979 (c. 4);

“*liqueur confectionery*” means confectionery which—

- (a) contains alcohol in a proportion not greater than 0.2 litres of alcohol (of a strength not exceeding 57%) per kilogram of the confectionery, and
- (b) either consists of separate pieces weighing not more than 42g or is designed to be broken into such pieces for the purpose of consumption;

“*medicinal product*” has the same meaning as in section 130 of the Medicines Act 1968 (c. 67)

“*strength*” is to be construed in accordance with section 2 of the Alcoholic Liquor Duties Act 1979; and

“*veterinary medicinal product*” has the same meaning as in regulation 2 of the Veterinary Medicines Regulations 2006.

**Sevenoaks District Community Safety Partnership – The Vine/Bat and Ball Action Plan.
24 February 2023**

Background to the meeting – There has been an increase of young people gathering in crowds on the Vine, mainly on a Friday evening from 6pm that are causing ASB and criminal damage to the area. Although there has been actions taken since the New Year, the incidents have escalated, but not necessarily reported. The meeting looked at what Partnership action will be taken.

Next meeting Monday 13 March, 12pm via MS Teams

Attended	Organisation
Insp Matt Atkinson	Kent Police
Kelly Webb	Sevenoaks District Council
Linda Larter	Sevenoaks Town Council
Sgt Paul Cook	Kent Police
John Shanley	Kenward Trust
Ben Reynolds	West Kent Youth Detached Team

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Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS
1	Young People Gathering in Crowds Causing ASB and Criminal Damage	PCSOs & Town Beat Officer to continue to attend when on duty	Kent Police	On Going	
		Police late turn and Night	Kent Police	24 Feb 24	

Agenda Item 6

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS
		shifts to red route to the area from this weekend. Added to Spring & Summer Police Plan which is now implemented as a location for attention Kent Police to ask Specials to attend the Vine	Kent Police Kent Police	Completed 27 Feb 23	
2	Young People Drinking and Smoking Cannabis	Kenward Trust to continue visiting on Friday and Saturday evenings West Kent Extra Detached Youth work to continue on Friday evenings Multi-Agency visits in the evening	Kenward Trust WKHA All Partners	On Going On Going 13 March 23	
3	Young People identified as potentially coming from Weald Academy & Trinity School	Police & CSU to visit both schools to teachers and pupils regarding incidents at the vine	CSU	13 March 2023	

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS
		Letter to be sent from school to parents	Trinity/Weald School		
4	Criminal Damage on the Pavilion	STC to look at purchasing a new camera for the Vine or upgrading the ones they have got	Sevenoaks Town Council	13 March 23	
		STC to continue to report to Police	Sevenoaks Town Council	24 Feb 23	
		Toilets to be locked on Friday evenings at 6pm	Sevenoaks Town Council	24 Feb 23	
		STC and SDC to do a site visit to see what other security measures can be put in place	Sevenoaks Town Council & Sevenoaks District Council	13 March 23	
		STC to look at mosquito music or Cliff Richards	Sevenoaks Town Council	13 March 23	
5	Residents not reporting concerns to Police	Article to be sent to STC on actions taken and how to report	CSU	27 Feb 23	

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS
		Police to promote reporting especially around the Vine and Bat n Ball in my community voice	Kent Police	27 Feb 23	
6	Where Alcohol is coming from (Home/Shops)	Talk in schools and letter to parents to include alcohol and use of CSU to visit nearby licensed premises regarding under age sales and proxy sales	CSU CSU	13 March 23 13 March 23	
7	Criminal Damage at Bat and Ball Station	Kent Police to talk to British Transport Police to attend the station on Friday evenings	Kent Police	1 March 23	
8	Use of the ASB Act 2014	Through the number of reports Kent Police to look at potential Dispersal Order for the Vine STC and SDC to look at PSPO Act	Kent Police STC and SDC	13 March 23 13 March 23	

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS
		When Young People are identified warning letters and ABAs to be issued	CSU	When identified	

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**Sevenoaks District Community Safety Partnership – The Vine/Bat and Ball Action Plan.
31 March 2023.**

Background to the meeting –There has been an increase of young people gathering in crowds on the Vine, mainly on a Friday evening from 6pm that are causing ASB and criminal damage to the area. Although there has been actions taken since the New Year, the incidents have escalated, but not necessarily reported. The meeting looked at what Partnership action will be taken.

Next meeting Tuesday 25 April, 10am via MS Teams

Attended	Organisation
Sgt Paul Cook	Kent Police
Kelly Webb	Sevenoaks District Council
PC Jules Edwards	Kent Police
Linda Larter	Sevenoaks Town Council

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS 31 March 2023
1	Young People Gathering in Crowds Causing ASB and Criminal Damage	PCSOs & Town Beat Officer to continue to attend when on duty	Kent Police	On Going	This action is on going and have been regularly attending fri evenings
		Police late turn and Night shifts to red route to the area from this weekend.	Kent Police	24 Feb 24	Dispersal Order will be in place over the Easter period and this weekend
		Added to Spring & Summer Police Plan which is now implemented as a location	Kent Police	Completed	CPT and Late Turn to have a copy of this. It will cover The Vine and up to the lights covering resident's

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS 31 March 2023
		for attention Kent Police to ask Specials to attend the Vine	Kent Police	27 Feb 23	properties. It is a temporary measure. Insp Atkinson said that Specials will attend The Vine. It has to be set up as an event and this has been done so more officers can attend Last Friday (24 March) there was around 100 young people there.
2	Young People Drinking and Smoking Cannabis	Kenward Trust to continue visiting on Friday and Saturdays West Kent Extra Detached Youth work to continue on Friday evenings	Kenward Trust WKHA	On Going On Going	Kenward Trust concentrating on Fri evenings and have been engaging with young people. WKHA also attending on Friday evenings
3	Young People identified as potentially coming from Weald Academy & Trinity School	Police & CSU to visit both schools to teachers and pupils regarding incidents at the vine Letter to be sent from school	CSU Trinity/Weald	13 March 2023	Sgt Savill has asked T&M and Twells CSU to go to schools about the Vine. This was completed and all schools in T&M have sent communication to their schools. Awaiting to hear back from TWells

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS 31 March 2023
		to parents	School		<p>Assembly was attended at Weald (mistake in last minutes it was not trinity) by Kelly & PC Edwards. PC Edwards recognised some of the girls who had been at The Vine the previous Friday</p> <p>Joint letter to all schools was done and sent out. Have received an email for Trinity confirming it has gone to all parents</p> <p>Put info out again on social media about the dispersal order (done Sat 1 April)</p>
4	Criminal Damage on the Pavilion	<p>STC to look at purchasing a new camera for the Vine or upgrading the ones they have got</p> <p>STC to continue to report to Police</p> <p>Toilets to be locked on Friday evenings at 6pm</p> <p>STC and SDC to do a site</p>	<p>Sevenoaks Town Council</p> <p>Sevenoaks Town Council</p> <p>Sevenoaks Town Council</p> <p>Sevenoaks Town</p>	<p>13 March 23</p> <p>24 Feb 23</p> <p>24 Feb 23</p> <p>13 March 23</p>	<p>Lighting has been improved. Cameras will be upgraded in the next couple of weeks</p> <p>On Going</p> <p>New steel toilet doors have been ordered and awaiting delivery</p> <p>Site visit held with Insp Atkinson,</p>

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS 31 March 2023
		visit to see what other security measures can be put in place	Council & Sevenoaks District Council		<p>Sgt Savill, Kelly Webb and Linda Larter this morning (17 March). There is anti climb paint on roof. Kelly to send over to STC black spike railings to see if STC would like them and how many. SDC will pay for this. KW has not done this, but will send over images and costs</p> <p>Research into roof rolling barriers, concluded not possible as they have to be screwed in and this will ruin the new rubber roof</p> <p>Cages on the heat sensor as young people have been setting the alarms off.</p>
5	Residents not reporting concerns to Police	<p>Article to be sent to STC on actions taken and how to report</p> <p>Police to promote reporting especially around the Vine and Bat n Ball in my community voice</p>	<p>CSU</p> <p>Kent Police</p>	<p>27 Feb 23</p> <p>27 Feb 23</p>	<p>Completed</p> <p>Completed. Dispersal Order has gone out on twitter and my community voice</p>
6	Where Alcohol is coming from (Home/Shops)	Talk in schools and letter to parents to include alcohol	CSU	13 March 23	Assembly held on 22 March at Weald Academy at 8.50am, no

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS 31 March 2023
		and use of CSU to visit nearby licensed premises regarding under age sales and proxy sales	CSU	13 March 23	reply from other schools Kelly to print off proxy sales poster for Kent police to take to the shop. KW not completed will do this Kenward Trust have introduced themselves to the shop and explained around under age and proxy sales Sgt Comben said that TS will do a sales test in a couple of weeks. Sgt Cook will ask when this date is due as PC Comben currently on course and court duty
7	Criminal Damage at Bat and Ball Station	Kent Police to talk to British Transport Police to attend the station on Friday evenings	Kent Police	1 March 23	Sgt Comben has contacted BTP to attend on Friday evenings, awaiting a response from them. Sgt Savill has also contacted BTP and South Eastern and is looking at some dates of any operations
8	Use of the ASB Act 2014	Through the number of reports Kent Police to look at potential Dispersal Order for	Kent Police	13 March 23	Sect 34 Dispersal Order, implemented today and over Easter period

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS 31 March 2023
		<p>the Vine</p> <p>STC and SDC to look at PSPO Act</p> <p>When Young People are identified warning letters and ABAs to be issued</p>	<p>STC and SDC</p> <p>CSU</p>	<p>13 March 23</p> <p>When identified</p>	<p>STC Youth Council and Forum have agreed in principle. KW and Sgt Savill meeting later today.</p> <p>KW has drafted a report and proposed order. It needs to be signed off by Council in 2 stages according to the act.</p> <p>Go through the process of implementing one and doing a consultation. This would need to go through Advisory and Cabinet so not until 6 July sign off</p> <p>If agreed 6 week consultation and then through same process to agree and put order in place, with this time frame potential Oct sign off for a PSPO</p>
9	NEW ACTION Issues going on to Leisure Centre & surrounding areas	When moved from Vine going to other areas, to be monitored by Police and CCTV	Kent Police SDC - CCTV	10 March 23	<p>Police continue to red route and late turn Greatness Park & Leisure Centre.</p> <p>Ben Reynolds said that there are reports of the vape shop Heads</p>

Ref No	IDENTIFIED ISSUE	RECOMMENDED ACTION	LEAD OFFICER & OTHER AGENCIES	By When	STATUS 31 March 2023
					<p>will Roll are selling vapes to school kids in uniform. Sgt Savill will take this forward – forwarded on from last meeting Sgt Savill to update</p> <p>Ben Reynolds will also talk to schools about a First aid course teenagers which looks at dealing with issues around drugs and alcohol. Roll forward action and awaiting update from BR</p>

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Sevenoaks District Council

DRAFT Public Space Protection Order Consultation for The Vine, Sevenoaks

We know that you are concerned about anti-social behaviour in The Vine, Sevenoaks. Sevenoaks District Council understands well how anti-social behaviour can affect our communities, with residents often feeling powerless to act. Councils have a key role to play in helping to make local areas safe places to live, visit and work. Tackling anti-social behaviour continues to be a high priority for the District. We should stress that this is not in any way intended to restrict people's enjoyment of our public spaces. Quite the reverse – it is about making sure that everyone is able to enjoy public places safely, free from anti-social behaviour.

Having listened to your concerns we are now investigating the introduction of a Public Space Protection Order (PSPO) at The Vine, Sevenoaks and would like to consult with you on this proposal because your views are important to us.

A PSPO is an additional tool that gives the Police and Council Officers powers to help reduce specific anti-social behaviours. It also allows officers to issue a warning, or a fixed penalty notice for anti-social behaviour carried out by individuals. The PSPO is enforced under the Anti-social Behaviour, Crime and Policing Act 2014.

Please provide your views on our proposed PSPO by completing the survey below. The consultation will start on **xxx date** and you will have until **xxx date** to participate. Once the consultation has closed the survey responses will be analysed and the results reported to the Council's Cabinet.

1. Are you a resident of Sevenoaks District?

Yes
No

2. Are you responding as?

Person who works in Sevenoaks Town
Centre/District
Local Resident
Local business owner/manager
Local Town or Parish Councillor
Representative of a community
group/voluntary group
Other

3. Thinking about The Vine, overall how much of a problem do you think anti-social behaviour (ASB) causes in the area? Is it...

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Appendix C

	A very big problem	A fairly big problem	Not a very big problem	Not a problem at all	No opinion	Not answered
ASB						

4. Have you reported ASB regarding The Vine and who did you report to?

Police
 Community Safety Unit
 Local School
 Sevenoaks Town Council
 Sevenoaks District Council
 Other

5. Do you feel you received a satisfactory response after reporting concerns>

Yes
 No

6. Do you agree with the proposal to introduce a Public Spaces Protection Order (PSPO) to deter Anti-social Behaviour (ASB) at The Vine, Sevenoaks?

Yes
 No
 Don't know

7. The following activities would be prohibited by the proposed PSPO:

- i. Failing to comply with a direction not to consume, in breach of this order, alcohol, or anything which an authorised person reasonably believes to be alcohol where the authorised person reasonably believes that a person has engaged in anti- social behaviour.
- ii. Failing to surrender a container of alcohol (whether open or not) when asked to do so by an authorised person.
- iii. Engaging in anti-social behaviour which is likely to cause harassment alarm and distress to those persons in the locality.
- iv. Returning to the area within 24 hours after being asked to leave.

Do you support the activities proposed above?

Yes
 No

8. Are there any other activities relating to ASB, which you would like to see included in the PSPO for The Vine, Sevenoaks?

9. Please write down any further comments you may have about the PSPO

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Item 07 - Meeting Point Update

The attached report was considered by the Improvement & Innovation Advisory Committee on 27 June 2023. The relevant Minute extract is below.

Improvement & Innovation Advisory Committee (27 June 2023, Minute 10)

The Strategic Head for Commercial & Property presented the report, which updated the Committee on the 27 - 37 High Street and the Swanley Meeting Point development. The business hub was operational, with two offices occupied in long-term hires from local businesses, and there had been several inquiries into letting office and hot-desk space. The Housing Team was working to place residents in their new homes. The project had been delivered within budget, despite issues with utility providers and the pandemic. The Officer gave a presentation highlighting the improvement to the area as a result of the development.

In response to questions, it was clarified that the office rates were favourable and competitive within the market, making the space available for non-profits and charities to use. The site incorporated many green development elements, including air source heat pumps and building fabric that provided enhanced insulation.

Resolved: that the delivery of 17 new affordable homes and a new business hub in Swanley be noted.

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MEETING POINT UPDATE

Cabinet – 13 July 2023

Report of: Detlev Munster, Strategic Head of Property and Commercial

Status: For Information

Also considered by: Improvement & Innovation Advisory Committee – 27 June 2023

Key Decision: No

Executive Summary: This report provides an update on the redevelopment of 27-37 High Street, Swanley. The building project recently achieved practical completion and has delivered 17 new homes and a business hub, known as Meeting Point.

This report supports the Key Aim of: supporting our local economy.

Portfolio Holder: Cllr. Julia Thornton

Contact Officer: Detlev Munster, Ext. 7099

Recommendation to Cabinet:

To note the delivery of 17 new affordable homes and a new business hub in Swanley

Reason for recommendation: To provide an update on the delivery of this significant capital project

Introduction and Background

- 1 In May 2020, the Council achieved planning permission for the redevelopment of 27-37 High Street to incorporate 17 new homes, a 250sq.m business hub, parking and a new garden.
- 2 The Council was successful in applying for a £1.49m grant from Getting Building Fund which enabled the project's delivery and a contractor was appointed by March 2021.

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- 3 The construction programme experienced numerous set-backs primarily associated with poor delivery performance by third parties, such as the statutory utility providers. For example, substation works undertaken by UK Power Network failed commissioning and works needed to be rescheduled causing significant delays to our contractor. Similar issues were also experienced with BT and Thames Water. As part of the Council's project management process, a detailed closure report will be prepared highlighting key lessons.
- 4 Practical completion was achieved in June 2023 and is within the established budget set by Council (c.£6.1m). Appendix A provides photos of the scheme.
- 5 While construction work took place, the disposal strategy for the residential units was agreed and it was decided to transfer 17 new homes to Quercus Housing. This transaction is due to complete by the end of June allowing occupation of the new homes in July. The Housing Team is currently finalising the allocation of these units to households on the Council's housing waiting list.
- 6 Further work was also undertaken with getting the business hub operationally fit. In this regard:
 - a new hub manager and a new hub assistant were recruited
 - a draft business plan was prepared and updated
 - a draft communications and marketing plan was prepared and updated
 - a branding strategy was prepared
 - a new dedicated website was launched
 - a pricing strategy was adopted
 - hire agreements were drafted
 - Fittings, furniture and equipment was agreed and purchased
 - Relationships were established with key business support organisations
 - A business support programme (funded by the UKSPF and delivered by Smarter Society) was established and launched under the West Kent Partnership banner
 - Other UKSPF and REPF programmes will also be accessible to Meeting Point users.
- 7 Meeting Point was established to support SMEs and entrepreneurs with the development and growth of their businesses. It provides conveniently located co-working spaces in Swanley, which also fulfils the Council's key priority in supporting its town centres and their high streets.
- 8 Meeting Point's co-working space includes:
 - Three dedicated offices
 - 15 dedicated workspaces
 - 9 "hot-desks"
 - Meeting room
 - Informal meeting break-out areas
 - Event space

- 9 Further information about Meeting Point can be found in Appendix B.
- 10 Meeting Point opened its doors to the public on the 05 June 2023, with two offices already having been snapped-up and the occupation of the third office and two permanent workstations currently being finalised.
- 11 A detailed marketing campaign has now commenced.

Other options Considered and/or rejected

12. Not applicable to this report.

Key Implications

Financial

13. Not applicable to this report.

Legal Implications and Risk Assessment Statement.

14. Not applicable to this report.

Equality Assessment

15. Not applicable to this report.

Net Zero Implications

16. The decisions recommended through this paper have a remote or low relevance to the Council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

17. Construction of the 27-37 High Street project has now completed and the project enters its closure and operational phase. In particular, it enters the defects and liabilities period for one year during which period all defects etc are noted and will require the contractor to attend to these matters.
18. The new build has also been successfully commissioned and despite the delays, was achieved within budget.
19. Meeting Point has also been successfully commissioned and is now operational and will provide much needed business support to local businesses and entrepreneurs.

Agenda Item 7

Appendices

Appendix A - Photos

Appendix B - Meeting Point Welcome Pack

Background Papers

None.

Detlev Munster
Strategic Head of Property and Commercial

Appendix A – Photos of the Scheme

Figure 1 – Bird-eye view of front elevation



Figure 2 – Birds-eye view of rear elevation and garden



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Figure 3 – Meeting Point reception



Figure 4 – Meeting Point informal breakout area



Figure 5 – Meeting Point fixed workspaces



Figure 6 – Meeting Point informal breakout area



Figure 7 – Meeting Point Board Room



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Figure 8- Open-plan kitchen/living area of residential unit



Figure 9 – Corridor of residential unit

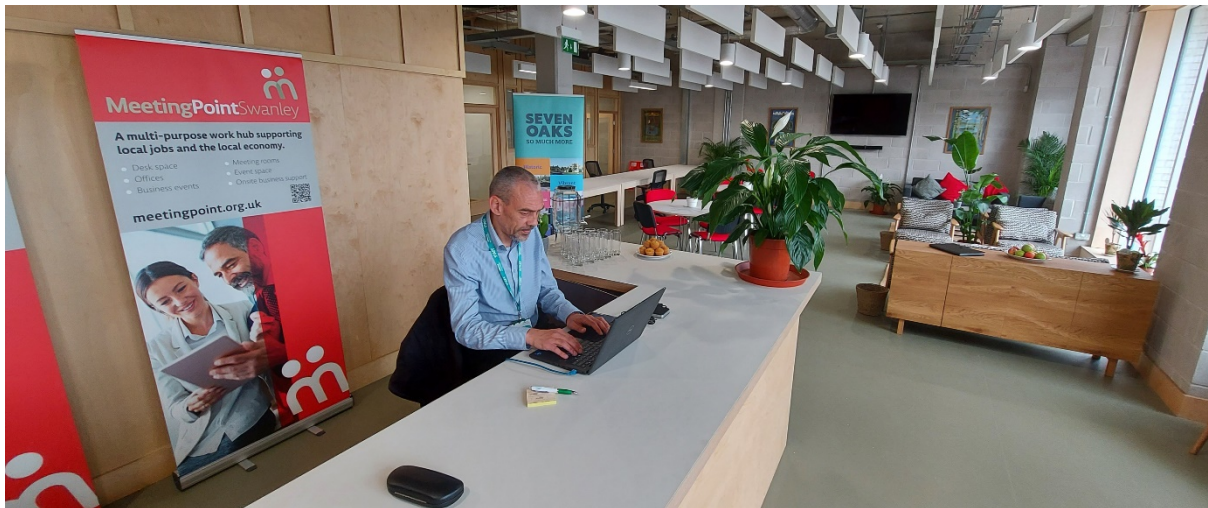


Figure 10 – Residential unit bathroom



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MeetingPointSwanley



Welcome Pack

Introduction

Welcome to Meeting Point!

This welcome pack has been designed for anyone using Meeting Point, 29 High Street, Swanley. The information aims to ensure that users have a clear understanding of processes and procedures that are in place, as well as the unique features of our facility to make your stay with us as comfortable as possible.

Sevenoaks District Council has developed Meeting Point as part of its Economic Development Strategy to support the district's economy and in particular to encourage and promote entrepreneurship and business development. The site has been within our ownership for a number of years and is also part of our strategy to invest in property to stimulate regeneration and support our high streets. Meeting Point is located at 29 High Street, Swanley, on the ground floor of a mixed use building with 17 flats on the upper floors. It shares outside space with the residential accommodation and the rear parking area can be used under exceptional circumstances.



Our Vision is to be a vibrant and well used centre supporting businesses to start up, grow and be successful. We will endeavour to provide you with a professional business support service, at all times being courteous and resourceful to our user's needs.

Our Features

Meeting Point is a supported office environment for people wishing to hire offices, desks, meeting venues and support services on flexible terms. The entire centre is WIFI enabled with download and upload speeds of 1000Mbps and 115Mbps respectively.

We offer:

- Hot desks that can be hired on a casual basis
- Allocated desks that can be hired for longer periods of time
- Small dedicated offices for hire
- A variety of meeting areas in a friendly open plan environment
- A meeting room available for hire
- Storage lockers
- Access to a kitchenette
- Access to printer/scanner/photocopier
- WIFI enabled through out (including the garden area)
- Video conferencing facility
- Shower facilities
- Free refreshments
- If required, a screen, keyboard and mouse can be provided too!

Our on-site staff is also available to assist you with basic office support functions, but is primarily here to provide:

- Postal support
- A business support sign-posting service to our specialist providers
- Mentoring, coaching and business support advice
- Curated business support events (look out for events on our notice board and our website)

An added benefit of being located at Meeting Point is access to the Council's reprographics team, which is able to produce high quality print media and merchandising for you at a special fee.

Meeting Point has also established a partnership network with:

- Sevenoaks Chamber of Commerce
- Federation of Small Businesses
- West Kent Partnership
- Smarter Society
- British Library
- Kent Invicta Chamber of Commerce
- Visit Kent
- Produced in Kent
- Canterbury Christ Church University

Depending on your business needs, we may be able to draw support from these partners to provide you with added assistance. Our friendly on-site team can advise you further on support programmes you may be eligible to access.

Our Team

Meeting Point has two full-time dedicated staff members available to assist you.



Richard Cavanagh
Hub Manager

Ben Moore
Hub Assistant

Richard and Ben are also supported by other Council officers from the Economic Development Team, and they will be working at Meeting Point at set times throughout the week.



Our Operating Hours and Access

Meeting Point users have access to the hub from 08:00 to 18:00 Monday to Friday except bank holidays. Those with longer term hire agreements, such as those that have occupancy of a fixed desk or office will also have access on weekends from 09:00 to 16:00.

Our on-site team will be on site Mondays to Fridays from 8:00 to 18:00 excluding bank holidays.

Our meeting venues can also be booked after hours from 18:00 to 21:00.

Certain users will be given a fob allowing them to access the hub within the opening hour period. Please discuss your access arrangement with our on-site team.



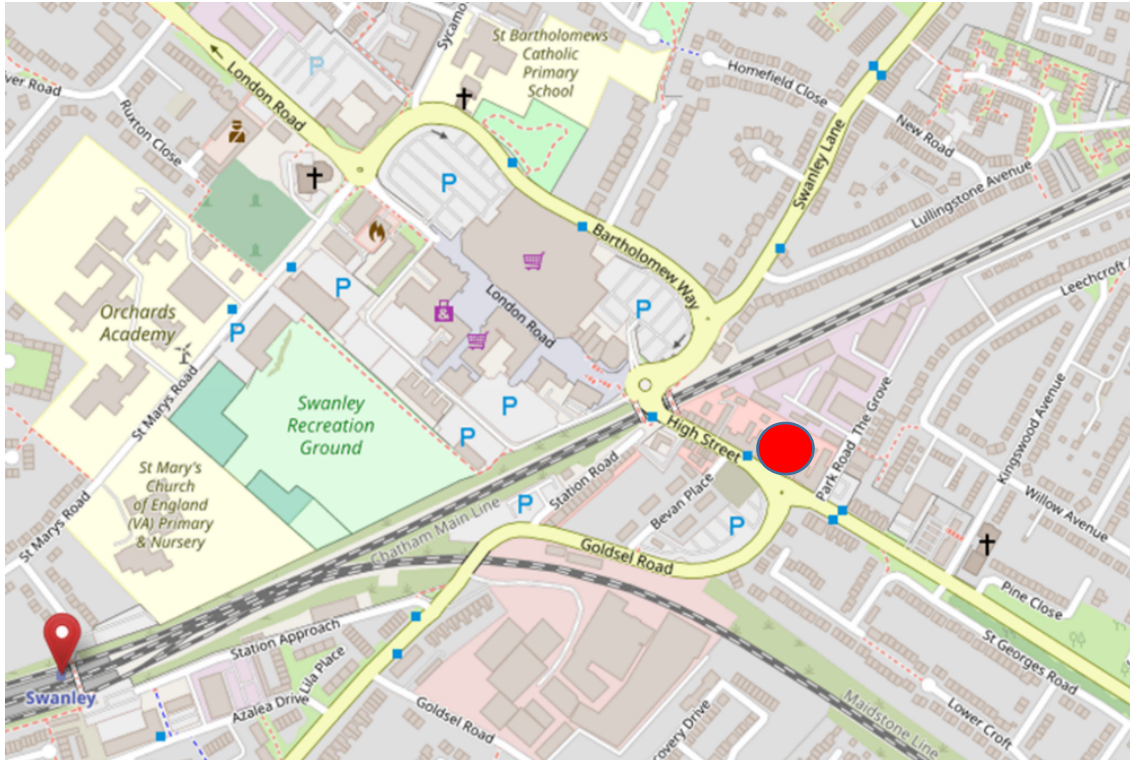
How to Book your space

We recommend pre-booking your space to ensure availability through our online system on www.meetingpoint.org.uk

We can also take card payments in person, this can only be done on site as we cannot take card details over the phone.

Location and Contact Details

Meeting Point is located on Swanley High Street, Swanley. We are a 7 minute walk from Swanley Train Station, and within 50m of Park Road car park. Bus route numbers 2, 233, 429 and 477 service the High Street with a regular timetable.



Address:

29 High Street
 Swanley
 Kent
 BR8 8AE

Telephone:

01732 227000

Email: info@meetingpoint.org.uk

Website: www.meetingpoint.org.uk

Car Parking

There is no on-site car parking, except for a disabled user, but provision can be made should you need to load or off-load your belongings from the rear car park.

While we encourage our users to use sustainable transport modes, such as public transport, walking and cycling, should you need to use a car, there is a public car park within 50m located on the corner of Park Road and Swanley High Street. This is a Council Car Park and there is a fee to use it, parking can be paid for via the MiPermit parking app. Further details available on:

https://www.sevenoaks.gov.uk/directory_record/20/park_road_swanley_br8_8ah

Cycle Storage

There is a cycle store in the rear garden which is accessed through the undercroft passage. To access it, you will need to discuss or buzz the hub team.

Please ensure your bike and belongings are securely locked.

Breakout Spaces

Round tables for collaborative working and sofa areas for more informal conversations and networking is available for you and your guests. These are not pre-booked and can be use whenever available.



The Board Room

Our board room can accommodate 10 people comfortably around a meeting table. The board room can also be configured to accommodate up to 19 people in theatre style. The meeting room is enabled with WiFi, and digital conferencing facilities to facilitate hybrid working and on-line meetings. In addition, the board room has white boards/display boards for your use.



Events Space

Meeting Point can also be hired to host small events. Our foyer can accommodate up to 60 people. Please enquire with our on-site team.



The Garden

Our garden is a shared with residents in the building. You are welcome to use it, it does have access to WiFi, but please be considerate of others when using this space.



Refreshments

Meeting Point users will have access to a kitchenette facility where you will find a Quooker tap with instant boiling water, cold filtered water facilities, and a fridge/freezer.

There is also a separate kitchen located behind reception where a microwave is available which users are welcome to use, please be mindful that access is from behind the reception area.



No refreshments other than tea and coffee will be provided, so please bring your own or make the most of the high street location to purchase what you need. Please be considerate of other users around you and avoid strong smelling foods and be mindful that collaborative working may be taking place. The garden is available for your use too, but please keep it clean and tidy and place any waste in the bins provided.



The Meeting Point is just off Swanley High Street within easy walking of Swanley Square shopping area where you can find many cafés, shops, and restaurants for purchasing refreshments and other essentials. Please ask reception staff if you require any recommendations and enjoy the opportunity to browse the town.

ICT Equipment

Meeting Point is fully enabled with WiFi. Please confirm the network name and password with the hub team. These will normally be provided when you sign-up.

Please bring your own IT equipment, however, please do ask if you have forgotten anything as a number of spare monitors and sundries may be available. If you borrow equipment, please ensure you sanitise before and after use.

Your Work Station

You will be allocated a work station on sign-up. If you wish to be located elsewhere, please discuss this with our team.



Your co-operation in keeping the workspace tidy is appreciated. It is important that desks are kept clear of paperwork and personal items are cleared away. This helps us to ensure confidentiality, safety and also allows cleaners the access they need.

Please remove laptops, phones, and belongings from the desk at the end of your booked period, if not they will be removed and stored by reception staff pending collection. Any items left on the desk during the day are at your own risk, we encourage a collaborative culture and atmosphere but we do rely on all users to comply with guidance on not allowing people to follow you into the building and being vigilant when on site for the safety and security of all users.

Lockers

Lockers are provided subject to availability please enquire via reception.



The lockers are easily programmed with a 4 digit numeric pin of your choice, this is unique to you so please do not forget the number used.

Lockers will be cleared at the end of every week unless you have a prior arrangement with the reception team. Contents will be kept by reception staff for collection. If items are not collected within 1 week, the Council reserves the right to dispose of these items.

CCTV

These are strategically located to monitor the entrances and the vestibule area. They are provided for your safety and have been located to maintain your privacy too.

Our CCTV provision complies with the Council's data protection policy and other appropriate regulations.

Confidentiality

Please show consideration for others and for confidentiality when having conversations. If your conversation is of a sensitive nature, please ensure that it cannot be overheard. Likewise, please be considerate of others when talking on the phone and think about noise levels.



If you require a private area for a confidential discussion please check with reception staff if there is any availability for this within the centre.

Meeting Point users code of conduct as part of user terms states that Confidentiality must be maintained.

Please note that the garden area is shared with the residential accommodation on site therefore confidentiality of conversations outside can not be assumed.



Cleaning

Please ensure you leave your space as you found it and dispose of litter accordingly. You may wish to wipe down equipment before and after use and antibacterial wipes are available at reception.

Cleaning will take place daily from 17:30; non-office users will need to vacate the premises, users of private offices may stay but need to be aware of the cleaning in process and facilitate where necessary.

Should you be concerned with the cleanliness of the facilities encountered, please do bring this to the reception team's attention. Feedback is always welcomed!

Reporting of building issues

Please report any issues with the building to Reception, who will raise a request accordingly.

Toilets

There are toilet facilities clearly marked next to the kitchenette, this includes a shower/wet room facility with baby changing available.

Please be considerate of others when using facilities and report any issues discovered to reception staff.

Please be mindful of others when opening doors into and within the toilet area to avoid potential accidents and report incidents to your reception team who will take appropriate action.

Telephones

There are no telephones provided within the desking areas. Please ensure you use a headset or earphones when making and receiving calls via your laptop for your own confidentiality and to avoid disrupting the work of others. Spare headsets may be available from your reception team.

Please be mindful of confidential conversations and ensure you cannot be overheard if carrying out a sensitive call.

Printing, Scanning, Photocopying

There is a printer located within Meeting Point - access to this will be provided as part of your booking. A fair use policy is in place and if exceeded you will be charged for any excessive printing. You also have access to the Council's reprographics team, and if you require assistance with bulk printing or professionally prepared print media, please discuss this with the reception team. This service is available at a fee.

Office Etiquette

Be aware of noise and move conversations to the collaboration spaces when appropriate.

Be open to challenge - we all need to be considerate of those working around us and follow our innovative approach to work.

Coats and Bags

Please ensure that coats and bags are stored safely, and do not pose a trip hazard. Coat hooks are available in the vestibule and used at your own risk. An umbrella stand is located at the main entrance.

Security

Please do not let anyone you do not know follow you into the building, where the door is free to open, please ensure that you direct any unknown people to the reception area where they can be signed in appropriately.

Please lock screens and secure confidential documents if leaving your desk for any period.

Please note that the booking slot is personal to you and you may not have visitors unless by prior arrangement - all visitors must be booked in for health and safety reasons.

Any incident involving an actual or potential security breach should be reported to Reception.

Please report any accidents or hazards to reception staff who will report accordingly or rectify where appropriate.

Housekeeping

Please keep kitchen areas clean, wash up and clear items away. Remove items from the fridge at the end of each day.

Please leave collaboration spaces and working areas clean and tidy, clearing away mess by the end of each day, please also ensure you clean down the desks, keyboards, mouse etc. with anti-bacterial wipes or spray.

Smoking and Vaping

Meeting Point operates a non-smoking policy, this means that smoking or vaping is not permitted, within the building or in the garden.

First Aid

If you require First Aid while working from Meeting Point, please head to reception where a member of staff will be able to locate an appointed first aid person or call the emergency services.

There is a first aid kit available, but please do let reception staff know you need access to it.

Fire alarm & evacuation

A fire alarm test is carried out once a week and takes place on Wednesdays at around 11am. Other health and safety related checks are also undertaken on a regular basis.

Each year there will be a minimum of two fire drills carried out, in line with legal requirements. Please act appropriately and follow instructions given by our fire marshal.

In the event of an alarm sounding, Meeting Point staff / trained fire marshals will escort you from the building safely. Please exit the building via the front doors and head to the muster point, which is located in the Park Road carpark.



Exit via the front door and immediately turn left, calmly walk straight to the first turning (Park Road) where this parade of shops ends. You will see Park Road car park across the road located on the corner of the road, safely cross the road and enter the car park, the assembly point is located in the far left corner as you face the car park with the Meeting Point behind you, and is highlighted with a sign.

If this exit route is blocked Fire marshals/ Meeting Point staff will direct you to the alternative route via the rear exit door to the centre.

Access For All

Meeting Point has accessibility features built into its design, however if you have any particular additional needs please discuss with the team who will do their best to accommodate where they can.

We promote a culture of diversity and inclusivity and expect all users to demonstrate qualities and behaviours that are appropriate to a working environment. Inappropriate comments, actions and behavior will not be tolerated at Meeting Point. Such behavior may result in your booking being terminated with immediate effect. Please refer to the terms and conditions of your hire agreement.

We encourage you to work with us and co-users to ensure everyone is provided with a safe and secure environment in which to work. Please do report any negative behavior to our team which can be done in confidence.

A Final Word

We do hope you enjoy working at Meeting Point. We encourage collaboration and interactions; Remember, another person in the hub may have the knowledge, skills or services you may be looking for, or know someone else that may be able to assist you.

The Meeting Point team is here to help and happy to provide support and advice or signposting at any time; so please ask if there is anything you need.



Item 08 - Adoption of Conservation Area Appraisal Updates and Extensions to Conservation Areas

The attached report was considered by the Development & Conservation Advisory Committee on 11 July 2023. The relevant Minute extract was not available prior to the printing of these papers and will follow when available.

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**ADOPTION OF CONSERVATION AREA APPRAISAL UPDATES AND EXTENSIONS TO
CONSERVATION AREAS**

Development and Conservation Advisory Committee - 11 July 2023

Report of: Chief Officer Planning and Regulatory Services

Status: For Consideration

Also considered by:

- Cabinet 13 July 2023
- Council 18 July 2023

Key Decision: Yes

Executive Summary: This report presents the updated conservation area appraisals for Eynsford, Farningham and Kemsing Conservation Areas, and provides a summary of the public consultation undertaken for this project. It recommends the adoption of the updated conservation area appraisals, including changes to the conservation areas' boundaries and the making of a focussed Article 4 direction to remove permitted development rights in Kemsing Conservation Area.

This report supports the Key Aim of: Ensuring that Sevenoaks District remains a great place to live, work and visit.

Portfolio Holder: Cllr. Simon Reay

Contact Officers: Susannah Homer, Ext. 7138 and Rebecca Lamb, Ext. 7334

Recommendation to Development and Conservation Advisory Committee:

Take note of the report and agrees to recommend to Cabinet the recommendations below

Recommendations to Cabinet:

- a) Adopts the three updated conservation area appraisals for Eynsford, Farningham and Kemsing;
- b) Designates the proposed boundary amendments to each of the above conservation areas; and,
- c) Agrees to the making of a focused Article 4 direction to remove limited permitted development rights that protects boundary treatments and front gardens in the Kemsing Conservation Area.

Reason for recommendation: To fulfil our statutory duty to review the district's conservation areas. To help preserve and enhance the character and appearance of Kemsing Conservation Area by making a focused Article 4 direction that brings specified works under planning control.

Introduction and Background

- 1 Legislation (Planning (Listed Building and Conservation Areas) Act 1990) requires the local planning authority to review its conservation areas. The Conservation Team is undertaking a rolling programme of review of the district's conservation areas. Eynsford, Farningham and Kemsing Conservation Areas have been reviewed, and updated appraisals been produced.
- 2 All 41 of the district's conservation areas have an appraisal, but most need updating. The above conservation areas were chosen based on the date of their last review/appraisal and the number of applications received in recent years.
- 3 Conservation area appraisals are adopted as supplementary planning documents (SPDs) and are a material consideration in assessing applications for development in the conservation areas. Therefore, it is important that the special interest of the conservation area is clearly and accurately articulated. The appraisals also serve as evidence base for the Local Plan.
- 4 Sevenoaks District Council (SDC) appointed the consultants Alan Baxter Ltd to re-survey the areas and draft new appraisal documents. This work follows on from the re-surveying and updating of six conservation areas and their appraisals in 2019 (Brasted High Street, Leigh, Seal, Shoreham High Street and Church Street, Shoreham Mill Lane and Swanley Village) and is part of a rolling programme. The revised appraisals are based on the new concise and more accessible format that was introduced in 2019. They incorporate management recommendations to help support the Council's functions, as well as those of other bodies and stakeholders involved in the areas. An Open Space Assessment has been included to highlight the contribution of open spaces within and in the setting to the character and appearance of the conservation areas. As part of the review process, the draft appraisals were put out to public consultation from January to March 2023.
- 5 The review established that all of the three conservation areas fully merit their status and are of special interest, and that they are generally in a good condition.
- 6 Key findings include recommendations for limited changes to all of the three conservation area boundaries (Appendix F) and for the making of a focused Article 4 direction to remove permitted development rights in the Kemsing Conservation Area to protect boundary treatments and front gardens.

Policy Context

- 7 The Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on local authorities to review from time to time their areas and to determine whether any further parts should be designated as conservation areas. Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990 also places a duty on local planning authorities to draw up and publish proposals for the preservation and enhancement of the conservation areas in their district.

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- 8 The National Planning Policy Framework (NPPF) advises that ‘when considering the designation of conservation areas, local planning authorities should ensure that an areas justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest’ (para 191).
- 9 NPPF para 195 states that:
- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.*
- 10 SDC Core Strategy 2011 addresses the protection of the District’s key historic assets. Para 5.1.1 states:
- At a local level Conservation Area Appraisals and Management Plans will be used to provide guidance on distinguishing features of the historic environment that should be protected, together with identifying opportunities for enhancement.*
- 11 Policy SP1 Design of New Development and Conservation stipulates:
- All new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Account should be taken of guidance adopted by the Council in the form of ... Conservation Area Appraisals...*
- 12 SDC Core Strategy (delivery mechanism for SP1) highlights that conservation area appraisals are in place for all conservation areas and that some of them have been updated to include management plans. It states that these will be kept under regular review and that remaining appraisals will be updated with management plans, and adopted as SPDs.
- 13 Policy HEN2 of Chapter 7 in the Regulation 18 Consultation emerging Local Plan 2040 seeks to protect and enhance the historic environment. This policy advises that development proposals are required to take into account conservation area appraisals, amongst other guidance.
- 14 In terms of Article 4 directions, para 53 of the NPPF states that:
- The use of Article 4 directions to remove national permitted development rights should [...]*
- In other case, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area ...*
 - In all case, be based on robust evidence, and apply to the smallest geographical area possible.*

- 15 The Article 4 direction would bring certain proposals under planning control and thus the application of para 199 of the NPPF:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Public Consultation

- 16 There is no statutory duty to carry out public consultation when preparing conservation area appraisals and management plans, but it is good practice to do so and it is a pre-requisite for the adoption of the appraisals as SPDs.
- 17 The public consultation period was undertaken 16 January to 3 March 2023. Public engagement consisted of:
- An SDC digital engagement platform which hosted the draft appraisals and a questionnaire;
 - An SDC webpage which provided advice and information about the project;
 - An information leaflet to all addresses within the conservation areas (this also advertised the public engagement events);
 - Three public engagement drop-in events in local venues; and
 - Three walkabouts for local stakeholders including parish and district councillors and other local amenity groups.
- 18 The Council issued a press release and the consultation was advertised on the website and social media channels.
- 19 Hard copies of the appraisals were available in the SDC Office, Sevenoaks Library and locally within each conservation area.
- 20 The public engagement drop-in events were attended by a total of 76 people and the Council received 37 written responses. The great majority of respondents felt that the appraisals accurately captured what is special about each of the reviewed conservation areas and that the appraisals were easy to use and understand.

Eynsford Conservation Area

- 21 The revised appraisal (Appendix B) provides a survey of townscape, contextual and scenic views within and of the conservation from outside its boundaries. It also provides an open space assessment which evaluate the contribution of open space within and around the conservation area.
- 22 Limited boundary changes are proposed to the conservation area:
- Extension to include more of the meadows and pasture upstream from the bridge;

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- Removal of the front lawn of two houses on the east side of Station Road: 4 Saddlers Park and Bluebell Bank; and
 - Corrections and clarifications. In a number of locations the boundary of the conservation area has been drawn cutting across plots of land and through structures so to create a more logical boundary that removes confusion and irregularity whilst maintaining the intent of designation, boundaries have been amended to follow physical land boundaries where possible.
- 23 The walkabout with key local stakeholders was held on 9 November 2022 and the public engagement drop-in event was held at Eynsford Village Hall on 4 February 2023. At both events, they found the appraisal easy to use and understand and that it accurately captures what makes the area special.
- 24 A summary of the issues raised as well as a schedule of public consultation responses received is appended to this report (Appendix G and Appendix H).
- 25 Following the public consultation the proposed changes to the conservation area boundary now includes the back gardens of the houses along Riverside.

Farningham Conservation Area

- 26 The revised appraisal (Appendix C) provides a survey of townscape, contextual and scenic views within and of the conservation from outside its boundaries. It also provides an open space assessment which evaluate the contribution of open space within and around the conservation area.
- 27 Limited boundary changes are proposed to the conservation area:
- Southern extension to include Cottage on the Hill, on Sparepenny Lane;
 - Southern extension to include the whole of Mill Island;
 - The removal of small plot of land to the south of South Hall;
 - The removal of two houses on Oliver Crescent; and
 - Corrections and clarifications. In a number of locations the boundary of the conservation area has been drawn cutting across plots of land and through structures so to create a more logical boundary that removes confusion and irregularity whilst maintaining the intent of designation, boundaries have been amended to follow physical land boundaries where possible.
- 28 The walkabout with key local stakeholders was held on 10 November 2022 and the public engagement drop-in event was held at Farningham Village Hall on 28 January 2023. At both events, they found the appraisal easy to use and understand and that it accurately captures what makes the area special.
- 29 A summary of the issues raised as well as a schedule of public consultation responses received is appended to this report (Appendix G and Appendix I).
- 30 Following the public consultation the following changes were made to the appraisal:

- Boundary change to incorporate the whole of the historic Mill complex in the conservation area; and
- The two plots of land to the south of London Road are no longer proposed to be removed from the conservation area.

Kemsing Conservation Area

- 31 The revised appraisal (Appendix D) provides a survey of townscape, contextual and scenic views within and of the conservation from outside its boundaries. It also provides an open space assessment which evaluate the contribution of open space within and around the conservation area.
- 32 Limited boundary changes are proposed to the conservation area:
- Extension to include 1920s social housing on the north side of West End;
 - Extension to include the Common Field Recreation Ground;
 - Removal of the field of agricultural land south of the High Street and east of Chart View; and
 - Corrections and clarifications. In a number of locations the boundary of the conservation area has been drawn cutting across plots of land and through structures so to create a more logical boundary that removes confusion and irregularity whilst maintaining the intent of designation, boundaries have been amended to follow physical land boundaries where possible.
- 33 It is proposed to make focused use of an Article 4 direction to remove limited permitted development rights for protecting boundary treatments and front gardens in the Kemsing Conservation Area. As set out in the appraisal, an important part of the character of the Kemsing Conservation Area is the way that many building are set back behind small front gardens, enclosed by low boundary fences, walls or hedges. Piecemeal loss or erosion of either front boundary treatment and/or front gardens would weaken the enclosure of the street and have an urbanising effect. This would be harmful to the character and appearance of the conservation area.
- 34 The walkabout with key local stakeholders was held on 8 November 2022 and the public engagement drop-in event was held at the Small Hall at St Edith's Hall on 21 January 2023. At both events, they found the appraisal easy to use and understand and that it accurately captures what makes the area special.
- 35 A summary of the issues raised as well as a schedule of public consultation responses received is appended to this report (Appendix G and Appendix J).
- 36 Following the public consultation the following changes were made to the appraisal:
- In the Open Space Assessment, the fields south-east of the village are no marked as strong contributors;
 - A view of the village from south of the land east of Chart View is included; and

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- Proposed removal of a field east of Chart View from the conservation area.

Consequences of extending conservation areas

- 37 The local planning authority is under a statutory duty to ensure the preservation and enhancement of these areas, and a duty to prepare proposals to manage this area. Inclusion of properties into a conservation area has the following principal effects:
- Planning permission is required for the demolition of an unlisted building with volume under 115 cubic metres and any gate, fence, wall or other means of enclosure less than 1m high where abutting a highway, waterway or open space, or less than 2m high in any other case;
 - Restriction of a limited number of permitted development rights for owners in conservation area. These include, for example, the need for planning permission for roof extension or for the cladding of external elevations;
 - Advertisement consent is required for illuminated signage within a conservation area;
 - Notice must be given to the local planning authority before any works are carried out to any tree within the conservation area; and
 - Extra publicity is given to planning applications affecting conservation areas.
- 38 The local planning authority is under a duty to take account of the desirability of preserving and enhancing the character and appearance of the area when determining such planning applications

Article 4 directions

- 39 An Article 4 direction is a provision that can be introduced to better protect and manage an area's character by withdrawing permitted development rights for certain types of development and requiring that an application for planning permission is made. Making an Article 4 direction does not conclude that something is unacceptable in principle or that no changes can be made, but instead simply brings proposals for such development under the control of the local planning authority so that their impact can be fully considered
- 40 The use of Article 4 directions has to be carefully justified, because they limit rights that would otherwise exist to property owners. A fee will be payable in respect of any planning application made as a result of the Article 4 direction. The fee is the same as those for other planning applications.
- 41 To protect the character of Kemsing Conservation area, it is recommended that permitted development rights are removed for only two classes within Schedule 2 the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 'GDPO'):

- The construction or replacement of a hard surface (Schedule 2 Part 2 - Class F, Part 1);
 - The erection or alteration of boundary treatments of a gate, fence, wall or other means of enclosure (Schedule 2 Part 2 - Class A, Part 2);
- 42 When an Article 4 direction is made a public consultation exercise is carried out. Following statutory notification, residents are invited to make representations concerning the direction during a period of at least 21 days. The Council then has to consider the representations received before deciding whether to confirm the direction.
- 43 The direction comes into force when statutory notification of it is given. It cannot be applied retrospectively to development which has already been carried out prior to the making of the direction. The Council is required to confirm the direction within six months, or it lapses.

Reviews and Appeals

- 44 There is no formal right of appeal to an Article 4 direction. Similarly, there is no statutory right of appeal against a building being included in a conservation area.
- 45 Should a planning application be refused because it cites the impact on the significance or character and appearance of the conservation area, which is a designated heritage asset, there is the right of appeal to the Planning Inspectorate who will make an independent judgement on the impact of the proposed development on the heritage asset.
- 46 The conservation areas will be kept under review in order to monitor their condition and to establish whether existing planning controls are successful in preserving the areas' character and appearance or whether further proposals for avoiding harmful change or for measures for enhancement need to be considered.

Other Options Considered and/or Rejected

The Core Strategy is specific about the documents necessary to support Policy SP1. Not pursuing the update of the existing appraisals would not accord with SDC policy, and the Council would fail in its statutory duties in relation to conservation areas, as set out in the Planning (Listed Building and Conservation areas) Act 1990.

Key Implications

Financial

The production of the appraisals and management plans has been accommodated within existing budgets.

The processing of additional planning applications that would result from the proposed extensions to the conservation areas and the application of the recommended Article 4 direction to Kemsing Conservation Area will be accommodated within the departmental budgets.

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Section 108 of the Town and Country Planning Act 1990 makes provision for compensation to be paid by the local planning authority either if an application for development is refused, which would normally have been permitted development before an Article 4 direction was introduced, or grant planning permission subject to more limiting conditions than the General Permitted Development Order 2015 would normally allow. An application for compensation must be made within 12 months of the planning decision and compensation is only payable if the applicant has an interest in the land.

Section 107 sets out the method for assessing such compensation, which is strictly limited to the abortive costs associated with the planning application and any other loss, which is directly attributable to the Article 4 direction being made. In relation to Class F, Part 1 (construction or replacement of a hard surface), the Council is only liable to pay compensation on planning decisions made within 12 months of the Article 4 direction being introduced. In relation to Class A, Part 2 (erection or alteration of any means of enclosure) and Class C, Part 11 (demolition of boundaries), the Council is liable to pay compensation even if an application is made 12 months or more after the Article 4 direction has taken effect. The making of a direction creates this right. Such payments are made from the departmental budget.

Legal Implications and Risk Assessment Statement.

The Council has a statutory duty under the provisions of section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate and review conservation areas and is required to produce Appraisals and Management Plans for each area.

The documents are based on best practice and involve local engagement. It is therefore considered that once finalised, they will provide a sound basis for the future conservation and management of the areas.

Legal input will be required for advising on the procedure for making extensions to the three conservation areas and the use of Article 4 directions.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

In adopting the revised appraisals, Cabinet will see the completion of the latest part of the rolling programme to review and update the district's conservation areas. This fulfils the Council's statutory duties in relation to conservation areas, and the making of the Article 4 direction to Kemsing Conservation Area will have a positive impact on its management. The appraisals will help planning officers, the local community and other stakeholders in the conservation and enhancement of the conservation areas and secure the long term preservation of their character and value as important heritage assets.

Appendices (in Supplementary Agenda)

Appendix A - Sevenoaks District Conservation Areas: An introduction to conservation area appraisals (revised 2023)

Appendix B - Eynsford Conservation Area Appraisal (2023)

Appendix C - Farningham Conservation Area Appraisal (2023)

Appendix D - Kemsing Conservation Area Appraisal (2023)

Appendix E - Sevenoaks District Conservation Areas: Conservation area design guidance (revised 2023)

Appendix F - Eynsford, Farningham, Kemsing Conservation Area maps - 2023 boundaries

Appendix G - Public Consultation Report

Appendix H - Eynsford Consultation Response Schedule

Appendix I - Farningham Consultation Response Schedule

Appendix J - Kemsing Consultation Response Schedule

Background Papers

National Planning Policy Framework (updated 2021)

Sevenoaks District Council Core Strategy (2011)

Historic England, *Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1* (2nd edn, 2019)

Richard Morris

Chief Planning Officer

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Item 9 – Gypsy and Traveller Allocation Policy

The attached report was considered by the Housing & Health Advisory Committee on 14 June 2023. The relevant Minute extract is below.

Housing & Health Advisory Committee (14 June 2023, Minute 11)

The Housing Strategy Manager presented the report which proposed a Gypsy and Traveller Allocations Policy in relation to Romani Way, Edenbridge. She explained that as part of the agreed Sevenoaks District Housing Accommodation Policy, it was recommended that applicants for vacant pitches on the site would be required to join the Housing Register. The new policy would bring the process in line with the advertisement and letting of social housing within the district and provide a fair and transparent method of allocating pitches when they became available. It would also be tailored to better accommodate the culture of a Romani Traveller.

Members were informed that Officers from the Council had attended the site on 22 March 2023 to discuss the policy and assess the needs of the Residents. Turn out from Residents had been high and feedback had been positive.

The Housing Strategy Manager also explained that the policy was open to comments and would be kept under constant review. She explained that revisions had been made to the report which included updating exclusions to the register to tackle the use of threatening language or behaviour to any officer of the Council or agent or any persons attending sites on behalf of the Council. In addition, the decision to exclude an applicant would be made by the Housing Register Allocation Panel. They would take into account any supporting information from the applicant, a current or previous landlord(s), the Police and/or Probation or any other relevant professional body.

In response to questions around the vacant pitches at Romani Way, it was explained that works were required to make them habitable as there had been problems with fly-tipping. Officers were working on getting the pitches back into use.

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 draft Gypsy and Traveller Allocation Policy, be approved and adopted for implementation.

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GYPSY AND TRAVELLER ALLOCATION POLICY

Cabinet – 13 July 2023

Report of: Chief Officer - People and Places

Status: For Decision

Also considered by:

- Housing & Health Advisory Committee – 14 June 2023

Key Decision: Yes

Executive Summary: The Sevenoaks District Housing Allocation Policy (SDHRAP) was approved by Cabinet on 7 July 2022 and adopted by Full Council on 19 July 2022. As part of the consultation and adoption of the SDHRAP, it was recommended that applicants for vacant pitches on the Romani Way, Hever Road traveller site would be required to join the Housing Register, in the same way that all other applicants requiring housing assistance are required to do and that a bespoke allocations policy would be prepared for the letting of pitches on this Council-owned site.

This report supports the Key Aim of: The Housing Strategy 2022-2027 and the Sevenoaks District Housing Register Allocations Policy 2022-2027

Portfolio Holder: Cllr. Perry Cole

Contact Officer: Sharon Donald, Ext. 7131

Recommendation to Housing & Health Advisory Committee:

To consider the draft Gypsy and Traveller Allocation Policy

Recommendation to Cabinet:

That, subject to any comments, the draft Gypsy and Traveller Allocation Policy, be approved and adopted for implementation

Reason for recommendation: To align the allocation of pitches at Romani Way, Hever Road with the SDHRAP. To set out how we will prioritise applicants and ensure that those who have a recognised housing need and are eligible for housing at Romani Way are able to apply. To make sure that pitches are allocated in a fair and transparent manner to households who are eligible and fall within the required definition.

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Introduction and Background

- 1 The Council-owned Gypsy and Traveller site at Romani Way, Hever Road, Edenbridge, consists of 16 pitches. Currently applications for housing on the site are made directly to the Private Sector Housing Team, with details held on file and allocated in date order (subject to required checks).

During the consultation process for the Sevenoaks District Housing Register Allocations Policy 2022-2027 (SDHRAP), the current method for application and allocation of vacant pitches at Romani Way was reflected upon. The current method had been put in place prior to the introduction of Kent HomeChoice (Choice Based Lettings) which is used for the application and allocation of social housing.

With the approaching implementation of a new SDHRAP for the District and taking account of how social housing is now allocated, it was felt necessary to review the process for Romani Way and put a bespoke allocation policy in place for the allocation of vacant pitches.

2. Progress to date

Following research of current Gypsy and Traveller Allocation Policies and consultations, a draft policy has been prepared.

The draft policy seeks to deliver a sustainable community at Romani Way, whilst taking account of housing need and with a local connection criteria being included to embrace the culture of the gypsy and traveller community.

Officers from SDC met with residents of Romani Way on 22 March 2023, to discuss the emerging policy and to better understand their priorities for the site. The meeting was well attended and positive.

The main points of the Allocation Policy were considered and discussed. This included:-

- All interested applicants will need to apply to join the Housing Register and provide all required documentation prior to inclusion;
- Registered applicants will be prioritised using the SDHAS Banding criteria and placed into the relevant Band;
- Close family connections and length of time on the original waiting list will be taken into account;
- It is anticipated that vacant pitches will be advertised on Kent HomeChoice (subject to the new software being in place in time) – if this is not possible, vacant pitches will be advertised on the Council's website;

- Following advertisement, a shortlist of the top 3 applicants will be considered by a panel;
- The panel which will consist of officers from the Accommodation Team and an independent advocate for the residents of Romani Way.

The consensus of residents attending the meeting was that the introduction of a new Gypsy and Traveller Allocation Policy would be a fair and transparent method of allocating pitches when they become available at Romani Way.

Other options Considered and/or rejected

None.

Key Implications

Financial

There are no financial implications arising from this report.

Resource (non-financial)

Actions and progress to date have been delivered within existing resources.

Legal Implications and Risk Assessment Statement

The current application procedure is open to challenge. Introducing a revised process which is in line with the Council's overarching SDHRAP will ensure the method is open and transparent and meets current legislation.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

The existing allocation policy has been in place for many years and precludes the introduction of Kent HomeChoice – the Choice Based Lettings function for the allocation of all social housing in Kent. The introduction of a bespoke allocation policy for housing at Romani Way, Hever Road takes account of the Council's SDHAP whilst considering the culture of the gypsy and traveller community. The new policy

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will bring the process in line with the advertisement and letting of social housing within the district and provide a fair and transparent method of allocating pitches when they become available.

Appendices

Appendix A - Gypsy and Traveller Allocation Policy

Background Papers

None

Sarah Robson

Deputy Chief Executive and Chief Officer – People & Places



Sevenoaks District
Gypsy and Traveller Allocation Policy
Romani Way, Edenbridge TN8 5NQ

Agenda Item 9

1 Introduction

Sevenoaks District Council has one Gypsy and Traveller site situated at Romani Way, Edenbridge which consists of 16 pitches.

The Sevenoaks District Council's Gypsy & Traveller Allocation Policy is linked to a range of Council policies, schemes and strategies including the Sevenoaks District Council's Allocation Scheme (SDCAS) 2022. This Allocation Policy sets out the principles, procedures and decision making for pitch allocation at Romani Way.

The demand for pitches in the Sevenoaks District is often greater than the number available. This Allocation Policy describes how the local authority will prioritise applicants to ensure that households with a recognised need are able to register and sets out who is and who is not eligible to join the waiting list. how this assessment will be made and how decisions for the allocation of pitches will be made.

2 Aims and Approach

The Council has a duty to take account of housing need whilst ensuring effective management of the Romani Way site is not prejudiced.

This policy aims to make sure that pitches are allocated in a fair and transparent manner to households who are eligible and fall within the definition of gypsy and travellers as defined below, because they are homeless, vulnerable and have priority need, and to those who may have great difficulty in securing pitches on privately owned traveller sites with planning consent.

Allocation to pitches will be made to those households who fall within the following definition:-

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their families or dependants educational or health needs or old age have ceased to travel temporally or permanently, and all other persons with a cultural tradition of nomadism and/or caravan dwelling'.

Romani Way is specifically designed to meet the needs of the local gypsy and traveller community and we aim to support and enable a balanced community that is safe, and sustainable.

3 Eligibility

The following people/households are eligible to make an application to be considered for inclusion on the Council's Gypsy and Traveller register:

- Are from a Gypsy and Traveller background (see definition above)
- Be aged 18 or over
- Be currently living in the Sevenoaks District and have been resident for a continuous period of three years at the point of application. This does not include households placed in temporary accommodation under the homelessness legislation or Children Act 1989
- Be currently employed in the District, and your place of work is within the District and you have been working within the District continuously for the last three years at the point of application
- Be self-employed, where documentary evidence shows at least 50% of your work is within the District, and this has been the case continuously for the last three years at the point of application
- Be an applicant for whom we have accepted the main housing duty under the homelessness legislation (s193 Housing Act 1996)
- Members of the gypsy and traveller community who are transitory will have their application assessed on priority need
- People who apply as qualifying persons and meet the criteria because of exceptional circumstances or special needs, regardless of their previous address.

The following exemptions to the above eligibility criteria may apply:-

- Applicants who have previously lived in the District
- Applicants who have close family connections i.e. children, parents, grandparents or siblings only where those connections continue to exist.

The following households are not eligible for inclusion on the Council's Gypsy and Traveller register:-

- Those people or persons who do not meet the definition of Gypsy and Traveller as described above.
- Any person applying for a pitch in their own right who is under 18 years old unless they have a trustee and are deemed as having a priority need.
Any person who is ineligible under the law because they are subject to immigration controls or who is ineligible for housing assistance.
- Any known and proven perpetrators of anti-social behaviour.

Existing family groupings will be considered when allocating pitches to new pitch occupiers to minimise potential conflict, both within the Romani Way site and with residents living nearby.

4 Procedure

Making an Application

Applicant(s) who meet the eligibility criteria can be considered for inclusion on the Gypsy and Traveller register. Everyone who wants to be considered must carry out the application process set out below:-

- Follow instructions on how to apply for housing on the online application form
- Provide original documents to verify your identify and current housing circumstances
- Provide information to prove that the eligibility and qualification rules can be met
- Complete any supplementary forms that we may send or answer further questions that we ask you.

Council officers in the Accommodation Team can assist with completing applications if required.

Verification checks will be carried out by the Council's Accommodation Team.

Applicants cannot be placed on the Gypsy and Traveller register prior to verification or without receipt of all information requested.

Joint applicants will need to meet the eligibility qualification and information provision for both parties.

This process ensures that all applicants are assessed in a transparent and consistent manner, that we have all the information needed about the applicant(s) household and current circumstances.

5 Who can be included on an application

The policy allows the following household members to be included in a household application:-

- Main applicant
- Applicant's spouse, civil partner or unmarried partner in a genuine and long-standing relationship
- Children under the age of 18 whose main residence is with the applicant(s) and who is financially dependant on them. Where the applicant is not the parent, proof of guardianship will be required
- Adult children who have lived with the applicant(s) throughout their adult lives
- An adult relative that is dependant on the applicant(s) where there is evidence of a formal care arrangement e.g. receipt of carer's allowance
- Full-time carer for any person on the application

6 Exclusion from the Register

Certain people/households may be excluded from the register. The decision that a person/household is excluded may occur at the time of application or, if accepted on to the register, at anytime during the life of the application.

Applicants may not be eligible for inclusion on the Gypsy and Traveller register if there is evidence of recent behaviour, by an applicant or a member of their household, likely to affect the management of Romani Way and/or adversely impact the Romani Way community

Examples of exclusions could be where an applicant, or a member of the household, has:-

- Unspent convictions for violent or other serious offence (s).
- Unspent convictions for drug use or drug dealing.
- Used threatening language or behaviour to any officer of the Council.
- Been subject to an injunction over violent behaviour in the past three years.
- Behaved in an anti-social manner towards neighbours.
- Supplied false or misleading information when making a Gypsy and Traveller register application.
- Deliberately worsened their housing situation without reasonable cause.
- Moved on to Romani Way in advance and without permission.
- The applicant or a member of their household has property in Kent which they can reasonably be expected to occupy.

Where an applicant or any member of their household knowingly gives false or misleading information, or withholds information that has been reasonably requested, the Council will be entitled not to proceed any further with the application and a fresh application from the same applicant and/or any members of their household will not be accepted within 6 months.

Upon application, details of all household members over 18 will be sent to Kent Police, for checking against police records to verify details of any unspent convictions or cautions (according to the Rehabilitation of Offenders Act 1974, as amended) that have been provided (or not) by the applicant. The Council will exclude applicants where it is reasonably deemed that false or misleading information has been provided or the applicant(s) has chosen to omit details for the purpose of fraudulently gaining a pitch at Romani Way.

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7 Priority Banding

In line with the Council's SDCAS, this policy contains a number of priority bands which ensure that the Council meets its policy aims and commitments. This means that some applications have more priority than others.

Eligibility for a pitch at Romani Way is based on priority order according to housing and support needs. The banding system provided at Appendix A ranks the level or urgency of a need for a pitch, from Band A (most urgent need) to Band D (reduced priority).

Following verification and assessment, each applicant(s) will be placed in a band dependant upon housing need. Applicant(s) will be notified of priority banding.

8 Advertising a Vacant Pitch

When the Council are notified of a pitch becoming vacant, the vacancy will be advertised through the Kent HomeChoice (Choice Based Lettings) scheme which can be access via the following link:-

<http://www.kenthomechoice.org.uk/choice/>

Applicants who are registered and eligible are able to express an interest (bid) for the pitch.

9 Offers

The Accommodation Team Leader will identify the applicant(s) in the highest priority band who have been waiting the longest within that band. They will consider if there are any other circumstances that need to be taken into account to ensure the safe and secure running of Romani Way so that existing residents can have quiet enjoyment of their home and the site.

A shortlist of 3 applicants will be made.

A panel consisting of representatives from the Council and an advocate for the Romani Way residents will consider the shortlist and make an offer of a pitch to the successful applicant.

Note: In the event that two or more applicants are deemed to have equal need, priority will be given to the applicant(s) who have been on the register for the longest time. If an applicant(s) goes up a band as a result of a change in circumstances, the original date of registration will be retained.

10 Site Rules/Licence Conditions

All successful applicants will be offered a pitch agreement (both applicants where the pitch agreement is jointly held) regulated by the Mobile Homes Act (MHA) 1983. The pitch agreement sets out the rules governing good conduct of site, advises that any

breach of the pitch agreement is likely to result in formal action being taken to remove the pitch occupier responsible from the site. The rules of the site are set out in the pitch agreement and are made up of implied terms used in the MHA and express terms which are sites specific. Once agreement is concluded under the procedures in the MHA, each applicant or joint applicant will be issued with a copy of their pitch agreement.

11 Review of decisions

Decisions made by the Council under the SDCAS

Applicants can request a review of a decision made by the Council under the SDCAS. The most common types of review concern the following:

- A decision that an applicant is ineligible on the grounds of unacceptable behaviour, serious enough to make them or a member of their household an unsuitable licensee
- A decision that an applicant should not be given reasonable preference
- Whether all the relevant facts about an applicant's case have been taken into account
- A decision on ineligibility because of immigration status under s.160A (3) or s.160A (5) of the Housing Act 1996 (as amended by the Homelessness Act 2002)

A letter will be sent to each applicant advising them of the decision. An applicant can appeal a decision either verbally or in writing before 21 days.

All decision letters will advise the applicant about the right to request a review of the decision, including details of where they can obtain independent advice such as via Shelter, Citizens Advice Bureaux or solicitors. If an applicant has problems requesting the review in writing, they will be given the opportunity to make their request verbally.

The Council will carry out the review based upon the facts provided. A senior officer who was not involved in the original decision will carry out the review. The review will be acknowledged within 3 working days and a response will be made within 10 working days, although where further enquiries are required such as from a GP, Social Worker or Housing Officers, additional time may be required. The applicant will be notified of the final decision as soon as is practicable.

Where an applicant is not satisfied with the review decision, they can apply to the High Court for a judicial review on a point of law.

If the applicant feels the Council has not acted within its stated policies or within the legislation, they have the right to direct their complaint in accordance with the Council's Corporate Complaints Procedure and then onto the Local Government Ombudsman.

12 Requesting a review of the reasonableness of an offer

A reasonable offer at present relates to an offer of a pitch on the Romani Road site. This is the only site that Sevenoaks District Council currently manages.

a) Non-Homeless applicant

If an applicant feels that an offer was not 'reasonable', they can request a review as above. If the review decision is that the offer was not reasonable, then the applicant's points will revert to the level they were prior to the offer refusal.

b) Homeless applicant

If the applicant has been accepted by Sevenoaks District Council under homelessness legislation, the review process will be slightly different. When refusing an offer, the reasons for refusal must be put in writing to the Head of Housing who will forward this to the Accommodation Team Leader. A review will then be arranged with the Council's solicitor and the relevant Team Leader/Manager.

Under the homelessness legislation, there would be an opportunity for the applicant to apply to the Council for a review of a decision to discharge duty.

13 Access to Information/Sharing Information

Applicants have the right to request general information to enable them to assess how their application will be treated under the policy.

Applicants have the right to see the information about their application that the Council holds on their files.

When applicants sign their application form, the Council will seek their consent to share information with other agencies such as Housing Associations, Social Services Departments, Police Authorities, Health Authorities, Education Services and other sections within Sevenoaks District Council. Information is shared on a "need to know" basis only in order to:

- Determine an applicant's priority
- Assess any potential risks to the applicant and or others who may be affected by the Council's actions in allocating the pitch
- Ensure suitable accommodation is provided for applicants

If an applicant is not eligible for the register, does not renew their application for a pitch or asks to be removed from the register, their application form will be kept for 5 years

Under s171, Housing Act 1996 (false statements and withholding information), the Council will take action to prosecute an applicant and will consider possession proceedings where an applicant has given false information in obtaining a pitch licence. The circumstances that an offence could have been committed would include:

- Any false information given on an application form for a pitch or withholding relevant information
- Any false information given in response to subsequent review letters or other updating mechanisms or withholding relevant information
- Any false information given or submitted by applicants during the proceedings of a review or withholding relevant information

14 Policy Statement

The Council will:

Ensure that the Council's policies on equalities and customer care are met and promote the health and safety and quiet enjoyment of pitches by all its site residents and ensure that the operation of this policy assists in meeting that outcome.

Ensure that pitches are allocated on the basis of priority need and the sustainability of Romani Way.

Comply with the Data Protection legislation and its seven principles.

Provide an efficient and helpful service which is responsive and sensitive to the needs of the Gypsy and Traveller community.

Acknowledge that Gypsy and Travellers belong to recognised ethnic groups and are protected groups under the Equality Act 2010, but "Gypsy and Traveller" includes a wider range of people as provided for in the definitions above.

Only offer a pitch to a main or sole pitch occupier who is eligible to apply in accordance with the criteria set out above.

Treat any adult applicant to be part of an existing household, or be it a joint pitch occupier in the same way as any other applicant for a new pitch. The same application details must be gathered, and checks must be carried out, before any agreement is made that they can join the household.

15 Grievances/Complaints

Any grievances or complaints can be handled using the Council's Complaints Procedure.

16 Equal Opportunities

Sevenoaks District Council will ensure that policies and procedures in allocating pitches at the Romani Way site do not discriminate directly or indirectly on grounds of sexuality, ethnicity, age, gender, religion or religious belief or disability.

To monitor the effectiveness of this allocations scheme, records are kept of the ethnic origin of all those applying for pitches and those who are offered pitches. The results are analysed and action is taken to ensure the service provided is fair, open and transparent service to all service users.

To ensure complete transparency, fairness and equality of opportunity, applicants who are staff of Sevenoaks District Council or Members of the Council, or related to, partner of, or living with, staff or Members of the Council, must disclose this at point of application. Failure to disclose this information may result in the application being suspended or cancelled as determined by the Chief Officer – People and Places.

17 Policy Review

This policy will remain in place and in operation for 5 years from the date of adoption.

Sevenoaks District Council's Housing Service is responsible for this policy and will review its operation every 12 months and follow any changes to the relevant legislation or regulations.

It may sometimes be necessary to make minor amendments, which do not represent a major change of policy. Authority to introduce such minor amendments is delegated to the Chief Officer – People and Places, in consultation with the Portfolio Holder for Housing and Health.

We will seek to inform all applicants of any changes to this scheme by publicising details on the Council's website and on Kent Homechoice (Choice Based Lettings).

Item 10 – Intermediate Housing Policy

The attached report was considered by the Housing & Health Advisory Committee on 14 June 2023. The relevant Minute extract is below.

Housing & Health Advisory Committee (14 June 2023, Minute 10)

The Housing Strategy Manager presented the report which asked the Advisory Committee to provide feedback and recommend to Cabinet the draft intermediate housing policy applying to Discounted Market Housing. The report also proposed revisions to the Council's adopted local First Homes policy which followed a review after its first year of operation. She explained that the updated draft local policy for Discounted Market Housing, if approved, would be included within the Sevenoaks Intermediate Housing Protocol 2023.

Members asked questions of clarification, which focused on the proposals for Discounted Market Housing. The Housing Strategy Manager explained that the proposed changes sought to make more homes available for local Residents. It was confirmed that the policy included a local connection criteria which meant that for an initial period, homes were marketed locally to residents of the District.

It was also explained that moving the cap on the Local First Homes Policy to require a minimum discount of 30% would increase developer's ability to generate rented homes for those residents on the housing register. In response to a question on the local income cap the Housing Strategy Manager would circulate further clarification information to the Committee. Some Members expressed that the proposals should be re-assessed in one year to review the impact of the changes.

Public Sector Equality Duty

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

It was moved by the Chairman that the draft policy be recommended to Cabinet for approval subject to a review in one year.

Resolved: That it be recommended to Cabinet that, subject to review in one year's time, the draft intermediate housing policy applying to Discounted Market Housing and proposed revisions to the Council's adopted local First Homes policy be approved.

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INTERMEDIATE HOUSING POLICY

Cabinet – 13 July 2023

Report of: Chief Officer - People and Places and Chief Officer - Planning and Regulatory Services

Status: For Decision

Also considered by:

- Housing & Health Advisory Committee – 14 June 2023

Key Decision: Yes

This report supports the Key Aim of: The emerging Local Plan 2040 and the Housing Strategy 2022-2027

Portfolio Holder: Cllr. Perry Cole

Contact Officer: Sharon Donald, Ext. 7131

Recommendation to Housing & Health Advisory Committee:

Comments are sought on a draft intermediate housing policy applying to Discounted Market Housing and proposed revisions to the Council's adopted local First Homes policy.

Recommendation to Cabinet:

That, subject to any comments, the draft intermediate housing policy applying to Discounted Market Housing and proposed revisions to the adopted local First Homes policy, be approved and adopted for implementation.

Reason for recommendation: To ensure housing policy helps to deliver a sustainable economy through the provision of a range of new affordable intermediate housing, thereby assisting local working people who are in housing need.

Introduction and Background

1. The National Planning Policy Framework (NPPF) sets out a range of intermediate housing tenures to help secure homes for working households. These include Shared Ownership housing, Discounted Market for Sale Housing and First Homes. A local First Homes policy was approved by Cabinet in December 2021. Local policy applying to Shared Ownership housing has been in place since 2013/14 via an Intermediate Housing Protocol (Portfolio Holder decision No. 36 and subsequent updates).
2. The current Sevenoaks Intermediate Housing Protocol April 2023, sets out the local policy parameters applying to the intermediate housing tenures of Shared Ownership housing and First Homes. The Protocol includes applicant eligibility, local connection criteria, how homes are to be re sold in future and the discount retained, etc. Currently there is no local policy for Discounted Market for Sale Housing, (referred to within this report as “Discounted Market Housing”), meaning the Protocol is silent on this tenure. This creates an information gap for customers – both planning applicants and individuals wishing to get onto the property ladder. The intention of this report is to take forward a draft local policy for Discounted Market Housing which, if approved, will be included within the Protocol. The report also sets out proposed revisions to the adopted local First Homes policy, which are being put forward following a review of the policy after its first year of operation.
3. Discounted Market Housing

Discounted Market Housing is, in many respects, similar to the First Homes tenure. It comprises open market homes which are sold direct by the house-builder to eligible buyers at a discounted price, where the percentage discount and eligibility criteria remain in place for future buyers. Based on current and emerging local plan policy, it is anticipated the level of homes provided as Discounted Market Housing will be very limited. The local First Homes policy parameters have therefore been used wherever appropriate.

The suggested draft local policy for Discounted Market Housing is:

- Discount to be set at a minimum of 30% of Open Market Value. The NPPF sets a minimum discount of 20%. The suggested 30% discount is as per the recommended revision to local First Homes policy and will provide consistency across the intermediate housing tenures;
- Individual applicant eligibility to be the same as for Shared Ownership housing, as set out on the [GOV.UK](https://www.gov.uk) website. Applicant eligibility is based on current home ownership status and a household income cap of £80,000 per annum. It is considered the proposed Discounted Market Housing applicant eligibility criteria will reach a wider pool of applicants than allowed for under First Homes, as this tenure is open to first time buyers only. A greater number of customers can therefore be assisted onto the property ladder through low cost home ownership;

- Exceptionally, and at the specific request of the District Council, the house-builder to be required, at first sale, to attempt to sell the homes, at the discounted price, within a prescribed marketing period, to a partner Registered Provider. This may enable the Registered Provider to convert said homes into social housing. This provision will be of particular interest where Discounted Market Housing homes are being provided voluntarily by the house-builder (as is proposed at the Sevenoaks Gas Holders application site), as the Registered Provider would be eligible to apply for Homes England grant funding. If a sale is not achieved to a Registered Provider within the prescribed marketing period, the homes would be made available for sale to individual applicants who meet the eligibility criteria;
- No price cap to be applied at first sale. This is a major difference to First Homes where a price cap of £250,000 applies. The price cap, when considered against local market values, prevents a wider range of homes being provided as First Homes. The absence of a price cap should allow for larger family sized homes to be provided as Discounted Market Housing;
- All homes must be deliverable within the confines of the household income cap. In other words, the maximum mortgage required by an eligible applicant for any given home must be viable on an annual household income of up to £80,000, or such cap applying at the time of sale;
- Local connection criteria to be applied for the first 6 months of marketing, for both first sales and re-sales. This is as per local First Homes policy. Specified members of the Armed Services will also be deemed to meet the local connection criteria. This is as per the policy applying to Shared Ownership housing;
- The District Council to charge individual eligible applicants a fee of up to £500 for processing applications, this is as per local First Homes policy. The District Council will be required to assess and authorise “authority to proceed” (with the sale) and “authority to exchange contracts”. A number of local authority partners have processed an inaugural batch of First Homes sales. This work is reported to be complex and time consuming. Subject to the quantum of First Homes and Discounted Market Housing sales coming through, it is hoped the application fee may enable additional staff resources to be secured. There is very limited capacity within current staff resources;
- The tenure and its attributable S106 model clauses, to otherwise operate exactly as per local First Homes policy;

4. First Homes Policy

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A local First Homes policy was adopted following Cabinet approval in December 2021. During the policy's first whole year of operation, we have gained valuable experience from negotiating First Homes on a number of planning application sites. This includes the inaugural First Homes, which are included as part of the outline permission at Broom Hill, Swanley (details are provided on the [Affordable Housing page](#) of the website). The policy has also been considered as part of the high-level viability work for the emerging Local Plan 2040. Finally, mortgage market conditions have changed dramatically during the past year and these have an important bearing on policy.

Revisions to the local First Homes policy are therefore suggested as follows:

- Discount to be re-set to a “minimum of 30%”. The national First Homes policy requires a minimum discount of 30%. National Planning Policy Guidance does not allow for discounts to be considered on a case by case basis, meaning a single level of discount must be applied across the District. Since December 2021, experience demonstrates the current local First Homes policy prescribed discount of 50% is frequently not achievable. Or, where a 50% discount is achievable, it “squeezes out” other affordable housing tenures which are in greater priority need within the District;
- The National Income Cap of £80,000 per annum to be used and reference to the Local Income Cap (£56,250 per annum), removed from local policy. Within the mortgage market, lenders are taking a robust view on affordability stress testing of applicants, particularly first time buyers. Interest rate rises have exacerbated matters further. The Local Income Cap is now considered insufficient to sustain a high loan to value mortgage supporting a purchase price of £250,000. The National Income Cap already applies to Shared Ownership housing and is recommended for Discounted Market Housing. Its application to First Homes will ensure consistency across all intermediate housing tenures.

5. Both Tenures

The policies set out above will apply to planning applications submitted after Cabinet approval is given, but will not apply to any application submitted after this date where there has been significant pre-application engagement.

Other options Considered and/or rejected

None.

Key Implications

Financial

None.

Resource (non-financial)

Local authorities participating in the Homes England First Homes pilot programme, have expressed concerns over their capacity to administer First Homes sales. This will equally apply to sales under the Discounted Market Housing tenure. By charging individual eligible applicants an administration fee, we hope to mitigate such capacity concerns.

Legal Implications and Risk Assessment Statement.

First Homes is a mandatory tenure under Government policy.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

The adoption of a local policy in relation to Discounted Market Housing and revisions to adopted local First Homes policy will ensure that, within the constraints of national policy, Sevenoaks District Council is best placed to deliver a sustainable economy through the provision of a range of new affordable intermediate housing, for local working households.

Appendices

Appendix A - [Sevenoaks Intermediate Housing Protocol April 2023](#)

Background Papers

None

Agenda Item 10

Sarah Robson

Deputy Chief Executive and Chief Officer – People & Places

Richard Morris

Deputy Chief Executive and Chief Officer – Planning & Regulatory Services.

Appendix A

Sevenoaks District Intermediate Housing Protocol

Introduction

This protocol sets out the local policy applying in the Sevenoaks District to Intermediate Housing, specifically the low cost home ownership options of First Homes and Shared Ownership Housing.

First Homes offers first time buyers the opportunity to purchase a discounted, new build home. First Homes are offered for sale by the house builder. Find out more about [First Homes](#).

Shared Ownership housing is offered for sale by Registered Providers of Social Housing, formerly known as housing associations. It allows an applicant to purchase a share of a property. This share can range between 10% and 75% and the price of the share is based on the property's open market value. The applicant then pays a subsidised rent to the Registered Provider on the remaining unowned share. Applicants have the opportunity to purchase further shares, this is known as 'staircasing'. Only the applicant and their household live in the property – the home is not shared with anyone else. Find out more about [Shared Ownership housing](#).

Policy aims and objectives

- To establish a policy that is flexible, non-discriminatory and responsive to local needs, while contributing to inclusive and sustainable communities.
- To establish an efficient, transparent, fair and effectively controlled basis for the processing of applications.

First Homes – Local Policy

Discounted Price

First Homes are offered at a discount of 50% of the open market value of the property, unless otherwise agreed by us. The maximum price of a First Home on initial sale, after discount, is £250,000. The percentage discount will apply to a First Home forever and will be passed on every time the property is sold. In practice, this means the current owner will receive 50% of the open market value of the property when sold.

Priority for First Homes

When a First Home is marketed for sale, applicants with a local connection to the District, armed forces personnel and local essential workers, will be given priority.

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Armed forces personnel includes active members of the Armed Forces, divorced/separated spouses or civil partners of current members of the Armed Forces, spouses or civil partners of a deceased member of the armed forces (if their death was wholly or partly caused by their service) and veterans within five years of leaving the armed forces.

Local connection, “close family” and who qualifies as a local essential worker, are set out in our [Housing Allocations Policy](#). Close family must be resident in the District for at least three continuous years before the date of application.

Applying for a First Home

You must be a first time buyer. This means you and anyone you’re buying with, must not own a home now or have owned one in the past, in the UK or abroad.

Your annual household income must be less than £56,250 (this income cap applies during the initial marketing period only) or less than £80,000 when the initial period has ended.

You will need a minimum 5% deposit and a mortgage to cover at least 50% of the purchase price.

The Council will charge the applicant applying to buy the First Home a one off, non-fundable fee of up to £500, to cover the cost of processing their application.

- **Initial/First Sale**

First Homes are marketed directly by the house builder usually on their own website or on home buying websites. Each house builder will usually have a sales office on site.

Once you have found a First Home that is available for sale, speak to the house-builder’s sales team. They need to carry out initial checks before forwarding your application to us. The Council is unable to process any application until it receives this information from the house-builder.

- **Resale**

A First Home owner can put their property on the market at any time and this is likely to be through an estate agent. The home will need to be marketed as a First Home, at a discounted price, to those priority groups set out above, for a specified period of time. Full details will be provided in the title deeds relating to your property and will be clarified by the conveyancer acting for you.

Shared Ownership Housing – Local Policy

Find out more about [Shared ownership homes on the GOV website](#).

Eligibility Criteria – “Eligible Applicants”

- See [who can apply](#) on the GOV website.

- Applicants must be able to afford the initial costs of purchase through savings or access to funds or such other reasonable amount stipulated by the Registered Provider.
- Applicants must have a bank or building society account.
- In the case of shared ownership housing developed specifically for older people, applicants must be at least 55 years old.

Prioritisation of applicants

- **Initial/First Sale**

The Registered Provider will consider eligible applicants in accordance with Homes England guidance and in the following priority order:

- 1) Serving members of the armed forces. Your offer may be prioritised if you previously served in the armed forces. It depends on what your role was. Please speak to the Registered Provider.
- 2) For an agreed marketing period of 8 weeks, the Registered Provider will give priority to applicants with a “local connection” to the Sevenoaks District (see below). The Registered Provider will advise the Council when the eight week period commences and ends. The Registered Provider will advise us of the number of homes sold to applicants with a local connection.
- 3) Following the end of the agreed marketing period, all other eligible applicants.

For Shared Ownership housing provided on a Rural Exception Site, additional criteria will apply. Please speak with the Registered Provider.

- **Re-Sales**

A shared owner can sell their Shared Ownership Home at any time.

If the owner has ‘staircased’ their ownership and now owns 100% of their home, they can sell it on the open market. For example, through an estate agent. Different rules apply if the home is located on a Rural Exception Site. Please speak with the Registered Provider.

If the shared owner does not own 100% of their home, they must tell their Registered Provider landlord if they want to sell their home. This gives the Registered Provider the opportunity to find a buyer for their home. This is known as the “nomination period”. The shared owner’s lease will set out how long the nomination period will be in operation for this will either be a period of four weeks or eight weeks. At the end of the nomination period, if the Registered Provider has been unable to find a buyer, the shared owner can sell their home on the open market. For example, through an Estate

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Agent. Different rules apply if the home is located on a Rural Exception Site. Please speak with the Registered Provider.

When prioritising applicants during the nomination period, the Registered Provider will follow the prioritisation of applicants as set out for initial and first sales, above. The Registered Provider will advise when a re-sale become available for sale. The Registered Provider will advise us if the home is sold to an applicant with a local connection.

Local Connection Criteria

Local connection to the District is set out in our [Housing Allocations Policy](#).

Where homes are provided on a Rural Exceptions Site, a local connection to the relevant Parish will be required. Please speak with the Registered Provider for details. It should be noted, certain personal data may need to be shared with the relevant Parish Council(s) for the purpose of verifying an applicant's local connection to the Parish in question.

Sale of homes to District Council staff or Registered Provider staff/Board Members

When carrying out the initial assessment of an applicant's eligibility, the Registered Provider will ascertain whether the applicant is a member of staff or Board Member, or is a member of staff of the District Council. This is referred to as the "specified link". In all such cases, the following will be adhered to:

- If the specified link is with the Council, an applicant must be approved by the Council's Head of Housing before an offer of sale is made.
- If the specified link is with the Registered Provider, an applicant must be approved by a senior officer from the Registered Provider before an offer of sale is made.
- Applications will not be treated with any preferential treatment. The Registered Provider will scrutinise their applications to ensure accountability, fairness and justification for their case to proceed.
- Any staff member of the Registered Provider involved in processing the sale of the home, must have no personal relationship to the applicant.
- A Board Member must have no influence in the sale or allocation of a home or funding for the particular scheme.
- If approval to proceed with the specified link is given, the Registered Provider should keep a record of this approval on file.

April 2023

Item 11 – Financial Monitoring 2022/23: Provisional Outturn

The attached report was considered by the Finance & Investment Advisory Committee on 19 June 2023. The relevant Minute extract is below.

Finance & Investment Advisory Committee (19 June 2023, Minute 9)

The Head of Finance presented the report, which set out the provisional financial outturn for 2022/23. This showed an unfavourable variance of £100,000, compared to an unfavourable variance of £43,000 in 2021/22. Additional business rates accrued from the Kent & Medway Business Rates Pool had been provisionally set at £250,000, but Members were advised that final figures had not yet been received, and that this figure was subject to change.

The unfavourable variance stemmed from several factors, including the staff pay award, global events leading to increasing utility costs, and the negative impact of high interest rates on the number of planning applications, building control services, and land charges. These were offset in part from good returns on the Council's vacancy savings contribution, investment income, in-year manager savings, and one-off grants.

In response to questions, the Officer clarified that vacancy contribution to the budget was calculated from the normal leave time when recruiting to a position that had been permanently left. Payments for the Sencio leisure centres had been repurposed to the current leisure provider.

Members discussed the Council's investment fund managers, and potential issues around the ethics of their portfolios. They further discussed the selection process for these funds, and were advised that the process involved Members and Officers. Investment fund managers had shifting portfolios and it was possible that the funds were not investing in unethical companies at the time the decision was made, but now were. The Committee heard that the investment scheme was a 5-year pilot scheme, and that changing funds early may result in penalisation and lost income. It was agreed that the Head of Finance would provide detailed information on the investment selection process to the Committee.

Action: For the Head of Finance to provide detailed information on the investment selection process to the Committee.

Resolved: that the report be noted.

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FINANCIAL MONITORING 2022/23: PROVISIONAL OUTTURN

Cabinet – 13 July 2023

Report of: Deputy Chief Executive and Chief Officer – Finance & Trading

Status: For Consideration

Also considered by:

- Finance & Investment Advisory Committee – 19 June 2023

Key Decision: No

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

Portfolio Holder: Cllr. Kevin Maskell

Contact Officers: Alan Mitchell, Ext. 7483

Adrian Rowbotham, Ext. 7153

Recommendation to Finance and Investment Advisory Committee:

- (a) To note this report and forward any comments to Cabinet.

Recommendation to Cabinet:

- (a) To note this report and consider any comments from Finance and Investment Advisory Committee.

Introduction and Background

- 1 This report provides the Provisional Financial Outturn figures for 2022/23 (Appendix B) which show an unfavourable variance of £100,000 (2021/22 unfavourable variance £43,000). The outturn is provisional until the accounts have been audited at which time it will become final subject to any required changes.
- 2 A provisional figure of £250,000 has been included for additional business rates accrued due to the council being a beneficiary of the Kent & Medway Business Rates Pool. Final figures are yet to be received which may impact on the final outturn position.

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- 3 During the year in order to meet the additional pay award costs which were £643,000 above budget assumptions, members agreed in September 2022 that the business rates detailed above and £390,000 from the Budget Stabilisation Reserve would be used to meet these in year costs with the reserve to be reimbursed through the next budget setting process.
- 4 In addition we have seen the impact of global events increase costs across the board and in particular utility costs. To meet this budgetary pressure, in year savings of £142,000 were identified.

Areas of Note

- 5 As mentioned above the 2022/23 pay award was approved at an overall increase of 5.8%, which is £643,000 above what was assumed in the 2022/23 budget.
- 6 Investment Returns – the Council made the decision to invest £5m for a 5 year period on multi-asset investment funds which has resulted in excellent returns resulting in a favourable variance of £127,000.
- 7 Retained Business Rates – Income of £2.476m forms part of the 2022/23 budget. Any receipts over and above this amount will be transferred to the Budget Stabilisation Reserve with the exception of the additional income from the Kent Business Rates Pool, as detailed above.

Net Service Expenditure – Favourable Variances

- 8 Miscellaneous Finance is reporting the favourable variance of £540,000 which includes the use of the Budget Stabilisation Reserve to fund the pay award as well as the in years savings mentioned above. Service budgets were not increased to allow for the higher pay award.
- 9 Corporate management is reporting a favourable variance of £209,000. This includes a government grant of £140,000 that was received to offset the cost of the additional employers National Insurance. The increase in National Insurance was later reversed by government but the grant remained. There were also underspends on consultants of £29,000 and £22,000 on services.
- 10 Corporate Other is reporting a favourable variance of £177,000 which is the result of higher contributions from service budgets to the vacancy savings pot.
- 11 The legal function is reporting a favourable variance of £37,000 due to staff vacancies and savings on professional services.
- 12 Leisure Contract is reporting a favourable variance of £36,000 where the management fee due to Sencio being retained as they did not meet all of the terms required for payment.

Net Service Expenditure – Unfavourable Variances

- 13 Direct Services are reporting an overall unfavourable variance of £940,000. This includes £331,000 due to the pay award being higher than budgeted as explained above. The remaining variance is due to a number of reasons including the higher refuse volumes than pre-pandemic which has contributed to the additional cost of agency staff and the requirement to hire vehicles where existing vehicles are being repaired due to the increased wear and tear. There has also been an underachievement of the increased income budget for commercial services which was put in place prior to the pandemic.
- 14 Planning Conservation is reporting an unfavourable variance of £56,000 due to the additional investment required to deliver the service.
- 15 Planning Appeals is reporting an unfavourable variance of £51,000 due to the costs of active planning appeals.
- 16 Planning – Enforcement is reporting an unfavourable variance of £110,000 due to the cost of running the service.
- 17 Land Charges is reporting an unfavourable variance of £86,000 due to a downturn in volumes of searches and corresponding income.
- 18 Asset Maintenance is reporting an unfavourable variance due to emergency repair works at the leisure facilities.
- 19 Print Shop is reporting an unfavourable variance of £85,000 due to underachievement of income due to the reduction of external business demand.
- 20 Swanley Meeting Point – Business Hub is reporting an unfavourable variance of £68,000 due to set up costs being incurred which were not in the 2022/23 budget.

Other Variances

- 21 Investment Property Income is reporting an unfavourable variance of £160,000. This reflects the current occupation levels of the portfolio and the resulting impact of the council incurring Business Rates.

Future Issues and Risk Areas

- 22 An early indications report is also being presented at both the Finance and Investment Advisory Committee and Cabinet which sets out the financial risks that may impact the council in 2023/24 and future years.

Key Implications

Financial

The financial implications are set out elsewhere in this report.

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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.

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

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices

Appendix A - March 2023 Budget Monitoring Commentary

Appendix B - Provisional Outturn - March 2023 Financial Information

Background Papers

None

Adrian Rowbotham

Deputy Chief Executive and Chief Officer - Finance & Trading

2018-19 Provisional outturn including all sundry creditors

	Annual Budget £'000	Forecast Outturn £'000	Actual Outturn £'000	Difference between Budget and Final Outturn £'000	Explanation for year end variances greater than £10k (starred items)	Difference between February forecast and final outturn £'000	Explanation for large differences between forecast outturn and actual outturn (starred items)
People & Places							
Gypsy Sites	-5	22	21	27 *	As a result of closure order on site due to criminal damage, rents and HB reclaims has reduced due to tenancy evictions.	-0	N/A
Homeless	641	628	627	-15 *	Number of TA/Emergency accommodation placements continues to reduce. Staff underspend and TA charging schedule income unachieved.	-2	N/A
Housing Register	46	71	64	18 *	The 22/23 annual pay award has now been included and the Housing Register funding offset by vacancy from other service areas.	-7	N/A
Leisure Contract	342	343	303	-39 *	Payment of Sencio's management fee is subject to the previous year's audited accounts being provided by the Trust. Unlikely to be paid, to be reviewed next month.	-40 *	Interest calculated for borrowing undertaken for the new leisure centre at White Oak Leisure Centre in Swanley, came in lower than originally planned.

	Budget £'000	Outturn £'000	Outturn £'000	between Budget £'000	Explanation for year end variances greater than £10k (starred items)	between your £'000	outturn and actual outturn greater than £10k (starred)
Assistant Chief Executive							
Corporate Management	1,273	1,106	1,063	-209	* Underspend due to the costs of the NHS & Social Care Levy still to be met by new burdens funding.	-43	* The impact of the total cost of the social care levy and additional savings were able to be delivered in spend on external services.
Corporate - Other	177	1	0	-177	* Additional savings generated from vacant posts exceeding budget.	-1	
Elections	118	139	147	29	* Overspend due to unscheduled By-Elections. S31 grant received to provide support for scheduled polls in May 2023.	8	
Register of Electors	196	174	168	-29	* Spend behind budget, with invoices for annual canvass still to be received.	-7	
Support - General Admin (Print Shop)	-40	68	44	85	* Income from both external and internal customers is below the budgeted level.	-23	* Income in the final month of the year exceeded expectations

2018-19 Provisional outturn including all sundry creditors

	Annual Budget £'000	Forecast Outturn £'000	Actual Outturn £'000	Difference between Budget and Final Outturn £'000	Explanation for year end variances greater than £10k (<i>starred items</i>)	Difference between February forecast and final outturn £'000	Explanation for large differences between forecast outturn and actual outturn (<i>starred items</i>)
Customer & Resources							
Land Charges	-114	-31	-27	86	* Forecast adverse variance due to downturn in volumes of searches and corresponding income and the 22/23 annual pay award has now been included in EOY Position	4	
Local Tax	-69	-56	-44	25	* Adverse variance due to write-offs on court costs and unachievable enforcement income.	12	* Additional unachievement on costs recovered
Support - Contact Centre	853	837	839	-14	* Forecast underspend based on staff turnover and plus the 22/23 annual pay award has now been included in the EOY Position	2	
Support - General Admin (Post/Scanning)	247	245	224	-24	* Underspend based on staff turnover however the 22/23 annual pay award has now been included for EOY position	-22	* Better end of year position due to a change in the Franklin/Postage recharge process
Support - Legal Function	270	234	233	-37	* Current underspend due to vacant post being recruited to and the 22/23 annual pay award has now been included in the EOY Position	-1	
Support - Human Resources	407	435	431	24	* The 22/23 annual pay award has now been included in the EOY Position	-4	

2018-19 Provisional outturn including all sundry creditors

	Annual Budget £'000	Forecast Outturn £'000	Actual Outturn £'000	Difference between Budget and Final Outturn £'000	Explanation for year end variances greater than £10k (<i>starred items</i>)	Difference between February forecast and final outturn £'000	Explanation for large differences between forecast outturn and actual outturn (<i>starred items</i>)
Finance & Trading							
Asset Maintenance Direct Services	42	22	16	-27	* Spend lower than budget due to the Dunbrik Refurbishment Programme funded by capital.	-7	
Asset Maintenance Public Toilets	16	0	0	-16	* No spend required on public toilets in 22/23.	0	
Car Parks	-1,495	-1,677	-1,557	-63	* Day tickets charge income has exceeded budget but season ticket income is below budget.	120	* Variance due to ground maintenance work, utilities costs and income levels.
CCTV	273	353	342	69	* Adverse variance due to pay award 22/23 and increase in utilities bills.	-11	* Electricity lower in qtr. 4.
Refuse Collection	138	728	760	623	* Increased agency and salary costs due to sickness, outstanding holiday leave and pay award.	32	* Higher vehicle maintenance and overtime costs.
Trade Waste	-182	73	40	222	* Increased income, but below budget target. Waste disposal charges increased by on average £5k per month.	-33	* Lower vehicle maintenance costs.
Green Waste	29	128	111	82	* Agency costs and a reduction in income have caused an adverse variance.	-17	* Higher income achieved in P12.
Street Cleansing	-48	-131	-142	-94	* Increased recharges for services.	-11	* Lower vehicle maintenance costs.
Transport Workshop	6	77	54	48	* Agency costs and a reduction in income due to staffing vacancies have caused an adverse variance.	-23	* Higher recharges on vehicle maintenance.
Cesspool Emptying	-75	1	5	80	* Lower demand for service than budget assumption. Service making a loss.	4	
Pest Control	-48	8	16	64	* Lower demand for service than budget assumption. Service making a loss.	8	
Fly Tipping	-46	8	11	57	* Major repairs to vehicles	4	
Depots	-39	78	91	130	* Transport repairs and income reduction.	12	* Higher utilities costs.
Grounds Maintenance	-30	-51	-46	-17	* Underspend on services due to bad weather.	5	
Emergency	83	73	72	-11	* Reduced demand for standby service.	-1	
Parking Enforcement - Tandridge DC	-35	-28	-67	-32	* Lower costs incurred than anticipated.	-39	* Lower costs incurred than anticipated.
Estates Management - Grounds	133	141	146	13	* Grass maintenance and hedge cutting not budgeted for.	5	
Markets	-384	-406	-411	-27	* Additional income from Swanley Sunday market.	-5	
Members	483	464	465	-18	* Underspend due to reduced members travel claims and training. Members allowances higher than budget levels due to increased pay award.	1	
Misc. Finance	1,745	1,587	1,575	-170	* In year savings across a range of services approved earlier in the year (as reported to Members) are held here. Also a underspend on cleaning materials for Covid.	-12	* Adjustments for financial instruments and a reduction in bad debt provision.
Off-Street Enforcement	75	11	10	-66	* Parking Charge Notice (PCN) income exceeding budget.	-1	
Parks - Rural	175	167	183	8		16	* Works to ash trees.
Refuse Collection	2,869	2,869	2,830	-39	* Overachieved income in recycling.	-39	* Overachieved income in recycling.
Administrative Expenses - Finance	25	38	45	20	* Spend on consultant works and staff advertising.	7	
Street Cleansing	1,565	1,592	1,593	28	* Increase costs relating to fly tipping and unachieved income.	1	
Support - Audit Function	214	175	199	-15	* SDC share of the combined partnership underspend. Underspend due to staffing vacancies.	24	* Carry forward favourable forecast transferred to reserve.
Support - Direct Services	69	83	87	18	* Variance due to recruitment and postage costs.	4	
Treasury Management	126	145	147	20	* Rise in the costs of bank charges and charge for Multi Asset Income Fund initial fee.	2	

2018-19 Provisional outturn including all sundry creditors

	Annual Budget £'000	Forecast Outturn £'000	Actual Outturn £'000	Difference between Budget and Final Outturn £'000	Explanation for year end variances greater than £10k (starred items)	Difference between February forecast and final outturn £'000	Explanation for large differences between forecast outturn and actual outturn (starred items)
Planning & Regulatory Services							
Building Control	-158	-151	-143	15	* Reduced fee income due to adverse current climate due to the cost of living crisis and increased cost of building materials.	8	
Conservation	130	190	186	56	* Additional investment in the delivery of the service. Extraordinary agency staff cost and pay award.	-4	
EH Commercial	321	311	306	-15	* Unspend on salaries to be offset against overspend on salaries within the Environmental Health service	-5	
EH Animal Control	23	41	15	-8		-26	* Outstanding dissolved Environmental Health Partnership cost fee processed through accountancy net offset elsewhere in service budget and not depicted in this budget line as anticipated.
EH Environmental Protection	376	426	422	46	* Additional investment in the delivery of the service. Unplanned deterioration and partial obsolescence of the Air Quality Control Equipment. Increased material replacement cost and increased electricity costs.	-4	
Licensing Regime	36	23	36	0		13	* Forecast underspend moved to reserves
Planning - Appeals	215	235	266	51	* Additional investment in the delivery of the service. Costs associated with extensive public inquiry.	30	* Unexpected extraordinary cost in period 12 due to public inquiry.
Planning - CIL Administration	-67	-52	-42	25	* Under-achieved revenue due to adverse current climate and downturn in development applications. Increased salary costs due to pay award.	11	* Under-achieved revenue due to adverse current climate and downturn in development applications.
Planning - Development Management	-76	-80	-51	25	* Additional investment in the service. Unexpected excess ecology advice cost and excess agricultural advice cost in period 12.	29	* Additional investment in the service. Unexpected excess ecology survey cost and excess archaeological survey cost in period 12.
Planning - Enforcement	343	447	452	110	* Additional investment in the delivery of the service. Agency cost to fulfil delivery of service. Increase in salaries due to pay award.	5	
Administrative Expenses - Planning Services	44	58	64	19	* Advertising expenditure for vacant posts.	6	
Taxis	7	-9	7	0		16	* Forecast underspend moved to reserves

2018-19 Provisional outturn including all sundry creditors

	Annual Budget £'000	Forecast Outturn £'000	Actual Outturn £'000	Difference between Budget and Final Outturn £'000	Explanation for year end variances greater than £10k (<i>starred items</i>)	Difference between February forecast and final outturn £'000	Explanation for large differences between forecast outturn and actual outturn (<i>starred items</i>)
Strategic Head Commercial and Property							
Asset Maintenance Argyle Road	80	80	69	-11	* Underspend due to works reprofile into the next financial year.	-11	* Underspend due to works reprofile into the next financial year.
Asset Maintenance Leisure	193	193	239	46	* BMS upgrade at Sevenoaks Leisure Centre and unexpected costs of Sencio guard patrols.	46	* BMS upgrade at Sevenoaks Leisure Centre and unexpected costs of Sencio guard patrols.
Bus Station	8	11	19	11	* Increase in the cost of utilities bills.	8	
Economic Development	39	48	35	-4		-13	* Underspend on printing throughout the year.
Swanley Meeting Point	0	70	68	68	* Salary costs and the purchase of equipment unbudgeted for in 22/23.	-2	
Economic Development Property	439	440	418	-21	* Overachieved income.	-21	* Overachieved income.
Estates Management - Buildings	-12	-27	-45	-33	* Exceeded budget due to RPI increase for Town Centre management and back payment relating to Blighs Meadows.	-18	* Exceeded budget due to RPI increase for Town Centre management and back payment relating to Blighs Meadows.
Housing Premises	17	11	-1	-18	* Lower expenditure than anticipated and overachieved income on sewage treatment plant costs.	-12	* Lower expenditure than anticipated and overachieved income on sewage treatment plant costs.
Administrative Expenses - Strategic Property	0	18	30	30	* Costs relating to staff advertising.	11	* Costs relating to staff advertising.
Support - Central Offices	496	484	508	12	* Rateable value reduction on rates offset by increase in utilities bills.	23	* Utilities bills received in P12.
Tourism	33	34	45	12	* Overspend due to salary costs and a slight overspend on expenditure.	11	* Overspend due to salary costs and a slight overspend on expenditure.

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
People and Places	787	826	(39)
Development and Conservation	1,236	938	298
Finance and Investments	2,719	3,263	(544)
Cleaner and Greener	6,297	5,216	1,080
Housing and Health	1,268	1,226	42
Improvement and Innovation	5,908	6,059	(151)
Services Total	18,216	17,528	687
Adjustments to Reconcile to amount to be met from reserves: Capital Charges outside the General Fund	(60)	(60)	0
Adjustments to Reconcile to amount to be met from reserves: Support Services outside the General Fund	(172)	(172)	0
Redundancy Costs	0	0	
NET SERVICE EXPENDITURE	17,984	17,296	687
New Homes Bonus	(810)	(810)	0
Retained Business Rates	(2,476)	(2,226)	(250)
Council Tax	(11,841)	(11,841)	0
Contribution from Collection Fund	(27)	(27)	0
Services Grant	(262)	(262)	0
Summary excluding Investment Income	2,568	2,130	437
Investment Property Income	(1,358)	(1,517)	160
Interest Receipts	(315)	(188)	(127)
OVERALL TOTAL	895	425	470
Planned Appropriation to/(from) Reserves	(1,235)	(1,235)	0
Other Reserve Movements	440	810	(370)
Supplementary Estimates	0	0	0
(Surplus)/Deficit	100	(0)	100

Appendix B : Summary by Service

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
People & Places SDC Funded	£'000	£'000	£'000
All Weather Pitch	-	(5)	5
Communities	125	124	1
Communities	(6)	(6)	0
The Community Plan	34	37	(2)
Grants to Organisations	198	201	(3)
Leisure Contract	306	342	(36)
Leisure Development	13	21	(9)
Admin Expenses - People & Places Communities	16	16	1
Tourism	45	33	12
West Kent Partnership	-	-	-
Youth	60	60	(0)
Total People & Places SDC Funded	791	822	(31)

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
People & Places Externally Funded	£'000	£'000	£'000
Domestic Abuse Duty	(0)	-	(0)
KCC Helping Hands	-	1	(1)
Local Strategic Partnership	4	4	-
Police & Crime Commissioners (PCCs)	0	-	0
Community Sports Activation Fund	(0)	-	(0)
West Kent Enterprise Advisor Network	0	-	0
West Kent Kick Start	(7)	-	(7)
People & Places Externally Funded	(4)	4	(8)
Total People & Places	787	826	(39)

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Development and Conservation	£'000	£'000	£'000
Building Control	(143)	(158)	15
Conservation	186	130	56
Dangerous Structures	1	3	(2)
Planning Policy	499	499	-
LDF Expenditure	(0)	-	(0)
Planning - Appeals	266	215	51
Planning - CIL Administration	(42)	(67)	25
Planning - Counter	-	(6)	6
Planning - Development Management	(51)	(76)	25
Planning - Enforcement	452	343	110
Planning Performance Agreement	(0)	-	(0)
Planning - Development Management - Software Project	-	-	-
Administrative Expenses - Building Control	4	12	(8)
Administrative Expenses - Planning Services	64	44	19
Total Development and Conservation	1,236	938	298

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Finance and Investments	£'000	£'000	£'000
Asset Maintenance CCTV	18	19	(1)
Asset Maintenance Countryside	1	9	(8)
Asset Maintenance Direct Services	16	42	(27)
Asset Maintenance Playgrounds	8	16	(8)
Asset Maintenance Public Toilets	-	16	(16)
Benefits Admin	53	53	-
Benefits Grants	(29)	(25)	(4)
Corporate Management	(0)	-	(0)
Dartford Rev&Ben Partnership Hub (SDC costs)	0	(2)	2
Dartford Audit Partnership Hub (SDC Costs)	-	(0)	0
Housing Advances	-	1	(1)
Local Tax	(44)	(69)	25
Misc. Finance	1,204	1,745	(540)
Administrative Expenses - Chief Executive	12	20	(8)
Administrative Expenses - Finance	45	25	20
Administrative Expenses - Revenues and Benefits	1	-	1
Administrative Expenses - Strategic Property	30	-	30
Support - Rev & Ben Control	235	235	-
Support - Counter Fraud	53	53	-
Support - Audit Function	199	214	(15)
Support - Exchequer and Procurement	217	207	10
Support - Finance Function	254	246	8
Support - Legal Function	233	270	(37)

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Support - Procurement	5	7	(1)
Support - Property Function	62	55	7
Treasury Management	147	126	20
Total Finance and Investments	2,719	3,263	(544)
Cleaner and Greener	£'000	£'000	£'000
Asset Maintenance Argyle Road	69	80	(11)
Asset Maintenance Other Corporate Properties	41	35	6
Asset Maintenance Hever Road	50	41	10
Asset Maintenance Leisure	239	193	46
Asset Maintenance Support & Salaries	142	142	(0)
Asset Maintenance Sewage Treatment Plants	2	9	(8)
Bus Station	19	8	11
Car Parks	(1,557)	(1,495)	(63)
CCTV	342	273	69
Civil Protection	46	53	(7)
Car Parking - On Street	(343)	(343)	0
Refuse Collection	760	138	623
Trade Waste	40	(182)	222
Green Waste	111	29	82
Street Cleansing	(142)	(48)	(94)
Transport Workshop	54	6	48
Cesspool Emptying	5	(75)	80
Pest Control	16	(48)	64

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Fly Tipping	11	(46)	57
Fleet	(12)	(14)	2
Depots	91	(39)	130
Emergency	(26)	(17)	(8)
Grounds Maintenance	(46)	(30)	(17)
Environmental Enforcement	1	-	1
EH Commercial	306	321	(15)
EH Animal Control	15	23	(8)
EH Environmental Protection	422	376	46
Emergency	72	83	(11)
Parking Enforcement - Tandridge DC	(67)	(35)	(32)
Estates Management - Buildings	(45)	(12)	(33)
Estates Management - Grounds	146	133	13
Housing Other Income	(16)	(14)	(2)
Housing Premises	(1)	17	(18)
Licensing Partnership Hub (Trading)	(1)	(1)	-
Licensing Regime	36	36	-
Asset Maintenance Operatives	(3)	7	(10)
Markets	(411)	(384)	(27)
Decarbonisation Fund Net ZERO 2030	65	65	-
Off-Street Enforcement	10	75	(66)
Parks and Recreation Grounds	141	139	2
Parks - Rural	183	175	8
Public Transport Support	-	0	(0)
Refuse Collection	2,830	2,869	(39)

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Administrative Expenses - Direct Services	5	-	5
Administrative Expenses - Health	12	5	7
Administrative Expenses - Licensing	4	7	(2)
Administrative Expenses - Property	0	3	(2)
Administrative Expenses - Transport	8	7	2
Street Cleansing	1,593	1,565	28
Support - Central Offices	508	496	12
Support - Central Offices - Facilities	218	226	(8)
Support - General Admin	0	1	(1)
Support - General Admin (Post/Scanning)	224	247	(24)
Support - Health and Safety	2	5	(2)
Support - Direct Services	87	69	18
Taxis	7	7	(0)
Public Conveniences	34	36	(2)
Total Cleaner and Greener	6,297	5,216	1,080
Housing and Health	£'000	£'000	£'000
Contain Outbreak Management Fund 2021/22 - Housing	(0)	-	(0)
Gypsy Sites	21	(5)	27
Community Health and Wellbeing	32	34	(2)
Homeless	627	641	(15)
Housing Clinically Extremely Vulnerable 21/22	0	-	0
Housing Register	64	46	18
Kent Housing Group Grant	0	-	0

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Disabled Facilities Grant Administration	(50)	(50)	0
Housing	174	164	10
Accommodation Service	65	63	2
Housing Pathway Co-ordinator	(0)	0	(0)
Needs and Stock Surveys	1	-	1
Housing Energy Retraining Options (HERO)	56	56	0
Homes for the Ukrainians	(0)	0	(0)
KCC- Household Support Fund	0	-	0
KCC Helping Hands	-	-	-
Private Sector Housing	264	268	(4)
Rough Sleepers Initiative 2022-25	-	-	-
Admin Expenses - People & Places Housing	13	6	7
One You - Your Home Project	0	-	0
One You KPH	(0)	0	(0)
Dementia Area Project - Run Walk Push	-	-	-
Housing and Health Project	0	-	0
Homelessness Funding	0	2	(2)
PCT Initiatives	-	-	-
KCC Specialist Weight Management	0	-	0
Total Housing and Health	1,268	1,226	42
Improvement and Innovation	£'000	£'000	£'000
Action and Development	3	8	(5)
Asset Maintenance IT	280	280	(0)
Civic Expenses	18	18	(0)

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Consultation and Surveys	-	4	(4)
Corporate Management	1,063	1,273	(209)
Corporate - Other	-	177	(177)
Democratic Services	168	173	(5)
Economic Development	35	39	(4)
Swanley Meeting Point	68	-	68
Economic Development Property	418	439	(21)
UK Share Prosperity Fund	-	-	-
Elections	147	118	29
External Communications	238	229	10
Land Charges	(27)	(114)	86
Members	465	483	(18)
Performance Improvement	(2)	(0)	(2)
Register of Electors	168	196	(29)
Administrative Expenses - Corporate Services	21	21	0
Administrative Expenses - Legal and Democratic	65	58	7
Administrative Expenses - Transformation and Strategy	13	6	7
Administrative Expenses - Human Resources	12	9	3
Street Naming	4	2	3
Support - Contact Centre	839	853	(14)
Support - Customer Insights	210	202	8
Support - General Admin	178	182	(4)
Support - General Admin (Print Shop)	44	(40)	85
Support - IT	1,047	1,037	10
Support - Human Resources	431	407	24

Position as at the end of March 23	Draft Outturn £'000	Annual Budget £'000	Annual Variance £'000
Total Improvement and Innovation	5,908	6,059	(151)
Total SDC	18,216	17,528	687

Appendix B : Salaries

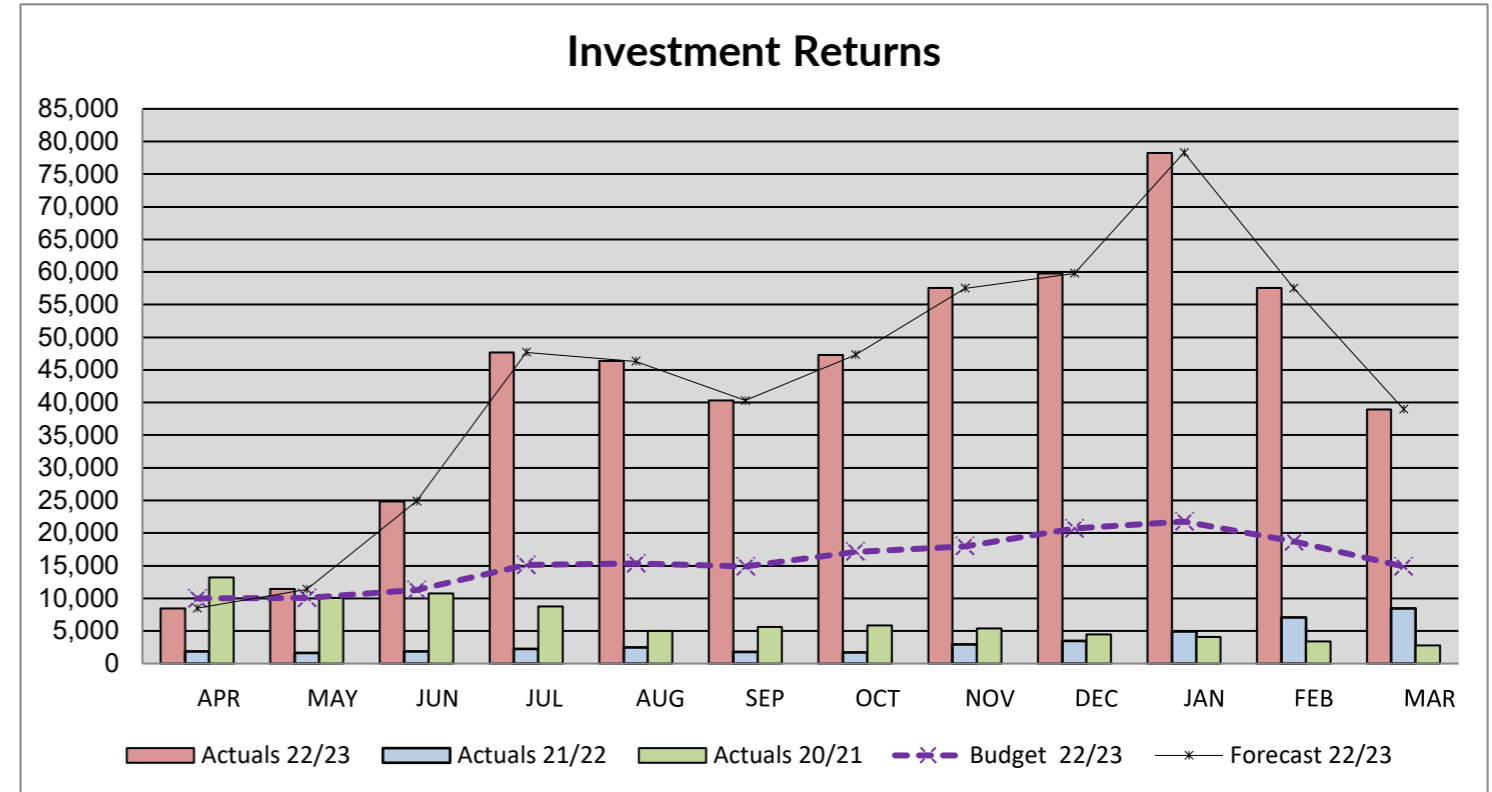
Position as at the end of March 23	Draft Outturn £'000	Annual Variance £'000	Annual Variance %
Development and Conservation			
Building Control	354	6	2%
Planning Services	2,187	194	10%
	2,541	200	9%
Finance and Investments			
Chief Executive	222	2	1%
Finance	988	(16)	-2%
Revenues and Benefits	1,706	15	1%
Strategic Property	668	60	10%
	3,584	61	2%
Cleaner and Greener			
Direct Services	4,581	213	5%
Health	669	23	4%
Licensing	494	(5)	-1%
Property	488	21	4%
Transport	683	59	9%
	6,915	312	5%
Housing and Health			
Places Housing	843	9	1%
	843	9	1%
Improvement and Innovation			
Corporate Services	1,850	41	2%
Legal and Democratic	583	(42)	-7%
Transformation and Strategy	657	(5)	-1%
Human Resources	443	23	5%
	3,534	17	0%
People and Places			
Places Communities	335	5	1%
	335	5	1%
Sub Total	17,752	603	4%
Council Wide - Vacant Posts	0	(171)	-100%
Staff Recruitment and Retention	48	0	0%
TOTAL SDC Funded Salary Costs	17,800	433	2%
Places Communities*	196	61	45%
Places Housing*	397	243	158%
Strategic Property*	121	(95)	-44%
Externally Funded Total	121	(95)	(0)
TOTAL Salary Costs	18,515	642	4%

*Externally Funded & Funded from other sources (gross figures). Overspendings here are matched by external fu

Appendix B : Staffing Stats - Position as at the end of March 2023	Budget FTE*	Staff FTE	Agency FTE	Casual FTE	March 2023 Total	February 2023 Total
Development and Conservation						
Building Control	7.00	8.00			8.00	8.00
Planning Services	40.75	35.77			35.77	35.77
Finance and Investments						
Chief Executive	1.00	1.00			1.00	1.00
Finance	17.81	17.00			17.00	17.00
Revenues and Benefits	43.78	40.78			40.78	40.78
Strategic Property	10.00	9.86			9.86	9.86
Cleaner and Greener						
Direct Services	124.68	114.28		0.23	114.51	115.53
Health	11.72	12.19			12.19	12.19
Licensing	10.59	11.80			11.80	10.80
Property	5.00	4.81			4.81	4.81
Transport	16.62	17.38			17.38	17.38
Housing and Health						
Housing	17.31	17.12			17.12	15.53
Improvement and Innovation						
Corporate Services	50.85	51.89			51.89	51.89
Legal and Democratic	7.50	6.00			6.00	6.00
Transformation and Strategy	19.35	16.35			16.35	15.35
Human Resources	9.37	8.76			8.76	8.76
People and Places						
Communities & Business	4.50	4.50		0.10	4.60	4.50
Sub Total	397.83	377.49	0.00	0.33	377.82	375.15
Externally Funded						
People & Places	3.35	3.58			3.58	3.58
People & Places - Housing	4.00	10.62			10.62	10.62
Strategic Property (Ext)	4.95	1.54			1.54	1.54
Sub total	12.30	15.74	0.00	0.00	15.74	15.74
Total	410.13	393.23	0.00	0.33	393.56	390.89
Number of staff paid in March 23: 420 permanent, 2 casuals						

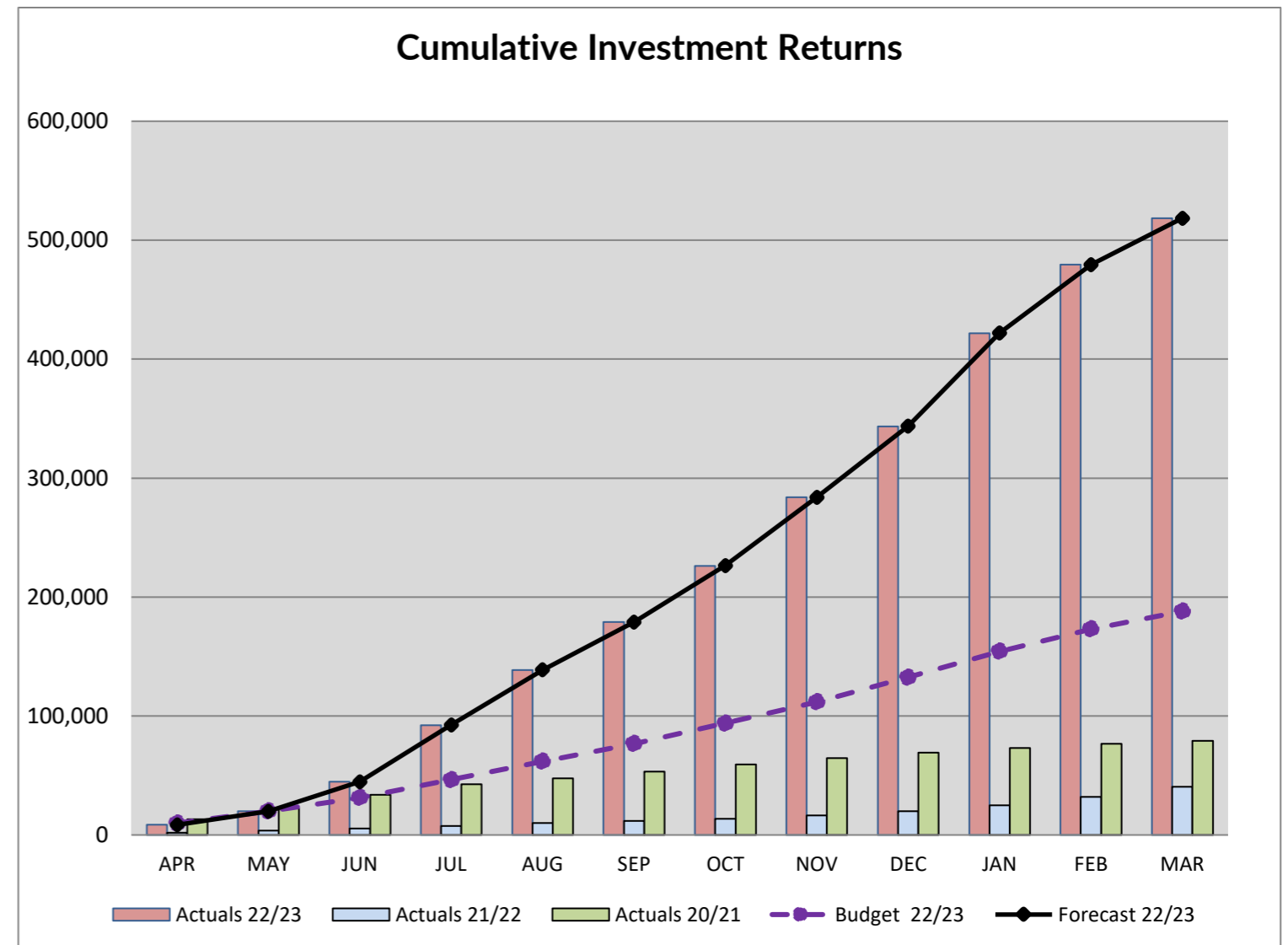
6 Investment Returns

	Actuals 20/21	Actuals 21/22	Actuals 22/23	Budget 22/23	Variance	Forecast 22/23
APR	13,190	1,900	8,467	9,994	-1,527	8,500
MAY	10,041	1,620	11,405	10,060	1,345	11,400
JUN	10,719	1,829	24,843	11,301	13,542	24,900
JUL	8,761	2,261	47,663	15,139	32,524	47,700
AUG	5,010	2,471	46,360	15,358	31,002	46,300
SEP	5,612	1,774	40,302	14,911	25,391	40,300
OCT	5,867	1,696	47,257	17,143	30,114	47,300
NOV	5,397	2,963	57,529	17,986	39,543	57,500
DEC	4,484	3,467	59,754	20,724	39,030	59,800
JAN	4,060	4,958	78,253	21,766	56,487	78,300
FEB	3,367	7,065	57,532	18,718	38,814	57,500
MAR	2,769	8,424	38,981	14,900	24,081	39,000
	79,277	40,428	518,346	188,000	330,346	518,500



INVESTMENT RETURNS (CUMULATIVE)

	Actuals 20/21	Actuals 21/22	Actuals 22/23	Budget 22/23	Variance	Forecast 22/23
APR	13,190	1,900	8,467	9,994	-1,527	8,500
MAY	23,231	3,520	19,872	20,054	-182	19,900
JUN	33,950	5,349	44,715	31,355	13,360	44,800
JUL	42,711	7,610	92,378	46,494	45,884	92,500
AUG	47,721	10,081	138,738	61,852	76,886	138,800
SEP	53,333	11,855	179,040	76,763	102,277	179,100
OCT	59,200	13,551	226,297	93,906	132,391	226,400
NOV	64,597	16,514	283,826	111,892	171,934	283,900
DEC	69,081	19,981	343,580	132,616	210,964	343,700
JAN	73,141	24,939	421,833	154,382	267,451	422,000
FEB	76,508	32,004	479,365	173,100	306,265	479,500
MAR	79,277	40,428	518,346	188,000	330,346	518,500



BUDGET FOR 22/23 188,000
 FORECAST OUTTURN 518,500

CODE:- YHAA 96900

N.B.
 These are the gross interest receipts rather than
 the interest remaining in the General Fund

Fund Average 2.6295%
 7 Day LIBID 2.0482%
 3 Month LIBID 1.6545%

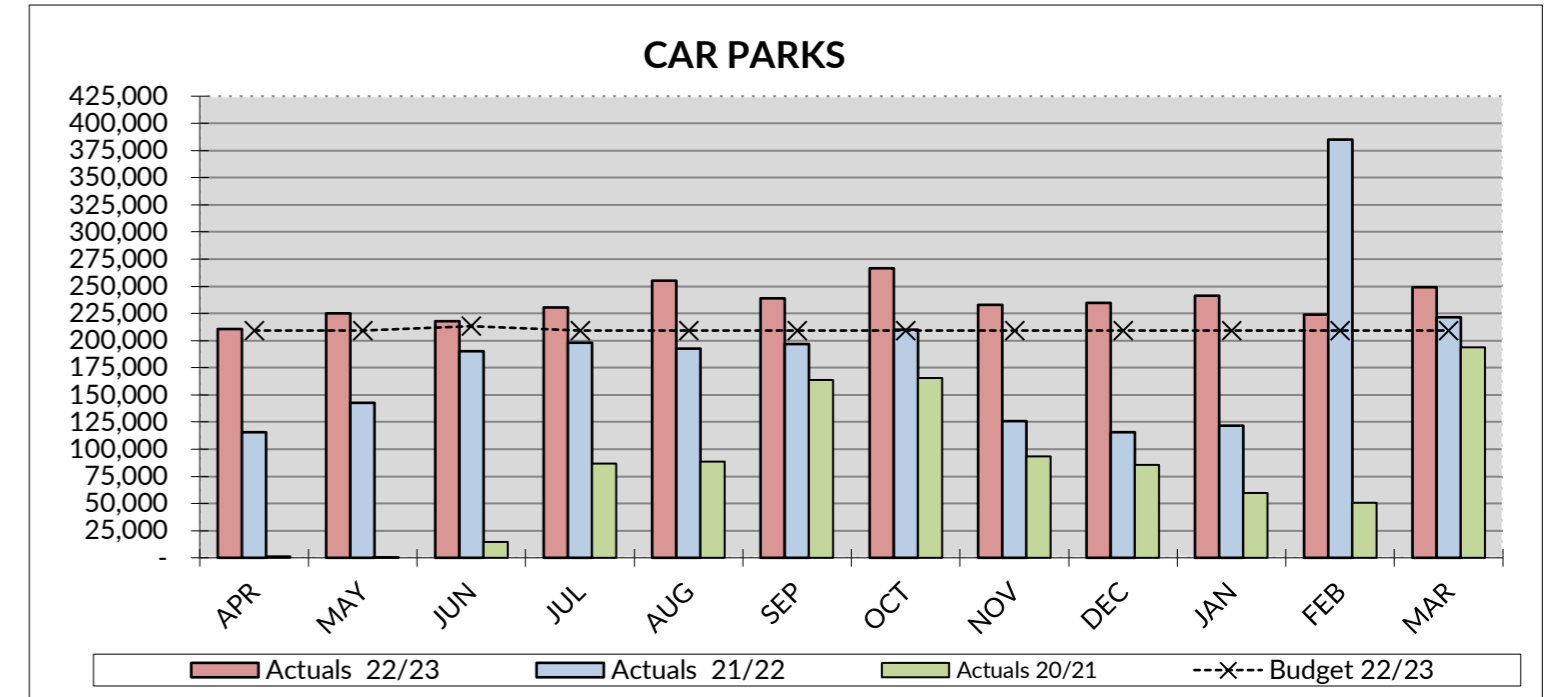
Position as at the end of March 2023 (Period 202312)	22/23 Opening Balance	Position as at the end of March 2023 (Period 202312)2	22/23 Cumulative Movement to Date
E Earmarked Reserve - Budget Stabilisation	(7,932)	(6,934)	998
E Earmarked Reserve - NNDR Safety Net Deficit Reserve	(4,280)	(4,280)	-
E Earmarked Reserve - Financial Plan	(3,356)	(3,079)	277
E Earmarked Reserve - Carry Forward Items (DAC)	(1,356)	(1,313)	42
E Earmarked Reserve - Vehicle Renewal (DAA)	(919)	(932)	(13)
E Earmarked Reserve - IT Asset Maintenance	(440)	(598)	(158)
E Earmarked Reserve - Housing & Commercial Growth Fund	(566)	(566)	-
E Earmarked Reserve - Homelessness Prevention	(536)	(541)	(5)
E Earmarked Reserve - Capital Expenditure Reserve	(500)	(500)	-
E Earmarked Reserve - Capital Financing	(328)	(492)	(164)
E Earmarked Reserve - Pension Fund Valuation Adj.	(359)	(339)	20
E Earmarked Reserve - Property Investment Strategy Maintenance Reserve	(310)	(311)	(1)
E Earmarked Reserve - Action and Development	(296)	(296)	-
E Earmarked Reserve - Local Plan/LDF	(285)	(294)	(9)
E Earmarked Reserve - Vehicle Insurance (DAZ)	(266)	(279)	(12)
E Earmarked Reserve - District Elections (DAZ)	(134)	(176)	(42)
E Earmarked Reserve - Re-organisation	-	(164)	(164)
E Earmarked Reserve - Community Infrastructure Levy Administration (CIL)	(152)	(152)	-
E Earmarked Reserve - Community Development Reserve	(166)	(147)	19
E Earmarked Reserve - NETZERO	(108)	(134)	(26)
E Earmarked Reserve - RHB repayable Assistance	(109)	(130)	(21)
E Earmarked Reserve - DWP Hsg Benefit Subsidy	(123)	(110)	13
E Earmarked Reserve - New Homes Bonus Reserve	(406)	-	406
	(22,928)	(21,768)	1,160
Other Earmarked Reserves (balances <£100k)	(539)	(444)	95
Total Earmarked Reserves	(23,467)	(22,212)	1,255
General Fund	(1,700)	(1,700)	-
Total Reserves	(25,167)	(23,912)	1,255

Capital Outturn is currently be finalised

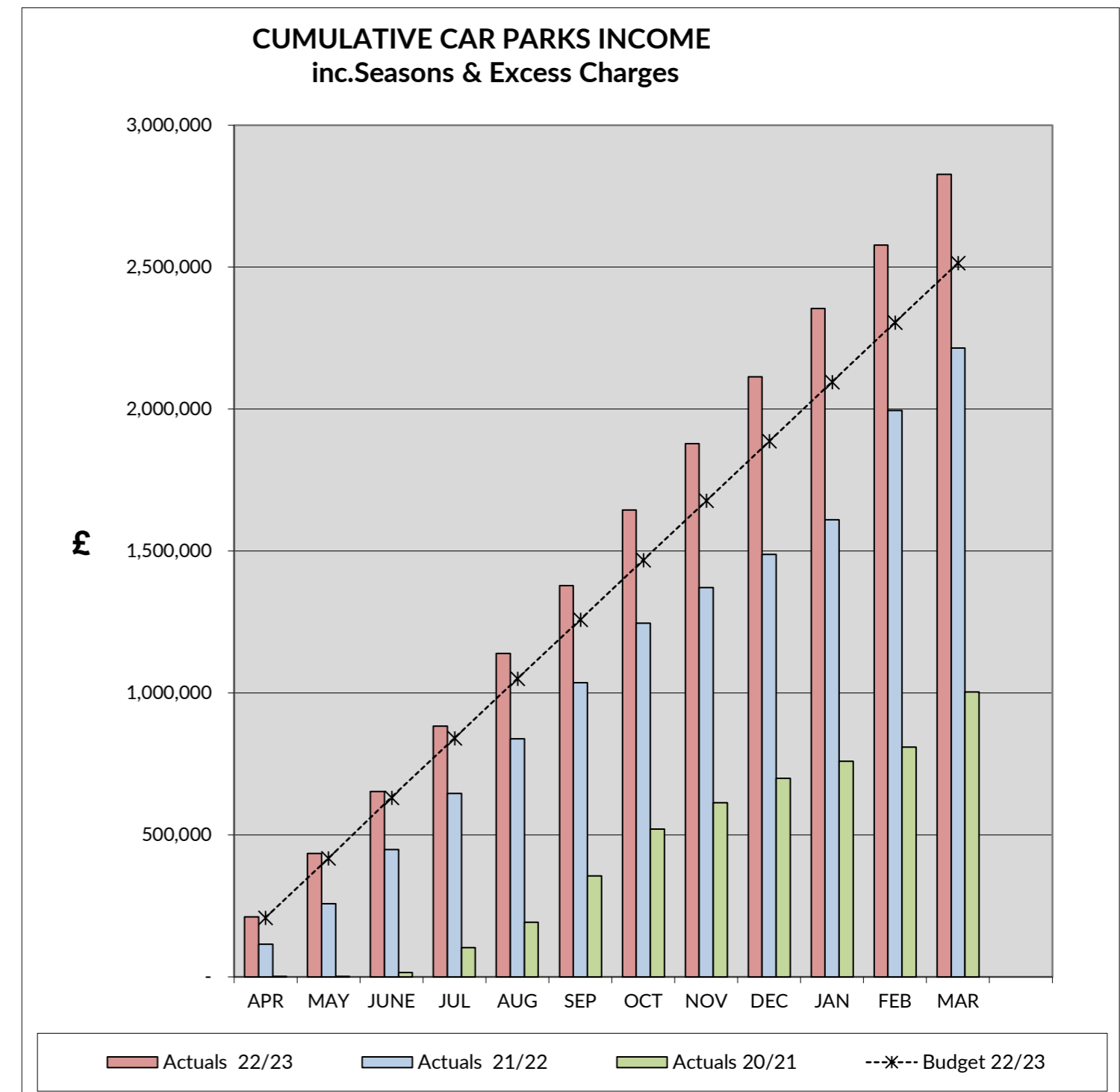
Appendix B : Income Graphs Summary

	ACTUAL	Previous Year comparatives	Budget YTD	Variance YTD · brackets show underachieve ment	Annual Budget
Car Parks	2,827,522	2,215,818	2,514,782	312,740	2,514,782
Car Parking - On Street	966,923	807,835	790,304	176,619	790,304
Off-Street Enforcement	215,803	195,407	127,624	88,179	127,624
Licensing Regime	116,037	121,848	123,349	(7,312)	123,349
Taxis	135,041	123,162	159,936	(24,895)	159,936
Land Charges	112,767	154,144	222,292	(109,525)	222,292
Planning - Development Management	1,210,246	1,067,348	1,016,072	194,174	1,016,072
Building Control	539,894	502,536	520,484	19,410	520,484
Total	6,124,233	5,188,098	5,474,843	649,390	5,474,843

Appendix B: CAR PARKS (HWCARPK)	Actuals			Increase / (decrease) from 21/22 to 22/23	Budget 22/23	Variance (Budget-Actuals)	Manager's Forecast
	Actuals 20/21	Actuals 21/22	22/23				
APR	1,513	115,730	210,882	95,151	209,232	1,650	-
MAY	158	142,691	224,840	82,149	209,232	15,608	-
JUN	14,588	190,284	217,774	27,490	213,232	4,542	-
JUL	86,759	198,274	230,741	32,467	209,232	21,509	-
AUG	88,754	192,326	255,282	62,957	209,232	46,051	-
SEP	163,789	196,998	239,148	42,150	209,232	29,916	-
OCT	165,320	209,840	266,643	56,804	209,232	57,411	-
NOV	93,081	125,825	232,942	107,117	209,232	23,710	-
DEC	85,779	115,877	234,867	118,989	209,232	25,635	-
JAN	59,945	121,754	241,450	119,696	209,232	32,218	-
FEB	50,624	385,058	223,678	(161,380)	209,232	14,447	-
MAR	193,889	221,161	249,274	28,113	209,232	40,042	313,301
Total	1,004,200	2,215,818	2,827,522	611,703	2,514,782	312,740	313,301

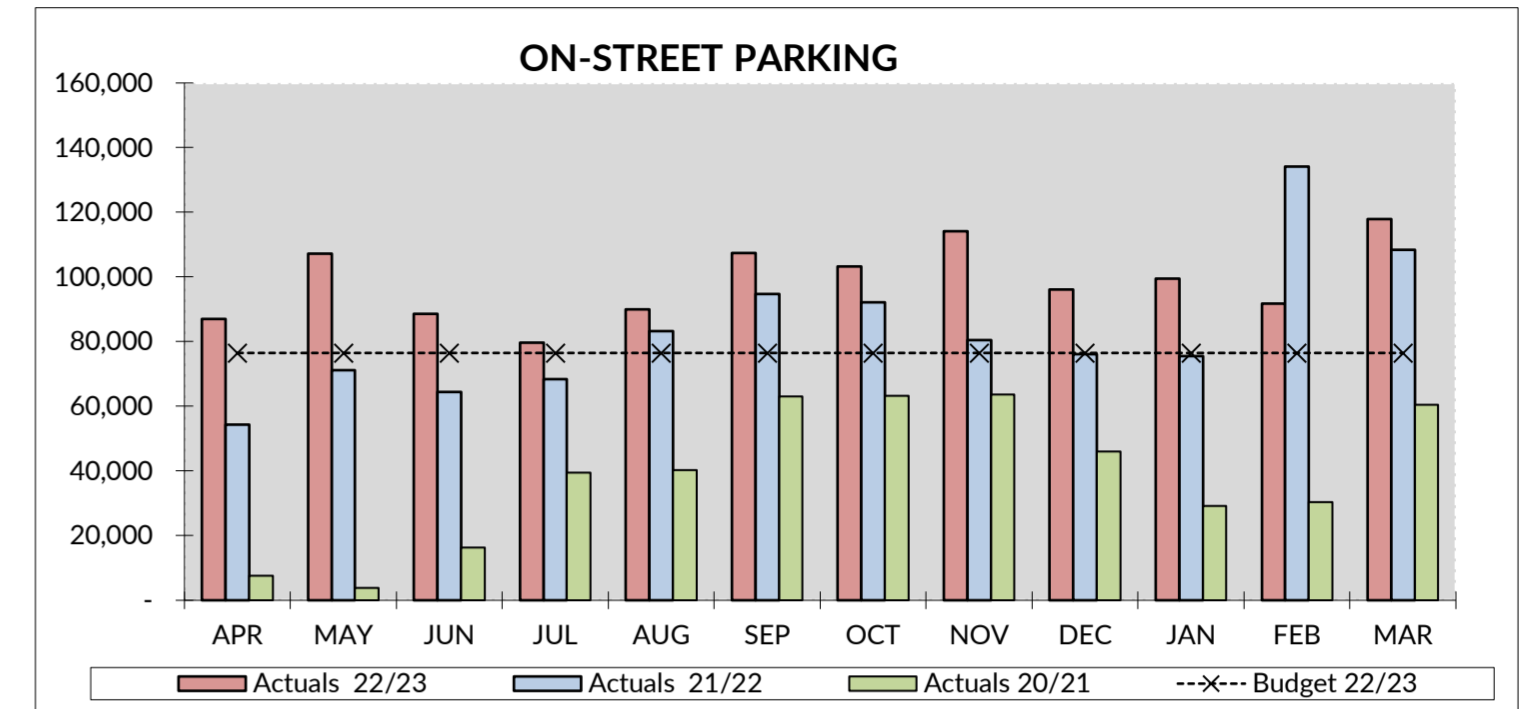


CAR PARKS (CUMULATIVE)	Actuals			Increase / (decrease) from 21/22 to 22/23	Budget 22/23	Variance (Budget-Actuals)	Manager's Forecast
	Actuals 20/21	Actuals 21/22	22/23				
APR	1,513	115,730	210,882	95,151	209,232	1,650	-
MAY	1,671	258,422	435,722	177,301	418,464	17,258	-
JUNE	16,260	448,706	653,496	204,790	631,696	21,801	-
JUL	103,018	646,980	884,237	237,257	840,927	43,310	-
AUG	191,772	839,306	1,139,520	300,214	1,050,159	89,360	-
SEP	355,561	1,036,304	1,378,668	342,364	1,259,391	119,277	-
OCT	520,882	1,246,144	1,645,311	399,167	1,468,623	176,688	-
NOV	613,963	1,371,968	1,878,253	506,284	1,677,855	200,398	-
DEC	699,741	1,487,846	2,113,119	625,274	1,887,087	226,033	-
JAN	759,687	1,609,600	2,354,570	744,970	2,096,318	258,251	-
FEB	810,311	1,994,658	2,578,248	583,590	2,305,550	272,698	-
MAR	1,004,200	2,215,818	2,827,522	611,703	2,514,782	312,740	313,301

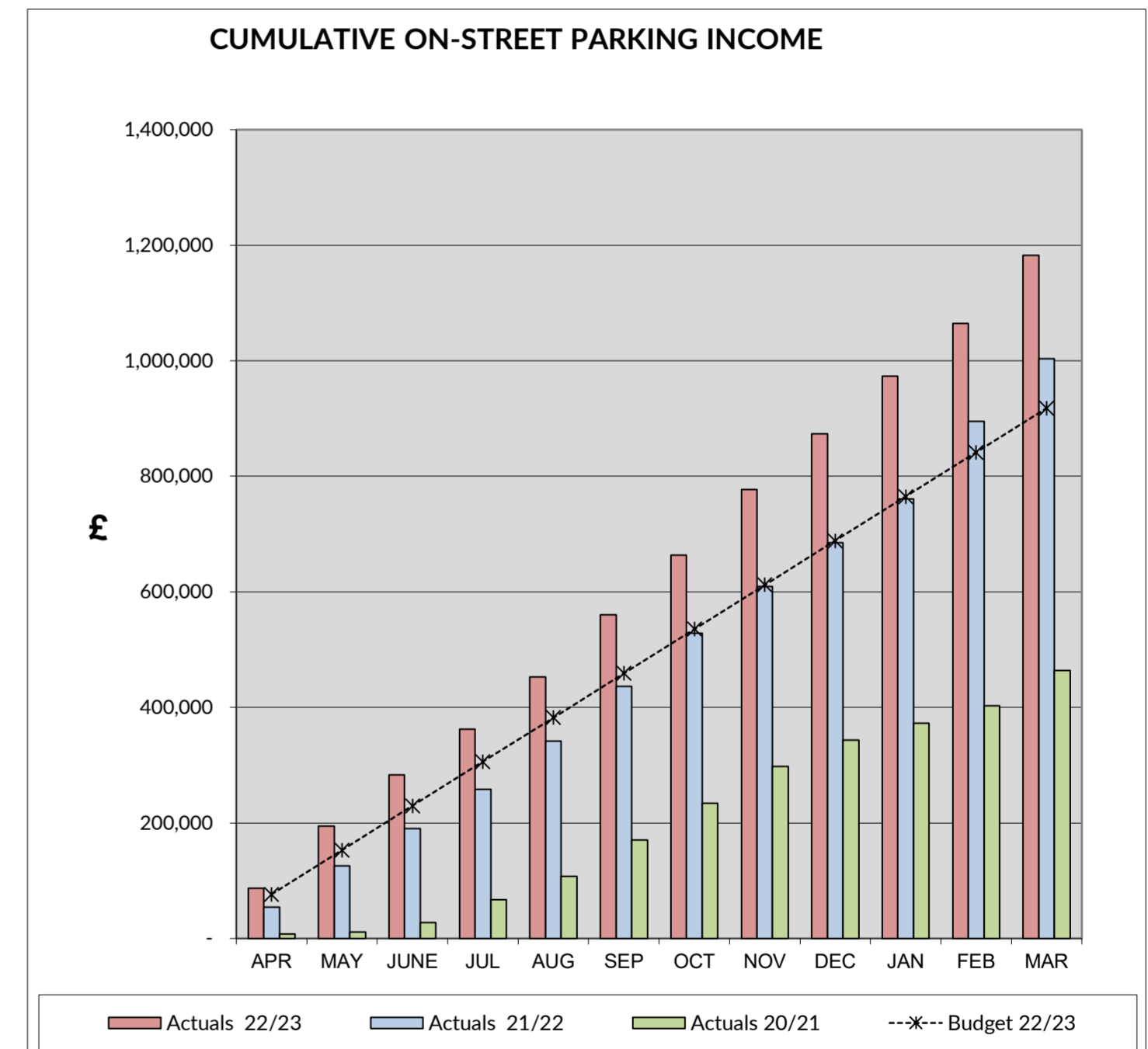


CUMULATIVE BREAKDOWN - HWCARPK	Code	Actual (Cumulative)	Budget	(Monthly)
DAY TICKETS	3300	2,538,424	2,166,924	234,074
EXCESS / PENALTY CHARGES	***1/**3			
SEASON TICKETS	3310, ***2	267,857	318,298	13,640
SEASON TICKET CAR PARK	3310			
OTHER	9999, 34**	914	7,129	309
WAIVERS	3404			-
RENT	86**	20,326	19,000	1,250
Business Permits	3406 /3408			
Other				3,431
Total		2,827,522	2,514,782	249,274

Appendix B: ON-STREET PARKING (HWDCRIM / HWENFORC)	Actuals 20/21	Actuals 21/22	Actuals 22/23	Increase / (decrease) from 21/22 to 22/23	Budget 22/23	Variance (Budget-Actuals)	Manager's Forecast
APR	7,676	54,350	87,024	32,674	76,494	10,530	-
MAY	3,884	71,258	107,176	35,918	76,494	30,682	-
JUN	16,355	64,364	88,652	24,288	76,494	12,158	-
JUL	39,461	68,471	79,690	11,220	76,494	3,196	-
AUG	40,276	83,237	90,070	6,833	76,494	13,576	-
SEP	63,135	94,718	107,460	12,742	76,494	30,966	-
OCT	63,193	92,091	103,196	11,105	76,494	26,702	-
NOV	63,639	80,534	114,098	33,563	76,494	37,604	-
DEC	46,090	76,142	96,176	20,035	76,494	19,682	-
JAN	29,146	75,481	99,546	24,065	76,494	23,052	-
FEB	30,326	134,205	91,808	(42,397)	76,494	15,314	-
MAR	60,489	108,390	117,828	9,438	76,494	41,334	246,000
Total	463,670	1,003,242	1,182,726	179,484	917,928	264,798	246,000

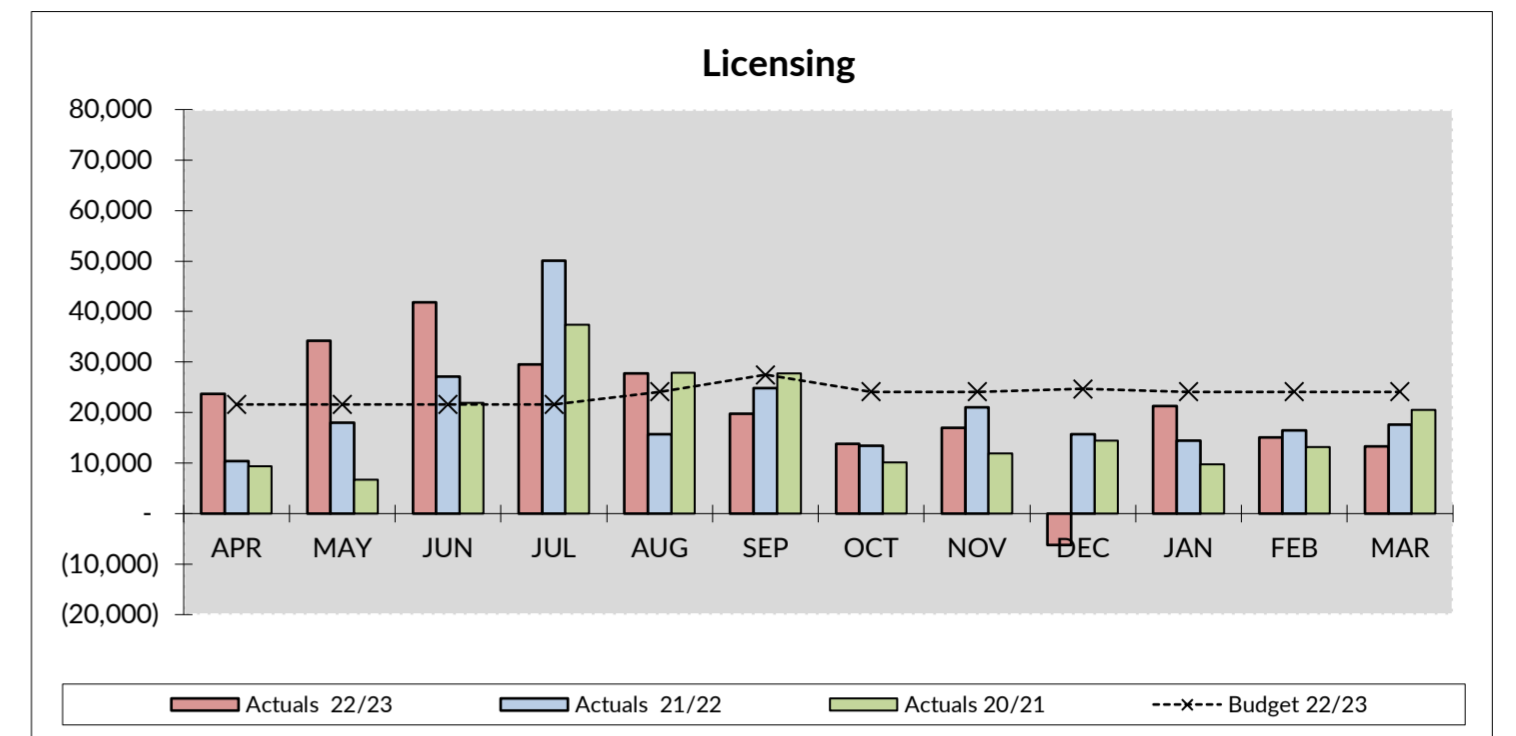


ON-STREET PARKING (CUMULATIVE)	Actuals 20/21	Actuals 21/22	Actuals 22/23	Increase / (decrease) from 21/22 to 22/23	Budget 22/23	Variance (Budget-Actuals)	Manager's Forecast
APR	7,676	54,350	87,024	32,674	76,494	10,530	-
MAY	11,560	125,609	194,200	68,591	152,988	41,212	-
JUNE	27,915	189,972	282,852	92,880	229,482	53,370	-
JUL	67,376	258,443	362,542	104,099	305,976	56,566	-
AUG	107,652	341,680	452,613	110,932	382,470	70,143	-
SEP	170,787	436,399	560,073	123,674	458,964	101,109	-
OCT	233,980	528,490	663,269	134,780	535,458	127,811	-
NOV	297,619	609,024	777,367	168,343	611,952	165,415	-
DEC	343,709	685,166	873,544	188,378	688,446	185,098	-
JAN	372,855	760,646	973,089	212,443	764,940	208,150	-
FEB	403,181	894,852	1,064,898	170,046	841,434	223,464	-
MAR	463,670	1,003,242	1,182,726	179,484	917,928	264,798	246,000

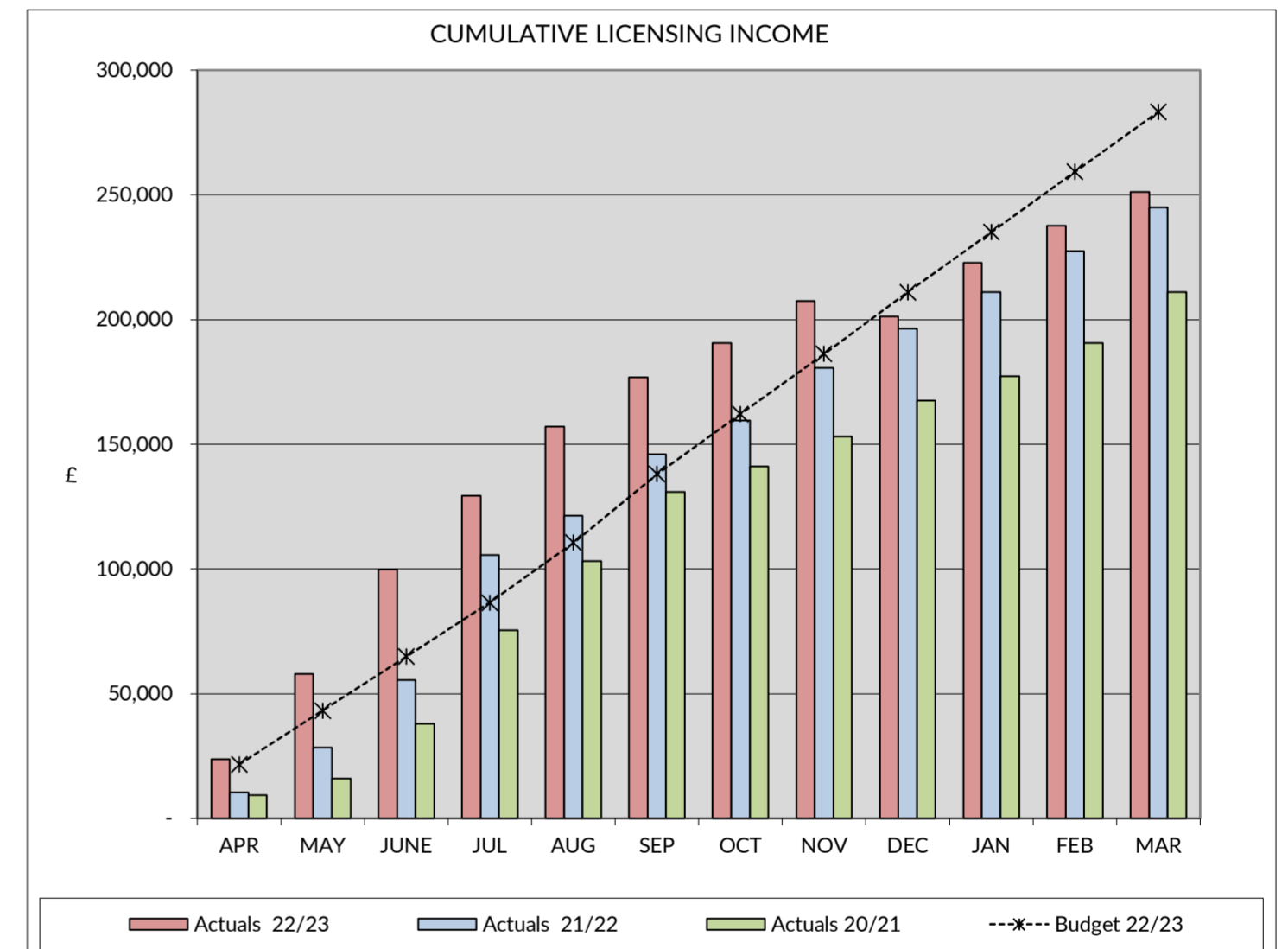


CUMULATIVE BREAKDOWN - HWDCRIM / HWENFORC	Code	Actual (Cumulative)	Budget	(Monthly)
ON STREET PARKING	3300	574,766	485,304	57,378
PENALTY NOTICES	3403	469,386	291,309	49,224
WAIVERS	3404	29,693	11,880	3,181
Driveway Access Protection Lines	3405	875	-	75
RESIDENTS PERMITS	3406	102,540	57,024	7,570
BUSINESS PERMITS	3408	3,543	72,411	90
OTHER	9999	1,923	-	309
Total		1,182,726	917,928	117,827

Appendix B: Licensing (EHLICREG & DSTAXIL)				Increase /	Variance		Manager's Forecast
	Actuals 20/21	Actuals 21/22	Actuals 22/23	(decrease) from 21/22 to 22/23	(Budget- Actuals)	Budget 22/23	
APR	9,404	10,356	23,747	13,391	2,139	21,608	-
MAY	6,655	18,021	34,255	16,234	12,647	21,608	-
JUN	21,969	27,128	41,816	14,688	20,208	21,608	-
JUL	37,346	50,067	29,492	(20,574)	7,884	21,608	-
AUG	27,847	15,709	27,787	12,078	3,680	24,108	-
SEP	27,783	24,814	19,713	(5,101)	(7,790)	27,503	-
OCT	10,099	13,479	13,797	318	(10,311)	24,108	-
NOV	11,939	21,101	16,939	(4,162)	(7,169)	24,108	-
DEC	14,460	15,776	(6,238)	(22,014)	(30,941)	24,703	-
JAN	9,782	14,483	21,352	6,869	(2,756)	24,108	-
FEB	13,232	16,499	15,078	(1,422)	(9,030)	24,108	-
MAR	20,550	17,577	13,341	(4,237)	(10,767)	24,108	24,098
Total	211,066	245,010	251,078	6,069	(32,207)	283,285	24,098

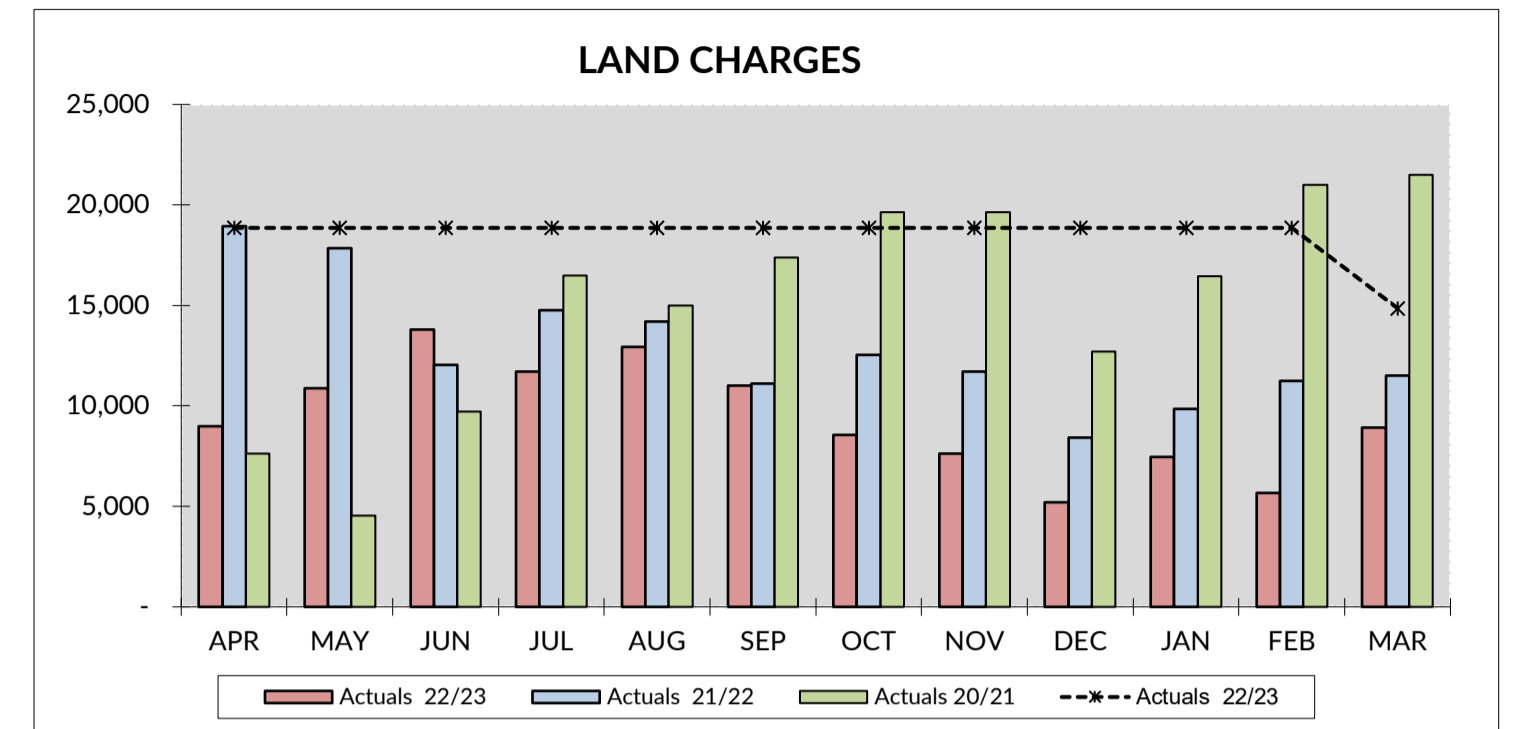


Licensing (CUMULATIVE)				Increase /	Variance		Manager's Forecast
	Actuals 20/21	Actuals 21/22	Actuals 22/23	(decrease) from 21/22 to 22/23	(Budget- Actuals)	Budget 22/23	
APR	9,404	10,356	23,747	13,391	2,139	21,608	-
MAY	16,059	28,377	58,002	29,625	14,786	43,216	-
JUNE	38,028	55,505	99,818	44,313	34,994	64,824	-
JUL	75,374	105,572	129,310	23,738	42,878	86,432	-
AUG	103,221	121,281	157,098	35,817	46,558	110,540	-
SEP	131,004	146,095	176,811	30,716	38,768	138,042	-
OCT	141,103	159,573	190,607	31,034	28,457	162,150	-
NOV	153,042	180,675	207,547	26,872	21,288	186,258	-
DEC	167,502	196,450	201,308	4,858	(9,653)	210,961	-
JAN	177,284	210,933	222,660	11,727	(12,409)	235,069	-
FEB	190,516	227,433	237,738	10,305	(21,439)	259,177	-
MAR	211,066	245,010	251,078	6,069	(32,207)	283,285	24,098

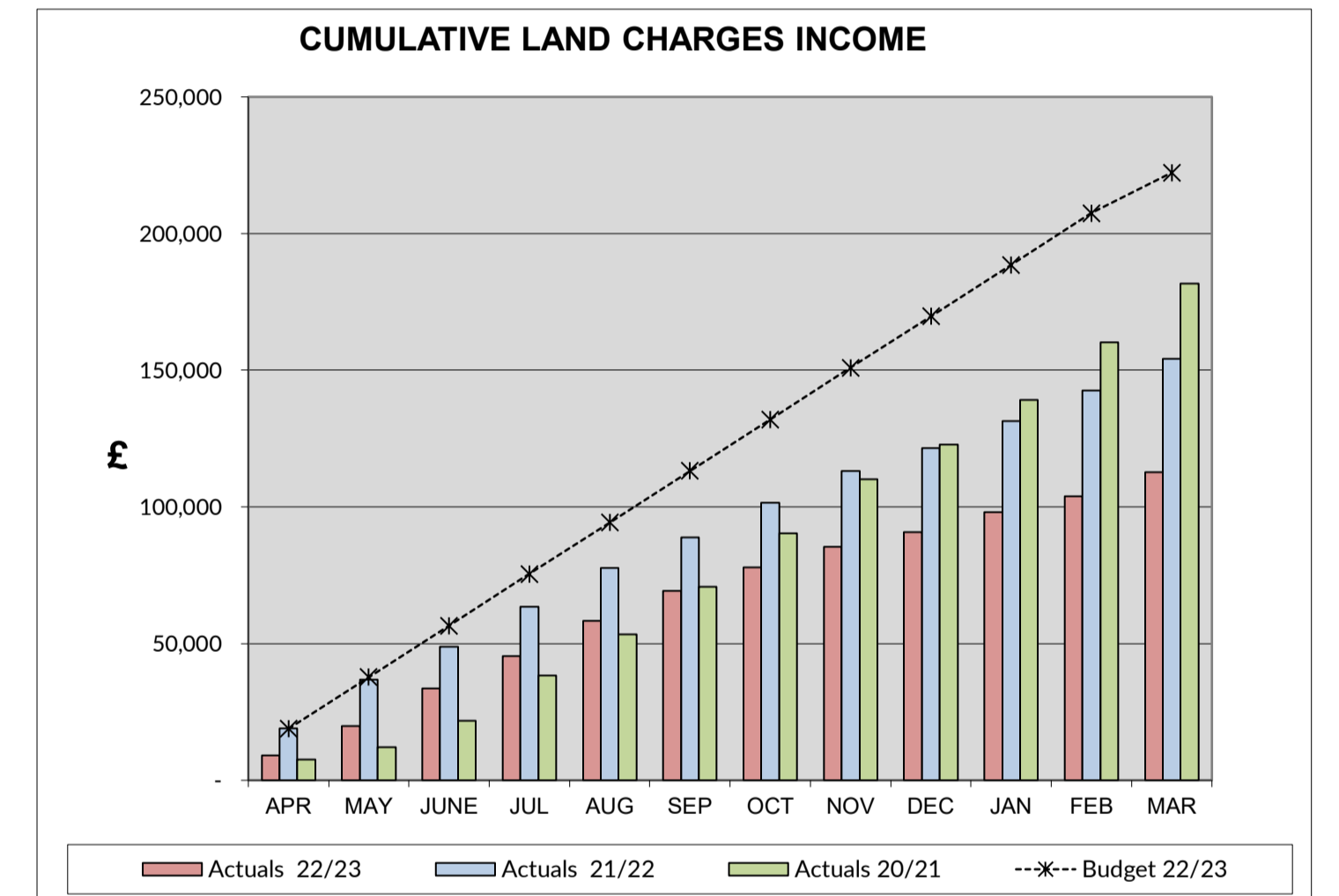


CUMULATIVE BREAKDOWN - EHLICREG/DSTAXIL	Code	Actual (Cumulative)	Budget	(Monthly)
Pre-application advice	EHLICREG/2189	86	-	-
Personal Licences	EHLICREG/2190	2,382	2,220	412
Premises Licence Annual Fee/Premises New/Premises Variation	EHLICREG/2192/21	96,144	104,720	3,822
Temporary Event Notice	EHLICREG/2193	9,849	8,211	861
Gambling Act Permits/Lottery	EHLICREG/2196/71	6,260	7,603	890
Other	9999	(720)	-	(180)
Pavement Licence	EHLICREG/2222	700	-	-
Scrap Metal Dealers	EHLICREG/2241	1,337	595	-
Taxi Licensing	94300/DSTAXIL	109,760	159,936	5,653
Other	94300/DSTAXIL/99	25,281	-	1,883
Total		251,078	283,285	13,341

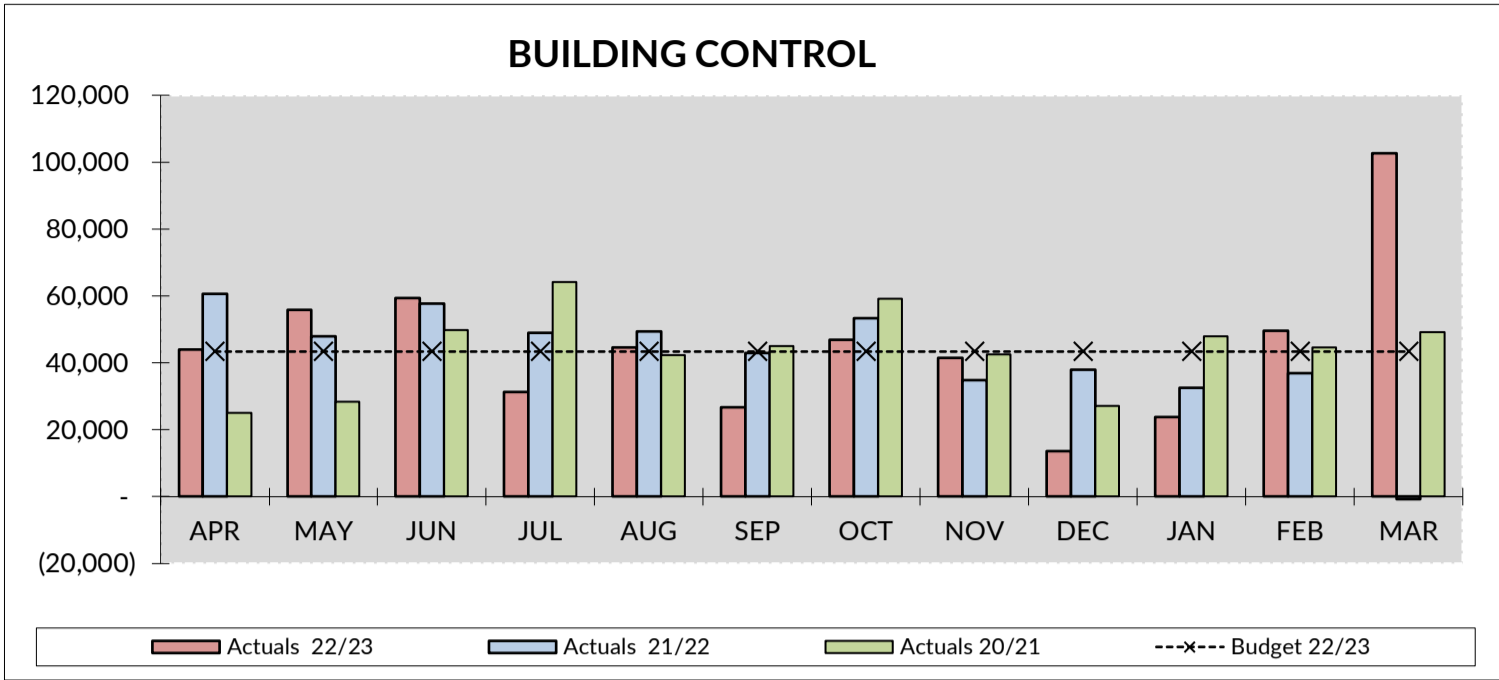
Appendix B: LAND CHARGES (LPLNDCH)	Actuals 20/21	Actuals 21/22	Actuals 22/23	Increase / (decrease) from 21/22 to 22/23	Budget 22/23	Variance (Budget- Manager's Actuals)	Forecast
APR	7,630	18,930	8,992	(9,938)	18,858	(9,866)	-
MAY	4,532	17,846	10,870	(6,976)	18,858	(7,988)	-
JUN	9,717	12,054	13,787	1,733	18,858	(5,071)	-
JUL	16,500	14,749	11,694	(3,055)	18,858	(7,163)	-
AUG	14,999	14,184	12,946	(1,238)	18,858	(5,911)	-
SEP	17,377	11,125	11,016	(109)	18,858	(7,842)	-
OCT	19,628	12,546	8,560	(3,987)	18,858	(10,298)	-
NOV	19,636	11,699	7,642	(4,057)	18,858	(11,216)	-
DEC	12,692	8,422	5,213	(3,209)	18,858	(13,644)	-
JAN	16,441	9,857	7,471	(2,386)	18,858	(11,387)	-
FEB	20,998	11,230	5,661	(5,569)	18,858	(13,196)	-
MAR	21,489	11,502	8,915	(2,587)	14,858	(5,942)	(105,000)
Total	181,639	154,144	112,767	(41,377)	222,292	(109,525)	(105,000)



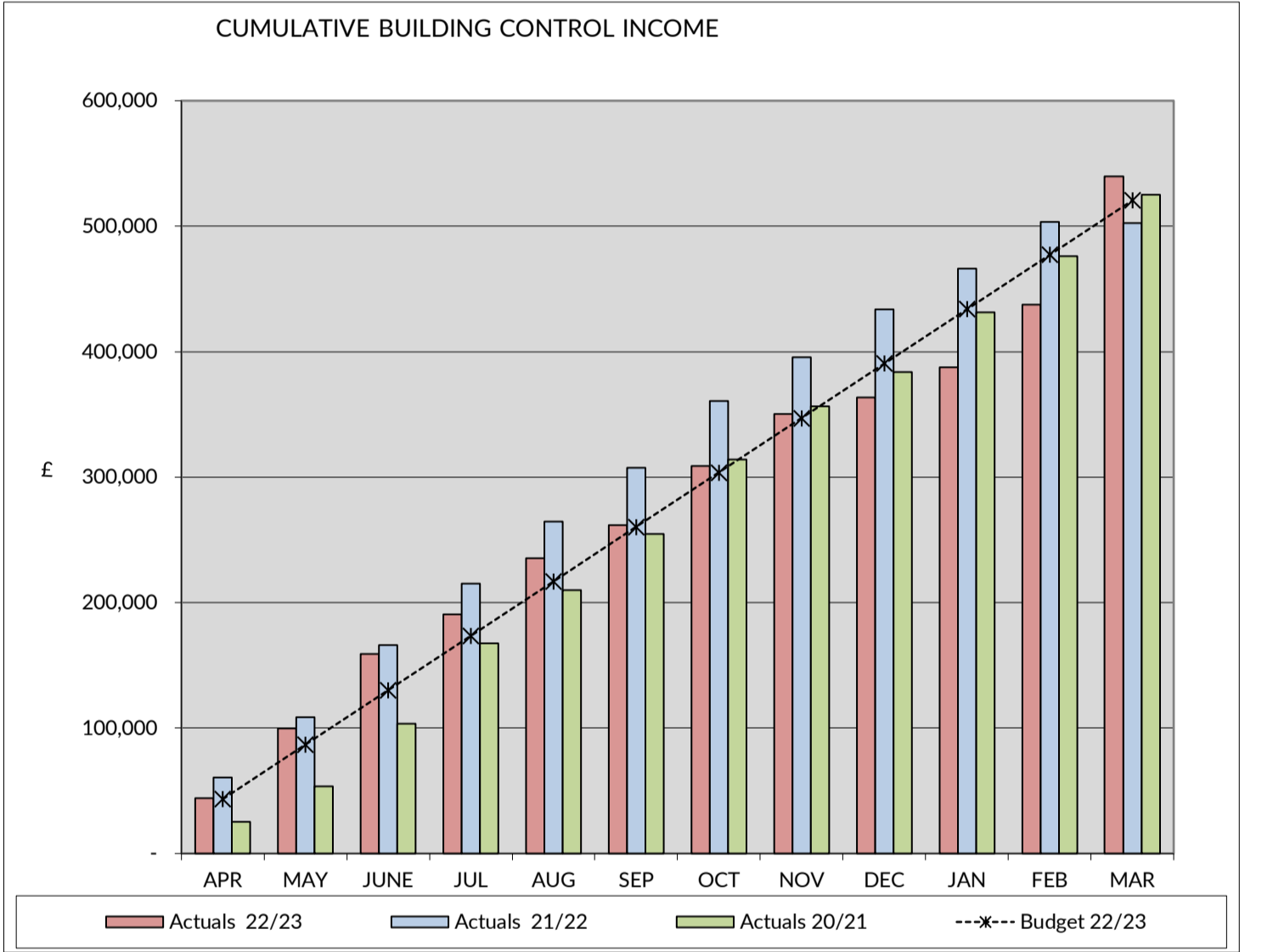
LAND CHARGES (CUMULATIVE)	Actuals 20/21	Actuals 21/22	Actuals 22/23	Increase / (decrease) from 21/22 to 22/23	Budget 22/23	Variance (Budget- Manager's Actuals)	Forecast
APR	7,630	18,930	8,992	(9,938)	18,858	(9,866)	-
MAY	12,162	36,776	19,862	(16,914)	37,715	(17,854)	-
JUNE	21,879	48,830	33,649	(15,181)	56,573	(22,924)	-
JUL	38,379	63,579	45,343	(18,236)	75,431	(30,088)	-
AUG	53,378	77,763	58,289	(19,474)	94,288	(35,999)	-
SEP	70,755	88,888	69,305	(19,583)	113,146	(43,841)	-
OCT	90,383	101,435	77,865	(23,570)	132,004	(54,139)	-
NOV	110,019	113,133	85,506	(27,627)	150,861	(65,355)	-
DEC	122,711	121,555	90,719	(30,836)	169,719	(79,000)	-
JAN	139,152	131,412	98,190	(33,222)	188,577	(90,386)	-
FEB	160,150	142,642	103,852	(38,790)	207,434	(103,582)	-
MAR	181,639	154,144	112,767	(41,377)	222,292	(109,525)	(105,000)



Appendix B: BUILDING CONTROL (DVBCFEE)	Increase / (decrease) from				Variance (Budget-Actuals)	Manager's Forecast	
	Actuals 20/21	Actuals 21/22	Actuals 22/23	21/22 to 22/23 Budget 22/23			
APR	25,107	60,545	44,057	(16,488)	43,374	683	-
MAY	28,305	47,988	55,758	7,770	43,374	12,385	-
JUN	49,857	57,741	59,365	1,624	43,374	15,991	-
JUL	64,205	48,928	31,337	(17,591)	43,374	(12,037)	-
AUG	42,367	49,476	44,627	(4,848)	43,374	1,254	-
SEP	44,930	42,851	26,627	(16,225)	43,374	(16,747)	-
OCT	59,144	53,334	46,897	(6,437)	43,374	3,523	-
NOV	42,429	34,743	41,421	6,678	43,374	(1,952)	-
DEC	27,203	38,039	13,617	(24,423)	43,374	(29,757)	-
JAN	47,838	32,591	23,827	(8,764)	43,374	(19,546)	-
FEB	44,709	36,979	49,699	12,720	43,374	6,326	-
MAR	49,136	(680)	102,662	103,341	43,374	59,288	(46,204)
Total	525,230	502,536	539,894	37,357	520,484	19,410	(46,204)

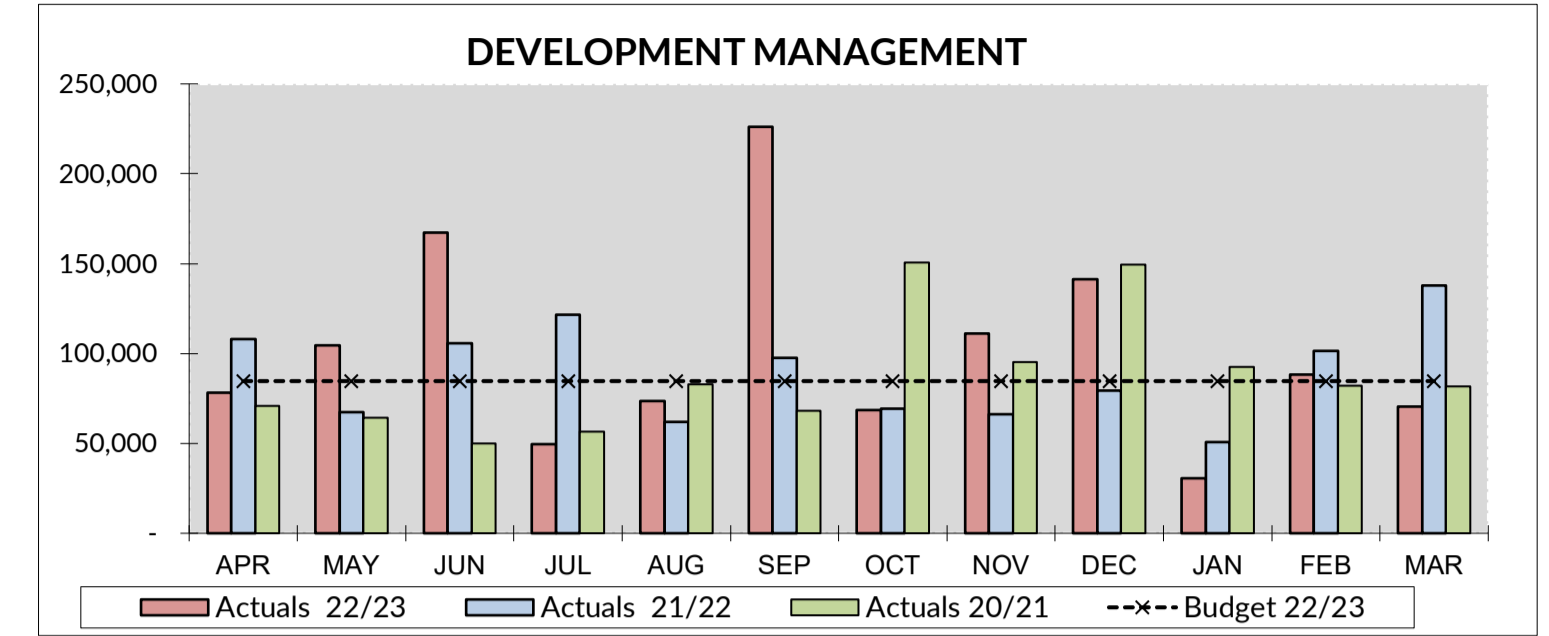


BUILDING CONTROL (CUMULATIVE)	Increase / (decrease) from				Variance (Budget-Actuals)	Manager's Forecast	
	Actuals 20/21	Actuals 21/22	Actuals 22/23	21/22 to 22/23 Budget 22/23			
APR	25,107	60,545	44,057	(16,488)	43,374	683	-
MAY	53,412	108,533	99,815	(8,718)	86,747	13,068	-
JUNE	103,269	166,274	159,180	(7,094)	130,121	29,059	-
JUL	167,474	215,202	190,517	(24,685)	173,495	17,022	-
AUG	209,841	264,678	235,144	(29,534)	216,868	18,276	(46,204)
SEP	254,771	307,529	261,771	(45,758)	260,242	1,529	-
OCT	313,915	360,863	308,667	(52,195)	303,616	5,052	-
NOV	356,344	395,606	350,089	(45,517)	346,989	3,099	-
DEC	383,547	433,645	363,705	(69,940)	390,363	(26,658)	-
JAN	431,385	466,236	387,533	(78,704)	433,737	(46,204)	-
FEB	476,094	503,216	437,232	(65,984)	477,110	(39,879)	-
MAR	525,230	502,536	539,894	37,357	520,484	19,410	(46,204)

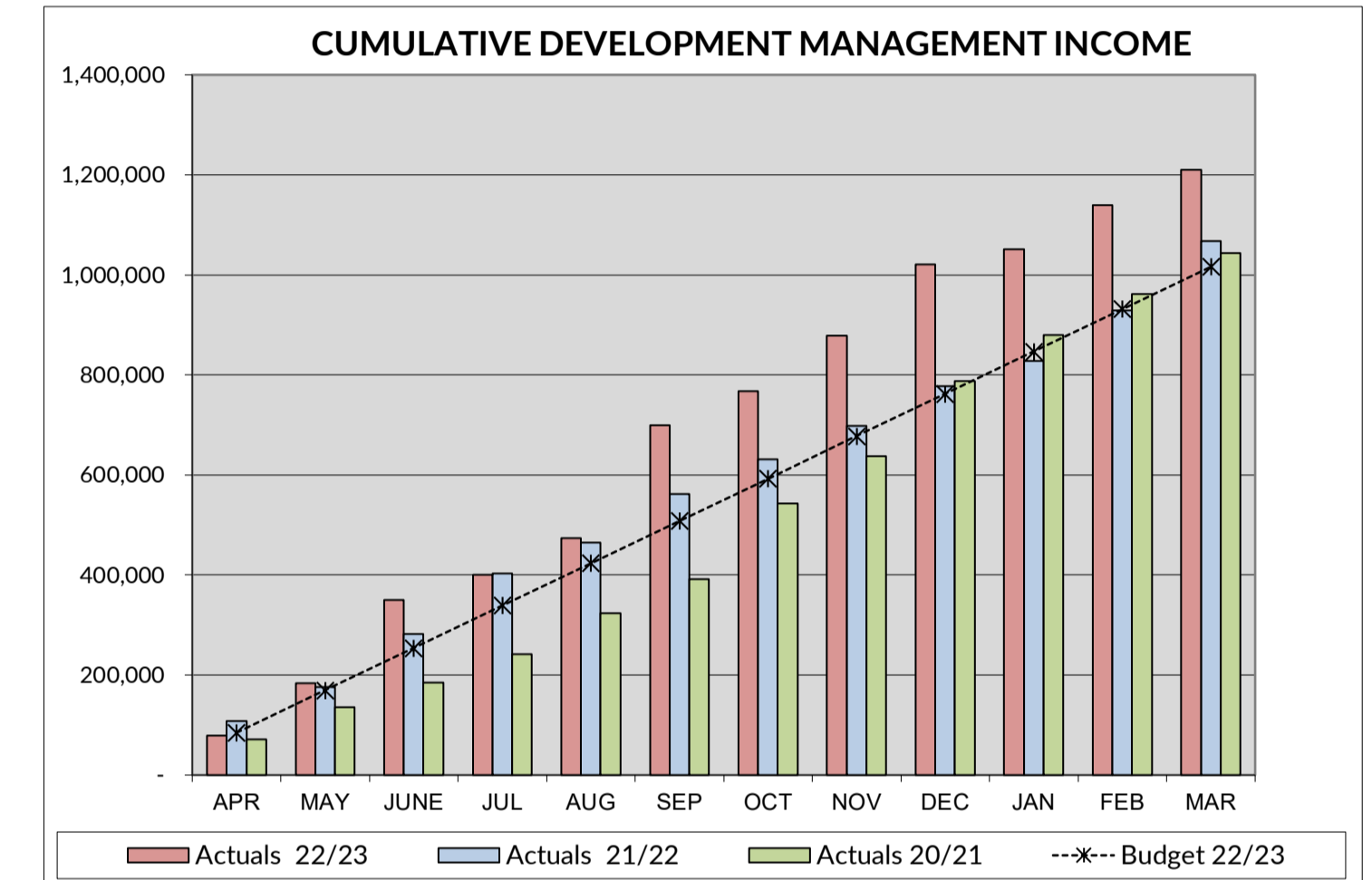


CUMULATIVE BREAKDOWN	Code	Actual (Cumulative)	Budget	(Monthly)
Plan Fee	3066	306,933	324,893	33,063
Inspection Fee	3067	174,498	195,591	15,410
Other	9999	58,462	-	54,189
New Burdens Grant	3905	0	-	-
Total		539,894	520,484	102,662

Appendix B: DEVELOPMENT MANAGEMENT (DVDEVCT/DVDEVRND)				Increase / (decrease) from	Variance (Budget-Actuals)	Manager's Forecast
	Actuals 20/21	Actuals 21/22	Actuals 22/23	21/22 to 22/23	Budget 22/23	
APR	70,765	108,220	78,359	(29,862)	84,673	(6,314)
MAY	64,358	67,370	104,712	37,343	84,673	20,040
JUN	49,790	105,814	167,284	61,470	84,673	82,611
JUL	56,443	121,474	49,510	(71,964)	84,673	(35,163)
AUG	82,700	61,771	73,509	11,739	84,673	(11,163)
SEP	68,065	97,539	226,234	128,696	84,673	141,561
OCT	150,748	69,405	68,366	(1,039)	84,673	(16,307)
NOV	95,145	66,081	110,993	44,911	84,673	26,320
DEC	149,560	79,495	141,473	61,978	84,673	56,800
JAN	92,513	50,807	30,762	(20,045)	84,673	(53,911)
FEB	81,896	101,458	88,437	(13,021)	84,673	3,764
MAR	81,833	137,915	70,607	(67,308)	84,673	(14,065)
Total	1,043,816	1,067,348	1,210,246	142,899	1,016,072	194,174



DEVELOPMENT MANAGEMENT (CUMULATIVE)				Increase / (decrease) from	Variance (Budget-Actuals)	Manager's Forecast
	Actuals 20/21	Actuals 21/22	Actuals 22/23	21/22 to 22/23	Budget 22/23	
APR	70,765	108,220	78,359	(29,862)	84,673	(6,314)
MAY	135,123	175,590	183,071	7,481	169,345	13,726
JUNE	184,913	281,404	350,355	68,951	254,018	96,337
JUL	241,356	402,878	399,865	(3,013)	338,691	61,174
AUG	324,056	464,648	473,375	8,726	423,363	50,011
SEP	392,121	562,187	699,609	137,422	508,036	191,573
OCT	542,869	631,592	767,975	136,383	592,709	175,266
NOV	638,014	697,673	878,967	181,294	677,381	201,586
DEC	787,574	777,168	1,020,440	243,272	762,054	258,386
JAN	880,087	827,975	1,051,202	223,227	846,727	204,475
FEB	961,983	929,433	1,139,639	210,206	931,399	208,240
MAR	1,043,816	1,067,348	1,210,246	142,899	1,016,072	194,174



CUMULATIVE BREAKDOWN: DVDEVCT/DVDEVRND	Code	Actual (Cumulative)	Budget	(Monthly)
Planning Application Fees	3009	1,118,329	899,129	62,993
Other	9999	(75)	9,072	0
Planning Performance Agreements	3012	-	0	(5,000)
Pre-application Fees	8329	1,375	0	0
Pre-application Fees	8330	76,551	95,603	6,175
Monitoring Fees	3106	14,066	12,268	6,439
RECH-Other A/C'S	98100			
Total		1,210,246	1,016,072	70,607

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Item 12 – Financial Monitoring 2023/24: Early Indications

The attached report was considered by the Finance & Investment Advisory Committee on 19 June 2023. The relevant Minute extract is below.

Finance & Investment Advisory Committee (19 June 2023, Minute 11)

The Chief Officer for Finance & Trading presented the report, which set out the early indications for the 2023/24 financial year. Initial high-level work highlighted several financial pressures. Changes in the management of the leisure centres had an estimated cost of £1.83 million over the next two years. The Staff Pay Award for April 2023, not yet agreed, could lead to additional costs of at least £750,000 per year. (The cost of the pay award from April 2022 was partly addressed by borrowing from reserves, to be repaid over 10 years at £39,000 per year.) Other pressures included continuing high demand for refuse and recycling services, the ongoing need for temporary accommodation, general inflation, and the annual savings assumption of £100,000.

Members were advised that the total annual pressure would likely be in excess of £1 million. Part of the solution is expected to result from a review of fees and charges as requested by Members, but finding the remainder would be a major challenge.

In response to questions, Members were advised that the Council were a creditor of Sencio but were unlikely to recoup any money. The performance of the new operators was being continually monitored, which would help refine the estimated £1.83 million figure. Members discussed the limits on increases to council tax, and were advised that the 3% or £5 maximum increase per year was not expected to be changed for the upcoming year.

Resolved: That the report be noted.

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FINANCIAL MONITORING 2023/24 – EARLY INDICATIONS

Cabinet – 13 July 2023

Report of: Deputy Chief Executive and Chief Officer – Finance and Trading

Status: For Consideration

Also considered by:

- Finance & Investment Advisory Committee – 19 June 2023

Key Decision: No

Executive Summary:

With inflation remaining at very high levels, households across the district are feeling the effects of a rise in the cost of living. Sevenoaks District Council is not immune to these economic pressures.

Many of the issues highlighted in this report were raised with Members as part of the 2023/24 budget setting process and they continue to impact the finances of this council. When these are added to the impact of the leisure provider, Sencio ceasing to operate it is worthwhile making Members aware that there is likely to be a forecast overspend in the current year and Members are likely to have to make more difficult decisions during the 2024/25 budget setting process than they have had to make for many years.

During the issues encountered in recent years the financial strength and flexibility afforded by the Council's still unique 10-year budget meant that the Council was able to take sound financial decisions to minimise the impact as much as possible. This means the authority remains in a far stronger position than much of the rest of local government.

Portfolio Holder: Cllr. Kevin Maskell

Contact Officer(s): Adrian Rowbotham, Ext. 7153

Alan Mitchell, Ext. 7483

Recommendation to Finance and Investment Advisory Committee:

- (a) To note this report and forward any comments to Cabinet.

Recommendation to Cabinet:

- (a) To note this report and consider any comments from Finance and

Introduction and Background

- 1 As part of the latest budget setting process, Members considered the challenges that lay ahead. Nevertheless, in a rapidly moving financial environment it is even more important than normal that Members and officers alike continue to be ever mindful of those areas in which risks and opportunities may arise so the Council can continue to thrive financially and, in so doing, deliver valued services for the district's residents. Indeed, this approach was recognised and praised in the independent LGA Corporate Peer Challenge which took place in November 2021.
- 2 The first round of monitoring does not historically happen until June due to the additional work required to produce the previous year's outturn position and accounts. In order to maintain sound financial controls and being aware of the current financial landscape an early Financial Impact Review has been undertaken to identify areas that could have a significant financial impact on the Council.
- 3 It was mentioned in reports presented as part of the 2023/24 Budget Setting Process that it was highly likely that additional savings/income would be required as part of the next budget process.
- 4 This is expected to be a very difficult period which will be eased by our current financial management practices. However, this council is not immune to a range of issues and can only cushion the impact to a certain extent.

Areas of significant potential financial impact

- 5 Set out below are what are currently understood to be the principal anticipated areas of financial risk to the authority for this year. These will be considered further and addressed as appropriate as the year progresses.

Change in Leisure Provider

- 6 As Members are aware, Sencio Community Leisure ceased trading earlier this year. Sencio leased Edenbridge and Sevenoaks Leisure Centres and Lullingstone Park Golf Course from Sevenoaks District Council, as the landlord.
- 7 At the Council meeting on 4 April 2023, a budget of £1.83m was approved for:
 - i) the expenditure associated with supporting the oversight, maintenance and safety of Council owned leisure facilities, whilst negotiations with the Insolvency Practitioner were finalised;

- ii) an interim leisure operator to oversee the Council's leisure facilities for a period of two years (or until the procurement of a new operator is completed).
 - iii) the Chief Officer, People & Places and Chief Officer, Finance & Trading, be delegated authority to investigate an interim leisure operator and enter into a contact subject to consultation with the Portfolio Holder for People & Places and Portfolio Holder for Finance & Investment.
- 8 It was also approved that the funding be borrowed from earmarked reserves in the short-term and would need to be repaid. A solution to repay the reserves would need to be agreed before the conclusion of the 2024/25 budget setting process.
- 9 Therefore, the expenditure will be incurred during 2023/24 and 2024/25 and savings/additional income will be required to be found during the next budget setting process.

Pay Award – April 2023

- 10 The National Employers for local government services final offer for 2023/24 was £1,925 per full time employee up to a certain pay point and 3.88% on higher pay points. This equates to an average increase of 5.7% in the Council's staff costs against a figure of 2% in the 10-year budget. In cash terms this is £750,000 above the budgeted assumption. It should be recognised that the current cost of living crisis has had a severe effect on colleagues on lower salary grades.
- 11 However, the unions have rejected this offer and are currently balloting their members for industrial action.

Pay Award – April 2022

- 12 Members will recall that the April 2022 pay award was £643,000 above the budgeted assumption and it was agreed that £390,000 of the increase was funded by the Budget Stabilisation Reserve but on the assumption that the reserve would be reimbursed over the 10-year budget process.
- 13 Therefore, annual savings of £39,000 are required to reimburse the reserve.

Direct Services

- 14 The quantity of waste and recycling collected during the Covid-19 pandemic was significantly higher than before the pandemic and still remains higher. This has a number of impacts on the ability to deliver the service. With more to collect, the vehicles fill up faster and more trips to tip are required. This results in increased overtime and fuel consumption, and more wear and tear on the vehicles resulting in higher repair costs and the use of more hired

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vehicles. More households now put their refuse and recycling sacks in storage bins which also slows the collection.

- 15 Ten new refuse freighters are being acquired this year to replace the oldest vehicles which will be more efficient and reduce the number of breakdowns.
- 16 The change in refuse and recycling rounds that took place in October 2022 has benefitted the service as it has made the rounds more efficient and consistent. Therefore, the amount of diesel used each day has significantly reduced and all rounds now finish at similar times.
- 17 There remains a need to hire agency staff on a daily basis to ensure the full range of services continue to be delivered.
- 18 Shortly before the Covid-19 pandemic, the income budgets for Direct Services were significantly increased with the intention of increasing take up of current services that are charged for and also providing additional services that could be charged for. With the changes in customer requirements and the increased usage of the non charged for services, the opportunities reduced. Officers now have a greater focus on this area with the intention of increasing current and developing new income streams.
- 19 New legislative changes for weekly food collection from 2024 and glass collection from 2025 are being proposed by government. These changes would place a great deal of pressure on the already thinly spread services.

Homelessness

- 20 Members agreed a two year growth item of £300,000 from 2022/23 following an increase in the use and cost of temporary accommodation. The Covid-19 pandemic, cost of living pressures and recent resettlement programmes (such as Homes for Ukraine Scheme and the Afghan Resettlement Scheme) have served to place further pressures on the homelessness service.
- 21 Officers are continuing to work on this issue, but it is expected that there will be some additional costs from 2024/25 once the growth item has ended.

Other Inflationary Increases

- 22 Inflationary pressures are continuing to affect most of the council's expenditure. Staff pay has been mentioned earlier and utility costs also remain much higher than a couple of years ago.
- 23 However, it is not just revenue expenditure that is impacted as the cost of finance and building materials remain high. These could have an impact on the ability to deliver the Council's capital programme. Any necessary amendments to the programme will be presented to Members for their consideration.

Annual Savings Assumption

- 24 An annual net savings/additional income assumption of £100,000 is included in the 10-year budget.
- 25 It is worth remembering that over £8.4m of savings have been identified since 2011/12.

Summary of the Current Position and the Way Forward

- 26 From this initial review it is clear that there will be a financial impact on the 2023/24 budget position and continuing into future years. This impact will clearly be in excess of £1m per annum.
- 27 Additional work is being undertaken to provide greater risk certainty and develop mitigations. Officers will work with the Finance and Investment Portfolio Holder on this issue and Members will be kept abreast of developments in future financial monitoring reports and the annual budget setting process.

Key Implications

Financial

All financial implications are included within the content of this report.

Legal Implications and Risk Assessment Statement.

There are no legal implications.

A Risk Analysis was included in the Budget and Council Tax Setting 2023/24 report to Council on 21 February 2023. Further risk assessments will be included as the council progresses through the 2024/25 budget setting process.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

Please read the Net Zero committee report guidance note on inSite before choosing an option)

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

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Appendices

None

Background Papers

None

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