

18 April 2024 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 10.04.24



This meeting will be livestreamed to YouTube [here](#):

https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g


Cabinet

Membership:


Chairman, Cllr. Thornton; Vice-Chairman, Cllr. Perry Cole
Cllrs. Dyball, Maskell, McArthur 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 14 March 2024, as a correct record	(Pages 1 - 8)	
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. Swanley Neighbourhood Plan	(Pages 9 - 62)	Hannah Gooden Tel: 01732 227178
		

REPORTS ALSO CONSIDERED BY THE CABINET ADVISORY COMMITTEES

6. High Weald AONB Management Plan	(Pages 63 - 74)	Vivienne Riddle Tel: 01732 227375
		

- | | | | |
|----|--|-------------------|------------------------------------|
| 7. | Financial Monitoring 2023/24 to the end of January 2024 | (Pages 75 - 108) | Alan Mitchell
Tel: 01732 227483 |
| 8. | Carry Forward Requests 2023/24 | (Pages 109 - 126) | Alan Mitchell
Tel: 01732 227483 |

 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 14 March 2024 commencing at 7.00 pm

Present: Cllr. Thornton (Chairman)

Cllrs. Dyball, Maskell and McArthur

Apologies for absence were received from Cllrs. Perry Cole and Reay

Cllrs. Baker, Bulford, Harrison, Leaman, Lindop, Manston, Purves, Streatfeild, White and Williams were also present.

Cllr. Robinson was also present via a virtual media platform which is not recognised as attendance under the LGA 1972.

86. Minutes

Resolved: That the Minutes of Cabinet held on 8 February 2024, be approved and signed by the Chairman as a correct record.

87. Declarations of interest

Cllr Dyball declared for reasons of transparency that she was Vice Chairman of Every Step Counts, which had made an application to the Community Grants Scheme. She further declared that she was the Council's appointee to Citizens Advice North & West Kent.

88. Questions from Members (maximum 15 minutes)

Members asked questions regarding the annual review of parking. In response the Portfolio Holder advised that in Westerham weight had been given to the responses and consideration given to when Darenth Car Park in Westerham was changed to charging and this did not have an impact on the number of users. In regards to questions on Sevenoaks Town and supporting the local economy, Members were advised that the comments had been noted which were made within the consultation. Footfall was up by 22% pre pandemic figures and so it was not considered that that charging in all car parks would cause a significant impact. Blighs Car park already had Sunday charges, and by introducing Sunday charges in all car parks, it would mean that charges did not go up Monday to Saturday.

In response to questions regarding waste collection and recycling Members were advised that the report that was due to be considered at the Cleaner & Greener Advisory Committee, but it was deferred for further information from central government and from the review. Therefore, until all the information had come through it was not reasonable to consider the report with only half the information.

The Chief Officer Finance and Trading advised the Technically, Environmentally and Economically Practicable (TEEP) Assessment would be addressed.

In regards to questions on InShape, and the environmental impact, the Portfolio Holder for Improvement & Innovation advised that it was a balancing act in getting information out to residents, and solely digital communication was a way off yet. The InShape went out in the postal rounds and was printed on Carbon Neutral paper to lower the Council's Carbon Footprint.

A question regarding the climate change strategy would be taken under the relevant agenda item.

89. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees

There were none.

90. Changes to Committee Appointments

Members considered the report which set out Membership changes to the Finance & Investment, Housing & Health and Cleaner & Greener Advisory Committees.

Resolved: That

- a) Cllr. Lindop be removed from the Finance & Investment, and Housing & Health Advisory Committees and Cllr. Manston be appointed to the Committees; and
- b) Cllr. Barker be removed from the Cleaner & Greener Advisory Committee and Cllr. Manston be appointed to the Committee.

91. Consultation Results - Annual Review of Parking Fees & charges 2024/25

The Portfolio Holder for Cleaner & Greener presented the report which set out the consultation results from the annual review of parking fees and charges. The preferred option was to have a zero percent increase on all parking fees and charges, but an end to free parking and an expansion of operation hours/days across the district. The consultation ran from 4 December to 5 January 2024 and 62 responses were received. Of these, 58 were in the negative, four neutral or positive. The full consultation results were set out in the appendix. The option supported the Council's net zero ambitions by ending free parking expanding the operating times for on and off street parking, and actively discouraging town centre driving.

Members discussed the report, noting that options had been considered and preserving the pricing on the Monday to Saturday was positive. Concerns were raised regarding the businesses, and it was important in the future to make sure they were not suffering. It was encouraging to note that a review would take place following its implementation. Local worker parking permits had all been allocated

presently and they were mostly located around Sevenoaks Station. All options were being kept under review.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the public sector Equality Duty.

Resolved: That a zero percent increase on all parking fees and charges, but an end to free parking and an expansion of operation hours/days across the district from 1 April 2024, be agreed.

92. Food Safety Plan 2023 - 24

The Portfolio Holder introduced the report, which set out the Council's Food Safety Service Plan, in line with the Food Standards Agency requirements. The plan targeted resources towards frontline services and high risk food activities. Its objective was to ensure public confidence that food was prepared and sold in safe and hygienic conditions. All high risk establishments had received inspections within their deadline, and all non-compliant establishments had received revisits to check compliance. The Cleaner & Greener Advisory Committee had considered the same report, and recommended its adoption.

Members showed their appreciation to the Food and Safety Team Leader who was retiring at the end of April, and thanked her for her service.

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 Council that the contents of the SDC Food Safety Plan 2023/24, be adopted.

93. Communications Strategy 2024-25

The Leader & Portfolio Holder for Improvement & Innovation presented the report which set out the Communications Strategy 2024-27. It provided clear guidance to meet the strategies and priorities and there were six key priorities within the strategy. The strategy was considered by the Improvement & Innovation Advisory Committee who had suggested additions and amendments to the Strategy.

The Communications and Consultation Manager further explained the six key priorities and it was primarily delivered by the Communications Team, but everyone in the Council and Members worked to the strategy. Periodically resident surveys were undertaken and InShape was a very important to residents as that was how they found out most the information regarding the Council. 85% of residents had responded that they read InShape and resident satisfaction with the Council which was at 82%.

Members considered the strategy and suggestions by the Advisory Committee and considered the criteria around some of the wording. There were occasions where the Council could not be fully open due to confidentiality requirements. It was suggested it would be more appropriate to include an additional bullet point, “be informative, uphold the principles of openness, honesty and transparency where there is no requirement for confidentiality.” in the section titled ‘Delivering our strategy,’

Public Sector Equality Duty.

Members noted that consideration had been given to impacts under the public sector equality duty.

Resolved: That subject to the section titled ‘Delivering our strategy,’ include an additional bullet point “be informative, uphold the principles of openness, honesty and transparency where there is no requirement for confidentiality.” And that the phrase “unlike other council’s” be removed from appendix 1 of the strategy, the Communications Strategy 2024 - 27, be approved.

94. Climate Change Strategy 2024

The Portfolio Holder for Cleaner & Greener introduced the report, which set out the Council’s proposed Climate Change Strategy, which would provide a framework for actions relating to reducing carbon emissions and adapting to the effects of climate change to provide a better environment for future generations. The strategy represented a change of emphasis to prioritise the Council’s leadership role, as the majority of emissions within the district could be influenced but not controlled by the council and priority was given to our leadership role. The Cleaner & Greener Advisory Committee had thoroughly debated the report and she highlighted to Members that page 89 of the report set out the details of the Council’s progress so far.

The Principal Infrastructure Delivery Officer outlined the report. The council’s aspiration to reach Net Zero by 2030 was no longer realistic, due to a number of factors and restraints, including cost and a lack of infrastructure. Work would continue to reduce council emissions where practicable. The council was responsible for less than 0.5% of the district’s emissions, and was limited in its ability to influence the two main sources of emissions of transport (60%) and domestic use of gas and electricity (26%) across the district. The strategy thus prioritised community leadership and engagement, and sought to work with residents, businesses, partners, visitors, and community groups to raise climate awareness and combat climate change. The officer outlined the six climate change priorities within the strategy. A new action plan would be developed for the strategy, which would identify projects across the council to deliver the strategy’s aims.

In response to a question raised earlier regarding not having a target date for NetZero the Officer advised that Government had set a national target for 2050,

and this was also included within Kent's strategy for the District to be NetZero by 2050.

Members considered the report and comments raised, when looking at the progress made so far, it was something that the Council should be proud of.

Public Sector Equality Duty

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

Resolved: That the Climate Change Strategy be approved, subject to final design and any associated amendments, in consultation with the Portfolio Holder.

95. Community Grants 2024/25

The Portfolio Holder for People & Places presented the report, which outlined the Community Grant Scheme and set out the proposed schedule of grants for 2024 - 25. The total funding for grants and charities was £97,388 and this was through Service Level Agreements with the Citizen Advice, and the Sevenoaks District Arts and Sports Councils. The remaining funding was through the grant scheme. The funding available for the scheme was £28,848 and 40 applications had been received, requesting £151,162 in total, which was significantly more than the 30 to 32 applications usually received.

All applicants had been contacted to explore alternate funding opportunities. The applications were assessed on a number of strict criteria included their eligibility, the scheme's priorities, value for money, need, any other council funding due to be received and sustainability. The People & Places Advisory Committee had considered the same report and were in support of the recommendation to Cabinet.

Members considered the report.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the public sector equality duty.

Resolved: That the grants, as set out in Appendix C of the report, subject to the conditions set out in paragraph 14 of the report, be approved.

96. PSPO Consultation Results: London Road, Halstead, Orpington By Pass Badgers Mount and the M25 Spur Road

The Portfolio Holder for People & Places presented the report which set out the results of the consultation regarding the Public Spaces Protection Order (PSPO) relating to London Road, Halstead, following car meets in the area and causing anti-social behaviour. The People & Places Advisory Committee had considered the same report and recommended its implementation.

In relation to motor vehicles the Council would be the first to implement the PSPO. The team and the Police were working to prevent the issue from being displaced elsewhere. Bromley Council currently had a PSPO in relation to Section 59 and vehicle nuisance causing Anti-Social Behaviour. It was hoped they would soon put in an additional PSPO regarding car meets. The PSPO would be implemented in May 2024.

Public Sector Equality Duty

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

Resolved: That the implementation of a Public Spaces Protection Order (PSPO) and its measures at London Road, Halstead, Orpington By Pass Badgers Mount and the M25 Spur Road, for a period of up to 3 years, be approved.

97. Sevenoaks District Community Safety Partnership 2024-25 Strategy & Action Plan

The Portfolio Holder for People & Places presented the report which set out the Community Safety Partnership Strategy & Action Plan for 2024-25, and outlined the priorities within the Strategy, highlighting that a new priority relating to business crime, such as abuse to shops and stuff had been introduced. A strategic assessment had been undertaken in December 2023, in partnership with the voluntary sector, housing associations, the police, council officers and other partners. Actions for each of the priorities were reviewed every three months, with funding from the Police and Crime Commissioner, to spend across the priorities. People & Places Advisory Committee had considered the same report and recommended its adoption.

Members considered the report, and the Health and Communities Manager advised that Sevenoaks had a low risk for Serious Violence, but it was a county wide priority. The District was in the top 3 safest areas in Kent with low crime statistics.

Public Sector Equality Duty

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

Resolved: That it be recommend to Council that the Sevenoaks District Community Safety Partnership Strategy and Action Plan 2024 - 25, be approved.

98. Leisure Operator Options Report

Resolved: that under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting when considering the Report and Appendices A and B of Agenda Item 9 above, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A,

Cabinet - 14 March 2024

paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information.)

The Portfolio Holder for People & Places presented the report, which set out the Council's future options regarding the management of its leisure centres in Sevenoaks and Edenbridge, and Lullingstone Park Golf Course. The current interim leisure operator contract for these facilities was due to end in May 2025. Four options were presented to the Advisory Committee and the Committee recommended Option 2 to Cabinet.

The procurement process would ensure the Council received best value for money in the contract, as it would be competitively tested in the market. Operating risk could be transferred to an external leisure operator, who have the expertise and resource to be more commercially focused. A contract service specification would be developed to ensure the facilities were managed against industry best practice.

A five-year (plus two) contract had been selected as it would encourage greater competition and response from the market, not be overly financially burdensome to operators and would allow for feasibility plans to regenerate the leisure centres to come forward.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the public sector equality duty.

Resolved: That

- i) Option 2, to proceed with the procurement of a leisure operator contract for Edenbridge and Sevenoaks Leisure Centres and Lullingstone Park Golf Course for 5 years (with an option to extend for a further two years, subject to satisfactory performance) in accordance with the strategy set out in the report, be agreed.
- ii) Authority be delegated to the Chief Officer, People and Places and Chief Officer, Finance and Trading and Head of Legal and Democratic Services, in consultation with the Cabinet Member for People and Places and Cabinet Member for Finance and Investments, to conduct the procurement and evaluation exercise.

IMPLEMENTATION OF DECISIONS

This notice was published on 18 March 2024. The decisions contained in Minute 90 and 93 take effect immediately. The decisions contained in Minute 91, 94, 95, 96 and 98 take effect on 26 March 2024. The decisions contained in Minutes 92 and 97 are references to Council.

THE MEETING WAS CONCLUDED AT 8.16 PM

CHAIRMAN

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SWANLEY NEIGHBOURHOOD PLAN

Cabinet - 18 April 2024

Report of: Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

Status: For Decision (Cabinet)

Key Decision: Yes

Executive Summary: This report provides an overview of the Swanley Neighbourhood Plan (SNP) and recommends that it proceeds to referendum, subject to modifications, followed by it being 'made' at Full Council, if the referendum's outcome is positive.

This report supports the Key Aim of:

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

Ensuring that Sevenoaks District remains a great place to live, work and visit

Portfolio Holder: Cllr. Simon Reay

Contact Officer Vivienne Riddle, Ext. 7357

Recommendation to Cabinet:

1. That the independent examiner's report at Appendix A be noted.
2. That the SNP be modified according to the examiner's recommendations, including any minor proposed modifications to be agreed with Swanley Town Council, and be approved.
3. That the decision statement at Appendix C and the decision to progress the SNP to referendum be approved.
4. That a referendum takes place on a date to be arranged.
5. That in the event the referendum result on the SNP is positive (more than 50% of the vote) the Council formally 'makes' (adopts) the final referendum version of the SNP, so that it has effect as part of the statutory Development Plan for the Neighbourhood Area. This will be passed to Full Council.

Reason for recommendation: To progress the Swanley Neighbourhood Plan.

Introduction and Background

- 1 SDC is supporting a number of towns and parishes who are at various stages of developing neighbourhood plans. There are 13 'designated areas', which is the first stage of producing a neighbourhood plan.
- 2 The 'designated areas' for neighbourhood plans in Sevenoaks District are: Sevenoaks Town, Swanley, Edenbridge, Ash-cum-Ridley, Otford, Badgers Mount, Fawkham, Seal, Hextable, Halstead, Hartley, Chevening and Shoreham. They are all at different stages of the process, with only Sevenoaks Town's 'made' to date.
- 3 For context, in Kent, there are 31 'made' Neighbourhood Plans - Tunbridge Wells has 9, Maidstone has 7, Ashford has 6, Dover and Swale have 2 each, Thanet has 3, and Dartford and Folkestone & Hythe have 1 each.
- 4 This report relates to the Swanley Neighbourhood Plan (SNP), which is the second neighbourhood plan to have progressed to its current stage, which is where we, as the local planning authority, decide what action to take in response to the recommendations of the examiner.

Stages of the Swanley Neighbourhood Plan

- 5 The Swanley Neighbourhood Plan originally commenced with the designation of the neighbourhood area in November 2014. The neighbourhood area comprises the whole of the parish area covered by Swanley Town Council (STC) (the qualifying body). Following engagement with local residents and businesses over a number of years, STC proceeded to the pre-submission consultation and publicity stage as required under the Neighbourhood Planning (General) Regulations 2012 (as amended), undertaking it between 09 January 2023 and 20 February 2023. It was then submitted to us in order to proceed to consultation under Regulation 16. In accordance with the regulations, we publicised the neighbourhood plan over a 6 week period, between 30 November 2023 and 11 January 2024. We also responded to this consultation via DCAC and Cabinet but the response was subject to final agreement by the Portfolio Holder, due to the timings of meetings in relation to the consultation deadline.
- 6 The submitted Swanley Neighbourhood Plan sets out a Vision for the future of the parish of Swanley, as well as objectives and planning policies. If successfully 'made', these policies will be used to determine planning applications locally and will carry the same weight as Local Plan policies.
- 7 In addition to the submitted version of the Swanley Neighbourhood Plan (October 2023) it included the following documents:
 - A map on page 3 of the neighbourhood plan identifying the area to which the proposed neighbourhood plan relates.

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- Consultation Statements (November 2022 and October 2023)
- A Basic Conditions Statement (October 2023) and the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment Screening (appended)
- The Swanley Village Design Guide (February 2021)

Examination

- 8 Following the consultation, the Swanley Neighbourhood Plan was sent for examination by David Hogger BA MSc MRTPI MCIHT of Intelligent Plans and Examinations Ltd, whose appointment was mutually agreed with Swanley Town Council. It was received by IPE Ltd on 30 January 2024.
- 9 The role of the independent examiner is to assess whether the neighbourhood plan (NP) meets certain statutory requirements, known as the 'Basic Conditions'. These state that NPs should:
 - have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies contained in the development plan for the area;
 - not breach, and is otherwise compatible with, EU obligations (including Human Rights Act);
 - meet prescribed conditions and comply with prescribed matters; and
 - not breach requirements of the Conservation of Habitats and Species Regulations.
- 10 Following submission, the examiner sent a letter outlining procedural matters and a list of questions for us and Swanley Town Council to respond to. The letter, questions and responses are all available to view on our website.
- 11 It was followed by a 'fact-check' report on Friday 22 March, which was sent to us and Swanley Town Council; this is an informal stage, providing the opportunity to pick up on any purely factual errors within the examiner's report. Responses were requested, collated in a single document, by 05 April.
- 12 The 'fact-check' report was received just prior to the last DCAC on 26 March. An update on the Swanley Neighbourhood Plan comprised an element of the Local Plan update (paragraphs 49-51 of agenda item 6). Following receipt of the fact-check report, a verbal update was provided confirming its receipt, noting its purpose and setting out the examiner's recommendation to proceed to referendum, subject to 19 limited plan modifications. Cllr Darrington at DCAC noted that the Town Council were happy with the report and wish to proceed to referendum as soon as possible.
- 13 Following DCAC a limited number of factual changes were suggested to the examiner in relation to this report, being jointly provided with Swanley Town Council on the 03 April 2024. The examiner accepted those suggestions and

issued his final report on 04 April 2024. As such the examination has now concluded.

Post-examination stage

- 14 The current stage is to decide what action to take in response to the examiner's recommendations. The regulations set out this must take place within 5 weeks, starting the day after receipt of the report, unless a different date has been agreed with the qualifying body.
- 15 The examiner's recommendations in respect of a neighbourhood plan (NP) are different to those made by inspectors when considering local plans. In the case of a NP, instead of the requirement of meeting the test of 'soundness', it must meet a 'Basic Conditions' test, providing more scope for interpretation.
- 16 Neighbourhood plans, when finally approved (and then referred to as a 'made' neighbourhood plan), become part of the development plan for the area to which they geographically apply, which means that they are a key document in the determination of planning applications in that area.
- 17 The legal context for preparation of neighbourhood plans is provided by:
 - the Localism Act 2011
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf,
 - the Neighbourhood Planning Regulations 2012 (as amended)
https://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi_20120637_en.pdf,
 - and The Neighbourhood Planning Act 2017 (as amended)
<https://www.legislation.gov.uk/ukpga/2017/20/part/1/crossheading/neighbourhood-planning/enacted>.
- 18 Policies in neighbourhood plans need to be in general conformity with the strategic policies of the local plan, as well as having regard to the National Planning Policy Framework (NPPF) and any other relevant legislation.
- 19 A copy of the examiner's report can be viewed via the link at Appendix A.
- 20 The examiner's report recommends that the neighbourhood plan, once modified, proceed to referendum on the basis that it has met all the relevant legal requirements including the basic conditions test. The report sets out 19 proposed modifications to be incorporated into the Plan.
- 21 The draft track-changed Referendum version of the Swanley Neighbourhood Plan attached at Appendix D and the Schedule of Proposed Modifications and Minor Proposed Modifications attached at Appendix B includes the examiner's proposed modifications only.
- 22 In addition, the examiner set out at paragraph 4.57 that *'amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes, factual up-dates, or corrections in agreement*

Agenda Item 5

between the Parish and District Council. I note that a number of respondents, including the District Council, Kent County Council and Crockenhill Parish Council make several suggestions with regard to minor amendments. These would not be material changes but would add further polish to the document’.

- 23 The final Referendum version of the Swanley Neighbourhood Plan will include any other minor proposed modifications (MPMs) provided by Swanley Town Council and agreed with us at officer level.
- 24 The majority of the examiner’s recommended modifications relate to matters of clarity, accuracy and precision or to ensure policies reflect national advice and are designed to ensure that the Plan fully accords with national policy. They include the deletion of policy SwT4 – Car and Cycle Parking, which set out parking standards, however the examiner concluded that he was not satisfied that the policy was in general conformity with the strategic policies of the Development Plan (paras 4.47-4.50).
- 25 The examiner also considered whether the referendum area should extend beyond the designated area to which the plan relates and he concluded that it should not. Therefore, the referendum area corresponds with the Swanley Town Council administrative boundary.
- 26 Based on the examiner’s recommendations, it is recommended that the Swanley Neighbourhood Plan proceed to the next stage.

Referendum

- 27 The next stage is to arrange the referendum on the Neighbourhood Plan. This is a simple yes/no vote, where the plan is ‘made’ (approved) if more than 50% of voters support the Plan.
- 28 A person is entitled to vote if at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area.
- 29 The referendum would pose the question, ‘Do you want Sevenoaks District Council to use the Swanley Neighbourhood Plan to help it decide planning applications in the Swanley neighbourhood area?’
- 30 An Information Statement must be published 28 working days prior to the referendum polling day. This is effectively the minimum period of time to prepare and run the referendum. The referendum must also be held within 56 working days of the date the Cabinet decision.
- 31 Referendum dates are being explored and it is likely that we can proceed to referendum in June/early July. As is now required, the referendum will require Voter ID to be provided by people voting in polling stations.
- 32 In terms of funding, the Council can claim £20,000 from central government when a decision statement (see section below) is issued, detailing the intention to send the plan to referendum (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012).

- 33 The Council is required to make a 'decision statement' available to outline what action it proposes to take in response to the recommendations of the examiner. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004). This decision statement will be made available, outlining the decision and the reasons for it and details of the referendum.

Conclusion and next steps

- 34 The examiner's recommended modifications are reflected in the draft Referendum version of the SNP presented in Appendix D.
- 35 The Council must publish what action will be taken in response to the recommendations of an examiner, in the 'decision statement', a draft version of which is presented in Appendix C but which currently doesn't include a referendum date.
- 36 Subject to the Cabinet decision on the recommendations in this report, the Council will work with Swanley Town Council on the minor modifications, as referenced at para 4.57 of the examiner's report and arrange for a referendum to be held to ensure that the local community has the final say on whether the final Referendum version of the SNP comes into force or not.
- 37 The principal effect of this is that, once 'made' (or adopted) the SNP will become part of the statutory 'development plan' for the area after a positive referendum. The local planning authority (SDC) must formally make the neighbourhood plan within 8 weeks of the positive referendum outcome.
- 38 There are narrow circumstances where the local planning authority is not required to make the neighbourhood plan. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended). Paragraph: 064 Reference ID: 41- 064-20170728
- 39 It is therefore requested that where the referendum result is positive, then the SNP can, post-referendum, go directly to be considered at Full Council.

Other options Considered and/or rejected

Note the examiner's report and the recommended amendments, but do not agree the decision statement and do not progress the SNP to referendum. As noted, the examiner's report is largely positive, and it is considered that the SNP should proceed to referendum.

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Key Implications

Financial

The Council can claim £20,000 from central government when a decision statement is issued, detailing the intention to send the plan to referendum. This will largely cover the cost of holding the referendum.

Legal Implications and Risk Assessment Statement.

Accepting the recommendations in this report will fulfil the Council's duties under the Town and Country Planning Act 1990, as amended by the Localism Act 2011, the Housing and Planning Act 2016, and the Neighbourhood Planning Act 2017. The recommendations also comply with the Neighbourhood Planning (General) Regulations 2012 as amended.

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. Furthermore, the Public Sector Equality Duty applies to town councils: Swanley Town Council will be responsible for demonstrating due regard to this in the production of a neighbourhood plan.

Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition with respect to climate change. 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 examiner's final report recommends that it proceeds to referendum, subject to a number of modifications. We could choose not to issue a decision statement and not progress the SNP to referendum but there is nothing to support such an approach. As such, this report recommends that we proceed in accordance with those recommendations and should the referendum produce a positive outcome, that the neighbourhood plan be 'made' at Full Council.

Appendices

Appendix A - SNP - Examiner's report

https://www.sevenoaks.gov.uk/info/20069151/neighbourhood_planning/703/swanley_neighbourhood_plan

Appendix B - Draft Schedule of Proposed Modifications and Minor Proposed Modifications, showing examiner's modifications only (attached)

Appendix C - Draft decision statement (attached)

Appendix D - Draft Referendum Version of SNP (showing examiner's modifications only)

Background Papers

All background documents are available on the Swanley Neighbourhood Plan webpage.

https://www.sevenoaks.gov.uk/info/20069151/neighbourhood_planning/703/swanley_neighbourhood_plan

Richard Morris

Deputy Chief Executive and Chief Officer - Planning and Regulatory Services

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Intelligent Plans
and examinations

Report on Swanley Neighbourhood Plan 2020 - 2040

An Examination undertaken for Sevenoaks District Council with the support of Swanley Town Council on the October 2023 submission version of the Plan.

Independent Examiner: David Hogger BA MSc MRTPI MCIHT

Date of Report: 4 April 2024

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL
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Main Findings - Executive Summary

From my examination of the Swanley Neighbourhood Plan (the Plan/SNP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body: Swanley Town Council;
- The Plan has been prepared for an area properly designated: the designated area as identified on Map 1 on page 3;
- The Plan specifies the period to which it is to take effect, which is 2020 to 2040; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Swanley and the Neighbourhood Plan 2020 - 2040

- 1.1 The town of Swanley lies in the north-west of Kent and became established with the coming of the railway in 1862. It is about 15 miles from central London and sits adjacent to junction 3 of the M25 (also a junction for the M20/A20). The population of the town in 2021 was 17,821 and, as I saw on my visit, there is a range of retail, employment and leisure provision.
- 1.2 Swanley Village is the second settlement in the Plan area, and it sits within the Green Belt. Much of the village is a designated Conservation Area. Facilities in the village are few but I noted that it does include a primary school.
- 1.3 Map 6 in the SNP (page 24) shows that land to the west and north of the Neighbourhood Plan Area (NPA), including Swanley Village, falls within the Green Belt.
- 1.4 Swanley includes a number of important heritage assets and open areas which I observed on my visit, and there are a number of listed buildings in the NPA.

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- 1.5 The Consultation Statement (November 2022) confirms that the process of preparing this Neighbourhood Plan properly commenced in February 2018 with the holding of a public workshop. The Town Council (via the Steering Group) employed a number of initiatives, including detailed questionnaires, further workshops, meetings with the District Council planning officers, leaflet drops, the positioning of informative banners and the formation of Working Groups.

The Independent Examiner

- 1.6 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Swanley Neighbourhood Plan by Sevenoaks District Council (SDC), with the agreement of Swanley Town Council (STC).
- 1.7 I am a chartered town planner and former government Planning Inspector, with extensive experience in the preparation, examination and implementation of development plans and other planning policy documents. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.8 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.9 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the plan meets the Basic Conditions;
 - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;

- it does not include provisions and policies for 'excluded development'; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
 - Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
 - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').
- 1.10 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.11 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations (under retained EU law)¹; and
- Meet prescribed conditions and comply with prescribed matters.

1.12 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Development Plan does not breach the requirements of chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations').²

¹ The existing body of environmental regulation is retained in UK law.

² This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

2. Approach to the Examination

Planning Policy Context

- 2.1 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 December 2023 (and updated on 20 December 2023), and it is this document to which I have had regard in determining whether the SNP meets the Basic Conditions, along with its accompanying PPG.
- 2.2 The Development Plan for Sevenoaks, not including documents relating to excluded minerals and waste development, is the adopted Core Strategy 2011-2026 and the Allocations and Development Management Plan 2015 – 2026. Work has commenced on an updated Local Plan (Plan 2040) but is at a very early stage, with adoption of the document not expected until late 2025/early 2026.
- 2.3 PPG Reference ID: 41-009-20190509 on neighbourhood planning, advises that 'where a neighbourhood plan is brought forward before an up-to-date local plan is in place (i.e. Plan 2040), the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan'. In the answer to my Question 1 (dated 7 March 2024) both Councils confirm that such meetings between the two Councils have taken place.
- 2.4 In the Regulation 16 response from Claremont Planning it is suggested that work on the SNP be delayed, pending the adoption of the up-dated Plan 2040. However, it is clear to me that the relationship between the SNP and the adopted and the forthcoming Local Plans has been fully considered by the parties and that there is no reason for any delay. In these circumstances there is no substantive reason why the SNP cannot be brought forward before the up-to-date Local Plan is in place. Both Councils are aware of the potential need to review the policies of the SNP once the Plan 2040 has been adopted.

Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents that are relevant to the examination, including those submitted which comprise:
 - the submission version of the Swanley Neighbourhood Plan (October 2023);
 - the Map on page 3 of the Neighbourhood Plan, which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statements (November 2022 and October 2023);

- the Basic Conditions Statement (October 2023), and the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment Screening which is appended ;
- the Swanley Neighbourhood Plan Open Space Study (2019/2020);
- the Swanley Site Options and Assessment (February 2021);
- the Swanley Village Design Guide (February 2021);
- all the representations that have been made in accordance with the Regulation 16 consultation;
- the responses to my Questions dated 8 February 2024, from both Sevenoaks District Council and Swanley Town Council, received on 7 and 6 March 2024 respectively; and
- the late response from Kent County Council (KCC) Ecological Advice Service (received 20 February 2024) and the associated response from STC dated 6 March 2024.³

Site Visit

- 2.6 I made an unaccompanied site visit to the Neighbourhood Plan Area on 18 February 2024, to familiarise myself with the locality, and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.7 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

Modifications

- 2.8 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

³ View at:

https://www.sevenoaks.gov.uk/info/20069151/neighbourhood_planning/703/swanley_neighbourhood_plan

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The SNP has been prepared and submitted for examination by STC as the qualifying body for an area that was originally designated by SDC in November 2014.
- 3.2 It is the only Neighbourhood Plan for the Parish and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Plan specifies the period to which it is to take effect, which is 2020 – 2040.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Consultation Statements (November 2022 and October 2023) summarise the approach to consultation undertaken by the Town Council. Further detail is included in the Consultation Statement Evidence Base, which includes Minutes of all the Steering Group Meetings.⁴
- 3.5 It is evident that opportunities to contribute towards the preparation of the SNP have been available to all interested parties at the relevant stages, including at both the Regulation 14 stage (9 January 2023 to 20 February 2023) and, following submission to SDC, at the Regulation 16 stage (30 November 2023 to 11 January 2024). I consider that, overall, the approach towards the preparation of the SNP has been conducted in a thorough, fair and inclusive manner, which I cannot fault based on the evidence presented. It is particularly pleasing to note that efforts were made to involve younger people attending the Orchard Academy.
- 3.6 Therefore, I am satisfied sufficient regard has been had to advice in the PPG on plan preparation and engagement and the process has been procedurally compliant in accordance with the legal requirements.

Development and Use of Land

- 3.7 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.8 The Plan does not include provisions and policies for 'excluded development'.⁵

⁴ See www.swanleytowncouncil.gov.uk/neighbourhood-plan

⁵ See section 61K of the 1990 Act.

Human Rights

- 3.9 I have seen no evidence that the Plan breaches Human Rights (within the meaning of the Human Rights Act 1998), and it is not a matter that has been raised by any of the respondents. From my own independent assessment, I have no reason to conclude that the Plan is not compliant in this regard.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 A SEA screening (July 2023) was undertaken by Sevenoaks District Council (attached to the Basic Conditions Statement). The conclusion reached is that the SNP does not require an SEA to be undertaken because the Plan would not have any significant adverse environmental effects. Similarly, the screening considers (on page 9) whether the SNP would require an assessment for future development under Articles 6 or 7 of the Habitats Directive (transposed into UK law by the 2017 Regulations, as retained). It concludes that Appropriate Assessment is not required as there are no likely significant effects resulting from the Plan, there being no protected sites in proximity to the NPA. I note there were no specific objections raised in relation to the screening findings by the Environment Agency, Historic England and Natural England. Based on my own independent assessment, and having read the documentation, I support the conclusions.

Main Issues

- 4.2 I have approached the assessment of compliance with the Basic Conditions of the SNP as two main matters:
- General issues of compliance of the Plan, as a whole; and
 - Specific issues of compliance of the Plan policies.

General Issues of Compliance of the Plan

National Policy, Sustainable Development and the Development Plan

- 4.3 There are twelve chapters in the SNP, which are the Introduction; a Profile of Swanley; Vision and Objectives; Summary of Neighbourhood Plan Policies; Sustainable Development Strategy for Swanley; Community Infrastructure; Conservation, Design and Heritage; Housing; the Economy and Employment; Transport; Proposals to Achieve the SNP Vision and Objectives; and Monitoring. The Swanley Village Design Guide is published as a separate document.

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- 4.4 It is clear to me that SDC and STC have co-operated in the preparation of the SNP⁶ and, subject to the detailed comments and necessary modifications that I set out below, I conclude that the SNP has had proper regard to national policy and guidance. I also conclude that subject to the recommendations that I make:
- the SNP is in general conformity with the strategic policies of the adopted Development Plan for the area, and that overall, the document provides an appropriate framework that will enable the Parish of Swanley to continue to evolve as a community whilst ensuring that the quality of life, particularly for residents, will be retained and enhanced; and
 - that the policies, as modified, are supported by appropriate evidence, are sufficiently clear and unambiguous and that they can be applied with confidence.⁷

Specific Issues of Compliance of the Plan's Policies

[Introduction \(page 2\)](#)

- 4.5 The Introduction summarises how the Neighbourhood Plan has been prepared and how it will fit into the existing planning policy framework (and the forthcoming framework as to be provided by the emerging Local Plan Review⁸).

[A Profile of Swanley \(page 6\)](#)

- 4.6 The character and history of the Parish is described in chapter 2, together with background information regarding, for example, the town centre, the Green Belt, and the characteristics of the local population.

[Vision and Objectives \(page 18\)](#)

- 4.7 The process of formulating the Vision and the Objectives is summarised on page 18 and it is clear that this has involved local residents. There are 11 Objectives identified on pages 19 and 20 and these, if achieved, will contribute significantly to meeting the Vision. In the interests of reflecting national advice⁹, I recommend a modification to objective 7 so that it refers to a *net gain* of trees and biodiversity (**PM1**).
- 4.8 I am satisfied that the 'foundations' of the Plan, as set out in chapter 3, are based on a thorough analysis of the situation and the engagement of local residents.

⁶ Reflecting, for example, the advice in PPG Reference IDs 41-040-20160211 and 41-009-20190509.

⁷ PPG Reference ID: 41-041020140306.

⁸ Scheduled for examination in Autumn 2024 according to the Sevenoaks Local Development Scheme (July 2022).

⁹ See 'Understanding biodiversity net gain' at www.uk/guidance/understanding-biodiversity-net-gain

[Sustainable Development Strategy for Swanley \(page 22\)](#)

- 4.9 It is acknowledged that there is little developable land that does not fall within the Green Belt, but it is confirmed that where development is achievable it must meet sustainability objectives. In summary, the strategy should result in an improved town centre; the protection of the character of Swanley; the retention of Swanley Village as a separate settlement; and only minimal development occurring on Green Belt land. I am satisfied that this is an appropriate approach which reflects the value placed by local residents on the retention and improvement of the local environment.

Policy SwSD1 – Green Belt (page 26)

- 4.10 This policy acknowledges that there are 'poorly performing' Green Belt sites, which may come forward for development through allocation in the revised Local Plan. Policy SwSD1 seeks to ensure that any proposals on such sites comply with the policies of the SNP and also that they are supported by public transport infrastructure. I consider this to be a pragmatic approach to the issue. However, I agree with SDC¹⁰ that further clarification regarding the Green Belt is necessary and I note that STC (in response to my Questions) accepts that there is a need to review the policy. I therefore recommend that the policy be modified to more accurately reflect the current position regarding the Green Belt (**PM2**).

Policy SwSD2 – Swanley Town Centre (page 26)

- 4.11 It is important, particularly in terms of sustainability, that the town of Swanley retains (and if possible, strengthens) its role as an employment provider. This policy seeks to prevent the loss of commercial, business and service uses and thus will contribute to meeting the STC sustainability requirements.

Policy SwSD3 – Preventing the merging of Swanley Village and Swanley Town (page 26)

- 4.12 I saw on my visit that Swanley Village and Swanley Town display totally different characteristics. The gap between the two settlements could not accurately be described as substantive and I consider that policy SwSD3 is justified in order to ensure that the character of the two independent communities is not threatened. There is no reason to repeat in the policy what the function of the Green Belt is.

Conclusions on Sustainable Development Policies

- 4.13 The policies, as modified, will contribute to achieving sustainable development and will meet the economic, social and environmental

¹⁰ SDC's Development Manager's Regulation 16 response.

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objectives as set out in paragraph 8 of the NPPF (December 2023). The Basic Conditions have all been met.

[Community Infrastructure Policies \(page 27\)](#)

- 4.14 This chapter addresses a wide range of community facilities in the town, including health facilities, open spaces, parks and gardens, amenity green space, natural and semi-natural space, sport and recreation facilities, and education facilities. The supporting text summarises the situation with regard to each land use and explains the Town Council's approach.

Policy SwC1 – Health Facilities in Swanley (page 38)

- 4.15 This policy provides support for appropriate new health facilities in the town and is justified.

Policy SwC2 – Open Space and Biodiversity (page 38)

- 4.16 The retention of open space and the provision of a biodiversity net gain in circumstances where development is permitted are both key objectives that will contribute towards achieving sustainable development.
- 4.17 The Town Council has suggested modifications to the policy¹¹ to ensure it aligns with current national advice in relation to the provision of ecological impact assessment to accompany relevant planning applications, and the further provision of statements for the protection/enhancement of protected/priority species and habitats. I agree that they are necessary and recommend accordingly in **PM3**.

Policy SwC3 – Community Buildings (page 39)

- 4.18 The policy would only allow the loss of a community building if there is demonstrably no need for the facility or if there would be alternative benefits to the community. I consider that sub-section (b) of the policy should be strengthened by making it clear that any 'alternative benefits' would have to be feasible, viable and justified. I recommend accordingly in **PM4**.

Policy SwC4 – Sustainable Urban Drainage (page 39)

- 4.19 The fourth paragraph on page 29 makes reference to sustainable urban drainage and confirms the need to manage such drainage, particularly with regard to preventing the waterlogging of outdoor facilities and open spaces. The policy does not support development that would increase the surface water discharge rate. This will contribute to meeting the Town Council's environmental objectives.

¹¹ See email from STC (6 March 2024) in response to the submission from KCC Ecological Advice Service (received 20 February 2024).

- 4.20 SDC voice concerns regarding the implementation of this policy but I am told by STC¹² that it accords with advice from Kent County Council and is in accordance with the County Council's 'Drainage and Planning Policy' document. I consider that the policy is justified, in the interests of sustainability, but should the monitoring of the policy over time raise any issues of concern, then STC can react appropriately.

Conclusions on Community Infrastructure Policies

- 4.21 The modified Community Infrastructure policies will contribute towards the achievement of the Town Council's sustainability objectives, and they all have regard to national policies and advice and meet all the other Basic Conditions.

Conservation, Design and Heritage Policies (page 40)

- 4.22 The background to issues of Conservation, Design and Heritage is clearly set out on pages 40–49. Six character areas in Swanley are identified and shown on Map 8 (page 45).

Policy SwCD&H1 – Tall Buildings (page 49)

- 4.23 It is clear that local residents have concerns regarding the visual impact of tall buildings (defined as being over four storeys or 12 metres in height). Consequently, the Town Council is proposing, in the policy, a list of 9 requirements. I have assessed those requirements and conclude that they are all justified in the interests of, for example, sustainable design, appropriate accessibility, and relationship with the existing urban fabric.
- 4.24 In response to my Question 2, STC propose to modify bullet point 4 of the policy in order to introduce some flexibility and I agree that this will provide appropriate clarification and therefore I recommend **PM5**.

Policy SwCD&H2 – Swanley Village Design Guide (page 50)

- 4.25 Swanley Village Design Guide (February 2021) has been published as a separate document but is included as chapter 13 of the SNP (as set out in the list on page 1). It is a comprehensive and well-presented document and the policy requires that the principles embodied in the Design Guide are taken into account where relevant. In the interests of clarity, I am recommending a modification to the first sentence (**PM6**).

Policy SwCD&H3 – Heritage Protection (page 50)

- 4.26 In relation to non-designated heritage assets, it is not possible to guarantee their 'protection into the future'. Accordingly, in SDC's Regulation 16 response the District Council's Conservation and Design

¹² See response to my Question 2.

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Team suggests replacing that phrase with an addition to the policy to provide the necessary clarity. I agree and, therefore, recommend **PM7**.

Conclusions on Conservation, Design and Heritage Policies

- 4.27 The Conservation, Design and Heritage policies, as modified, are all in general conformity with the strategic policies of the Development Plan for the area and meet all the other Basic Conditions.

Housing Policies (page 51)

- 4.28 The Introduction to this chapter succinctly sets out the background to the issue of housing in Swanley. The type of housing; housing need; housing tenure; affordability; density; and quality, are all addressed.

Policy SwH1 Energy Efficient and Healthy Homes (page 63)

- 4.29 This policy establishes the requirement for all new homes to be energy efficient. Such an approach is in accordance with the presumption in favour of sustainable development and is to be supported.

Policy SwH2 - Housing Space standards (page 64)

- 4.30 This policy establishes the need to meet storage space standards. I agree with SDC that it would benefit from added clarity, and I recommend accordingly in **PM8**.

Policy SwH3 – Private Amenity Space for New Homes (page 64)

- 4.31 In order to support and encourage healthy communities¹³ it is important that, where feasible, new homes are provided with some form of outdoor space, and this will be achieved through the implementation of policy SwH3.

Policy SwH4 – Homes for Work and study (page 64)

- 4.32 This policy establishes the need to provide dedicated working space within a property, where feasible. In the interests of sustainability such an approach may be justified.

Policy SwH5 – Housing Density (page 64)

- 4.33 The supporting text on page 60 summarises the types of housing densities that have recently been achieved and, in particular, I note that in the town centre the current Local Plan policy target has been exceeded. However, I am aware that the density figures being proposed in the SNP are lower than those currently being suggested for inclusion in the Plan

¹³ NPPF, paragraph 8.

2040, but STC confirms (in response to my Question 7) that a number of developments in Swanley have not achieved the proposed Local Plan density target.

- 4.34 At the current time, I am not convinced that there is sufficient substantive evidence to enable me to recommend that the proposed densities as set out in Policy SwH5 are modified. This is an issue that may require further consideration as part of the Local Plan preparation process. I note STC are committed to collecting data to help improve neighbourhood plan policies on a twice yearly basis (see page 100 of the SNP), so the opportunity will be available to reconsider this matter once there is greater clarity provided by the District Council Plan 2040. As it stands, I am satisfied that the densities currently being proposed will contribute to ensuring that optimum use of land is achieved without detriment to the character of the town and its surrounding area.

Policy SwH6 - Public Amenity Space (page 64) and Policy SwH7 – Children and Young People’s Play Space (page 64)

- 4.35 The provision of amenity space and play space will contribute to improving community infrastructure (Objective 11 on page 20) and I am not aware of any objections to the approach of STC on these matters.

Conclusions on Housing Policies

- 4.36 The modified housing policies contribute to the achievement of sustainable development and meet all the other Basic Conditions.

[Economy and Employment Policies \(page 65\)](#)

Policy SwEE1 – Improving and increasing employment on existing employment sites (page 74)

- 4.37 Policy SwEE1 provides support for fulfilling the potential of existing employment sites. However, it could be interpreted as meaning that extensions to such sites would be supported (i.e. incorporating additional land). This is not the case and therefore I recommend a modification in **PM9**, which will clarify the situation.

Policy SwEE2 – Loss of sites in Employment Use (page 75)

- 4.38 In the interests of a sustainable community, STC is justified in seeking ‘protection’ for land which is currently in employment use. However, I consider that the requirement for marketing over a minimum period of 12 months is unreasonably excessive, primarily because of the potential costs and viability issues involved. I therefore recommend, in **PM10**, that the marketing period be reduced to 6 months.

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Policy SwEE3 – Small employment sites (page 75)

- 4.39 In the interests of sustainability, the presumption in favour of small employment sites is to be welcomed. However, there is no definition of what constitutes a 'smaller site'. I therefore recommend a modification to the policy that establishes what is meant (**PM11**).

Policy SwEE4 – Hotel and Visitor Accommodation (page 75)

- 4.40 The support for new hotel and visitor accommodation in principle is to be welcomed, particularly in the interests of the local economy.

Conclusions on Economy and Employment Policies

- 4.41 The Economy and Employment policies, as modified, have regard to national policies and advice and meet all the other Basic conditions.

Transport Policies (page 76)

- 4.42 It is clear to me that the issue of transport is of concern to many local residents and businesses. The proximity of the town to the M25 and M20 contributes to poor air quality and there are issues of congestion and limited public transport provision (only two main bus routes serve the town). Table 18 (page 84) confirms the high proportion of people who travel to work by car or van.
- 4.43 The promotion of cycling and walking, as a means of travel, is to be supported and therefore I agree with the County Council that in the interests of consistency reference should be made to the forthcoming Cycling and Walking Improvement Plan and recommend accordingly in **PM12**.

Policy SwT1 – Planting of trees (page 92)

- 4.44 The planting of trees can contribute to the improvement of air quality and although it is not clear to me how such a policy will be monitored, it nevertheless embodies the principles as set out in the NPPF, for example with regard to the achievement of sustainable development and meeting the challenge of climate change.¹⁴ In the interests of accuracy and clarity I recommend, in **PM13**, that the words 'close to' are changed to 'abutting'.

Policy SwT2 – Cycling (page 92)

- 4.45 Chapter 9 of the NPPF seeks to ensure that sustainable transport is promoted. This policy seeks to secure segregated cycle access ways with all new developments (my underlining) and the provision of storage for bicycles. Whilst such an approach has merit, there may be circumstances

¹⁴ Chapters 2 and 14 of the NPPF.

where such segregated access cannot reasonably be achieved. I therefore recommend in **PM14**, the introduction of more flexibility in the policy.

Policy SwT3 – Walking (page 92)

- 4.46 The promotion of walking, as a means of travel, is to be supported and policy SwT3 seeks to secure improvements to the footway network. KCC suggests the inclusion of additional supporting text with regard to Public Rights of Way (PROW) to clarify KCC's statutory PROW duty and highlight the relevant Improvement Plans (both in place and emerging). This has the support of the Town Council and I agree that it would be a valuable addition to the Transport chapter. I recommend accordingly in **PM15**.

Policy SwT4 – Car and Cycle Parking (page 93)

- 4.47 SDC voice concerns regarding the parking policy SWT4, which I share. Existing 'approved' parking standards are set out in Table 1 of the Local Plan (page 19) and in Appendix 2 of the Kent Design Guide¹⁵. These standards are compatible with each other and are set out for four types of location – City/Town Centre; Edge of Centre; Suburban; and Suburban Edge/Village/Rural.
- 4.48 The standards set out in the SNP policy are different to those in the existing adopted documents referred to above. Whilst I acknowledge that there is, in clause c, the potential to apply lower standards, I consider that the situation will not be sufficiently clear to the decision maker – inevitably it will be asked which standards should be applied? I could find nothing in the supporting text on page 87, which provides the necessary clarity.
- 4.49 Consequently I am not satisfied that the policy is in general conformity with the strategic policies of the Development Plan for the area or that they have regard to national policies (for example, paragraph 16 of the NPPF which states that policies should be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals). Although I do not doubt that parking 'is a serious problem for residents and businesses in Swanley' (as stated in the second paragraph on page 87), the evidence (or lack of it) leads me to conclude that the policy should be deleted (**PM16**). Whilst I understand that this will be a disappointment to the Town Council, I do not consider it will have disproportionate consequences because appropriate parking standards exist elsewhere.
- 4.50 If considered necessary, the Town Council, in conjunction with the District Council, could include a sentence within the text confirming that the Local Plan car parking standards will be applied. This would be considered to be a minor amendment (see paragraph 4.57).

¹⁵ Interim Guidance Note 3.

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Policy SwT5 – Access for Vehicles, Pedestrians and Bicycles (page 94)

- 4.51 Policy SwT5 establishes access requirements. In the interests of clarity, I recommend the use of the same tense in each requirement and the introduction of greater flexibility in clause d) (**PM17**).

Conclusions on Transport Policies

- 4.52 The Transport policies (as modified) contribute to the achievement of sustainable development and meet all the other Basic Conditions.

Proposals to Achieve the Swanley NP Vision and Objectives (page 95)

- 4.53 This chapter of the SNP lists a number of aspirations for Swanley which cannot be achieved through the auspices of the SNP because, for example, they are not funded, or they are not related to land use policies. These include the provision of indoor dry sports facilities, road improvements and the provision of new cycle links. These proposals may be further assessed should the opportunity arise.
- 4.54 I consider that referring to these aspirations as 'proposals' could be misleading to the decision maker because the word 'proposal' indicates to me that there is some tangible and specific agreed commitment to their achievement. As I understand it, whilst they may have support in principle, they could not accurately be described as firm commitments. Therefore, in the interests of clarity, I recommend that the title of the chapter be modified accordingly (**PM18**).

Monitoring Swanley Neighbourhood Plan (page 100)

- 4.55 Monitoring is an important component in the Plan-making process, in order to ascertain whether or not the policies of the SNP are being successfully implemented. As noted in paragraph 4.34 above, the Town Council is committed to collecting data twice a year on, for example policy compliance and the effectiveness of the policies. Such data will form the basis of discussions with the District Council. This approach is to be applauded.

Other Matters

NPPF Updates

- 4.46 There are a number of references in the SNP to the 2021 NPPF and its paragraphs, for example on pages 18, 22, 27, 40 and 87 of the Plan. Although changes to the NPPF (as they relate to the SNP) are minimal, it is nevertheless important that NPPF references reflect the contents of the most recent December 2023 edition. I therefore recommend that the SNP be amended to refer to the December 2023 NPPF and that the relevant paragraph references are updated (where they have changed) (**PM19**).

Minor Amendments

- 4.57 Amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes¹⁶, factual up-dates, or corrections in agreement between the Parish and District Councils.¹⁷ I note that a number of respondents, including the District Council, Kent County Council and Crockenhill Parish Council make several suggestions with regard to minor amendments. These would not be material changes but would add further polish to the document.

5. Conclusions

Summary

- 5.1 The Swanley Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether or not the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies (and delete one policy), thus ensuring that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Swanley Neighbourhood Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. I conclude that the Swanley Neighbourhood Plan (as modified) has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond that boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

¹⁶ PPG Reference ID:41-106-20190509.

¹⁷ See, for example, Representation Ref: SNPS:6 and SNPS:18.

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Overview

- 5.4 The town of Swanley enjoys an attractive setting and displays a range of valued features. There is a reasonable number of community facilities and services, either within the Parish or very close by and I am confident that the local community will continue to support appropriate local initiatives to improve the quality of life.
- 5.5 Among the objectives of the Town Council is the desire to enable development that is appropriate to its location; to provide support for employment; to improve the attractiveness of the town centre; and to protect heritage and wildlife. I consider that the implementation of the policies within the SNP (when 'made'), will ensure that these objectives are successfully achieved.

David Hogger

Examiner

Appendix: Modifications (19)

Notes:

- Additions are shown in **bold** and deletions denoted with ~~strikethrough~~.
- Page references are those in the submission version of the Swanley Neighbourhood Plan.
- In the interests of brevity, where whole paragraphs/policies have been deleted, the modification refers to the deletion of all the text.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 19 Objective 7	Modify objective to read: To enable improvements to the Town Centre, public realm, and open spaces of Swanley that respect and reinforce their character and prevent the loss results in the net gain of trees and biodiversity.
PM2	Page 26 Policy SwSD1	Modify the policy to read: The Neighbourhood Plan recognises that there are Green Belt sites in the Neighbourhood Plan area which may be removed from the designation by Sevenoaks District Council in order to meet its development needs. The NPPF requires these new boundaries to be permanent and therefore any further removal of strongly performing Green Belt land during the Local Plan period is not supported. The Neighbourhood Plan supports developments on brownfield sites within the Green Belt. that are poorly performing against the purposes set out in the NPPF. Such sites may come forward for development through allocation in the new Sevenoaks Local Plan. These may have potential to deliver benefits that should be secured through the design,

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		<p>layout and use of each site. In these cases, they will only be supported only where they meet all the policies in the Swanley Neighbourhood Plan and are supported by public transport infrastructure.</p> <p>Development proposals on Green Belt sites other than those identified as poorly performing will not be supported.</p>
PM3	<p>Page 38</p> <p>Policy SwC2</p>	<p>Modify policy to read:</p> <p>Development proposals that result in any loss of green spaces as shown on Map 7, across all types of green space within the Neighbourhood Plan area, will be supported only where replacement green spaces are provided for public use which are suitably located and equal or superior in terms of size and quality.</p> <p>All development must demonstrate a measurable biodiversity net gain in alignment with the Environment Act 2021.</p> <p>Ecological impact assessment must accompany relevant planning applications; and Statements for the protection/enhancement of protected/priority species and habitats must be submitted where relevant.</p>
PM4	<p>Page 39</p> <p>Policy SwC3</p>	<p>Modify clause b) to read:</p> <p>b) Proposals offer feasible, viable and justified alternative benefits to the community in terms of access to space to assemble, worship, participate in educational activities and personal or civic celebrations.</p>
PM5	<p>Page 50</p> <p>Policy SwCD&H1</p>	<p>Modify bullet point four to read:</p> <ul style="list-style-type: none"> • Incorporate publicly accessible amenity and play space within

		the site area wherever possible.
PM6	Page 50 SwCD&H2	Modify the start of the first sentence to read: Development proposals for in Swanley Village, should ...
PM7	Page 50 SwCD&H3	Modify the introductory sentence to read: The following have been identified as non-designated heritage assets and should be assessed against relevant local and national policies in planning applications that affect their significance. to ensure their protection into the future.
PM8	Page 64 Policy SwH2	Modify the second clause to read: Housing layouts must demonstrate how homes meet the storage requirements in the NDSS. Proposals that would result in a reduction in the overall storage space caused by the need to accommodate without being impacted by plant for mechanical ventilation and heating kit, will not be supported.
PM9	Page 74 Policy SwEE1	Modify the wording to read: Proposals to upgrade or intensify or extend the employment sites on MAP11 are will be supported in principle.
PM10	Page 75 Policy SwEE2	Modify clause b) to read: Marketing of the site over a period of a minimum of 6 12 months demonstrates that there is no realistic prospect of the use of the site for employment purposes,
PM11	Page 75 Policy SwEE3	In the introductory sentence of the policy insert after 'smaller employment sites': (sites of less than 1ha in

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		area or less than 1,000 sqm of employment space).
PM12	Page 81 Under the Cycling section	Add the following sentence: Attention is drawn to the emerging Sevenoaks District Council’s Local Cycling and Walking Improvement Plan.
PM13	Page 92 Policy SwT1	Modify the first clause of the policy to read: All new developments close to to abutting the A20 and M25 corridors,
PM14	Page 92 Policy SwT2	Modify the second sentence of the policy to read: All new developments should, where feasible, viable and justified , incorporate segregated cycle access ways and adequate storage for bicycles in accordance with policy SwT4.
PM15	Page 92 Under the ‘Walking’ section of supporting text	Add the following to the supporting text: Public Rights of Way (PRoW) Kent County Council (KCC) has a statutory duty to protect and improve public rights of way in the County. Swanley Town Council will work with the County Council to improve PRoW. Attention is drawn to KCC’s Rights of Way Improvement Plan (2018-2026); the emerging Kent Cycling and Walking Improvement Plan; and the emerging Sevenoaks District Council Local Cycling and Walking Improvement Plan.
PM16	Page 93 Policy SwT4	Delete <u>all</u> of policy SwT4.

PM17	Page 94 Policy SwT5	<p>Modify clauses a), b) and d) of policy SwT5 to read:</p> <p>a) Residential developments of 50 or more dwellings should shall have a minimum of two access roads onto the main carriageways.</p> <p>b) All developments should shall be well lit with artificial lighting to roads and footpaths using energy efficient LED lighting.</p> <p>d) all developments should have dedicated cycle ways where feasible, viable and justified.</p>
PM18	Page 96	<p>Modify the title of this chapter to read:</p> <p>ASPIRATIONAL PROPOSALS THAT MAY CONTRIBUTE TO ACHIEVING TO ACHIEVE THE SWANLEY NEIGHBOURHOOD PLAN VISION AND OBJECTIVES.</p>
PM19	Throughout the document	<p>Refer to the December 2023 version of the NPPF and update paragraph references where they have changed.</p>

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Schedule of Proposed Modifications (PMs) and Minor Proposed Modifications (MPMs) made from the Swanley Neighbourhood Plan (Submission Draft October 2023) to Referendum Draft 2024.

Schedule of Proposed Modifications (PMs) provided by the Independent Examiner in his Report dated 04 April 2024:

Note: Additions are show in **bold** and deletions denoted with ~~strikethrough~~.

Proposed modification number (PM)	Page no./other reference	Modification
PM1	Page 19 Objective 7	Modify objective to read: To enable improvements to the Town Centre, public realm, and open spaces of Swanley that respect and reinforce their character and prevent the loss results in the net gain of trees and biodiversity.
PM2	Page 26 Policy SwSD1	Modify the policy to read: The Neighbourhood Plan recognises that there are Green Belt sites in the Neighbourhood Plan area which may be removed from the designation by Sevenoaks District Council in order to meet its development needs. The NPPF requires these new boundaries to be permanent and therefore any further removal of strongly performing Green Belt land during the Local Plan period is not supported. The Neighbourhood Plan supports developments on brownfield sites within the Green Belt. that are poorly performing against the purposes set out in the NPPF. Such sites may come forward for development through allocation in the new Sevenoaks Local Plan. These may have potential to deliver benefits that should be secured through the design, layout and use of each site. In these cases, they will only be supported only where they meet all the policies in the Swanley Neighbourhood Plan and are supported by public transport infrastructure. Development proposals on Green Belt sites other than those identified as poorly performing will not be supported.
PM3	Page 38 Policy SwC2	Modify policy to read: Development proposals that result in any loss of green spaces as shown on Map 7, across all types of green space within the Neighbourhood Plan area, will be supported only where replacement green spaces are provided for public use which are suitably located and equal or superior in terms of size and quality.

Schedule of Proposed Modifications (PMs) and Minor Proposed Modifications (MPMs) made from the Swanley Neighbourhood Plan (Submission Draft October 2023) to Referendum Draft 2024.

		All development must demonstrate a measurable biodiversity net gain in alignment with the Environment Act 2021. Ecological impact assessment must accompany relevant planning applications; and Statements for the protection/enhancement of protected/priority species and habitats must be submitted where relevant.
PM4	Page 39 Policy SwC3	Modify clause b) to read: b) Proposals offer feasible, viable and justified alternative benefits to the community in terms of access to space to assemble, worship, participate in educational activities and personal or civic celebrations.
PM5	Page 50 Policy SwCD&H1	Modify bullet point four to read: Incorporate publicly accessible amenity and play space within the site area wherever possible .
PM6	Page 50 SwCD&H2	Modify the start of the first sentence to read: Development proposals for in Swanley Village, should ...
PM7	Page 50 SwCD&H3	Modify the introductory sentence to read: The following have been identified as non-designated heritage assets and should be assessed against relevant local and national policies in planning applications that affect their significance. to ensure their protection into the future.
PM8	Page 64 Policy SwH2	Modify the second clause to read: Housing layouts must demonstrate how homes meet the storage requirements in the NDSS. Proposals that would result in a reduction in the overall storage space caused by the need to accommodate without being impacted by plant for mechanical ventilation and heating kit, will not be supported.
PM9	Page 74 Policy SwEE1	Modify the wording to read: Proposals to upgrade or intensify or extend the employment sites on MAP11 are will be supported in principle.
PM10	Page 75 Policy SwEE2	Modify clause b) to read: Marketing of the site over a period of a minimum of 6 12 months demonstrates that there is no realistic prospect of the use of the site for employment purposes,
PM11	Page 75	In the introductory sentence of the policy insert after ‘smaller employment sites’: (sites of less than 1ha in area or less than 1,000 sqm of employment space).

Schedule of Proposed Modifications (PMs) and Minor Proposed Modifications (MPMs) made from the Swanley Neighbourhood Plan (Submission Draft October 2023) to Referendum Draft 2024.

	Policy SwEE3	
PM12	Page 81 Under the Cycling section	Add the following sentence: Attention is drawn to the emerging Sevenoaks District Council’s Local Cycling and Walking Improvement Plan.
PM13	Page 92 Policy SwT1	Modify the first clause of the policy to read: All new developments close to abutting the A20 and M25 corridors,
PM14	Page 92 Policy SwT2	Modify the second sentence of the policy to read: All new developments should, where feasible, viable and justified , incorporate segregated cycle access ways and adequate storage for bicycles in accordance with policy SwT4.
PM15	Page 92 Under the ‘Walking’ section of supporting text	Add the following to the supporting text: Public Rights of Way (PRoW) Kent County Council (KCC) has a statutory duty to protect and improve public rights of way in the County. Swanley Town Council will work with the County Council to improve PRoW. Attention is drawn to KCC’s Rights of Way Improvement Plan (2018-2026); the emerging Kent Cycling and Walking Improvement Plan; and the emerging Sevenoaks District Council Local Cycling and Walking Improvement Plan.
PM16	Page 93 Policy SwT4	Delete <u>all</u> of policy SwT4.
PM17	Page 94 Policy SwT5	Modify clauses a), b) and d) of policy SwT5 to read: a) Residential developments of 50 or more dwellings should shall have a minimum of two access roads onto the main carriageways. b) All developments should shall be well lit with artificial lighting to roads and footpaths using energy efficient LED lighting. d) all developments should have dedicated cycle ways where feasible, viable and justified .
PM18	Page 96	Modify the title of this chapter to read:

Schedule of Proposed Modifications (PMs) and Minor Proposed Modifications (MPMs) made from the Swanley Neighbourhood Plan (Submission Draft October 2023) to Referendum Draft 2024.

		ASPIRATIONAL PROPOSALS THAT MAY CONTRIBUTE TO ACHIEVING TO ACHIEVE THE SWANLEY NEIGHBOURHOOD PLAN VISION AND OBJECTIVES.
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Schedule of Proposed Modifications (PMs) and Minor Proposed Modifications (MPMs) made from the Swanley Neighbourhood Plan (Submission Draft October 2023) to Referendum Draft 2024.

The following PMs as recommended by the Independent Examiner affect more than one page number.

For ease of clarification and where the additional page numbers have not been identified in his Report, these are indicated in **bold** under “Page no./other reference”:

Proposed modification number (PM)	Page no./other reference	Modification
PM19	Throughout the document	Refer to the December 2023 version of the NPPF and update paragraph references where they have changed.

Schedule of Proposed Modifications (PMs) and Minor Proposed Modifications (MPMs) made from the Swanley Neighbourhood Plan (Submission Draft October 2023) to Referendum Draft 2024.

Schedule of Minor Proposed Modificationsⁱ (MPMs) provided by Swanley Town Council (STC):

Note: Additions are show in **bold** and deletions denoted with ~~strikethrough~~.

Proposed minor modification number (MPM)	Page Number (Submission Draft October 2023)	Section	Original Text (Submission Draft October 2023)	Revised Text (Referendum Draft 2024)
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ⁱ Minor modifications as defined in Paragraph: 106 Reference ID: 41-106-20190509

Revision date: 09 05 2019:

Updating a neighbourhood plan

In what ways can a neighbourhood plan or order be changed?

There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

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APPENDIX C: Swanley Neighbourhood Plan

Draft Decision Statement

Reg. 18(2) - The Neighbourhood Planning (General) Regulations 2012

Summary

1. Following an independent examination undertaken by way of written representations, Sevenoaks District Council (SDC) now confirms that the Swanley Neighbourhood Plan (STNP) will proceed to a Neighbourhood Planning Referendum.

2. This decision statement is available on the SNP page of the SDC website: https://www.sevenoaks.gov.uk/info/20069151/neighbourhood_planning/703/swanley_neighbourhood_plan and will be displayed at the District Council office, Argyle Road. A copy will also be sent to Swanley Town Council for display at their offices.

Background

3. SDC formally designated the area shown at **Appendix 1** as the Swanley Neighbourhood Area in November 2014.

4. Following the submission of the SNP to SDC, the plan was publicised, and representations were invited. The publicity period ran from 30 November 2023 and 11 January 2024

5. The District Council appointed an Independent Examiner, David Hogger BA MSc MRTPI MCIHT to examine whether the SNP met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the SNP should proceed to a referendum.

6. The Examiner's Report recommended a number of modifications so that the SNP is able to comply with the 'basic conditions' and other relevant statutory provisions and that the submission plan if modified can be put to referendum.

7. The Executive Summary of the Examiner's Report (04 April 2024) states: "From my examination of the Swanley Neighbourhood Plan (the Plan/SNP) and its supporting documentation, including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions".

8. In the summary, the Examiner's Report states that the independent Examiner recommends to SDC "I recommend that the Swanley Neighbourhood Plan, once modified, proceeds to referendum".

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Recommendations, Decisions and Reasons

9. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).

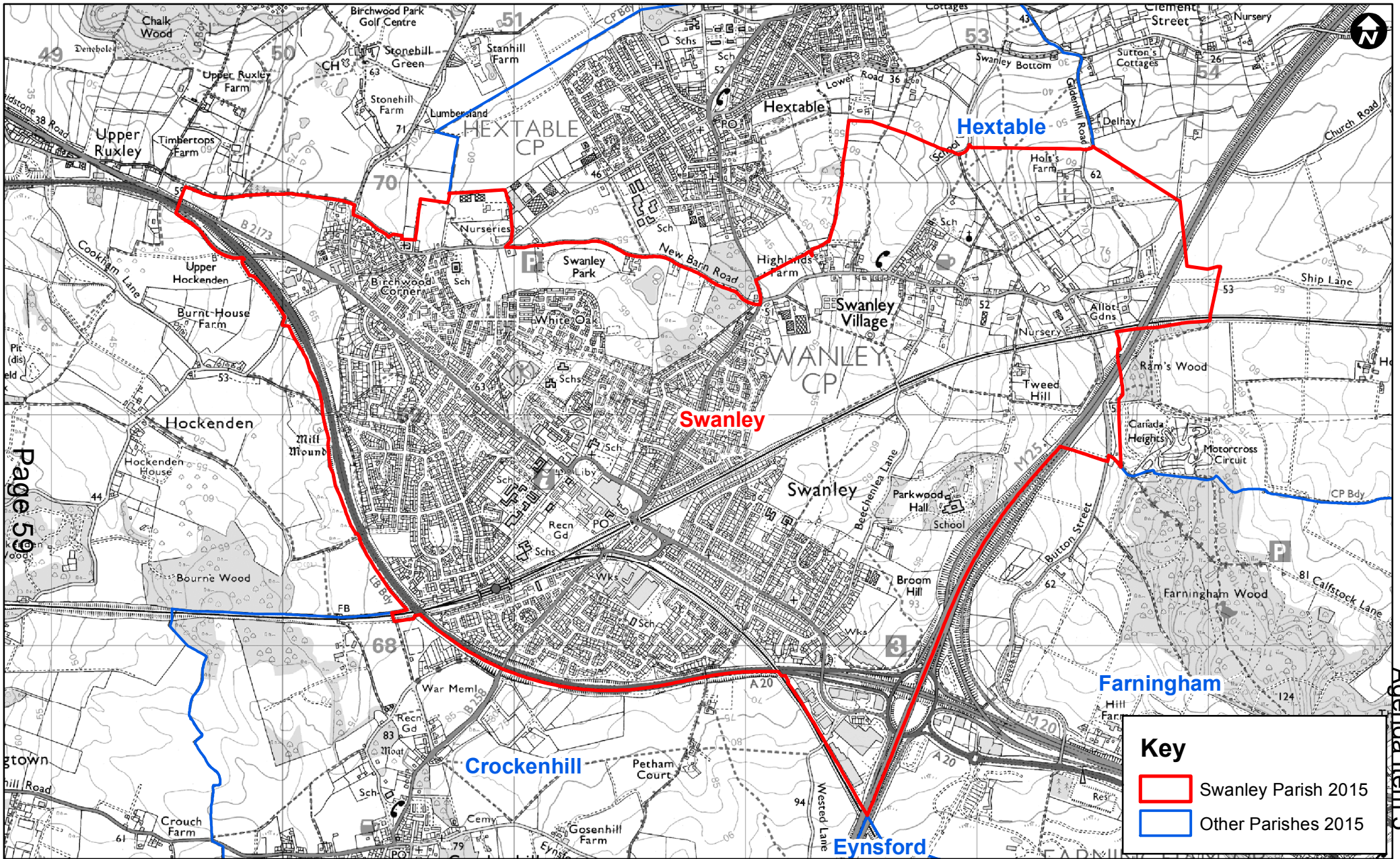
10. Having considered the recommendations made by the Examiner's report, and the reasons for them, SDC in conjunction with STC (the Qualifying Body) has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990 in response to the Examiner's recommendations/ modifications.

11. To meet the requirements of the Localism Act 2011 a referendum which poses the question, '*Do you want Sevenoaks District Council to use the Swanley Neighbourhood Plan to help it decide planning applications in the Swanley Neighbourhood Area?*' will be held in the area formally designated as the Swanley Neighbourhood Area, that is Swanley Town Council Parish Boundary (see Appendix 1), to ensure the community has the final say on whether the neighbourhood plan comes into force or not.

12. The date on which the referendum will take place is: xxxx.

Appendix 1: Neighbour Area (Swanley Town Council Parish Boundary)

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Appendix D

<https://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=120&MId=3087&Ver=4&J=1>

https://www.sevenoaks.gov.uk/info/20069151/neighbourhood_planning/703/swanley_neighbourhood_plan

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Item 6 – Adoption of High Weald AONB Management Plan 2024-2029

The attached report was considered by the Development & Conservation Advisory Committee on 26 March 2024. 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 HIGH WEALD AONB MANAGEMENT PLAN 2024-2029

Cabinet – 18 April 2024

Report of: Deputy Chief Executive and Chief Officer – Planning & Regulatory Services

Status: For Decision

Also considered by:

- Council – 23 April 2024
- Development & Conservation Advisory Committee – 26 March 2024

Key Decision: No

Executive Summary: Sevenoaks District Council is legally required to prepare and publish a management plan for the High Weald Area of Outstanding Natural Beauty. In the High Weald this requirement is delivered through the High Weald Joint Advisory Committee. A draft management plan has been prepared, after public consultation and with input from the Council, setting out key character components of the High Weald's natural beauty. It is an important guidance document for functions affecting the AONB and its setting.

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

Portfolio Holder: Cllr. Reay

Contact Officer: Vivienne Riddle, Ext. 7357

Recommendation to Development and Conservation Advisory Committee:

That, subject to its approval by the High Weald JAC on 27 March 2024, it be recommended to Cabinet to recommend to Council to adopt the High Weald AONB Management Plan.

Recommendation to Cabinet:

To recommend to Council adopt the High Weald AONB Management Plan.

Reason for recommendation: To fulfil the statutory duty arising from the Countryside and Rights of Way Act 2000 to prepare a management plan for the High Weald AONB.

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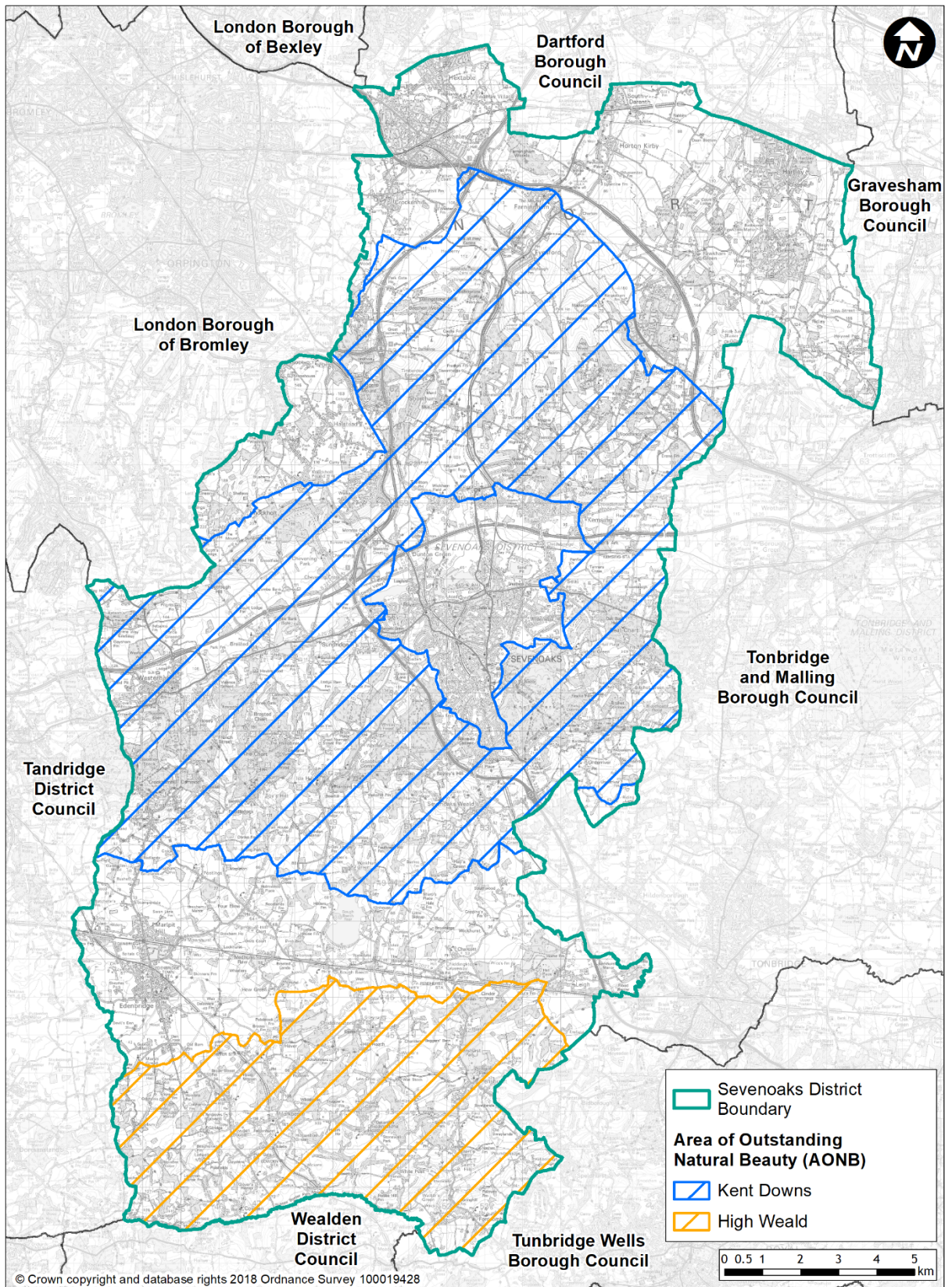
Introduction and Background

- 1 Areas of Outstanding Natural Beauty (AONB) are national designations established by Natural England. The main purpose of an AONB designation is to conserve and enhance the natural beauty of the landscape. The legal status and importance of AONBs is on a par with National Parks although they do not have the same administrative arrangements.
- 2 On 22 November 2023 Areas of Outstanding Natural Beauty were renamed as National Landscapes, to highlight their national importance and to elevate them alongside National Parks. Despite the renaming, they remain known as Areas of Outstanding Natural Beauty within the Countryside and Rights of Way Act 2000 and within the National Planning Policy Framework and Planning Practice Guidance. Accordingly, the High Weald AONB Management Plan refers to it as such and for the sake consistency and clarity they have also been referred to as AONBs throughout this report.
- 3 Under the Countryside and Rights of Way (CRoW) Act 2000, Section 89(2), local authorities with land in an Area of Outstanding Natural Beauty (AONB) are legally obliged to prepare and publish an AONB management plan which 'formulates their policy for the management of the area of outstanding natural beauty and for the carrying out of their functions in relation to it', and to review this plan every five years. Where an AONB crosses administrative boundaries local authorities are required to act jointly to produce the plan (Section 89(11)(b)).
- 4 Sevenoaks District has two AONBs as shown in Map 1, the Kent Downs AONB across the centre and north of the District and the High Weald AONB across the southern part of the District. A management plan is required for each; however, this report relates to the management plan for the High Weald only, as the Kent Downs AONB management plan covers the period 2021-2026 and the review process has yet to commence. The management plan is required to be adopted by Full Council.
- 5 Sevenoaks District Council (SDC) has a statutory responsibility with regards to the management of the AONBs. This duty has recently been strengthened through the Levelling Up and Regeneration Act 2023, which has inserted an amendment into section 85 of the CRoW Act 2000. The amended duty came into force on 26 December 2023 and is as follows:

'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority ... must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'

The CRoW Act also reaffirms the original purposes of designation and confirms the powers of local authorities to take appropriate action to conserve and enhance the natural beauty of AONBs.

Map 1. Areas of Outstanding Natural Beauty in Sevenoaks District



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- 6 The National Planning Policy Framework places great weight on conserving landscape and scenic beauty in AONBs, giving them the highest status of protection in relation to these issues (paragraph 182, NPPF 2023). It also states that planning policies and decisions should contribute to and enhance the natural and local environment, which this document will assist us in.
- 7 The guidance provided in the AONB management plan is supported by the Council's Core Strategy (2011) under Policy SP1 and in paragraph 2.33 of the Allocations and Development Management Plan. It is also supported in Policy NE1 of the emerging Local Plan (Plan 2040), as well as being referenced within other policies e.g. our proposed policy on design quality. More widely, the use of the management plans can assist the Council in delivering the greener aims contained within the SDC Community Plan.

The High Weald AONB Management Plan

- 8 The High Weald AONB was designated in 1983. It is the fourth largest, covering areas of Surrey, Kent, East Sussex and West Sussex. Sevenoaks District Council is a member of the High Weald Joint Advisory Committee (JAC), a partnership of the 4 county and 11 district authorities that cover the High Weald Area of Outstanding Natural Beauty (AONB) and who each, according to their relative interest, jointly fund the JAC. Cllr Williams currently represents SDC on the JAC and Vivienne Riddle attends the Officer Steering Group meetings.
- 9 The High Weald AONB Management Plan can be used to guide environmental land management and assess the impact of development or other changes on the AONB. It has the potential to improve the quality of life for residents of Sevenoaks District living and working in and around the AONB through the conservation and enhancement of their landscape and supporting the social and economic wellbeing of communities.
- 10 The management plan contains various sections, including a Statement of Significance and 8 components of character which together combine to create its distinct and recognisable landscape, comprising physical components and perceptual and aesthetic qualities and cultural associations. Each component is described in detail, including key characteristics, the top 5 issues and objectives and actions recommended to guide the activities of partners and stakeholders. This helps local authorities, and also developers, to identify what contributes to the natural beauty of the landscape, how development can be in keeping with the existing identified characteristics and what issues need to be addressed by any new development within it.
- 11 The character components of the High Weald have been identified as:
 - Natural Systems (Geology, soils, water and climate)
 - Settlement
 - Routeways

- Woodland
- Fieldscape and Heath
- Dark Skies
- Perceptual and Aesthetic qualities
- Land-based economy and related rural living

12 It also includes the following cross cutting themes, including programmes, principles for action and investment strategy:

- Restoring soil health and regenerative land management
- Nature recovery and biodiversity
- The climate crisis; achieving net zero
- People and access
- Planning and development in the High Weald AONB

Summary of Review Process

13 In 2004 a statutory plan for the High Weald was produced as a rolling 20-year strategy to be reviewed every 5 years. The approach taken was designed to be robust and future-proofed, resulting in an objective led plan rooted in an understanding of landscape pattern, and structured around AONB purpose and character. To allow for cost-effective review, the published plan was kept concise with supporting evidence, data and guidance available online. This approach allowed for 'light touch' reviews in 2009, 2014 and 2019.

14 A new management plan is now required to be published in 2024. This is the first edition of a new 20-year strategy, covering the period 2024-2029, and includes a 5-year implementation plan. The review has taken account of the current and future major challenges/issues of biodiversity crisis, climate change, fairer access to nature, and development pressure. The plan also needs to be cognisant of the National Guidance for AONB Management Plans, currently in preparation, which is anticipated to require plans to address these issues. Therefore, while the character components and management policy objectives (the most important aspects of the HWMP) remain broadly appropriate, the range of character components has broadened, and other aspects of the plan have needed a more substantive re-consideration, including the inclusion of cross cutting themes: programmes, principles for action and investment strategy 2024-2029, to reflect the afore-mentioned challenges/issues.

15 The High Weald Joint Advisory Committee launched the current review in 2022 to cover the period 2024-2029. The draft management plan has gone through an extensive process of consultation with the Officer Steering Group

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in 2022 and 2023, evolving as a result of reviewing the feedback received during that process. Public consultation on the management plan and its supporting documents ran from 05 September 2023 to 05 November 2023, over a 6 week period, to which we responded. Our response touched on and made suggestions and recommendations regarding a number of aspects, including highlighting the backdrop of a Government target for housing of 300,000 per year, a high local housing need and a highly constrained context.

- 16 The draft management plan is also supported by a Consultation Statement, a Strategic Environmental Assessment, a Habitat Regulations Assessment and an Equality Impact Assessment.
- 17 The next step is for the management plan to be considered by the JAC, who, if they approve it, recommend individual local authorities to adopt it. In this instance, the Joint Advisory Committee of the AONB will be considering the draft management plan on 27 March 2024, the day after DCAC, as such the recommendation to adopt the management plan, is subject to its approval at the High Weald's JAC. The timing of this report is to support the High Weald with their aim of submitting the management plan to the Secretary of State by the end of May.

Other options Considered and/or rejected

The Council could consider not adopting the AONB Management Plan however the CRoW Act 2000 requires local authorities with land in an Area of Outstanding Natural Beauty (AONB) to prepare and publish an AONB Management Plan.

Key Implications

Financial

Any cost will be met out of the existing budget.

Legal Implications and Risk Assessment Statement

The Council has a statutory duty to prepare and review a management plan for any areas within an Area of Outstanding Natural Beauty. By not adopting the plan the council is in breach of the CRoW Act 2000.

Equality Assessment

The High Weald AONB Management Plan has been subject to an EQIA which concludes that the management plan complies with the equalities legislation.

Climate Change Implications and Environmental Impact

The management plan will assist in identifying potential opportunities to reduce carbon emissions within the AONB. SDC will continue to work with the AONB Units

to identify, develop and support projects which enhance the landscape, reduce carbon emissions and adapt to the inevitable changes in climate.

Conclusions

The Council is legally required to have an AONB management plan in place and to keep this under review. Together with the relevant local authorities, the Council has worked with the AONB Unit to review the plan. The review has been carried out within the relevant guidance and statutory requirements and reflects the Council's aims and objectives and it is considered appropriate for the Council to adopt it.

Appendices

Appendix A – High Weald AONB Management Plan 2024-2029

https://www.sevenoaks.gov.uk/downloads/file/3935/high_weald_aonb_management_plan_2024_final_version_for_jac

Background Papers -

https://www.sevenoaks.gov.uk/info/20069129/current_local_plan/256/national_planning

Consultation Statement

[Strategic Environmental Assessment \(SEA\)](#)

[Habitat Regulations Assessment \(HRA\)](#)

[Equalities Impact Assessment \(EqIA\)](#)

Richard Morris

Deputy Chief Executive and Chief Officer – Planning and Regulatory Services

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Appendices - [National planning | Sevenoaks District Council](#)

- [High Weald AONB Management Plan 2024 Final Version for JAC](#)

Background documents

- [Equality Impact Assessment](#)
- [Strategic Environmental Assessment](#)
- [Strategic Environmental Assessment Table](#)
- [Habitats Regulation Assessment](#)
- [Habitats Regulation Assessment Screening Matrix](#)

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Item 7 - Financial Monitoring 2023/23 to the end of January 2024

The attached report was considered by the Finance & Investment Advisory Committee on 9 April 2024. The relevant Minute extract was not available prior to the printing of these papers and will follow when available.

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FINANCIAL MONITORING 2023/24: TO THE END OF JANUARY 2024

Cabinet – 18 April 2024

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

Status: For Consideration

Also considered by: Finance & Investment Advisory Committee – 9 April 2024

Key Decision: No

Executive Summary: This report provides information on the current financial position of the authority and the forecast to March 2024.

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:

To note this report and forward any comments to Cabinet.

Recommendation to Cabinet:

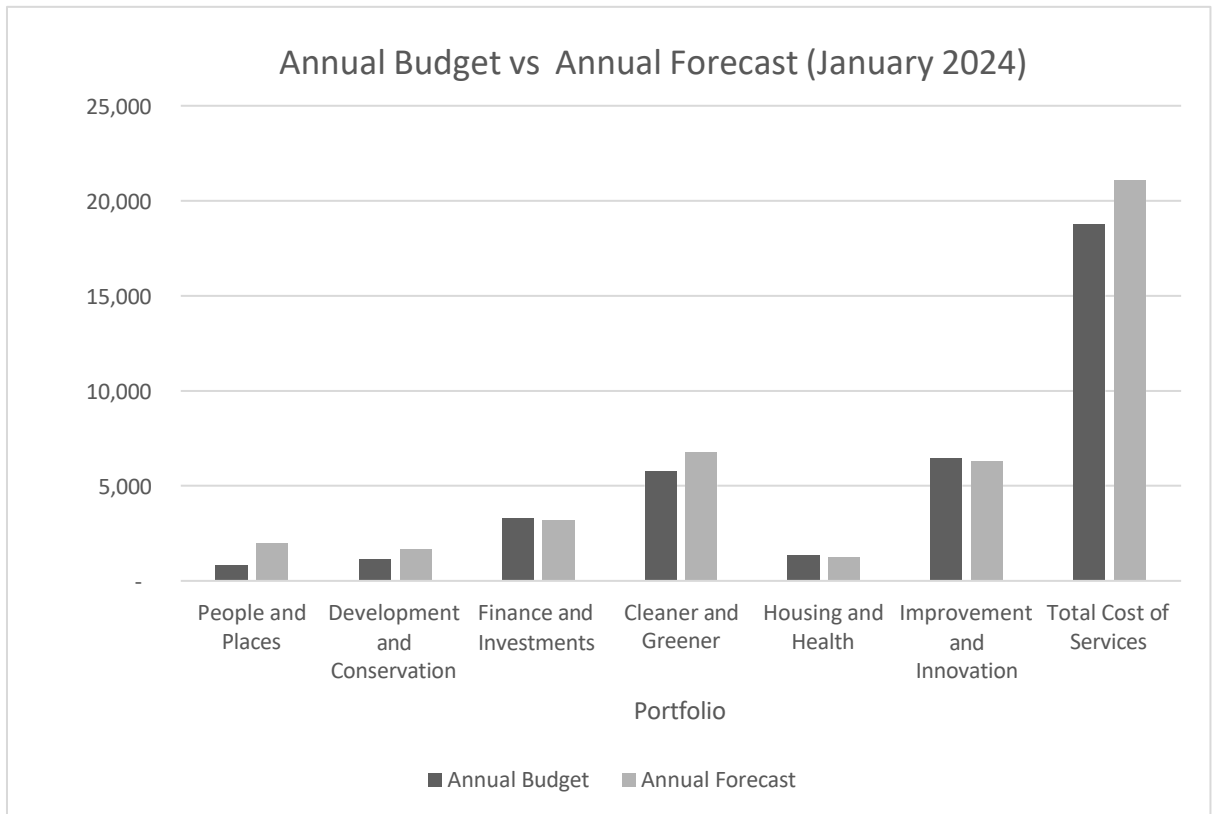
To note this report and consider any comments from Finance and Investment Advisory Committee.

Introduction and Background

- 1 This report covers the period to January 2024 and the forecasted position as at March 2024.
- 2 During the reporting period the Council has encountered significant financial pressures including the 22/23 pay award at a cost of £597,000 above budget assumptions, which was only agreed in November 2023. The cost of delivering waste services in an economic climate where both collection and disposal costs have increased.

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- 3 ^{£000's} Officers have undertaken a number of actions to reduce the forecasted variance from the unfavourable variance of £1.489m reported in July 2023 to an unfavourable variance of £195,000 detailed in this report as at January 2024.
- 4 The graph below shows the Net Service Expenditure forecast against the budget for each portfolio.



Graph 1

- 5 The main areas for the current forecast are summarised in the table below and are detailed in the report.

Service	Summary	£000's
Pay award - April 2023	Pay increase above budget assumption	597
Direct Services	Net position of service	1,011
Planning	Appeals, Development Management & enforcement	391
Markets	Contract renewal	78
All services	Other smaller variances	(408)
Investments	Treasury Management	(563)
All services	Staff Vacancies	(791)
Planning	Supplementary estimates	(120)
		195

Areas of Note

- 6 Interest Receipts – The rise in interest rates and the decision to invest £5m for a 5-year period on multi-asset income funds has resulted in excellent returns resulting in a favourable forecast variance of (£563,000).
- 7 The interim Leisure Contract is showing an unfavourable forecast of £1.338m but as agreed by members in at Council in April 2023 this is part of the approved £1.83m budget over two years. This is being funded initially from the Budget Stabilisation Reserve, so the net effect is £0 on the bottom-line forecasted position.
- 8 Leisure Contracts is forecasting a favourable variance of £188,000 due to a grant of £132,000 received from the Government’s Swimming Pool Support Fund to contribute to running costs and income for the White Oak Leisure Centre contract.

Net Service Expenditure – Favourable Variances

- 9 There has been a number of staff vacancies this year (£791,000). These include General Admin (Post/Scanning) , Private Sector Housing, Economic Development and Support – Contact Centre. The savings forecasted are partly being used to offset agency costs to cover the vacancies and contribute to the overall financial position.
- 10 This saving is in addition to the £160,000 contribution to the vacancy pot budget. This is £90,000 above the budgeted contribution of £160,000.

Net Service Expenditure – Unfavourable Variances

- 11 Direct Services are reporting an overall unfavourable net variance of £1.1m after additional car parking income. This forecast reflects the cost of running the

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service at current waste levels and service delivery standards. It reflects higher agency staff costs and commercial waste, pest control and cesspool emptying not achieving income targets and the cost of maintaining a large fleet. A number of actions have been implemented as part of the 24/25 budget process and Officers continue to monitor the situation.

- 12 Planning – Development Management are forecasting an unfavourable variance of £132,000 due to lower than budgeted income and the additional investment required to deliver the service.
- 13 Planning Appeals are forecasting an unfavourable variance of £139,000 due to the Council losing the appeal on the Oakhill Road planning application. Also £20,000 was spent to clear dangerous trees on the site due to the council owning the site for longer than planned. These costs are offset by the utilisation of a supplementary estimate which reflects that this expenditure is outside the scope of the budget process.
- 14 Print Shop is reporting an unfavourable variance of £49,000 due to underachievement of external business income.
- 15 Swanley Meeting Point – Business Hub is reporting an unfavourable variance of £60,000 due to an overspend of salaries as the hub and lower than budgeted income.

Capital Programme

- 16 The Capital programme budget for 2023/24 is £33m. Current Progress on the projects is shown within Appendix B and the forecast position is currently £10.7m.
- 17 The difference between forecast and budget is due to revision of the timing of the Affordable Housing budget and a delay in the Bevan Place and White Oak Residential schemes.

Future Issues and Risk Areas

- 18 Future issues and Risk Areas are detailed within each portfolio in Appendix A.

Key Implications

Financial

The financial implications are set out elsewhere in this report.

Legal Implications and Risk Assessment Statement

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

Detailed budget monitoring is completed monthly 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 – January 2024 Budget Monitoring Commentary

Appendix B – January 2024 Financial Information

Background Papers

None

Adrian Rowbotham

Deputy Chief Executive and Chief Officer - Finance & Trading

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People and Places	Budget to Date £'000	Actual to end of January 24 £'000	Variance to date £'000	Total Annual Forecast Variance £'000	Explanation for year end variances greater than £10k
Domestic Abuse Duty	0	-11	-11	0	Home Office funding received in advance to support post salary and project budget. Post recently became vacant and has since been recruited to, with the postholder starting on 19 February 2024. Part of this funding will support increased temporary accommodation as a result of domestic abuse.
Leisure Contract	-250	-302	-52	-188	Quarterly management fee for White Oak Leisure Centre Quarters 1 and 2 paid, Quarter 3 raised and to be paid. Funding received in advance from successful bid to Swimming Pool Support Fund (Revenue) to support utility costs.
Leisure Contract - Interim	0	931	931	1,338	Impact of the interim leisure contract (Asset purchase, mobilisation, quarterly management fee and utilities).
Police & Crime Commissioners (PCCs)	0	-44	-44	0	Funding received in advance from Police and Crime Commissioner. On track to spend in full.
Tourism	26	-113	-139	0	Grant received ahead of spend.
Future Issues/Risk Areas					Impact of the interim leisure contract as part of an open book facility with Everyone Active continues to be monitored. A budget of £1.83m was agreed by Council in April 2023 for a 2 year period, which will need to be repaid. Currently £1.3m is the estimated cost for year 1, which has been forecast. It should be noted that in Quarter 1, the Council needed to negotiate the transfer of utilities (electricity and gas), following Sencio's administration. The utility provider held the Council on a standard tariff whilst it undertook the transfer of the utility contracts from Sencio, with this additional cost being borne by the Council.

Development and Conservation	Budget to Date £'000	Actual to end of January 24 £'000	Variance to date £'000	Total Annual Forecast Variance £'000	Explanation for year end variances greater than £10k
Building Control Non Fee	58	83	26	32	Forecast salary overspend due to pay award.
Building Control Fee	-183	-134	49	49	Forecast overspend due to the above and agency staff required due to staff vacancies.
Local Development Plan	0	188	188	0	Spend to be funded from Local Development Plan reserve.
Planning - Appeals	172	310	138	139	Expenditure on Hearings and Public Inquiries, including significant spend following an appeal hearing on Oakhill Rd
Planning - CIL Administration	-17	-10	7	20	Forecast unachievement on CIL Admin fees.
Planning - Development Management	-76	3	80	132	Incremental expenditure on software subscriptions for delivery of the service. Planning income behind budgeted profile.
Planning - Enforcement	271	392	120	120	Additional staffing costs due to contractors covering vacant posts.
Administrative Expenses - Planning Services	44	81	38	39	Recruitment advertising cost and training costs.
Future Issues/Risk Areas					There remains the risk that planning decisions and enforcement action will be challenged, either at appeal or through the Courts. Recruiting to vacant posts continues to be difficult.

Finance and Investment	Budget to Date £'000	Actual to end of January 24 £'000	Variance to date £'000	Total Annual Forecast Variance £'000	Explanation for year end variances greater than £10k
Asset Maintenance CCTV	16	4	-12	-15	No further spend required on CCTV at the depot.
Dartford Rev&Ben Partnership Hub (SDC costs)	1,719	1,829	109	0	Additional software costs to be covered by reserve. Additional resource to be partly funded by Dartford BC.
Dartford Audit Partnership Hub (SDC Costs)	196	157	-39	0	Underspend on salaries due to vacancy.
Local Tax	-41	-185	-143	-63	New Burdens funding ahead of spend for government new service implementation.
Misc. Finance	1,061	1,003	-58	-56	Balance of carry forwards not utilised in 2023/24. Also underspend on Covid 19 related cleaning materials.
Administrative Expenses - Finance	15	30	15	14	Additional expenditure on consultancy to implement Direct Debits
Support - Legal Function	243	271	28	21	Forecast overspend due to cost of specialist advice
Future Issues/Risk Areas					

Cleaner and Greener	Budget to Date £'000	Actual to end of January 24 £'000	Variance to date £'000	Total Annual Forecast Variance £'000	Explanation for year end variances greater than £10k
Asset Maintenance Argyle Road	68	35	-34	0	Spend currently behind profile.
Asset Maintenance Leisure	165	94	-70	0	Budget being treated as an emergency fund due to age of assets.
Asset Maintenance Support & Salaries	83	39	-44	4	Spend currently behind profile.
Car Parks	-1,680	-1,893	-213	-251	Day tickets charge income is exceeding budget but season tickets income is underachieving. Utilities bills higher than budget.
CCTV	245	320	74	81	Increased staffing costs to cover vacancies and training. Transmission cost savings not yet implemented due to market conditions. Cost review with BT (Supplier) underway.
Car Parking - On Street	-408	-446	-38	0	On Street day tickets exceeding budget.
Refuse Collection - Operational	218	703	485	560	High quantities of waste and recycling still continue. Increased agency and salary costs to cover sickness and annual leave, along with the 2023/24 pay award effect.
Trade Waste	-131	142	274	316	Income forecast lower than budget. Waste disposal charges per tonne have significantly increased.
Green Waste	-63	66	130	156	Income expected to be lower than budget. Underspend on vacant posts, offset by agency costs.
Street Cleansing - Operational	7	-24	-32	-43	Lower transport costs and increased recharges for services, along with lower repair costs.
Transport Workshop	53	80	27	43	Reduced income on repairs due to investment of new vehicles, offset by reduced expenditure across the services.
Cesspool Emptying	-77	4	80	90	Lower demand for service than budget assumption. Service making a loss.
Pest Control	-39	5	43	49	Lower demand for service than budget assumption. Service making a loss.
Fly Tipping	-38	-6	32	36	Service requiring major repairs to vehicles.
Fleet	-124	-158	-34	-44	Underspend due to a subsidised levy on testing HGV vehicles. This ended on 1st August 2023. Full costs are now being paid. Fleet servicing recharge lower due to the leasing of new vehicles.
Depots	-57	0	57	60	Internal recharges relating to work orders from other departments lower than budget. Also income reduction.
Emergency - Operational	-23	-37	-14	-14	Lower transport costs due to keeping vehicle and equipment longer.
Emergency	69	60	-9	-12	Standby has been quieter than usual this year so far.
Parking Enforcement - Tandridge DC	-1	-38	-37	-8	Work relating to 2022/23 still continuing for Tandridge DC for a fee. Income collected relating to 2022/23 to be paid over.
Housing Other Income	-12	-41	-29	-27	Overachieved income.
Markets	-380	-322	58	78	Contracts renewed in April 2023. Swanley Sunday market is not currently achieving target levels but being reviewed with the operator on a regular basis.
Off-Street Enforcement	51	14	-36	-48	Forecast for higher penalty notice income.
Parks - Greensand Commons Project	0	26	26	0	Externally funded project. Spend will be reclaimed.

Cleaner and Greener	Budget to Date £'000	Actual to end of January 24 £'000	Variance to date £'000	Total Annual Forecast Variance £'000	Explanation for year end variances greater than £10k
Parks and Recreation Grounds	118	103	-15	-15	Repairs and maintenance charges lower than budget.
Parks - Rural	157	187	29	34	Tree works on Oakhill Rd required due to extended SDC ownership following the Development Management Committee refusal. (£20k). Works to Mill Pond also contributing to the adverse forecast.
Refuse Collection	2,394	2,382	-11	-10	Income expected to exceed budgets.
Street Cleansing	1,307	1,323	16	21	Underachieved income.
Support - Central Offices - Facilities	199	174	-25	-23	Underspend due to invoices due from previous cleaning contract and current vacant posts
Support - General Admin (Post/Scanning)	201	131	-70	-50	Forecast EOY position due to underspend on salaries coupled with corporate economy of scale on postage
Future Issues/Risk Areas					Government changes to refuse collection and funding. Waste and recycling weight levels.

Housing and Health	Budget to Date £'000	Actual to end of January 24 £'000	Variance to date £'000	Total Annual Forecast Variance £'000	Explanation for year end variances greater than £10k
Homeless	569	591	23	-16	Increased demand on temporary accommodation, with less than 30% Housing Benefit able to be claimed.
Housing Energy Retraining Options (HERO)	50	-3	-53	-24	Salary underspend due to vacant posts - HERO Housing Team Leader current vacant, but an external appointment from existing staff is currently covering this post.
Homes for the Ukrainians	35	-574	-609	0	Funding received in advance from Kent County Council with property checks, housing and staffing resource in place. KCC has confirmed that any underspend can be carried forward into the new financial year to support the growing pressure on our homelessness services as a result of the Homes for Ukraine scheme.
KCC- Household Support Fund	0	201	201	0	KCC allocated funding. Phase 4 of the Household Support Fund has been drawn down and allocated to low-income households/pensioners to support the cost of living.
Private Sector Housing	181	152	-28	-56	Home Upgrade Grant salary cost received in advance. Salary underspend due to vacant posts - two Senior Private Sector Housing Officers since recruited to.
Rough Sleepers Initiative 2022-25	36	-144	-180	0	Rough Sleepers Initiative funding - received in advance. On track to spend in full.
Rough Sleepers Programme	0	-85	-85	0	Funding received in advance from Rough Sleeping Accommodation Programme and supporting staffing, customer support and accommodation support at Vine Court Road and Orchard Close.
One You - Kent Public Health	-20	13	33	0	Funding received from Dartford, Gravesham & Swanley Health and Care Partnership to support a recently recruited community and health projects officer. Post recruited to.
Housing and Health Project	20	0	-20	0	Externally funded project now evaluated and closed.
Homelessness Funding	-241	-228	13	0	Although demand for our homelessness services remains high, due to our approach to supporting the customer, preventing homelessness and utilising committed external funding, a zero forecast variance is expected.
Future Issues/Risk Areas					<p>New placements into Temporary and Emergency Accommodation has started to increase as a result of the impacts of the cost of living, increased Domestic Abuse approaches and increasing rents in the private rented sector. The acquisition by Quercus Housing of Gladedale House in Westerham, 27-29 High Street and 11-13 High Street, Swanley has brought forward 41 new affordable homes in the district. The Council has worked with the Heart Foundation to secure the lease of a rental property (Stay Green House) in the district. The Out of Area Placement Policy and revised Housing Allocation Scheme were approved by Council in 2022.</p> <p>An ongoing pressure on homelessness and temporary accommodation is being seen as host placements end as part of Govt's Homes for Ukraine Scheme. Alongside pressures from other resettlement schemes, including the Afghan Resettlement Scheme is only serving to increase the pressure on homelessness and budget resources. The Council has received funding to support some costs associated with Homes for Ukraine, but this support ends on 31 March 2024. Capital funding secured by Quercus Housing via the Local Authority Housing Fund will also secure the acquisition of affordable housing to support refugee schemes - however, all funding must be spent by 31 March 2024.</p> <p>As a result of closure order on the Hever Road Gypsy and Traveller site due to criminal damage, rents and HB reclaiming has reduced due to x7 tenancy evictions. A new Allocations Policy was approved in July and funding was secured to bring x3 of the most damaged pitches and utility blocks back into use, with works being completed in November 2023 and the pitches allocated.</p> <p>The rising cost of living is impacting households in the district and we are starting to see homeless presentations from working households, who are unable to afford rising rental costs, utility and food costs.</p> <p>Although the council is predicting to come in on budget for this current financial year for emergency accommodation spend due to a combination of external funding, increased homelessness prevention and the delivery of new homes by Quercus Housing to alleviate homelessness pressures, it should continue to be highlighted as a potential risk, as the cost of living pressures continues to impact many households, resulting in increased homelessness and demand for emergency accommodation.</p>

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Improvement and Innovation	Budget to Date £'000	Actual to January 24 £'000	Variance to date £'000	Total Annual Forecast Variance £'000	Explanation for year end variances greater than £10k
Asset Maintenance IT	233	139	-94	-100	Spend as per long term asset maintenance plan incorporating 100k one off saving contribution
Corporate Management	861	851	-10	-11	Underspend on consultants services.
Corporate - Other	88	0	-88	-90	Additional savings generated from vacant posts exceeding budget.
Swanley Meeting Point	50	97	47	60	Overspend on salaries and agency costs. Underachieving income.
Economic Development Property	529	464	-65	-79	Underspend on salaries.
UK Share Prosperity Fund	0	-101	-101	0	Grant received ahead of spend.
Elections	120	308	188	3	Costs of the May 2023 elections to be partially recharged to Town & Parish Councils. District costs to be met from earmarked elections reserve
External Communications	194	209	14	13	Costs to produce and distribute quarterly InShape Magazine higher than budget.
Land Charges	-41	9	50	45	Forecast underachievement on income of around £68k partially offset by a draw on previous grants received
Register of Electors	189	189	1	26	Forecast adverse variance at year-end related to costs of postage for household notification letter, to be met from earmarked reserve
Administrative Expenses - Legal and Democratic	63	45	-18	-19	Forecast underspend due to reduction in printing and Publications
Support - Contact Centre	639	620	-19	-27	Underspend on salaries due to staff turnover
Support - General Admin (Print Shop)	44	79	36	49	Underachieved income slightly offset by an underspend on vacant post and materials. Underachieved income from internal print charges off-set by corresponding underspends in service internal print budgets.
Support - IT	1,011	1,038	28	0	Overall end of year position forecast due to confirmation of 2023/24 contract prices
Support - Human Resources	505	480	-24	-23	Current variance due to review of training spend
Future Issues/Risk Areas					

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Appendix B : Summary

Position as at the end of January 2024	Y-T-D Actual £'000	Annual Budget £'000	Annual Forecast (including Accruals) £'000	Annual Variance £'000	Annual Variance %
People and Places	871	816	1,959	1,143	140.1
Development and Conservation	1,518	1,121	1,653	532	47.5
Finance and Investments	4,533	3,310	3,184	(126)	(3.8)
Cleaner and Greener	4,515	5,750	6,746	996	17.3
Housing and Health	300	1,342	1,253	(88)	(6.6)
Improvement and Innovation	5,291	6,427	6,293	(134)	(2.1)
Services Total	17,030	18,765	21,089	2,323	12.4
Adjustments to Reconcile the amount to be met from reserves: Capital Charges outside the General Fund	(50)	(60)	(60)	0	0.0
Adjustments to Reconcile the amount to be met from reserves: Support Services outside the General Fund	(144)	(172)	(172)	0	0.0
NET SERVICE EXPENDITURE	16,837	18,533	20,857	2,323	12.5
New Homes Bonus	(184)		0	0	-
Retained Business Rates	0	(2,868)	(2,959)	(91)	(3.2)
Council Tax	0	(12,231)	(12,231)	0	(0.0)
Rolled in Grants	(156)	(186)	(186)	0	(0.2)
Services Grant	(78)	(90)	(90)	0	0.0
Funding Guarantee	(757)	(912)	(912)	0	0.0
Contribution from Collection Fund	0	(214)	(214)	0	0.0
Summary excluding Investment Income	15,662	2,032	4,265	2,232	109.8
Investment Property Income	(1,701)	(1,618)	(1,604)	14	0.9
Interest Receipts	(788)	(288)	(851)	(563)	195.5
OVERALL TOTAL	13,172	126	1,809	1,683	
Planned Appropriation to/(from) Reserves	(165)	(126)	(126)	0	
Other Reserve Movements	165	0	(1,368)	(1,368)	
Supplementary Estimate	0	0	(120)	(120)	
(Surplus)/Deficit	13,172	(0)	195	195	

Appendix B : Summary by Service

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
People & Places SDC Funded	£'000	£'000	£'000	£'000	£'000
All Weather Pitch	(4)	(4)	(0)	(5)	-
Community Development Service Provisions	(6)	(6)	-	(6)	-
Community Housing Fund	(0)	-	(0)	-	-
Community Safety	110	110	0	132	0
The Community Plan	31	32	(1)	39	0
Grants to Organisations	192	193	(1)	202	1
Leisure Contract	(302)	(250)	(52)	142	(188)
Leisure Contract - Interim	931	-	931	1,338	1,338
Leisure Development	8	15	(8)	15	-
Admin Expenses - People & Places Communities	4	13	(9)	11	(8)
Tourism	(113)	26	(139)	35	-
West Kent Partnership	11	18	(7)	-	-
Youth	53	49	4	56	(1)
Total People & Places SDC Funded	913	195	719	1,959	1,143

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
People & Places Externally Funded	£'000	£'000	£'000	£'000	£'000
Youth Mentoring Projects	(1)	-	(1)	-	-
Compliance & Enforcement	0	-	0	-	-
Domestic Abuse Duty	(11)	-	(11)	-	-
KCC Helping Hands	(0)	-	(0)	-	-
Local Strategic Partnership	6	-	6	-	-
Police & Crime Commissioners (PCCs)	(44)	-	(44)	-	-
Community Sports Activation Fund	(3)	-	(3)	-	-
West Kent Enterprise Advisor Network	14	8	5	-	-
West Kent Partnership Business Support	(3)	-	(3)	-	-
People & Places Externally Funded	(42)	8	(50)	-	-
Total People & Places	871	203	668	1,959	1,143

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
Development and Conservation	£'000	£'000	£'000	£'000	£'000
Building Control Non Fee	83	58	26	98	32
Building Control Fee	(134)	(183)	49	(171)	49
Design and Conservation	133	133	-	159	-
Dangerous Structures	-	2	(2)	-	(3)
Planning Policy	471	471	0	562	-
Local Development Plan	188	-	188	-	-
Planning - Appeals	310	172	138	337	139
Planning - CIL Administration	(10)	(17)	7	(52)	20
Planning - Counter	(1)	-	(1)	-	6
Planning - Development Management	3	(76)	80	178	132
Planning - Enforcement	392	271	120	452	120
Planning - Development Management - Software Project	-	-	-	-	-
Administrative Expenses - Building Control	1	4	(3)	1	(3)
Administrative Expenses - Planning Services	81	44	38	89	39
Total Development and Conservation	1,518	878	640	1,653	532
Finance and Investments	£'000	£'000	£'000	£'000	£'000
Asset Maintenance CCTV	4	16	(12)	4	(15)
Asset Maintenance Countryside	2	8	(6)	4	(5)
Asset Maintenance Direct Services	32	36	(4)	39	(4)
Asset Maintenance Playgrounds	5	14	(8)	11	(5)
Asset Maintenance Public Toilets	12	13	(2)	12	(4)
Benefits Admin	319	311	8	190	3
Benefits Grants	(22)	(21)	(1)	(25)	-
Corporate Management	0	-	0	-	-
Dartford Rev&Ben Partnership Hub (SDC costs)	1,829	1,719	109	(3)	-
Dartford Audit Partnership Hub (SDC Costs)	157	196	(39)	(1)	0

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
Housing Advances	-	1	(1)	1	-
Local Tax	(185)	(41)	(143)	(78)	(63)
Misc. Finance	1,003	1,061	(58)	1,449	(56)
Administrative Expenses - Chief Executive	5	11	(5)	14	(5)
Administrative Expenses - Finance	30	15	15	37	14
Administrative Expenses - Revenues and Benefits	(0)	-	(0)	-	-
Administrative Expenses - Strategic Property	8	3	5	3	-
Support - Rev & Ben Control	211	207	4	249	-
Support - Counter Fraud	53	53	(0)	64	-
Support - Audit Function	181	174	7	202	(9)
Support - Exchequer and Procurement	196	200	(4)	217	(8)
Support - Finance Function	245	239	6	283	7
Support - Legal Function	271	243	28	310	21
Support - Procurement	6	6	(0)	7	-
Support - Property Function	55	50	4	66	5
Treasury Management	118	112	6	130	(1)
Total Finance and Investments	4,533	4,626	(92)	3,184	(126)
Cleaner and Greener	£'000	£'000	£'000	£'000	£'000
Asset Maintenance Argyle Road	35	68	(34)	82	-
Asset Maintenance Other Corporate Properties	32	30	2	36	-
Asset Maintenance Hever Road	33	35	(2)	42	-
Asset Maintenance Leisure	94	165	(70)	197	-
Asset Maintenance Support & Salaries	39	83	(44)	153	4
Asset Maintenance Sewage Treatment Plants	-	8	(8)	0	(9)
Bus Station	9	9	(0)	9	-
Car Parks	(1,893)	(1,680)	(213)	(1,880)	(251)
CCTV	320	245	74	400	81
Civil Protection	40	44	(3)	48	(3)

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
Car Parking - On Street	(446)	(408)	(38)	(352)	-
Refuse Collection - Operational	703	218	485	894	560
Trade Waste	142	(131)	274	163	316
Green Waste	66	(63)	130	113	156
Street Cleansing - Operational	(24)	7	(32)	2	(42)
Transport Workshop	80	53	27	120	43
Cesspool Emptying	4	(77)	80	15	90
Pest Control	5	(39)	43	4	49
Fly Tipping	(6)	(38)	32	(8)	37
Fleet	(158)	(124)	(34)	(27)	(42)
Depots	0	(57)	57	34	60
Emergency - Operational	(37)	(23)	(14)	(30)	(13)
Grounds Maintenance	(15)	(25)	10	(9)	18
Environmental Enforcement	1	5	(3)	3	(3)
EH Commercial	-	0	(0)	-	-
EH Animal Control	-	-	-	-	-
EH Environmental Protection	-	0	(0)	-	-
Environmental Health Services	653	655	(2)	776	(4)
Emergency	60	69	(9)	71	(12)
Parking Enforcement - Tandridge DC	(38)	(1)	(37)	(8)	(8)
Estates Management - Buildings	17	16	1	6	9
Estates Management - Grounds	113	112	0	135	0
Housing Other Income	(41)	(12)	(29)	(41)	(27)
Housing Premises	1	10	(9)	13	(5)
Licensing Partnership Hub (Trading)	(6)	(1)	(5)	1	1
Licensing Partnership Members	-	-	-	-	-
Licensing Regime	46	43	3	79	6
Asset Maintenance Operatives	13	11	2	9	(3)
Markets	(322)	(380)	58	(330)	78
	55	55	-	66	-

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
Off-Street Enforcement	14	51	(36)	13	(48)
Parks - Greensand Commons Project	26	-	26	-	-
Parks and Recreation Grounds	103	118	(15)	128	(15)
Parks - Rural	187	157	29	228	34
Public Transport Support	-	0	(0)	0	-
Refuse Collection	2,382	2,394	(11)	2,848	(10)
Administrative Expenses - Direct Services	1	-	1	4	4
Administrative Expenses - Property (Facilities Management)	-	-	-	-	-
Administrative Expenses - Health	7	2	5	8	5
Administrative Expenses - Licensing	1	3	(3)	4	-
Administrative Expenses - Property	2	(0)	2	-	-
Administrative Expenses - Transport	8	5	3	7	-
Street Cleansing	1,323	1,307	16	1,590	21
Support - Central Offices	517	527	(10)	596	(4)
Support - Central Offices - Facilities	174	199	(25)	233	(23)
Support - General Admin	0	1	(1)	0	(1)
Support - General Admin (Post/Scanning)	131	201	(70)	190	(50)
Support - Health and Safety	-	5	(5)	1	(4)
Support - Direct Services	45	41	4	57	6
Taxis	(10)	(12)	2	22	(4)
Public Conveniences	30	31	(2)	34	(3)
Total Cleaner and Greener	4,515	3,912	603	6,746	996
Housing and Health	£'000	£'000	£'000	£'000	£'000
Gypsy Sites	1	(4)	5	6	10
Community Health and Wellbeing	29	30	(1)	37	0
Homeless	591	569	23	677	(16)
Housing Register	107	106	1	129	2
Disabled Facilities Grant Administration	-	-	-	(60)	(5)

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
Housing	158	150	8	185	3
Accommodation Service	76	66	10	77	(2)
Housing Pathway Co-ordinator	0	-	0	-	-
Homelessness Prevention	(0)	-	(0)	-	-
Housing Energy Retraining Options (HERO)	(3)	50	(53)	37	(24)
Homes for the Ukrainians	(574)	35	(609)	-	-
KCC- Household Support Fund	201	-	201	-	-
Private Sector Housing	152	181	(28)	164	(56)
Rough Sleepers Initiative 2022-25	(144)	36	(180)	-	-
Rough Sleepers Programme	(85)	-	(85)	-	-
Admin Expenses - People & Places Housing	4	2	2	2	-
One You - Your Home Project	(0)	-	(0)	-	-
One You - Kent Public Health	13	(20)	33	-	-
Housing and Health Project	-	20	(20)	-	-
Homelessness Funding	(228)	(241)	13	-	-
KCC Specialist Weight Management	0	-	0	-	-
Total Housing and Health	300	979	(679)	1,253	(88)
Improvement and Innovation	£'000	£'000	£'000	£'000	£'000
Action and Development	2	7	(4)	8	-
Asset Maintenance IT	139	233	(94)	180	(100)
Civic Expenses	18	18	0	18	-
Consultation and Surveys	-	-	-	-	(4)
Corporate Management	851	861	(10)	1,143	(11)
Corporate - Other	-	88	(88)	117	(90)
Democratic Services	150	149	1	180	4
Economic Development	28	38	(10)	47	-
Swanley Meeting Point	97	50	47	120	60
Economic Development Property	464	529	(65)	405	(79)

Position as at the end of January 2024	Y-T-D Actual £'000	Budget to Date £'000	Variance £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
UK Share Prosperity Fund	(101)	-	(101)	-	-
Elections	308	120	188	139	3
External Communications	209	194	14	246	13
Land Charges	9	(41)	50	(2)	45
Members	409	410	(1)	493	(1)
Performance Improvement	7	7	(0)	0	-
Register of Electors	189	189	1	248	26
Administrative Expenses - Legal and Democratic (Electoral)	-	-	-	-	-
Administrative Expenses - Corporate Services	13	11	2	15	2
Administrative Expenses - Legal and Democratic	45	63	(18)	51	(19)
Administrative Expenses - Transformation and Strategy	8	4	4	5	-
Administrative Expenses - Human Resources	6	2	4	5	2
Street Naming	(1)	(4)	3	2	6
Support - Contact Centre	620	639	(19)	730	(17)
Support - Customer Insights	210	207	3	252	3
Support - General Admin	12	16	(4)	236	(2)
Support - General Admin (Print Shop)	79	44	36	68	49
Support - IT	1,038	1,011	28	1,087	0
Support - Nursery	0	-	0	-	-
Support - Human Resources	480	505	(24)	499	(23)
Total Improvement and Innovation	5,291	5,350	(59)	6,293	(134)
Total SDC	17,030	15,949	1,082	21,089	2,323

Appendix B : Salaries

Position as at the end of January 2024	Y-T-D Actual £'000	Annual Budget £'000	Annual Forecast £'000	Annual Variance £'000	Annual Variance %
Development and Conservation					
Building Control	271	399	322	(77)	-19%
Planning Services	1,972	2,202	2,375	173	8%
	2,243	2,601	2,697	96	4%
Finance and Investments					
Chief Executive	189	226	234	8	4%
Finance	874	1,085	1,042	(43)	-4%
Revenues and Benefits	1,483	1,786	1,766	(19)	-1%
Strategic Property	568	689	677	(12)	-2%
	3,113	3,785	3,719	(66)	-2%
Cleaner and Greener					
Direct Services	4,073	4,872	4,910	38	1%
Property (Facilities Management)	217	287	259	(28)	-10%
Health	553	656	642	(14)	-2%
Licensing	481	591	578	(14)	-2%
Property	198	225	239	14	6%
Transport	523	621	632	11	2%
	6,044	7,253	7,260	6	0%
Housing and Health					
Places Housing	663	907	798	(110)	-12%
	663	907	798	(110)	-12%
Improvement and Innovation					
Legal and Democratic (Electoral)	219	249	260	11	4%
Corporate Services	1,519	1,808	1,812	3	0%
Legal and Democratic	389	437	455	18	4%
Transformation and Strategy	562	701	677	(23)	-3%
Human Resources	404	477	486	9	2%
	3,093	3,672	3,690	18	1%
People and Places					
Places Communities	294	351	356	5	1%
	294	351	356	5	1%
Sub Total	15,451	18,570	18,519	(51)	0%
Council Wide - Vacant Posts	0	80	(10)	(90)	-112%
Staff Recruitment and Retention	0	74	74	0	0%
TOTAL SDC Funded Salary Costs	15,451	18,725	18,584	(141)	-1%
Places Communities*	131	129	129	0	0%
Places Housing*	402	348	348	0	0%
Strategic Property*	139	229	229	0	0%
Externally Funded Total	672	706	706	0	0%
TOTAL Salary Costs	16,123	19,513	19,290	(141)	-1%

*Externally Funded & Funded from other sources (gross figures). Overspendings here are matched by external funding and represent additional resources secured for the Council since the budget was set.

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Appendix B : Staffing Stats - Position as at the end of January 2024	Budget FTE	Staff FTE	Agency FTE	Casual FTE	January 2024 Total	December 2023 Total
Development and Conservation						
Building Control	7.00	6.41			6.41	6.41
Planning Services	40.76	47.31	1.00		48.31	46.31
Finance and Investments						
Chief Executive	1.00	1.00			1.00	1.00
Finance	18.00	16.61			16.61	16.00
Revenues and Benefits	42.30	37.61	0.50	0.28	38.39	39.42
Strategic Property	10.00	9.81			9.81	9.81
Cleaner and Greener						
Direct Services	125.68	115.28	14.77	0.35	130.40	133.93
Health	11.99	10.58	1.00		11.58	11.93
Licensing	12.20	11.80			11.80	11.80
Property	5.00	4.81			4.81	4.81
Transport	16.62	14.97			14.97	14.97
Housing and Health						
Housing	18.31	17.12			17.12	17.93
Improvement and Innovation						
Corporate Services	50.61	39.99			39.99	38.99
Legal and Democratic	7.00	5.00	0.25		5.25	6.00
Transformation and Strategy	19.35	17.35			17.35	17.35
Human Resources	8.76	8.76			8.76	8.76
People and Places						
Communities & Business	4.50	4.15			4.15	4.00
Sub Total	399.08	368.56	17.52	0.63	386.71	389.42
Externally Funded						
People & Places	2.95	3.31			3.31	3.31
People & Places - Housing	8.00	10.81			10.81	10.82
Strategic Property (Ext)	4.95	3.95			3.95	4.55
Sub total	15.90	18.07	0.00	0.00	18.07	18.68
Total	414.98	386.63	17.52	0.63	404.78	408.10
Number of staff paid in January 24: 414 permanent, Casuals 2						

6 Investment Returns

	<i>Actuals</i> 21/22	<i>Actuals</i> 22/23	<i>Actuals</i> 23/24	<i>Budget</i> 23/24	<i>Variance</i>	<i>Forecast</i> 23/24
APR	1,900	8,467	36,190	15,311	20,879	36,200
MAY	1,620	11,405	43,064	15,410	27,654	43,100
JUN	1,829	24,843	76,805	17,313	59,492	77,000
JUL	2,261	47,663	77,342	23,191	54,151	77,000
AUG	2,471	46,360	84,557	23,528	61,029	85,000
SEP	1,774	40,302	92,901	22,843	70,058	93,000
OCT	1,696	47,257	95,491	26,262	69,229	95,000
NOV	2,963	57,529	90,296	27,553	62,743	90,000
DEC	3,467	59,754	90,695	31,748	58,947	90,700
JAN	4,958	78,253	101,064	33,343	67,721	101,100
FEB	7,065	57,532		28,674		40,074
MAR	8,424	38,981		22,826		22,826
	40,428	518,346	788,405	288,002	551,903	851,000

INVESTMENT RETURNS (CUMULATIVE)

	<i>Actuals</i> 21/22	<i>Actuals</i> 22/23	<i>Actuals</i> 23/24	<i>Budget</i> 23/24	<i>Variance</i>	<i>Forecast</i> 23/24
APR	1,900	8,467	36,190	15,311	20,879	36,200
MAY	3,520	19,872	79,254	30,721	48,533	79,300
JUN	5,349	44,715	156,059	48,034	108,025	156,300
JUL	7,610	92,378	233,401	71,225	162,176	233,300
AUG	10,081	138,738	317,958	94,753	223,205	318,300
SEP	11,855	179,040	410,859	117,596	293,263	411,300
OCT	13,551	226,297	506,350	143,858	362,492	506,300
NOV	16,514	283,826	596,646	171,411	425,235	596,300
DEC	19,981	343,580	687,342	203,159	484,183	687,000
JAN	24,939	421,833	788,405	236,502	551,903	788,100
FEB	32,004	479,365		265,176		828,174
MAR	40,428	518,346		288,002		851,000

Position as at the end of January 2024	23/24 Opening Balance	Position as at the end of January 2024	23/24 Cumulative Movement to Date
E Earmarked Reserve - Budget Stabilisation	(6,830)	(6,835)	(5)
E Earmarked Reserve - Financial Plan	(3,889)	(3,562)	327
E Earmarked Reserve - NNDR Safety Net Deficit Reserve	(2,564)	(2,564)	-
E Earmarked Reserve - Vehicle Renewal (DAA)	(1,395)	(1,395)	-
E Earmarked Reserve - Carry Forward Items (DAC)	(1,313)	(1,303)	10
E Earmarked Reserve - Housing & Commercial Growth Fund	(566)	(566)	-
E Earmarked Reserve - Homelessness Prevention	(541)	(541)	-
E Earmarked Reserve - IT Asset Maintenance	(598)	(516)	82
E Earmarked Reserve - Capital Expenditure Reserve	(500)	(500)	-
E Earmarked Reserve - Property Investment Strategy Maintenance Reserve	(311)	(455)	(144)
E Earmarked Reserve - Pension Fund Valuation Adj.	(339)	(348)	(9)
E Earmarked Reserve - Local Plan/LDF	(294)	(335)	(41)
E Earmarked Reserve - Action and Development	(296)	(296)	-
E Earmarked Reserve - Vehicle Insurance (DAZ)	(279)	(279)	-
E Earmarked Reserve - NETZERO	(134)	(177)	(44)
E Earmarked Reserve - District Elections (DAZ)	(176)	(176)	-
E Earmarked Reserve - Development Services Reserve	(35)	(169)	(134)
E Earmarked Reserve - Re-organisation	(164)	(164)	-
E Earmarked Reserve - Community Infrastructure Levy Administration (CIL)	(152)	(152)	-
E Earmarked Reserve - Capital Financing	-	(148)	(148)
E Earmarked Reserve - Community Development Reserve	(147)	(124)	23
	(20,521)	(20,604)	(83)
Other Earmarked Reserves (balances <£100k)	(532)	(448)	84
Total Earmarked Reserves	(21,053)	(21,052)	1
General Fund	(1,800)	(1,800)	-
Total Reserves	(22,853)	(22,852)	1

Capital Monitoring Dashboard - January 2024

Description Of Scheme	Funding Source	Approved Gross Cost of Scheme	Total Expenditure from date of adoption to 31 March 2023	2023/2024				Spend Forecast for Later Years			Total Project Expenditure	Total Project Variance
				Budget	Spend YTD	Forecast Outturn	Forecast Variance 2023/2024	2024/2025	2025/2026	2026/2027 and future years		
		£	£	£	£	£	£	£	£	£	£	£
White Oak Leisure Centre	External Borrowing & Capital Receipts	22,866,000	21,814,485	298,000	350,289	350,289	52,289	0	0	0	22,164,774	(701,226)
White Oak Leisure centre - Orchards Academy	Capital Receipts	161,955	0	0	0	0	0	161,955	0	0	161,955	0
Burlington Mews	Capital Receipts	16,000	0	8,000	0	0	(8,000)	0	0	0	0	(16,000)
27-37 Swanley High street (meeting Point)	Capital Receipts & External funding	6,114,000	4,924,434	614,000	581,428	732,000	118,000	457,566	0	0	6,114,000	0
White Oak Residential Affordable Housing	Capital Receipts	21,484,000	161,955	8,000,000	289,254	400,045	(7,599,955)	9,500,000	9,500,000	1,922,000	19,562,000	0
	External Borrowing	16,050,000	0	1,500,000	0	0	(1,500,000)	1,500,000	1,500,000	13,050,000	0	0
Bevan Place	Mixed	27,306,000	1,109,809	14,022,000	2,540	2,540	(14,019,460)	10,229,000	510,000	15,454,651	27,306,000	0
Mill Pond	Mixed	60,000	0	60,000	61,750	61,750	1,750	0	0	(1,750)	61,750	1,750
Other Feasibility & Due Dilliegce costs	Mixed	1,600,000	0	1,450,000	31,771	1,450,000	0	150,000	0	0	1,600,000	0
Bradbourne Lakes	Mixed	60,000	0	60,000	0	60,000	0	0	0	0	0	0
Farms Road Drive (Spitals Cross)	Mixed	10,351,405	915	2,500,000	269,159	2,500,000	0	2,000,000	409,000	5,441,490	10,351,405	0
Star Grove Estate	Mixed	4,313,000	130,282	1,948,000	1,614,332	2,500,000	552,000	56,000	0	1,626,718	4,313,000	0
Total for People & Places		110,382,360	28,141,879	30,460,000	3,200,522	8,056,624	(22,403,376)	24,054,521	11,919,000	37,493,109	91,634,883	(715,476)
Commercial vehicle replacements	Vehicle Renewal Res.	1,746,000	0	1,176,000	614,432	1,176,000	0	582,000	582,000	0	582,000	0
Disabled Facilities Grants (gross)	Better Care Fund	3,384,000	0	1,456,000	687,189	1,456,000	0	1,128,000	1,128,000	1,128,000	3,384,000	0
Total for Finance & Trading		5,130,000	0	2,632,000	1,301,621	2,632,000	0	1,710,000	1,710,000	1,128,000	3,966,000	0
Grand total		115,512,360	28,141,879	33,092,000	4,502,143	10,688,624	(22,403,376)	25,764,521	13,629,000	38,621,109	95,600,883	(715,476)

Agenda Item 7

Memo											
Quercus Housing	£15m over 10 years	no profiling set	15,000,000								
Quercus 7	SDC Debt (60%) / Equity (40%)		9,691,146	0		0					9,691,146

- Croft Road
- Plot 2 Canterbury Business Park
- 10 -14 Gladedale House
- Loampit Vale, Lewisham
- 3 - 4 Hilton Road, Ashford

536,444
2,292,120
1,232,600
1,829,982
3,800,000

10 Income Graphs Summary

Action and Development	Assistant Chief Executive
Corporate Management	Assistant Chief Executive
Elections	Assistant Chief Executive
External Communications	Assistant Chief Executive
Register of Electors	Assistant Chief Executive
Support - General Admin (Print Shop)	Assistant Chief Executive

Actuals YTD	Previous YTD	Budget YTD	Variance YTD - brackets show underachievement	Annual Budget	Forecast Variance - brackets show underachievement	Prior year Outturn
-	-	-	-	-	-	-
-	4,358	-	-	-	-	11,424
-	-	-	-	-	-	-
15,340	9,460	10,518	4,822	12,622	-	14,483
4,335	3,892	-	4,335	-	4,335	3,892
99,632	87,971	155,855	(56,223)	187,026	(58,000)	122,079
119,307	105,682	166,373	(47,067)	199,648	(53,665)	151,878

Asset Maintenance IT	Customer & Resources
Benefits Admin	Customer & Resources
Civic Expenses	Customer & Resources
Democratic Services	Customer & Resources
Land Charges	Customer & Resources
Local Tax	Customer & Resources
Administrative Expenses - Human Resources	Customer & Resources
Street Naming	Customer & Resources
Support - Contact Centre	Customer & Resources
Support - Central Offices - Facilities	Customer & Resources
Support - Health and Safety	Customer & Resources
Support - IT	Customer & Resources
Support - Legal Function	Customer & Resources
Support - Human Resources	Customer & Resources

-	-	-	-	-	-	-
-	214	-	-	-	-	634
-	(80)	-	-	-	-	(80)
-	552	-	-	-	-	1,608
85,964	98,190	141,637	(55,674)	169,965	(68,000)	112,767
239,552	276,417	409,131	(169,579)	490,957	(169,579)	278,598
487	1,535	3,263	(2,776)	3,916	(3,000)	1,590
12,847	11,639	20,104	(7,257)	24,125	(10,000)	13,645
500	214	-	500	-	500	634
-	-	-	-	-	-	-
-	-	-	-	-	-	-
-	214	-	-	29,134	4,400	34,202
3,866	11,762	2,083	1,783	2,500	-	14,089
922	5,956	784	138	941	-	7,696
344,138	406,612	577,003	(232,866)	721,538	(245,679)	465,381

Car Parks	Finance & Trading
CCTV	Finance & Trading
Civil Protection	Finance & Trading
Car Parking - On Street	Finance & Trading
Refuse Collection - Operational	Finance & Trading
Trade Waste	Finance & Trading
Green Waste	Finance & Trading
Street Cleansing - Operational	Finance & Trading
Transport Workshop	Finance & Trading
Cesspool Emptying	Finance & Trading
Pest Control	Finance & Trading
Fly Tipping	Finance & Trading

2,579,502	2,354,570	2,367,830	211,672	2,803,521	256,605	2,827,522
23,188	31,849	28,824	(5,636)	34,589	-	39,472
-	361	-	-	-	-	980
862,821	793,917	809,716	53,105	971,659	133,000	966,923
134,697	120,178	99,996	34,701	119,995	21,000	152,336
447,754	448,916	615,856	(168,102)	739,027	(223,500)	529,887
771,909	726,307	864,076	(92,167)	1,011,472	(100,000)	862,250
56,769	47,583	97,299	(40,529)	120,743	(40,000)	64,902
50,943	42,567	66,073	(15,130)	79,287	(15,000)	53,701
140,095	134,448	223,395	(83,300)	268,074	(90,000)	160,444
34,873	27,685	67,428	(32,555)	80,881	(48,000)	31,395
1,300	3,430	2,693	(1,393)	3,231	-	4,530

Fleet	Finance & Trading	-	-	-	-	-	-	-
Depots	Finance & Trading	13,347	403	28,255	(14,908)	33,906	(18,009)	461
Grounds Maintenance	Finance & Trading	-	300	-	-	-	-	300
Parking Enforcement - Tandridge DC	Finance & Trading	17,888	182,459	-	17,888	-	-	176,847
Housing Advances	Finance & Trading	-	-	-	-	-	-	-
Kent Resource Partnership	Finance & Trading	-	-	-	-	-	-	-
Markets	Finance & Trading	376,940	472,549	435,382	(58,442)	522,458	(78,000)	555,493
Members	Finance & Trading	-	88	-	-	-	-	235
Misc. Finance	Finance & Trading	253	3,372	-	253	-	-	3,477
Off-Street Enforcement	Finance & Trading	169,592	179,172	129,905	39,687	155,886	60,000	215,803
Parks - Greensand Commons Project	Finance & Trading	23,200	10,229	-	23,200	-	-	74,725
Parks and Recreation Grounds	Finance & Trading	1	145	88	(88)	106	-	393
Parks - Rural	Finance & Trading	4,273	16,978	2,801	1,472	3,361	2,000	23,396
Public Transport Support	Finance & Trading	35,000	30,000	-	35,000	-	-	30,000
Refuse Collection	Finance & Trading	280,048	258,012	254,577	25,470	341,321	8,732	339,827
Administrative Expenses - Finance	Finance & Trading	-	-	3,302	(3,302)	3,962	(3,962)	-
Street Cleansing	Finance & Trading	-	289	24,465	(24,465)	29,358	(29,358)	784
Support - Audit Function	Finance & Trading	-	181	-	-	-	-	490
Support - Exchequer and Procurement	Finance & Trading	-	510	-	-	8,000	-	1,359
Support - Finance Function	Finance & Trading	-	2,180	-	-	7,993	-	5,045
Support - Direct Services	Finance & Trading	524	-	-	524	-	-	-
Public Conveniences	Finance & Trading	28	15	-	28	-	-	20
Treasury Management	Finance & Trading	-	222	-	-	-	-	506
		6,024,943	5,888,917	6,121,959	(97,016)	7,338,830	(164,492)	7,123,500
All Weather Pitch	People & Places	4,383	4,383	4,333	50	5,200	-	-
Community Development Service Provision	People & Places	6,308	6,145	6,308	-	6,308	-	6,145
Community Safety	People & Places	6,401	1,559	-	6,401	-	-	2,147
The Community Plan	People & Places	-	474	-	-	-	-	1,062
Dunton Green Projects - S106	People & Places	-	-	-	-	-	-	-
Grants to Organisations	People & Places	-	237	-	-	-	-	531
Gypsy Sites	People & Places	13,896	14,930	2,803	11,093	3,363	-	17,962
Community Health and Wellbeing	People & Places	-	474	-	-	-	-	1,062
Homeless	People & Places	-	474	-	-	-	-	1,062
Housing Register	People & Places	-	-	-	-	-	-	-
Disabled Facilities Grant Administration	People & Places	-	-	-	-	54,824	5,000	50,000
Housing	People & Places	-	3,702	-	-	-	-	3,702
Accommodation Service	People & Places	-	-	-	-	-	-	-
Next Steps Accommodation Programme	People & Places	-	-	-	-	-	-	-
Housing Pathway Co-ordinator	People & Places	-	-	-	-	-	-	-
Homelessness Prevention	People & Places	299	-	-	299	-	-	-

Housing Energy Retraining Options (HERO)	People & Places	-	-	-	-	-	-	-
Leisure Contract	People & Places	217,244	17,141	334,057	(116,813)	400,868	22,852	20,255
Partnership - Home Office	People & Places	-	-	-	-	-	-	-
Police & Crime Commissioners (PCCs)	People & Places	28,169	18,000	-	28,169	-	-	1,260
Private Sector Housing	People & Places	26,613	20,204	8,098	18,515	9,094	24,000	26,588
Rough Sleepers Initiative (4)	People & Places	-	-	-	-	-	-	-
Admin Expenses - People & Places Commu	People & Places	4,484	-	-	4,484	-	3,000	-
Sevenoaks Switch and Save	People & Places	-	-	-	-	-	-	-
One You - Your Home Project	People & Places	-	-	-	-	-	-	-
One You - Kent Public Health	People & Places	-	5,578	-	-	-	-	6,568
Community Sports Activation Fund	People & Places	1,600	-	-	1,600	-	-	-
Dementia Area Project - Run Walk Push	People & Places	-	1,286	-	-	-	-	1,286
Housing and Health Project	People & Places	-	-	-	-	-	-	-
Homelessness Funding	People & Places	-	-	-	-	-	-	626
PCT Initiatives	People & Places	-	(7)	-	-	-	-	(7)
Sportivate Inclusive Archery Project	People & Places	-	169	-	-	-	-	169
Youth	People & Places	-	4,124	-	-	-	-	4,712
		309,396	98,874	355,598	(46,202)	479,657	54,852	145,130

Building Control Partnership Members	Planning & Regulatory Services	-	-	-	-	-	-	-
Building Control Non Fee	Planning & Regulatory Services	-	-	-	-	-	-	(708)
Building Control Fee	Planning & Regulatory Services	413,723	387,533	444,580	(30,857)	533,496	(31,299)	539,894
Dangerous Structures	Planning & Regulatory Services	-	-	-	-	-	-	-
Dartford Environmental Hub (SDC Costs)	Planning & Regulatory Services	-	0	-	-	-	-	0
EH Commercial	Planning & Regulatory Services	-	4,548	(2)	2	(0)	-	4,763
EH Animal Control	Planning & Regulatory Services	-	12,505	0	(0)	0	-	15,349
EH Environmental Protection	Planning & Regulatory Services	-	23,649	(0)	0	(0)	-	25,299
Environmental Health Services	Planning & Regulatory Services	39,629	-	27,540	12,089	30,226	(6,645)	-
Licensing Partnership Hub (Trading)	Planning & Regulatory Services	217	107	-	217	-	97	160
Licensing Partnership Members	Planning & Regulatory Services	579,540	553,756	-	579,540	-	-	680,926
Licensing Regime	Planning & Regulatory Services	100,912	104,695	125,459	(24,546)	130,065	(25,831)	116,037
Planning Policy	Planning & Regulatory Services	180	40	4,167	(3,987)	5,000	(5,000)	40
Local Development Plan	Planning & Regulatory Services	71	20	-	71	-	71	20
	Planning & Regulatory Services	-	11,000	-	-	-	-	11,000
Planning - CIL Administration	Planning & Regulatory Services	48,836	50,611	55,000	(6,164)	110,000	(20,000)	89,397
Planning - Counter	Planning & Regulatory Services	550	-	-	550	6,000	(6,000)	-
Planning - Development Management	Planning & Regulatory Services	937,350	1,051,202	931,399	5,951	1,027,766	2,588	1,210,246
Planning - Enforcement	Planning & Regulatory Services	1,848	3,234	-	1,848	-	-	3,234
Planning Performance Agreement	Planning & Regulatory Services	-	-	-	-	-	-	-
Administrative Expenses - Building Control	Planning & Regulatory Services	-	-	-	-	-	-	-
Taxis	Planning & Regulatory Services	122,795	117,965	138,905	(16,111)	166,686	(24,727)	135,041

		2,245,652	2,320,864	1,727,047	518,604	2,009,239	(116,746)	2,830,696
Asset Maintenance Other Corporate Proper	Strategic Head Commercial and Property	-	-	-	-	-	-	-
Bus Station	Strategic Head Commercial and Property	7,238	6,200	8,817	(1,578)	11,200	-	6,200
Economic Development	Strategic Head Commercial and Property	-	-	-	-	-	-	-
Swanley Meeting Point	Strategic Head Commercial and Property	15,651	-	-	15,651	-	14,000	-
Economic Development Property	Strategic Head Commercial and Property	21,014	10,150	37,431	(16,417)	47,504	(10,000)	27,827
Estates Management - Buildings	Strategic Head Commercial and Property	117,402	142,746	99,665	17,737	124,808	2,700	154,658
Housing Other Income	Strategic Head Commercial and Property	40,742	13,719	11,750	28,992	14,122	26,600	16,029
Housing Premises	Strategic Head Commercial and Property	18,217	20,440	-	18,217	-	18,217	20,440
Asset Maintenance Operatives	Strategic Head Commercial and Property	-	-	-	-	-	-	-
Property Investment Strategy	Strategic Head Commercial and Property	1,662,858	1,354,287	1,620,410	42,448	1,620,410	41,360	1,646,401
Support - Central Offices	Strategic Head Commercial and Property	20,572	19,700	37,772	(17,200)	37,772	(15,000)	19,862
Tourism	Strategic Head Commercial and Property	-	-	-	-	-	-	-
West Kent Enterprise Advisor Network	Strategic Head Commercial and Property	-	14,631	-	-	-	-	18,604
West Kent Kick Start	Strategic Head Commercial and Property	-	-	-	-	-	-	7,335
West Kent Partnership	Strategic Head Commercial and Property	23,000	20,000	31,862	(8,862)	59,398	-	20,000
West Kent Partnership Business Support	Strategic Head Commercial and Property	-	6,000	-	-	-	-	6,000
		1,926,694	1,607,873	1,847,707	78,988	1,915,214	77,877	1,943,356

Item 8 – Carry Forward Requests 2023/24

The attached report was considered by the Finance & Investment Advisory Committee on 9 April 2024. The relevant Minute extract was not available prior to the printing of these papers and will follow when available.

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CARRY FORWARD REQUESTS 2024/25

Cabinet – 18 April 2024

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

Status: For Consideration

Also considered by: Finance & Investment Advisory Committee – 9 April 2024

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:

That the recommendations below to Cabinet, be endorsed.

Recommendation to Cabinet:

- (a) The Revenue carry forward requests totalling up to £908,000 as set out in Table 1 of the report be approved, subject to any amendments suggested by the Finance and Investment Advisory Committee;
- (b) The Capital carry forward request totalling £748,000 as set out in Table 2, of the report be approved, subject to any amendments suggested by the Finance and Investment Advisory Committee.

Introduction and Background

- 1 In order to meet the committee deadlines and to help facilitate a shorter final accounts process these requests for specific unspent budgets to be placed in an earmarked reserve for spending in a subsequent year (the 'carry forward' reserve) have been brought to this meeting rather than waiting until the final outturn results are available.

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- 2 As was the case in 2023/24 any other variances at year end are transferred to or from the Budget Stabilisation Reserve unless specified otherwise.

Revenue Carry Forward Items

- 3 The Revenue carry forward requests are summarised in table 1. Further details including the implications of not carrying forward these budgets are set out in the Appendix A.

Table 1 – Revenue Carry Forward Requests

Form reference	Chief Officer	Budget description	up to £
R1	Customer & Resources	Revenue & Benefit Grant Funding	723,000
R2	Finance & Trading	Internal Audit Contractor Funding	20,000
R3	Planning & Regulatory Services	Green Belt Enforcement Funding	50,000
R4	Planning & Regulatory Services	Maternity Cover	8,000
R5	Planning & Regulatory Services	Air Quality Monitoring Costs	20,000
R6	Strategic Head Commercial and Property	Asset Maintenance	87,000
Total			908,000

Capital Carry Forward Items

- 4 There are two Capital carry forward requests, summarised in table 2. Further details including the implications of not carrying forward these budgets are set out in the Appendix B.

Table 2 – Capital Carry forward Request

Form reference	Chief Officer	Budget description	up to £
C1	Finance & Trading	Vehicle Replacement	45,000
C2	People & Places	Better Care Fund	703,000
Total			748,000

Key Implications

Financial

The financial implications are set out elsewhere in this report.

Legal Implications and Risk Assessment Statement

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

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

Each Carry forward request considers the Net Zero Implications.

Appendices

Appendix A – Budget Carry Forward Requests – Revenue

Appendix B – Budget Carry Forward Requests - Capital

Background Papers

None

Adrian Rowbotham

Deputy Chief Executive and Chief Officer - Finance & Trading

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Budget Carry Forward Request 2023/24

R__1__

Chief Officer :	Jim Carrington-West
Budget description :	Revenues & Benefits
Type of expenditure:	Revenue
Cost Centre & Account code :	FSBENGT, FSCTADM, FSNDRAD, FSLTHSB, YPAC,YPAB, YPAE,YPAD, YPAJ

	Up to £
Budget forecast to be unspent at 31/3/24:	This has not been forecast as an underspend due to Expected Carry Forward
Amount requested for carry forward:	723,000

Reason for request:

During the year the Council has received a number of new burdens grants from the Government Departments to perform additional tasks in relation to the service and to cover the extra cost incurred due to the implementation. It is anticipated that additional resources will be required in the following years to continue with the required provision.

The costs of Revenues and Benefits are shared with Dartford BC. Some of the funding has already been spent but when the partnership accounts for the year are confirmed between the two partners, it is expected that some of the above funding will not have been used in the year.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):

It will reduce the funding available to address required workloads and to deliver the improvements and efficiencies planned for the service.

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Equality Impacts

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]

Budget Carry Forward Request 2023/24

Chief Officer :	Adrian Rowbotham
Budget description :	Internal Audit contractor fund
Type of expenditure:	Revenue
Cost Centre & Account code :	68300 YPAA

	Up to £
Budget forecast to be unspent at 31/3/24:	£20,000
Amount requested for carry forward:	£20,000

Reason for request:
 Salary underspends this year have led to a delay in the audit plan being delivered. This will be used to pay for a temporary auditor to assist in getting the plan back on track.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):
 It will reduce the funding available to address required workloads and to deliver the improvements and efficiencies planned for the service.

Equality Impacts

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.

Chief Officer :	Richard Morris
Budget description :	Green Belt Enforcement funding
Type of expenditure:	Revenue
Cost Centre & Account code :	DVENFOR

	Up to £
Budget forecast to be unspent at 31/3/24:	50,000
Amount requested for carry forward:	50,000

Reason for request:

An application was made to DLUHC for Planning Enforcement Funding during 2019-20. An award of £50,000 was made to be used in respect of taking timely and appropriate action or regularising breaches of planning control to protect the Green Belt. This funding is still required for this purpose. Costs have previously been covered by unexpected underspends from staff turnover.

Implications of not carrying forward this budget:

It will reduce the funding available to address required workloads and to deliver the improvements and efficiencies planned for the service.

Equality Impacts

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.

Budget Carry Forward Request 2023/24

R__4__

Chief Officer :	Richard Morris
Budget description :	Licensing
Type of expenditure:	Additional Funding to Cover Maternity
Cost Centre & Account code :	20500 EHLICREG 8026

	Up to £
Budget forecast to be unspent at 31/3/24:	8,000
Amount requested for carry forward:	8,000

Reason for request:
 Additional funding is required to cover a period of maternity. The funding will allow for additional hours to be made available to other members of staff to assist in ensuring the work is covered or the funding may provide an amount towards the recruitment of an additional temporary person.

Implications of not carrying forward this budget:
 It will reduce the funding available to address required workloads and to deliver the improvements and efficiencies planned for the service.

Equality Impacts

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.

Chief Officer :	Richard Morris
Budget description :	Environmental Health
Type of expenditure:	Air Quality Monitoring
Cost Centre & Account code :	31200 EHSERVE 8561 31200 EHSERVE 9999 50100 EHSERVE 2036 60800 EHSERVE 2036 68300 EHSERVE 2035

	Up to £
Budget forecast to be unspent at 31/3/24:	20,000
Amount requested for carry forward:	20,000

Reason for request:
 The Air Quality Monitoring Stations are in a period of planned obsolescence. Cabinet decided on 12th October 2023 that unless alternate funding can be identified by April 2024, that both AQS are close and instead there is an investment in a network of portable AQS to be strategically sited within Air Quality Management Areas.
 There is the cost for any outstanding electricity in the period of discontinuation and the installation of the portable AQS equipment.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):
 There will be insufficient budget to use against the cost of the electricity and installation of the new equipment. It will reduce the funding available to address required workloads and to deliver the improvements and efficiencies planned for the service.

Equality Impacts

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.

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Budget Carry Forward Request 2024/25

R__6__

Chief Officer :	Detlev Munster
Budget description :	Asset Maintenance - Various
Type of expenditure:	Revenue
Cost Centre & Account code :	YMKAG 30200 XBXC 30200 LPEMBUL 30200 YMAA 30200

	Up to £
Budget forecast to be unspent at 31/3/24:	87,000
Amount requested for carry forward:	87,000

<p>Reason for request: Funding to be earmarked to undertake further investigative and possible remedial works for the Sherlock Ave sinkhole. An assessment and quotation has been received but is being questioned and alternative specialist contractors are being sought.</p>

<p>Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):</p> <p>The 24/25 Budget is not sufficient to cover this work. These investigations and works will be required as a sinkhole is currently being carefully monitored, but we have now been doing so for last 2 years and the matter requires resolution.</p> <p>The area has been fenced off and is being monitored but it remains a serious health and safety liability.</p>

Equality Impacts

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.

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Budget Carry Forward Request 2023/24

C_1_____

Chief Officer :	Adrian Rowbotham
Budget description :	Vehicle replacement
Type of expenditure:	Capital: Vehicle purchase/lease cost
Cost Centre & Account code :	YLLP

	Up to £
Budget forecast to be unspent at 31/3/24:	45,000
Amount requested for carry forward:	45,000

Reason for request: to continue with the vehicle replacement programme as required.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc)

It will reduce the funding available for the vehicle replacement programme. And increase cost, repairing the older fleet.

Equality Impacts

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

Members are reminded of the Council’s stated ambition to be Net Zero about carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be a decrease on carbon emissions produced in the district because of this decision.

Chief Officer :	Sarah Robson
Budget description :	Better Care Fund
Type of expenditure:	Capital
Cost Centre & Account code :	YLTB (Sevenoaks Grants) YLTC (Other Agency Grants i.e. Town and Country HIA or other miscellaneous spend or other initiatives funded through the Better Care Fund) YLPT (West Kent HA Grants)

	Up to £
Budget forecast to be unspent at period 10	703,000
Amount requested for carry forward:	703,000

Reason for request:
To carry forward 2023/24 Better Care Funding in order to deliver committed mandatory Housing Assistance grants during 2024/25 as detailed in the table below:
This leaves £702,987 to carry forward to 2024/25.
In accordance with guidance issued by DLUHC, such funding commitments are able to be carried forward.

Equality Impacts

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

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be an (increase or decrease) on carbon emissions produced in the district as a result of this decision.