

DISTRICT COUNCIL OF SEVENOAKS

Minutes of the Meeting of the Sevenoaks District Council held on 19 February 2013 commencing at 7.00 pm

Present: Mrs. Morris (Chairman)

Pett (Vice-Chairman)

Cllrs. Abraham, Mrs. Ayres, Ayres, Mrs. Bayley, Ball, Mrs. Bracken, Brookbank, Brown, Butler, Ms. Chetram, Clark, Mrs. Clark, Mrs. Cook, Cooke, Mrs. Davison, Davison, Mrs. Dibsdall, Dickins, Eyre, Firth, Fittock, Fleming, Gaywood, Mrs. George, Grint, Hogarth, Horwood, Mrs. Hunter, London, Ms. Lowe, Maskell, McGarvey, Neal, Orridge, Mrs. Purves, Raikes, Ramsay, Mrs. Sargeant, Scholey, Searles, Miss. Stack, Miss. Thornton, Towell, Underwood, Walshe and Williamson

Apologies for absence were received from Cllrs. Bosley, Mrs. Bosley, Mrs. Dawson, Edwards-Winsler, Mrs. Parkin and Piper

46. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 27 NOVEMBER 2012

The Chairman proposed that the minutes of the meeting of the Council held on 27 November 2012 be approved as a correct record.

Resolved: That the minutes of the Council held on 27 November 2013 be approved and signed by the Chairman as a correct record.

47. TO RECEIVE ANY DECLARATIONS OF INTEREST NOT INCLUDED IN THE REGISTER OF INTEREST FROM MEMBERS IN RESPECT OF ITEMS OF BUSINESS INCLUDED ON THE AGENDA FOR THIS MEETING

No additional declarations of interest were made.

48. CHAIRMAN'S ANNOUNCEMENTS

The Chairman report that on Friday 1st February she and Councillor Fleming attended the funeral of former Cllr Tony Waller who was the Swanley Christchurch Ward Councillor from 2007-11.

49. TO RECEIVE ANY PETITIONS SUBMITTED BY MEMBERS OF THE PUBLIC.

No petitions were received.

50. MATTERS CONSIDERED BY THE CABINET AND/OR OTHER COMMITTEES:

(a) Revenue Budget and Council Tax 2013/14

Councillor Fleming proposed and Councillor Ramsay seconded that (a) the Summary of Council Expenditure and Council Tax set out in Appendix C of the report be approved; (b) the 10-year budget 2012/13 to 2022/23 which is the guiding framework for the detailed

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approval of future years' budgets set out in Appendix A to the report, including the growth and savings proposals set out in Appendix B to the report, and where possible any variations during and between years be met from the Budget Stabilisation Reserve be approved; and (c) The changes to reserves set out in Appendix F of the report be approved.

The report set out the proposed budget and required levels of Council Tax for 2013/14. The proposed net expenditure budget was £13.800m (£13.44m in 2012/13). Subject to any further changes this would result in a Council Tax increase of 1.98% in 2013/14, with the District's Council Tax being £185.49 for a Band D property for the year.

Councillor Fittock proposed and Councillor Underwood seconded the following amendment:

That the net expenditure for this Council for 2013/2014 be held at £13.443m thus resulting in the District's Council Tax being unchanged from the current rate.

This would be achieved by accepting the grant available from Central Government equivalent to a 1% increase in Council Tax.

The budget would be revised:

Contribution from Central Government	£92,510
Savings from Democratic Services	£52,510
Contributions from general reserves	£40,000

Members held a debate on the proposed amendment. The amendment was put to the vote and was LOST.

Members returned to debating the original motion. This was put to the vote and it was

Resolved: That

- (a) The Summary of Council Expenditure and Council Tax set out in Appendix C be approved;
 - (b) The 10-year budget 2012/13 to 2022/23 which is the guiding framework for the detailed approval of future years' budgets set out in Appendix A to the report, including the growth and savings proposals set out in Appendix B to the report, and where possible any variations during and between years be met from the Budget Stabilisation Reserve be approved; and
 - (c) The changes to reserves set out in Appendix F of the report be approved.
- (b) Council Tax Discounts and Premium Resolution

Councillor Fleming proposed and Councillor Ramsay seconded that (a) from 1 April 2013, the council tax discount applied to second homes (prescribed Classes A & B) in accordance with Section 11A of the Local Government Finance Act 1992, be set at 0%; (b) from 1 April 2013, the council tax discount applied to unoccupied and substantially

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unfurnished dwellings (prescribed Class C) in accordance with Section 11A of the Local Government Finance Act 1992, is set at 100% for a maximum period of three months and that following the expiry of the three month period; the discount be set at 0%; (c) from 1 April 2013, the council tax discount applied to vacant dwellings requiring or undergoing major repairs, undergoing structural alteration or which have undergone such repairs/ alterations (prescribed Class D) in accordance with Section 11A of the Local Government Finance Act 1992, be set at 100% for a maximum period of twelve months. (d) from 1 April 2013, in accordance with Section 11B of the Local Government Finance Act 1992, no council tax discount shall be applied to dwellings that are unoccupied and substantially unfurnished for more than two years and that the council tax payable on such properties be increased from 100% to 150% (except for those properties which fall into prescribed Classes E & F).

The purpose of the report was to formally determine the level of Council Tax discounts (if any) to be applied from 1 April 2013 to prescribed classes of dwellings and to formally determine the percentage level of additional council tax payable in respect of long-term empty dwellings.

Resolved:

- (a) That from 1 April 2013, the council tax discount applied to second homes (prescribed Classes A & B) in accordance with Section 11A of the Local Government Finance Act 1992, be set at 0%.
- (b) That from 1 April 2013, the council tax discount applied to unoccupied and substantially unfurnished dwellings (prescribed Class C) in accordance with Section 11A of the Local Government Finance Act 1992, is set at 100% for a maximum period of three months and that following the expiry of the three month period; the discount be set at 0%.
- (c) That from 1 April 2013, the council tax discount applied to vacant dwellings requiring or undergoing major repairs, undergoing structural alteration or which have undergone such repairs/alterations (prescribed Class D) in accordance with Section 11A of the Local Government Finance Act 1992, be set at 100% for a maximum period of twelve months.
- (d) That from 1 April 2013, in accordance with Section 11B of the Local Government Finance Act 1992, no council tax discount shall be applied to dwellings that are unoccupied and substantially unfurnished for more than two years and that the council tax payable on such properties be increased from 100% to 150% (except for those properties which fall into prescribed Classes E & F).

(c) Treasury Management Strategy 2013/14

Councillor Fleming proposed and Councillor Ramsay seconded that the Treasury Management Strategy for 2013-14 as set out in the report be approved.

The report set out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.

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Resolved: That the Treasury Management Strategy for 2013-14 as set out in the report be approved.

(d) Senior Management Reorganisation

Councillor Fleming proposed and Councillor Mrs Davison seconded that (a) the changes proposed within the report and the senior management structure set out at Appendix A to the report be approved; (b) the post of director of Community and Planning and Deputy Chief Executive be deleted from April 2013 following an offer of voluntary redundancy from the post holder; (c) the new senior management structure will take effect from 1st September 2013; (d) the processes in respect of consultation and recruitment be agreed; and (e) authority be delegated to the Monitoring Officer to make the necessary consequential changes to Part 13 of the Constitution entitled "Officer Responsibilities and Delegations" in order to take account of the changes in senior management set out within the report. In moving the recommendation, the Leader reporting that the offer of earlier voluntary redundancy from the Director of Community and Planning Services and Deputy Chief Executive had released an additional £55,000 in savings.

The report set out a proposal for a restructure of the Council's senior management that met the commitment within the four year savings plan to deliver a reduction in senior management costs of £302,000.

At the conclusion of the debate the Full Council expressed its appreciation to the Director of Community and Planning and Deputy Chief Executive for all her work at Sevenoaks and wished her well for the future.

Resolved: That

- (a) the changes proposed within the report and the senior management structure set out at Appendix A to the report be approved;
 - (b) the post of director of Community and Planning and Deputy Chief Executive be deleted from April 2013 following an offer of voluntary redundancy from the post holder;
 - (c) the new senior management structure will take effect from 1st September 2013;
 - (d) the processes in respect of consultation and recruitment be agreed; and
 - (e) authority be delegated to the Monitoring Officer to make the necessary consequential changes to Part 13 of the Constitution entitled "Officer Responsibilities and Delegations" in order to take account of the changes in senior management set out within the report.
- (e) Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy

Councillor Fleming proposed and Councillor Mrs Clark seconded that the Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy be approved and adopted as District Council policy. In moving the recommendation the

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Leader highlighted that the two significant changes to the Policy were the inclusion of greater emphasis on local connection and employment.

The report outlined the District Council's proposed housing strategy response/approach to welfare reform. The purpose of the Policy was to ensure that the that the District's limited affordable housing supply was directed at those deemed in most need (with more emphasis on local connection and employment) and that future rent revenues were maximised to generate funding for the provision of new social sector housing.

Resolved: That the Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy be approved and adopted as District Council policy.

(f) Licensing of Sex Shops, Sex Cinemas and Sexual Entertainment Venues Policy

Councillor Fleming proposed and Councillor Pett seconded that the consultation responses be noted and the Policy be approved and adopted as District Council policy.

The report provided details of the proposed Policy for licensing of sex shops, sex cinemas and sexual entertainment venues and provided a summary of the feedback that the Council had received as part of the consultation process.

Resolved: That the consultation responses be noted and the Policy be approved and adopted as District Council policy.

(g) Allocations and Development Management Plan

Councillor Fleming proposed and Councillor Mrs Davison seconded that the Pre-Submission version of the Allocations and Development Management Plan be approved for pre-submission publication. The Portfolio Holder for Planning and Improvement noted that all Councillors had been sent a letter from Pro Vision relating to Broom Hill, Swanley. The Portfolio Holder reported that the Legal Service Manager had considered the previous letter to Cabinet, the processes followed and the appropriate legislation and had stated that he could not see how a decision would be vulnerable to challenge by Judicial Review. Pro Vision would have the opportunity to put their views forward on the draft plan and then to the examination.

The report brought forward the Allocations and Development Management Plan (ADMP) Pre Submission document for approval prior to public consultation and submission to an independent inspector.

Resolved: That the Pre-Submission version of the Allocations and Development Management Plan be approved for pre-submission publication.

(h) Community Infrastructure Levy Charging Schedule

Councillor Fleming proposed and Councillor Mrs Davison seconded that (a) That the Community Infrastructure Levy Draft Charging Schedule be approved for publication and submission for independent examination; (b) That the Portfolio Holder for Planning and Improvement be authorised to agree minor presentational changes and detailed amendments to the Charging Schedule to assist the clarity of the document; (c) That the consultation document be published on the Council's website and made available to purchase in hard copy at a price to be agreed by the Portfolio Holder; (d) That the

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scheme is monitored to understand its impact on development across the District and held under review; (e) that, subject to the awaited Ministerial Guidance, the Council be recommended to provide top up funding to Parishes within the £75/m² boundaries; and (f) That the Implementation Plan be presented to the Environment Select Committee for review.

Resolved: That

- (a) That the Community Infrastructure Levy Draft Charging Schedule be approved for publication and submission for independent examination;
- (b) That the Portfolio Holder for Planning and Improvement be authorised to agree minor presentational changes and detailed amendments to the Charging Schedule to assist the clarity of the document;
- (c) That the consultation document be published on the Council's website and made available to purchase in hard copy at a price to be agreed by the Portfolio Holder;
- (d) That the scheme is monitored to understand its impact on development across the District and held under review; (e) that, subject to the awaited Ministerial Guidance, the Council be recommended to provide top up funding to Parishes within the £75/m² boundaries; and
- (f) That the Implementation Plan be presented to the Environment Select Committee for review.

(i) Monitoring Officer's Annual Report

Councillor Fleming proposed and Councillor Firth seconded that the Monitoring Officer's Annual Report be endorsed.

The purpose of the Monitoring Officer's report was to provide an overview of the work of the Monitoring Officer, the work of the Standards committee and the general governance arrangements within the Council in the past year. The report summarised how the duties of the Monitoring Officer had been discharged during 2012 in accordance with the Council's Constitution and legislative requirements.

Resolved: That the Monitoring Officer's Annual Report be endorsed.

(j) Funding of Free Christmas Parking

Councillor Fleming proposed and Councillor Mrs Hunter seconded that the cost of the free Christmas parking for 2012, estimated at £15,000, be funded from Supplementary Estimates.

Resolved: That the cost of the free Christmas parking for 2012, estimated at £15,000, be funded from Supplementary Estimates.

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51. TO CONSIDER THE FOLLOWING REPORTS FROM THE CHIEF EXECUTIVE OR OTHER DIRECTORS ON MATTERS REQUIRING THE ATTENTION OF COUNCIL:

(a) Budget and Council Tax Setting 2013/14

Councillor Fleming proposed and Councillor Ramsay seconded that the recommendations contained in Appendix 2 and Appendix 3 to the report be agreed.

Resolved: That

- (a) the Summary of Council Expenditure and Council Tax 2013/14 be approved (Cabinet 7 February 2013 – Revenue Budget and Council Tax – Appendix C);
- (b) the 10 Year budget 2012/13 to 2022/23 which is the guiding framework for the detailed approval of future years' budgets, including the growth and savings proposals set out be approved and that wherever possible any variations during and between years be met from the Budget Stabilisation Reserve (Cabinet 7 February 2013 – Revenue Budget and Council Tax – Appendix A);
- (c) any changes in the taxbase and collection fund and other minor variations be transferred to/from the Budget Stabilisation Reserve (Cabinet 7 February 2013);
- (d) the changes to reserves and provisions be approved (Cabinet 7 February 2013 – Revenue Budget and Council Tax – Appendix F);
- (e) the Capital Programme 2013/16, and Asset Maintenance 2013/14 budget of £427,000 be approved (Cabinet 7 February 2013);
- (f) the Financial Strategy be approved (Cabinet 7 February 2013 – Revenue Budget and Council Tax – Appendix H);
- (g) it be noted that at the Cabinet meeting on 10 January 2013 the Council calculated as its council tax base for the year 2013/14:
 - (i) for the whole Council area as 47,052.88 being Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended, (the "Act"); and
 - (ii) for dwellings in those parts of its area to which a parish precept relates as in the attached Appendix 1;
- (h) the council tax requirement for the Council's own purpose for 2013/14 (excluding Town and Parish precepts) be calculated as £185.49;
- (i) the following amounts be calculated for the year 2013/14 in accordance with Sections 31 to 36 of the Act:

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- (i) £52,320,287 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Town and Parish Councils.
- (ii) £40,270,161 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (iii) £12,050,126 being the amount by which the aggregate at (i)(i) above exceeds the aggregate at (i)(ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year (Item R in the formula in Section 31B of the Act).
- (iv) £256.10 being the amount at (i)(iii) above (Item R), all divided by (g)(i) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (including Town and Parish precepts).
- (v) £3,322,287 being the aggregate amount of all special items (Town and Parish precepts) referred to in Section 34 (1) of the Act (as per the attached Appendix 1).
- (vi) £185.49 being the amount at (i)(iv) above, less the result given by dividing the amount at (i)(v) above by the amount at (g)(i) above (Item T), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no Town or Parish precept relates.
- (j) it be noted that for the year 2013/14 the Kent County Council, the Kent Police & Crime Commissioner and the Kent & Medway Towns Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below:-

<u>Valuation Bands</u>	<u>Precepting Authority</u>			
	Sevenoaks District Council £	Kent County Council £	Kent Police & C.C. £	Kent & Medway Towns Fire Authority £
A	123.66	698.52	94.31	45.30
B	144.27	814.94	110.03	52.85
C	164.88	931.36	125.75	60.40

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D	185.49	1,047.78	141.47	67.95
E	226.71	1,280.62	172.91	83.05
F	267.93	1,513.46	204.35	98.15
G	309.15	1,746.30	235.78	113.25
H	370.98	2,095.56	282.94	135.90

(k) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Appendix 3 as the amounts of council tax for the year 2013/14 for each part of its area and for each of the categories of dwellings; and

(l) the Council's basic amount of council tax for 2013/14, shown in (i)(vi) above, is not excessive in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992.

(b) Pay Policy Statement

Councillor Fleming proposed and Councillor Ramsay seconded that the Pay Policy Statement be adopted and published on the Council's website.

The report outlined that as part of the Localism Act 2011 there was a requirement for Local Authorities to publish a Pay Policy Statement by 31 March each year. The Pay Policy Statement, attached at Appendix 1 to the report, remained substantially unchanged in the second year, with updates only made to reflect the impact of the restructure to senior management previously considered by the Council.

Resolved: That the Pay Policy Statement be adopted and published on the Council's website.

(c) Employment Stability Policy

Councillor Fleming proposed and Councillor Ramsay seconded that the updated Employment Stability Policy be adopted by the Council. In moving the recommendation, the Leader reported that there had been consultation with management, staff and unions and that the proposals in the report would potentially realise savings in future years.

The report outlined the purpose of the Employment Stability Policy and noted that the current policy had been in place since 2007. It was designed to ensure that the Council retained a balance of skills and experience within the workforce to ensure that it was equipped to meet future challenges and service requirements.

Resolved: That the updated Employment Stability Policy be adopted by the Council.

52. TO CONSIDER ANY QUESTIONS BY MEMBERS UNDER PARAGRAPH 19.3 OF PART 2 (THE COUNCIL AND DISTRICT COUNCIL MEMBERS) OF THE CONSTITUTION, NOTICE OF WHICH HAVE BEEN DULY GIVEN.

There were no questions.

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53. TO RECEIVE ANY QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER PARAGRAPH 17 OF PART 2 (THE COUNCIL AND DISTRICT COUNCIL MEMBERS) OF THE CONSTITUTION.

There were no questions.

54. TO RECEIVE THE REPORT OF THE LEADER OF THE COUNCIL ON THE WORK OF THE CABINET SINCE THE LAST COUNCIL MEETING.

The Leader of the Council reported on the work that he and the Cabinet had undertaken in the period 17 November 2012 to 31 January 2013. In particular, the Leader drew attention to the West Kent Partnerships Conference which, on this occasion, had also included colleagues from East Sussex. The Partnership was considering submitting a bid for Regional Growth Funding although, in order for the bid to be successful, it was likely that councils from East Kent would also have an involvement in putting the bid together. The Leader also drew attention to the Sevenoaks 'Mind the Gap' Health Inequalities Workshop which a number of Members had attended.

55. TO RECEIVE A REPORT FROM THE CHAIRMEN OF THE SELECT COMMITTEES ON THE WORK OF THE COMMITTEES SINCE THE LAST COUNCIL MEETING.

The Council received reports from the Chairmen of the following Select Committees:

- Services Select Committee – 14 January 2013
- Environment Select Committee – 15 January 2013
- Social Affairs Select Committee – 22 January 2013

56. TO RECEIVE A REPORT FROM THE CHAIRMEN OF THE PERFORMANCE AND GOVERNANCE COMMITTEE ON THE WORK OF THE COMMITTEE SINCE THE LAST COUNCIL MEETING.

The Council received a report from the Chairman of the Performance and Governance Committee on the work undertaken by the Committee at its meeting on 8 January 2013.

THE MEETING WAS CONCLUDED AT 8.02 pm

Chairman