

**FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS REFERRED
BY THE ENVIRONMENT SELECT COMMITTEE AND/OR REQUESTS
FROM THE PERFORMANCE AND GOVERNANCE COMMITTEE**

a) Conservation Area Appraisals – Hartslands, Sevenoaks (*Cabinet 23.06.11*)

The Cabinet considered the Conservation Area Appraisal and Management Plan for the Hartslands, Sevenoaks Area. The report by the Head of Development Services explained that there was a duty on local authorities to designate as conservation areas any 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Clear and concise appraisals of the character of conservation areas provided a sound basis for their designation and management, informed local development documents and provided a framework for the control of development. The CAMP had been prepared in collaboration with District Councillors, Sevenoaks Town Council and local amenity groups (the Hartslands Group, the Hollybush Residents Association and the Sevenoaks Society). There had also been considerable consultation which had included writing to every household and business in the area and a local exhibition. As a result of consultation amendments had been incorporated in the CAMP in relation to the proposed boundary and Character Appraisal Map. The response to consultation had shown strong support from local residents for the area to become a designated Conservation Area. If agreed, the CAMP would help the local community, developers, local authorities and development professions engage in the conservation and enhancement of the local historic environment and secure the preservation of the character of the conservation area as an important heritage asset.

The Environment Select Committee had considered the CAMP at its meeting on 12 April 2011 and recommended the designation of Hartslands as a Conservation Area and that additional guidance should also be provided to residents in relation to the type of replacement doors, windows and roof materials suitable within Conservation Areas.

The Leader of the Council welcomed the many local residents and local Ward Members who had attended the Cabinet for this item which he felt was a testament to the vital role that they had played in the development of the CAMP. Councillors Walshe and Mrs Purves spoke strongly in support of the designation of the CAMP and emphasised the special character of the Hartsland area and the participation of local people and organisations.

The Cabinet expressed its thanks to the Director of Community and Planning Services and her staff for the excellent work that had been carried out in preparing the CAMP and thanked the consultant, Tony Fulford, for his work on this project.

Resolved: That the designation of the Hartsland Conservation Area be approved and the Hartsland Conservation Area Appraisal and Management Plan (attached at Appendix A to the report) be adopted as informal planning guidance and a material consideration in the determination of development proposals.

b) Policy For On-Street Disabled Parking Bays (*Cabinet 23.06.11*)

The Cabinet was requested to consider whether it should charge for the provision of on-street disabled parking bays taking account of legal advice from Kent County Council which questioned the legality of such charges on grounds of disability discrimination. Historically KCC and the District Council's had charged an administration charge of £30 for the consideration of on-street disabled parking bays, far less than the actual cost of providing one. The report distinguished between the provision of interim "advisory disabled parking bays" which cost much less to provide but which could not be enforced and permanent enforceable bays which required a Traffic Regulation Order to be made. It was noted that there was a statutory power which allowed for charging for the actual provision of parking bays and the question was whether the Council wished to make such a charge and if so at what level. Whilst the new procedures recommended by KCC for processing applications for on-street disabled parking bays had been adopted the issue of charging was a matter for each District Council to determine, although KCC had recommended that where a charge was made it should be capped at a maximum of £250 per application.

The Portfolio Holder for the Cleaner and Greener Environment advised the Cabinet that this matter had been discussed at the Environment Services Select Committee meeting on 7 June 2011. The Committee had had regard to the relatively small number of applications and the fact that if a charge was to be levied for a parking bay there was no right of exclusivity by the person making the payment and had therefore recommended that the status quo should prevail. The Parking and Amenities Manager informed Cabinet that, so far, 5 other Kent Districts had decided not to make a charge and that 2 other Districts were currently undecided. The Cabinet felt that no charge should be made given the current level of applications but reserved the right to look at this again if the number of applications increased significantly.

Resolved: (a) That the implementation of interim disabled parking places be at no cost to applicants and that they be funded from the on-street parking account;

(b) That the provision of enforceable on-street disabled parking places requiring a traffic regulation order be at no cost to applicants and funded from the on-street parking account; and

(c) That the issue of whether to charge for the provision of On-street Disabled Parking Places should be reviewed in 12 months time.