

CABINET
11 September 2014 at 7.00 pm

Further to the recent despatch of agenda and papers for the above meeting, please find the following item(s) which were marked as 'to follow':

6. **Recommendations from the Cabinet Advisory Committees** (Pages 1 - 6)
- a) Gypsy and Traveller Plan – Responses to consultation and additional sites and pitches promoted (Local Planning & Environment Advisory Committee – 3 September 2014)
 - b) Financial Prospects and Budget Strategy 2015/16 and Beyond Advisory Committee (Finance & Resources Advisory Committee– 3 September 2014)
 - c) Annual Treasury Management Report 2013/14 Advisory Committee (Finance & Resources Advisory Committee– 3 September 2014)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

The Democratic Services Team (01732 227241)

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RECOMMENDATIONS FROM CABINET ADVISORY COMMITTEES

(items marked as 'to follow' on the main agenda)

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

Gypsy and Traveller Plan: Site Options - consultation responses and additional sites and pitches promoted

The Principal Planning Officer presented a report which considered the responses to the recent Gypsy and Traveller Plan site options consultation where 935 registered comments had been received on the 13 proposed sites. A “call for sites” requested interested parties to suggest land that may be suitable for Gypsy and Traveller pitches. Consideration of the responses by the Committee was brought forward from October 2014 as Officers felt able to make recommendations regarding two sites and to give guidance on how the process was to be taken forward.

A list of further sites suggested by third parties where landowners had been approached, since the report was published, was tabled for Members consideration. Officers advised that the recommendation in paragraph (a) was now to read “...consideration in this Gypsy and Traveller Plan covering the period up to 2026”. Additionally Officers updated the Committee that the potential number of pitches at Two Barns, Knatts Valley had risen from three to four. Kent County Council had since responded to the Council and was unsupportive of 2 additional pitches at Polhill Park, Polhill.

The Principal Planning Officer explained that the recommendation included that two sites be removed from the consultation as alternative, more suitable sites had been identified. It was considered by Officers that the land south of Mesne Way, Timberden Farm, Shoreham was more sensitive and visible in an Area of Outstanding Natural Beauty (AONB) than the majority of the alternative site suggestions and so was to be removed. Regarding the land at Fort Halstead the emerging policy EMP3 of the Council’s Allocation and Development Management Plan, relating to it, had developed since the initial consultation and did not refer to Gypsy and Traveller use. A Planning Performance Agreement now also outlined the submission of a planning application for the site on 10 November 2014. As there was not landowner support for Gypsy and Traveller pitches and as the Council was unlikely to adopt a policy to require pitches as part of the wider regeneration before the landowner’s target date for determination of an application, pitches on the site were unlikely to be deliverable.

A Member of the Committee expressed disappointment that, despite the recommendation of the Committee on 25 March 2014, the Timberden Farm site had not been removed at an earlier stage from the consultation. She felt that it had caused residents and the Council unnecessary stress and expense. The Chairman explained that it was since more sites had been put forward in the call for sites, which were preferable to the Shoreham site, that Timberden Farm could now be removed from the consultation.

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Some Members requested that the Timberden Farm site be ruled out beyond 2026. The Chief Planning Officer advised that the recommendation was for the site to be ruled out for the period of the plan but it would not be down to the current Council to decide for any further period and this could not be enforced.

Officers were asked how far they had gone geographically in consulting neighbouring authorities to see if they could assist the Council in meeting its needs under the duty to cooperate. Immediate neighbours had been consulted and Officers had used their wider professional networks, but without success. Officers agreed that they would continue to investigate at a wider level and recognised there could be competition for available land.

Members raised concerns that new sites should not be concentrated around the existing sites near to Swanley and Edenbridge. The Principal Planning Officer advised that a concentration of sites in one area would be a factor weighing against further sites in areas such as Hextable. There were strong arguments for the Timberden Farm and Fort Halstead sites to be removed at this stage, especially given national policy considerations for AONB. If the further investigation of sites and supplementary site consultation brought forward alternative sites which were more suitable then more sites could be removed when the report was next considered by Cabinet on 13 November 2014.

A member of the public asked whether it was possible to record that the site at Timberden Farm, Shoreham was an unacceptable site and would remain so. Officers clarified that the Timberden Farm site was suitable when considered against the Council's sequential test and paragraph 116 of the National Planning Policy Framework, given the alternative sites that existed at the time that the consultation document was agreed, however the site was no longer needed as more suitable sites had come forward.

The Portfolio Holder for Local Planning & Environment explained that historically Gypsy and Traveller applicants had succeeded in planning appeals against the Council as the Council currently lacked a policy on Gypsy and Traveller sites. Once adopted the policy could give certainty up until 2026.

The Committee thanked Officers for the large amount of work they had carried out and their speed in turning it around.

Public Sector Equality Duty

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

Resolved: That it be recommended to Cabinet that

- a) the site options previously consulted on in the Gypsy and Traveller Plan: Site Options consultation at Land South of Mesne Way, Shoreham, and Land at Fort Halstead are ruled out of further consideration in this Gypsy and Traveller Plan covering the period up to 2026;**

b) the Council continues to investigate sites promoted to it through the recent call for sites and prepares a supplementary site options consultation, to be considered by LPEAC and agreed by Cabinet prior to publication, to provide an opportunity for interested parties to comment on potentially suitable alternative site options.

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

The Chief Finance Officer presented a report which was the first report for the 2015/16 budget setting process. It was the 5th year of using the current Business and Financial Planning Strategy that included the 10-year budget which had proved successful to date and put SDC in a much stronger financial position than most other Councils. He advised that the report was intended to start the debate and the assumptions would be updated as more accurate information became available during the process. Last year the government provided illustrative funding figures for 2015/16 which had been included in the budget, however with it being an election year it remained to be seen what announcements would be made over the coming months.

Since the last 10-year budget had been agreed at Full Council in February, changes that had been made since then were: rolling 10-year budget on for one year and using the Budget Stabilisation - Reserve and Financial Plan Reserve balances.

Appendix B to the report showed a shortfall of £647k (i.e. £65k pa) however, the position was likely to change as Chief Officers were currently reviewing the growth and savings requirements for their services. These would be reported back to the relevant Advisory Committees.

The report would be considered at Cabinet on 11 September 2014, and in the autumn the Cabinet Advisory Committees would get the opportunity to review the Service Plans and Service Change Impact Assessments (SCIAs). A budget update report would then be submitted to Cabinet in December which should almost finalise the budget subject to any late announcements coming from central government.

In response to a question concerning whether the potential setting up of a trading company had been taken into account, the Chief Finance Officer advised that no assumptions had been made for additional income at this stage.

A Member was not happy with the assumption that Council Tax would be increased by 3% in 2016/17 onwards, which was viewed as unrealistic. Members debated this issue, noting that other ways to make up the shortfall would be service cuts. The Chief Finance Officer advised that the Government had set a referendum limit of 2% up to 2015/16 and had not stated what the likely position

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would be going forward. The Chairman pointed out that Council Tax assumptions had been agreed by Members at Full Council in February.

Councillor Firth moved, and it was duly seconded that the ten year financial planning approach and principles set out in the report be endorsed subject to the Council Tax budget assumption being restated to 2% for 2016/17 onwards. The motion was carried.

Action 2: The Chief Finance Officer to produce details of the impact of the lower Council Tax assumption to Advisory Committee Members.

Public Sector Equality Duty

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

Resolved: That it be recommended to Cabinet that the ten year financial planning approach and principles set out in the report be endorsed subject to the Council Tax budget assumption being restated to less than 2% for later years.

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

The Principal Accountant presented a report which provided the customary review of investment activity during 2013/14 as required by the Council's Financial Procedure Rules. He pointed out a small error on paragraph 21 of the report, the omission of the word 'risen' between 'have' and 'from'. The report outlined the strategy adopted during the year, showed the position of the investment portfolio at the beginning and the end of the year and gave details of how the fund performed in comparison with previous years and against various benchmarks. It also highlighted that the overall return on the Council's investments exceeded the budget in 2013/14 by approximately £7,000; the economic situation both globally and within the Eurozone remained volatile; and that treasury management in the past financial year had been conducted against this background with a cautious investment approach. It also advised that the recovery of the Icelandic deposit was ongoing and further updates would be provided as and when monies were received.

With reference to the recovery of the Icelandic deposit the Principal Accountant advised that at the moment 54% of the outstanding amount had been received and the projections were that 100% would be received by 2018/19. It was frustrating however that there was enough money available to pay a further 20% now but that this was held up by Iceland's currency controls requiring approval from the central bank.

An account had now been opened with Handelsbanken, £3m had been invested at 0.45% which in the current environment was the best that could be achieved for an instant access account.

Public Sector Equality Duty

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

Resolved: That Cabinet be asked to approve the Annual Treasury Management Report for 2013/14.

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