

CABINET

Minutes of the meeting of the Cabinet held on Thursday, 12 January 2012 commencing at 7.00 pm

Present: Cllr. P Fleming (Chairman)

Cllr. Mrs P Bosley, Cllr. Mrs C Clark, Cllr Mrs J Davison,
Cllr. Mrs A Hunter and Cllr. B Ramsey

Apologies for absence:

were also present

Democratic Services Manager

The Chairman and Cabinet thanked the departing Democratic Services Manager, Alan Twyman, for the work that he had done for the District Council over the past fourteen months. The Cabinet extended their best wishes for the future to Mr Twyman and welcomed the incoming Democratic Services Manager, Philippa Stone.

57. MINUTES OF THE MEETINGS OF THE CABINET HELD ON 8 DECEMBER 2011

Resolved: That the minutes of the Cabinet meeting held on 8 December be approved and signed as a correct record.

58. DECLARATIONS OF INTEREST

Councillor Mrs Hunter declared a personal and prejudicial interest in regard to Item 9 – Big Community Fund – Allocation of Funding for December Appraisal Round and Additional Members for Appraisal Panel, as the Ward Member submitting the application.

Councillor Mrs Bosley declared a personal interest in Item 9 – Big Community Fund – Allocation of Funding for December Appraisal Round and Additional Members for Appraisal Panel, as one of the applications related to her ward.

59. QUESTIONS FROM MEMBERS (MAXIMUM 15 MINUTES)

There were no questions from Members.

60. MATTERS REFERRED FROM THE PERFORMANCE AND GOVERNANCE COMMITTEE AND/OR SELECT COMMITTEES (PARAGRAPH 5.20 OF PART 4 (EXECUTIVE) OF THE CONSTITUTION)

(a) Conservation Area Appraisal and Management Plan: Chiddingstone Hoath – (*Environment Select Committee - 25 October 2011*)

This was considered under Minute 62 below.

61. CALCULATION OF COUNCIL TAX BASE

The Portfolio Holder for Finance and Value for Money introduced a report setting out details of the calculation of the District's tax base for council tax setting purposes. These figures would be used to determine tax rates for each of the Council Tax bands once the Council's budget requirement was known. The report also outlined the timetable for setting the 2012/2012 council tax.

In previous years, the tax base, used to determine council tax bills, had to be adopted by a meeting of Full Council. However, Section 84 of the Local Government Act 2003 removed this requirement and each billing authority makes its own arrangements for adopting the council tax base. The Council was required to calculate a tax base figure for the Department of Communities and Local Government (DCLG) for the purposes of Revenue Support Grant (RSG). This was based on the valuation list as at 12 September 2011 and occupancy information at 3 October 2011. The tax base for tax setting purposes was based on information available in December 2011.

The Portfolio Holder for Finance and Value for Money reported that the collection rate for 2012/13 would remain at 99.5%, the level set for 2011/12 and that the number of Band D properties had been estimated to increase by approximately 285 to 50,860.03.

Resolved: That

- (1) the calculation of the Council's tax base for the year 2012/13 set out in the report be approved;
- (2) pursuant to the report of the Deputy Chief Executive and Director of Corporate Resources and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by Sevenoaks District Council as its council tax base for the whole area for the year 2012/13 shall be 50,860.03;
- (3) pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by the Sevenoaks District Council as the council tax base for 2012/13 for the calculation of local precepts shall be:

| <u>Parish</u> | <u>Tax Base</u> |
|----------------|-----------------|
| Ash-cum-Ridley | 2,550.68 |

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|------------------------------|----------|
| Brasted | 757.79 |
| Chevening | 1,459.76 |
| Chiddingstone | 601.38 |
| Cowden | 422.68 |
| Crockenhill | 704.56 |
| Dunton Green | 908.63 |
| Edenbridge | 3,651.85 |
| Eynsford | 944.65 |
| Farningham | 636.50 |
| Fawkham | 286.36 |
| Halstead | 780.58 |
| Hartley | 2,589.29 |
| Hever | 621.48 |
| Hextable | 1,705.33 |
| Horton Kirby & South Darenth | 1,379.27 |
| Kemsing | 1,878.86 |
| Knockholt | 619.39 |
| Leigh | 842.37 |
| Otford | 1,737.97 |
| Penshurst | 847.24 |
| Riverhead | 1,241.36 |
| Seal | 1,237.28 |
| Sevenoaks Town | 9,282.55 |
| Sevenoaks Weald | 627.15 |
| Shoreham | 1,025.55 |
| Sundridge | 950.23 |
| Swanley | 6,090.99 |
| Westerham | 2,072.09 |
| West Kingsdown | 2,406.21 |

(4) any expenses incurred by the Council in performing in part of its area a function performed elsewhere in its area by a parish or community council or the chairman of a parish meeting shall not be treated as special expenses for the purposes of section 35 of the Local Government Finance Act 1992.

62. CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN
CHIDDINGSTONE HOATH

The Portfolio Holder for Planning and Improvement introduced a report seeking support for a new Conservation Area Appraisal and Management Plan for Chiddingstone Hoath. The new plan had been prepared to meet local Best Value performance requirements and as part of background work which would contribute to the Local Development Framework (LDF). The Plan had been considered by the Environment Select Committee on 25 October 2011 which had made minor amendments to the Conservation Area Appraisal and Management Plan. These amendments were endorsed by the Cabinet.

The Portfolio Holder for Planning and Improvement made a further minor amendment to page 33 of the document:

“The nearest station is at Cowden and the nearest major settlement is the town of Edenbridge to the north west”.

Resolved: That the Chiddingstone Hoath draft Conservation Area Appraisal and Management Plan attached at Appendices B and C to the report, with the amendments suggested by the Environment Select Committee, be adopted as informal planning guidance.

63. LOCALITY BOARDS

Having declared a prejudicial interest, Councillor Mrs Hunter left the meeting for the duration of this item.

The Cabinet considered a report setting out the background to Locality Boards and seeking approval to work with the County Council to set up a Locality Board for the Sevenoaks District. It was envisaged that the Sevenoaks District Kent Locality Board would be an advisory board but with the ability to promote the localism agenda through the commissioning and co-ordination of services previously delivered by the County Council using budgets devolved from the County Council. The terms of reference for discussion by the Locality Board were attached to appendix A of the report.

The Chairman reported that the Sevenoaks District Kent Locality Board would involve relevant Portfolio Holders as well as other District Councillors who had particular interests, especially concerning youth and health issues, and drawn from across the geographical spread of the District. It was also stressed that the Locality Board would not remove decision making at a local level. The Board brought with it the potential to secure additional funding for issues that would benefit the District, for example, funding for youth activities.

The Portfolio Holder for Safer Community stressed the need to keep all Members informed. To this end, the Portfolio Holder suggested that when the Board considered issues that affected a specific portfolio, the

relevant Portfolio Holder should be invited to the meeting. The Chairman highlighted that the composition of the Board would be a combination of Cabinet Members and non-Cabinet Members and that the approach would be as inclusive as possible.

In response to a question from a Member, the Chairman reported that Highways did not fall within the remit of the Locality Board. The Joint Transportation Board would remain as a separate body and would not be subsumed into the Locality Board.

The Cabinet noted that an initial scoping meeting would be held early in 2012 with Membership of the Board being agreed at the Annual Council meeting in May 2012. The first meeting of the Locality Board would be held soon after the Annual Council meeting.

Resolved: That

- (1) a Locality Board for the Sevenoaks District be set up, with a scoping meeting being held in early 2012 and Sevenoaks District Council membership of the Board being agreed at the Annual Council Meeting;
- (2) the draft terms of reference set out in Appendix A of the report be put forward to the Locality Board for discussion; and
- (3) the delivery structure set out in Appendix B of the report be put forward to the Locality Board for discussion.

64. BIG COMMUNITY FUND - ALLOCATION OF FUNDING FOR DECEMBER APPRAISAL ROUND AND ADDITIONAL MEMBERS FOR APPRAISAL PANEL

Having declared a personal and prejudicial interest, Councillor Mrs Hunter left the meeting for the duration of this item.

The Head of Community Development presented a report which outlined draft appraisals considered at the Appraisals Panel on 21 December 2011. In July 2011 Cabinet resolved that funding be allocated to a new grant scheme, the Big Community Fund, which had been established to provide a source of funding to enable Members to work with local communities to improve the area. The Appraisal Panel held on 21 December 2011 was inquorate due to the indisposition at the last minute of one of the Members due to sit on the Panel. The four Members present appraised the six applications received and made draft recommendations. Recommendations made at an inquorate meeting can not be ratified by a Cabinet Member decision and instead must be agreed by Cabinet decision.

In addition to the six applications from 21 December 2011, the Cabinet considered a seventh application, from Crockenhill & Well Hill ward which had been received. This application had not been signed as there was no ward member due to the unexpected death of the Ward Member earlier in the month. The application was also appraised by the Members present and Cabinet were asked to agree the application.

As the number of completed applications received had risen with the popularity of the Scheme, it had become more difficult to find a quorum for the Appraisal Panel from the pool of sixteen trained Members. The report therefore also proposed to increase the number of trained Members. Six Members who had recently attended a training session on making applications to the scheme had indicated their interest in training for the Panel and were recommended to the Cabinet to sit on the Appraisal Panel.

The Chairman reported that a Member had raised concerns surrounding consistency within the decisions taken by the Appraisal Panel and clarified that the application relating to Sevenoaks Kippington Ward had been refused on the basis that salt bins were primarily the responsibility of another authority. The Head of Community Development reported that the Appraisal Panel adhered to detailed scoring criteria, which helped to ensure consistency, and that Members of the Panel undertook training prior to considering applications. As well as the detailed scoring criteria, the Appraisal Panel also considered value for money, whether the application met local need and whether the application demonstrated innovation. Applications that were self-sustaining with low or no running costs were also generally considered more favourably.

The Sevenoaks Kippington application had received a score of 36, which was one of the lowest scores since the inception of the scheme. Only two other applications had received lower scores and both of these had been refused. Applications relating to something that was the responsibility of another local authority generally received lower scores. The Panel had felt that salt bins were the responsibility of Town and Parish Councils and Kent County Council Highways. The Chairman noted that a revised application could be submitted by the Resident's Association for review at a future meeting of the Appraisal Panel.

The Portfolio Holder for Safer Communities contended that something being the responsibility of Kent County Council should not be sufficient grounds to refuse an application and questioned whether this was in fact a legitimate ground for refusal. If it was, the Portfolio Holder suggested that any application that related to areas that were the responsibility of another local authority that had previously been approved should be referred back to the Appraisal Panel for further review.

The Portfolio Holder for Community Wellbeing stated that she would not feel comfortable over turning a recommendation that had been made by Members who had undertaken the necessary training and had reached a decision based on a detailed appraisal. If the Appraisal Panel had been quorate at its meeting, the issue would not have been on the agenda for Cabinet's consideration.

The Portfolio Holder for Safer Community requested that her objection to the refusal of the Sevenoaks Kippington application be minuted as

she did not feel that sufficient reasons for refusal had been provided. The Portfolio Holder felt that the decision should be referred to another Panel for further review and abstained from voting on this particular application when the recommendations from the draft appraisals were put to the vote.

Resolved: That

(a) the draft appraisals from the 21 December 2011 Appraisal Panel be agreed;

(b) the following Members should be added to the Big Community Fund Members Appraisal Panel:

Cllr Mrs Angela George

Cllr Mrs Faye Parkin

Cllr Simon Raikes

Cllr Mrs Janet Sargeant

Cllr Roderick Hogarth

Cllr Lawrence Ball

65. WEST KENT COLD STORE SECTION 106 COMMUNITY FACILITIES FUNDING

The Portfolio Holder for Housing and Balanced Communities introduced a report outlining the work undertaken by the Council and Partners to improve community facilities in Dunton Green and Riverhead to mitigate the impact of the new Berkeley Homes development on the West Kent Cold Store site, in accordance with the Section 106 Agreement. The report included the outcome of community consultations and details of potential projects which could be funded by the £1,234,894 Community Facilities Fund.

The Portfolio Holder for Housing and Balanced Communities informed the Cabinet that since the report had been published Riverhead Parish Council had secured additional funding for improvements to St Mary's steps and it was therefore proposed to reduce the proposed allocation of funding in recommendation 5 by £6,000 to £59,000. The Portfolio Holder proposed that this £6,000 should be diverted to the programme of activity to ensure that the improvement projects foster the use of the community buildings and that the amount allocated in recommendation 6 should be increased to £150,894 accordingly.

The Head of Community Development reported that there had been extensive consultation with all households in both parishes and that the Steering Group had developed the recommendations. Referring to the two projects that had received no allocation of funding, the

Head of Community development explained that the Steering Group had felt that the resurfacing of Donnington Hall's car park was maintenance work that should have been undertaken over a number of years and that the project did not provide a community facility or mitigate the development. The rules of Dunton Green's Social Club restricted open access to the facility. The Steering Group felt that the application should not be taken forward as the criteria for funding stipulating that community facilities should be provided had not been met.

Mindful that Kent County Council (KCC) were currently undertaking a review of library services, the Cabinet expressed the view that some form of library provision should be included in the proposed capital project to be developed by Dunton Green Parish Council on the site of the existing pavilion and recreation ground supported by the proposed allocation of funding contained in recommendation 1. It was recognised that this was a KCC function but the Head of Community Development was asked to pursue this with KCC as part of discussions concerning the review of library facilities, as part of number 1 on the recommendations table.

A Member queried whether the Donnington Hall application, where no allocation of s106 funding was proposed, could be eligible for funding from the Big Community Fund. The Head of Community Development confirmed that an application could be eligible but an appraisal would be necessary to determine this.

Resolved: that the following recommendations be agreed:

| | Project | Maximum sum including contingency |
|---|---|--|
| 1 | Dunton Green Parish Council to be invited to develop a capital project on the site of the existing pavilion and recreation ground as outlined in their Expression of Interest form and which will meet planning regulations. The fully developed project to be brought to Cabinet for final approval. Officers should investigate with the Parish Council the possibility of a library facility in the building in line with the public consultation results. | £1 million |
| 2 | Donnington Hall's application to re-surface the car park to be refused on the basis that it does not meet the criteria. | No allocation |
| 3 | Dunton Green Social Club's application for refurbishment work should be refused as the project does not demonstrate that it would be inclusive and would help bring the | No allocation |

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| | old and new communities together. | |
| 4 | Dunton Green Village Hall Management Committee should be invited to develop an improvement proposal for the hall kitchen and toilets, including plans, estimates and a hall usage plan. | £25,000 |
| 5 | Riverhead Parish Council should be invited to develop their project to enhance “The Heights” including improvements to St Mary’s steps and lighting (subject to the Church’s commitment to future maintenance) and provide costings. | £59,000 |
| 6 | Officers should plan for a programme of work to ensure that the improvement projects foster the use of the community buildings and bring the two communities together using community and youth work over a three year period. | £150,894 |

THE MEETING WAS CONCLUDED AT 7.45 pm

Chairman