

## CABINET

Minutes of the meeting of the held on 14 June 2012 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllrs. Mrs. Bracken, Mrs. Clark, Mrs. Davison and Ramsay

Apologies for absence were received from Cllrs. Mrs. Bosley and Mrs. Hunter

Cllrs. Brookbank, Cooke and Searles were also present.

### 4. Minutes

Resolved: That the minutes of the Cabinet meeting held on 10 May 2012 and the Special Meeting of the Cabinet held on 15 May 2012 be approved and signed as a correct record.

### 5. Declarations of interest

There were no declarations of interest.

### 6. Questions from Members (maximum 15 minutes)

No questions were received.

### 7. Matters referred from Council

No matters were referred from Council.

### 8. Matters referred from the Performance and Governance Committee and/or Select Committees (Paragraph 5.20 of Part 4 (Executive) of the Constitution)

(a) Community Infrastructure Levy (Environment Select Committee)

This item was considered in Minute 12 below.

(b) Provisional Outturn 2011/12 and Carry Forward Requests (Performance & Governance and Finance Advisory Group)

This item was considered in Minute 10 below.

(c) Property Review – Local Needs Housing, Shoreham (Performance & Governance)

This item was considered in Minute 9 below.

9. Property Review - Local Needs Housing, Shoreham

In 2005, Shoreham Parish Council, supported by Sevenoaks District Council, asked the Rural Housing Enabler at Action with Communities in Rural Kent to carry out a housing needs survey in the Parish, to identify if there was a need for affordable housing for local people. The results identified a housing need from 17 households and the Parish council agreed that a small development of eight homes would go some way to meet this need. From an initial sight search it was agreed that the most appropriate available site was in Filston Lane. The land identified formed part of Timberden Farm, owned by the District Council and let on a Farm Business Tenancy. The land would have no other development use other than for agricultural purposes were it not for an identified local need and had been valued at £25,000. The original purchase of the farm by the District Council provided for the vendor to receive 50% of any proceeds of sale of whole or part of the farm for development purposes. The proposal accorded with equality issues in that it would be beneficial to provide housing for disadvantaged sections of the local community, especially in rural areas such as Shoreham.

The Portfolio for Finance and Value for Money reported that at its last meeting, Shoreham Parish Council had taken the decision to defer any further request pending a further review. The Performance and Governance Committee had deferred any decision until a further request from Shoreham Parish Council was received.

Resolved: That the decision be deferred pending further review.

10. Provisional Outturn 2011/12 and Carry Forward Requests

The Portfolio Holder for Finance and Value for Money introduced a report setting out the provisional outturn for 2011/12 and requests to carry forward budgets into 2012/13. The Portfolio Holder reported that there was a favourable variance of £632,000 compared to the budget for the year 2011/12, which after taking into account a VAT refund, was an underspend of £80,000 compared to a forecast underspend of £50,000 in the February Monitoring report. The Finance Advisory Group considered the carry forward requests on 13 June 2012 and agreed requests totally £72,010 for revenue and £490,107 for capital, subject to further clarification on asset management requests.

The Finance Manager tabled additional information relating to asset management requested by the Finance Advisory Group, this showed an analysis of the breakdown of the underspend on asset maintenance together with details of the proposed expenditure.

The Leader noted the comments made by the Finance Advisory Group on the Disabled Facilities Grants 2011/12 and reported that he had raised this issue with the Leader of Kent County Council. The Leader expressed concerns that significant amounts of funding were allocated to teams that had no responsibilities for budgets, and provided assurances to Members that this issue would continue to be pursued.

Members thanked all staff for their hard work and diligence in ensuring that the budget was balanced and that a favourable variance was achieved during a difficult year.

Resolved: That

- a) The Revenue 'carry forward' requests totalling £72,010 as set out in paragraph 13 of the report be approved; and
- b) The Capital carry forward requests totalling £490,107 as set out in paragraph 15 of the report be approved.

#### 11. Bank Account Signatories

The Portfolio Holder for Finance and Value for Money introduced a report seeking approval for a change to the list of Officers authorised to sign cheques and other banking instruments on behalf of the Council.

Resolved: That

- a) Mrs P. Marshall, former Head of Finance and Human Resources, no longer be authorised to sign cheques and other banking instruments on behalf of the Council; and
- b) pursuant to Finance Procedure Rules 4.72 and 4.73, Mrs J. Weyman, Service Accountant, be authorised to sign cheques and other banking instruments on behalf of the council in respect of all bank accounts other than the Chief Executive's Imprest Account.

#### 12. Consultation on the Community Infrastructure Levy

In order to begin charging a Community Infrastructure Levy (CIL), Sevenoaks District Council would be required to prepare a Charging Schedule, setting out what developers would need to pay per square meter of new buildings and any variations by area of type of development. The consultation document would form the first formal stage in the Council's preparation of CIL. It was proposed that there would be a six week consultation between June/July and August 2012. This was the first part of the process and further reports would be bought back once the consultation period had ended.

The Portfolio Holder for Planning and Improvement introduced the report and highlighted that the District Council would maintain control over any income generated from the CIL. The two different charges that would be levied across the District were a result of differences in average land values. The Senior Planning Officer reported that guidance from government around the charges had been clear; charges should be as straight forward as possible. As a result of this the decision had been taken to base charges on ward boundaries across the District.

Members considered whether Kent County Council would be able to utilise any of the funding and the Senior Planning Officer confirmed that it would be down to the discretion of the District Council. One of the questions in the consultation document focused on where funding should be allocated. In the past consultees had favoured schools and highways which fell within the remit of Kent County Council, however, the District Council would be able to put safeguards in place which meant that funding was ring-fenced for use within the District.

Visiting Members expressed concerns surrounding the levels of charges, noting that the proposed charges for Sevenoaks appeared to be higher than those for other authorities.

Those Members felt that the high charges would stifle development within the District. The Leader commented that 90% of the District was made up of green belt and therefore opportunities for development were limited and land values high. The Environment Select Committee had noted that developers were largely supportive of CIL as it was more predictable than Section 106 agreements and could be more easily factored into costings.

The Portfolio Holder for Planning and Improvement reported that the CIL cost on a development would be considerably less than the current cost of affordable housing and was therefore unlikely to influence the majority of development across the District.

In response to a question, the Senior Planning Officer reported that in the majority of cases developers would not have to pay CIL and Section 106 contributions for infrastructure. This may occur where there are infrastructure projects directly related to the development, such as major highway improvements necessary to allow a development to proceed. There were also restrictions to the number of Section 106 that could be utilised when developing a piece of infrastructure, and this restriction had been set to a maximum of five. The Leader requested that after the consultation Officers provide Members with a comparison with the current cost of section 106 contributions for infrastructure.

A Member noted that the Environment Select Committee had raised concerns surrounding Gypsy and Traveller sites and asked what these concerns had been. The Senior Planning Officer explained that the CIL could be charged on new buildings. Moving a caravan onto a site or establishing a mobile home would not attract the CIL, although there was a debate to be had around planning law affecting when a mobile home became a building.

Resolved: That

- a) the CIL Preliminary Draft Charging Schedule Consultation Document be published for consultation;
- b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments, including any changes to the proposed charging levels as a result of the completion of the CIL Viability Study, prior to publication to assist the clarity of the document; and
- c) copies be made available for sale at a price to be agreed by the Portfolio Holder.

#### **IMPLEMENTATION OF DECISIONS**

This notice was published on 18 June 2012. The decisions contained in minutes 9, 10 and 11 take effect immediately. The decision contained in minute 12 takes effect on 26 June 2012.

THE MEETING WAS CONCLUDED AT 7.41 PM

CHAIRMAN