

CABINET

Minutes of the meeting held on 17 July 2014 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllrs. Hogarth, Ms. Lowe, Piper and Ramsay

Cllrs. Ayres, Mrs. Ayres, Dickins, Firth, Mrs. Hunter, Scholey and Miss. Stack were also present.

13. Minutes

Resolved: That the minutes of the meeting of Cabinet held on 5 June 2014, be approved and signed as a correct record.

14. Declarations of interest

There were no additional declarations of interest.

15. Questions from Members (maximum 15 minutes)

There were none.

16. Matters referred from Council

There were none.

17. Matters referred from the Audit Committee and Scrutiny Committee (Paragraph 5.20 of Part 4 (Executive) of the Constitution)

a) Performance Monitoring (Minute 6 , Scrutiny Committee – 15 July 2014)

Scrutiny Committee referred their concerns with LPI DC 001 requesting that Cabinet consider what resources were available to deal with any increases in the number of planning applications, particularly major planning applications.

The Portfolio Holder for Local Planning and Environment advised that there had been more major planning applications than normal for this time of the year, partly as a result of applications attempting to be in before the Community Infrastructure Levy (CIL) came in. The Chief Planning Officer had advised him that the figure validating planning applications within 5 days for June had been 91% and July were already at 90%, which was above target.

18. Recommendations from the Cabinet Advisory Committees

- a) Treasury Management Municipal Bonds (Finance & Resources Advisory Committee, Minute 9 – 3 June 2014)

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This was considered under Minute 20.

- b) Communications Strategy and 2013/14 Work Plan (Strategy & Performance Advisory Committee, Minute 11 – 24 June 2014)

This was considered under Minute 23.

- c) Performance Indicators and Targets for 2014-15 (Strategy & Performance Advisory Committee, Minute 12 – 24 June 2014)

This was considered under Minute 26.

- d) Pest Control Service – results of competition exercise (Local Planning & Environment Advisory Committee, Minute 9 – 1 July 2014)

This was considered under Minute 24.

- e) Update on the Allocations and Development Management Plan (Local Planning & Environment Advisory Committee, Minute 10 – 1 July 2014)

This was considered under Minute 21.

- f) Local Development Scheme Review (Local Planning & Environment Advisory Committee, Minute 9 – 1 July 2014)

This was considered under Minute 22.

19. Appointments to other organisations 2014/15 - Executive (South East Employers)

Members considered appointing representatives to South East Employers (SEE).

Resolved: That Councillor Raikes be appointed as the Council's representative on South East Employers (SEE) and Councillor Miss Stack be appointed as the standing Deputy for the municipal year 2014/15.

20. Treasury Management - Local Authority Municipal Bonds

The Portfolio Holder for Finance & Resources presented a report which sought approval to contribute to the Local Government Association's Municipal Bonds Agency (MBA) which it believed would allow councils to raise funds at a lower rate than those offered by the Public Works Loan Board (PWLB). Since the Advisory Committee had met, more information had been available with regards to the LGA's Municipal Bonds Agency. The LGA had known commitments of £2.9m against a benchmark of £400,000 which had come from 22 councils of different types and sizes so far, and had been informed that it would receive a AAA rating. That gave confidence that the investor base would grow significantly over the rest of the year. The Chief Finance Officer advised that a letter had already been sent expressing an interest as the deadline for doing so had been noon that day, but this did not bind the Council to a decision. It had been made clear that an early indication would benefit from more favourable terms. If Cabinet agreed to contribute to

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the Municipal Bonds Agency, a full subscription agreement would be sent out to confirm the investment.

The report also revisited previous discussions on the use of non UK banks for the placing of investments. The Council's investment strategy had always allowed for investment in non-UK banks however this had ceased in the aftermath of the 2008 financial crisis. The issue had been the subject of discussion at previous meetings of Finance & Resources Advisory Committee and the Finance and Resources Advisory Group before that. To date the preference had been to continue to only lend to UK banks and building societies even though the current policy did allow lending to non UK banks. The report suggested that it might be prudent to consider lending to other highly rated non UK banks that appeared on the treasury advisor's recommended lending list, and that minimum long term Fitch rating of AA-, the same as that of Handelsbanken, could be a useful benchmark. This would then include banks in countries such as Australia, Canada, Netherlands, Singapore and UAE (amongst others). The duration of the investment would be determined by reference to the treasury advisor's colour-coded matrix and initially the lending limit could be set at half that of the UK banks (i.e. £3m per counterparty).

Members noted and considered the relevant minute detailing the Advisory Committee's discussions and their recommendations. The Advisory Committee were recommending to lend to non UK banks but requesting delegated authority to specifically choose which ones.

The Chief Finance Officer advised that if Cabinet agreed the recommendations it was intended to operate an instant access account with Handelsbanken as the rates were favourable.

Public Sector Equality Duty

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

Resolved: That

- a) the Council contribute up to £50,000 towards the set up costs and operating capital of the LGA's Municipal Bonds Agency, and authority be delegated to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance and Resources, to agree the final level of contribution;
- b) delegated authority be given to Finance & Resources Advisory Committee to specifically approve which non UK banks on the Council's treasury advisor's recommended lending list with a minimum long term Fitch rating of AA- are invested in, with the duration of the investment determined by reference to the treasury advisor's colour-coded matrix and the lending limit set at half that of the UK banks (i.e. £3m per counterparty) as detailed within the report; and
- c) Handelsbanken be approved for lending up to £3million.

21. Update on the Allocations and Development Management Plan (ADMP)

The Joint Planning Policy Team Leader presented a report which updated Members on the Allocations and Development Management Plan (ADMP). It had been examined by the Planning Inspector in March 2014 and the Inspector's initial findings were set out. The principal modifications would need to be subject to six weeks of public consultation. The Planning Policy Team Leader confirmed that the Inspector had requested that 13 main amendments must be made to the ADMP, for it to be found sound.

Members noted and considered the relevant minute and recommendations received from the Local Planning & Environment Advisory Committee who had considered the same report.

A Member asked how much protection MM13 'Subject to the findings of an up to date Strategic Housing Market Assessment, which the Council will commence in 2014, the Council commits to undertake an early review of the Core Strategy, in part or in whole, within the next five years, in accordance with the National Planning Practice Guidance , in order to ensure that it has an up to date suite of policies and proposals in place to deliver sustainable growth in accordance with the NPPF' would give at the present time against planning decisions and appeals, and whether the positioned weakened as the five years went on. In response the Joint Planning Policy Manager advised that the outcome would be that the site allocations in the ADMP would be found sound and that the District would still have approximately 90% of Green Belt and 60% AONB, which continue to be given significant protection in development control decisions by Inspectors and the Secretary of State; also that there would be no gap in plan preparation as work will begin on the review of the Core Strategy later this year. The Portfolio Holder for Local Planning & Environment further added that it was merely a commitment to review. The concern expressed was for how far the proposal to include 450 dwellings in the policy for Fort Halstead, following the Inspector's concerns about the Council's previously proposed policy, would affect the opportunities to attract highly skilled employment uses.

It was agreed that the consultation should be widely publicised. It was noted that three drop in information sessions had been provisionally arranged as follows: 12/13/14 August in Swanley, Sevenoaks and Edenbridge respectively. The drop in sessions had been delayed as the Council had needed to confirm that the Inspector was happy with the Fort Halstead main modification before starting the consultation.

Public Sector Equality Duty

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

Resolved: That

- a) the main modifications to the ADMP be agreed and published for consultation (along with the Sustainability Appraisal) during a six week period to be agreed by the Portfolio Holder;
- b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments to the consultation document to assist clarity; and

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- c) 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.

22. Local Development Scheme - work plan for future planning policy work

The Joint Planning Policy Team Leader presented the Local Development Scheme (LDS) which set the work programme for the development of the Local Plan (formerly Local Development Framework) documents. The latest formally adopted version of the Local Development Scheme had been agreed by Cabinet in March 2012 and was now out of date. Due to current uncertainties over the timetables for the preparation of the Allocations and Development Management Plan and the Gypsy and Traveller Plan, it was recommended that the agreement and adoption of a new Local Development Scheme be postponed until Autumn 2014. It was also recommended that a new Strategic Housing Market Assessment be undertaken to begin the process of addressing concerns expressed about the Core Strategy housing target through the Broom Hill appeal decisions and the ADMP examination.

Members noted and considered the relevant minute and recommendations received from the Local Planning & Advisory Committee who had considered the same report.

It was noted that the Consultation period for the Gypsy and Traveller Sites had now closed, and call for sites would end the day after this meeting. The Government had also now announced that it would be looking at changing the guidance on Gypsies and Travellers, but as yet there was no further information or timescales announced. Since the report had been submitted to the Advisory Committee a further meeting of the Advisory Committee had been set for 3 September 2014 to consider the responses to the Gypsy and Traveller Site consultation in order to give an initial assessment to Cabinet on 11 September 2014. The Portfolio Holder for Local Planning & Environment advised that 599 comments had been received with 50 sites suggested, so there was a lot of work to do before this date. The Chairman of the Local Planning & Advisory Committee confirmed that this would be the only item considered at the extra meeting.

In response to a query as to whether it was possible to challenge the amount of provision for Gypsies and Travellers expected, the Chairman gave a brief outline of the history of how the current figures were arrived at. He thanked Officers and reminded them that it was important to keep Members updated.

Public Sector Equality Duty

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

Resolved: That

- a) the Council undertake a new Strategic Housing Market Assessment (SHMA) to identify its objectively assessed housing need, following the publication of new Government household projections later in Autumn 2014, and that this, and its comparison with the Core Strategy housing target, form the first step in considering the need to review or partially review the Core Strategy; and

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- b) the Local Development Scheme be reconsidered in Autumn 2014, once the likely timetable for the adoption of the Allocations and Development Management Plan (ADMP) was clear and once the Gypsy and Traveller Site Options consultation was closed and an initial assessment of comments had been carried out.

23. Communications Strategy and 2013/14 Work Plan

The Chairman and Portfolio Holder for Strategy & Performance, presented a report which asked Members to consider the current Communications Strategy and work plan, set out recommendations as to how the Council's communications function should be shaped and what activity it should prioritise in the coming year. Members noted and considered the relevant minute and recommendations received from the Strategy & Performance Advisory Committee who had considered the same report. The Portfolio Holder for Strategy & Performance drew Members attention to those minutes advising Members that the Advisory Committee had proposed some amendments.

Public Sector Equality Duty

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

Resolved: That, subject to the amendments identified by the Strategy & Performance Advisory Committee, the Council's Communications Strategy and 2014/15 Communications work plan be endorsed.

24. Pest Control Service - results of competition exercise

The Chief Officer Environmental and Operational Services presented a report which detailed the outcome of the competitive process followed since the decision of Cabinet on 5 December 2013 that the Pest Control Service be exposed to competition with quotations invited to be submitted by 4 June 2014. The report also recommended a way forward for future service delivery. Members noted and considered the relevant minute and recommendations received from the Local Planning & Environment Advisory Committee who had considered the same report.

The Chairman of the Local Planning & Environment Advisory Committee particularly highlighted the recommendations made advising that the Advisory Committee had been keen to see what could be achieved with a more active marketing campaign. Councillor Miss Stack addressed the Cabinet in her capacity as Chairman of the Communication working group, and advised that she would be updating the Portfolio Holder but had already held a productive meeting with the Communication Manager, even possibly identifying areas that could be branched out into.

A Member expressed concerns that the Council should not be competing with the private sector and should not be continuing the service at a loss. The Chairman of the Local Planning & Environment Advisory Committee advised that the proposed amendment recommendations were there to make sure this would be reviewed as other Members also had concerns.

Public Sector Equality Duty

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

Resolved: That

- a) following the evaluation of the competition exercise for the Pest Control Service, the service continue to be delivered by Sevenoaks Direct Services;
- b) a report on the income of the Pest Control Service be presented to the Local Planning & Environment Advisory Committee in 12 months' time; and
- c) a further review of the Pest Control Service be undertaken in 3 years' time.

25. Buckhurst 2 Car Park Proposal - Project Update and Consultation Results

Members considered a report which provided an update on progress made in taking forward the resolution of Cabinet at their meeting on 6 March to submit a planning application to provide an additional 300 car park spaces on the existing Buckhurst 2 car park by providing a two storey elevated car deck; and set out the results of the public consultation.

The Chief Officer Environmental & Operational Services advised that Officers had been working with a Project Manager to take forward the Buckhurst 2 decked car park proposal. To date architects, consultant engineers and planning consultants had been engaged to prepare for submitting a planning application. This preparation had included commissioning a range of studies and surveys including those for transport, environment, heritage, arboriculture, ecology and a statement of community engagement. It was anticipated that a planning application would be submitted in August and considered at the Councils' Development Control Committee In October 2014. The Council's planning consultants had been requested to take into account, wherever possible, the views gathered from the public consultation. Subject to planning consent, construction works could commence on site in January 2015. The completion date was targeted for April 2015. Officers were currently exploring a range of options to ensure that adequate temporary parking was available throughout the construction period.

The Head of Transformation & Strategy advised that the consultation to find out the public's views on the proposed additional parking had been carried out between 5 and 26 June 2014. A questionnaire had been available online and from Sevenoaks Leisure Centre throughout the period, which received 278 responses, and more than 250 people attended public consultation exhibitions held between 5 and 7 June and 16 letters were also received during the consultation period. He took Members through the responses and break downs as set out within the report.

The Chairman reiterated the reasoning behind the proposal. There was a clearly identified need for additional long stay parking with limited space within the confines of the town centre. It was acknowledged that the extra provision would free up current long stay car parking space for more short stay.

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The Portfolio Holder for Local Planning & Environment was pleasantly surprised that only 12/13% said they did not want the car park. There were many positive responses. The Chief Officer Environmental & Operational Services confirmed that it was possible for the traffic lights at Pembroke Road to have their phases adjusted; this would be in the control of Kent County Council (KCC). AS YET THERE WAS no date for the VMF implementation, but under the S106 agreement it had to be in place before the new M & S store opened. It was noted that there may be a 'bedding down' period by the Council was dependant on KCC.

Public Sector Equality Duty

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

Resolved: That

- a) the progress made in seeking to deliver additional car parking capacity at Buckhurst 2 car park in Sevenoaks Town be noted;
- b) the views gathered through the consultation be noted; and
- c) the Equality Impacts set out at Appendix D to the report, be noted.

26. Performance Indicators and Targets for 2014-15

The Portfolio Holder for Strategy & Performance presented a report setting out performance indicators and targets for 2014/15. Each year the Council undertook a thorough review of the performance indicators it adopted and the performance targets set continue to support the improvement of services and enable the Council to deliver on its vision and promises to the community. The report recommended that data was collected against 63 local performance indicators. For each indicator Officers had recommended a performance target for 2014/15. The proposed targets reflected Officers' assessment of the available resources to deliver the highest achievable quality of service.

Members noted and considered the relevant minute and recommendations received from the Strategy & Performance Advisory Committee who had considered the same report.

Public Sector Equality Duty

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

Resolved: That

- a) Local Planning and Environment Advisory Committee review the Performance indicators for waste and recycling ; and

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- b) the performance targets as detailed within the report be set for 2014/15.

IMPLEMENTATION OF DECISIONS

This Notice was published on 21 July 2014. The decisions contained in these Minutes will take effect immediately.

THE MEETING WAS CONCLUDED AT 8.14 PM

CHAIRMAN