

**ECONOMIC & COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE**

24 September 2015 at 7.00 pm
Conference Room, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Hogarth Vice-Chairman: Cllr. Abraham
Cllrs. Barnes, Mrs. Bosley, Dr. Canet, Esler, Krogdahl, Lake, Maskell, Pearsall, Raikes and
Rosen

	<u>Pages</u>	<u>Contact</u>
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Committee held on 25 June 2015, as a correct record	(Pages 1 - 4)	
2. Declarations of Interest Any interests not already registered		
3. Actions from Previous Meeting	(Pages 5 - 6)	
4. Update from Portfolio Holder		Councillor Roderick Hogarth
5. Referrals from Cabinet, and Advisory Committees or the Audit Committee a) Reference from Planning Advisory Committee (Minute 8, 7 July 2015)	(Pages 7 - 8)	
6. Budget: Review of Service Dashboards and Service Change Impact Assessments (SCIAs) (Appendix A To Follow)	(Pages 9 - 32)	Adrian Rowbotham Tel: 01732 227153
7. Economic Development Strategy Update	(Pages 33 - 36)	Mark Bradbury Tel: 01732 227099
8. Counter-Terrorism and Security Act 2015 and the Prevent Programme	(Pages 37 - 40)	Kelly Webb Tel: 01732227474

9. **Anti-Social Behaviour Crime & Policing Act 2014** (Pages 41 - 48) Kelly Webb
Tel: 01732227474
10. **Work Plan** (Pages 49 - 50)

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

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 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)

ECONOMIC & COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Minutes of the meeting held on 25 June 2015 commencing at 7.00 pm

Present: Cllr. Hogarth (Chairman)

Cllr. Abraham (Vice Chairman)

Cllrs. Abraham, Barnes, Dr. Canet, Esler, Krogdahl, Lake, Pearsall, Raikes and Rosen

An apology for absence was received from Cllr. Mrs. Bosley

Cllr. Eyre was also present.

1. Appointment of Chairman

Resolved: That Cllr. Hogarth be appointed as Chairman of the Committee for the ensuing municipal year.

(Cllr. Hogarth in the Chair)

2. Appointment of Vice-Chairman

Resolved: That Cllr. Abraham be appointed as Vice Chairman of the Committee for the ensuing municipal year.

3. Declarations of Interest

No additional declarations of interest were made.

CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman advised that he move back his Portfolio Holder update to be taken after agenda item 7.

4. Referrals from Cabinet or the Audit Committee

There were none.

5. Role of the Advisory Committee and Key Challenges

Members received a short [presentation](#) by the Chief Housing Officer, Head of Economic Development & Property, Health & Community Services Manager and Community Safety Manager on the role of the Committee, its areas of responsibility and key issues and challenges facing those areas.

Action 1: External website links for: West Kent Leader Grant programme; the Sevenoaks District Council Safeguarding policy for children and vulnerable adults;

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Economic & Community Development Advisory Committee - 25 June 2015

Sevenoaks District Community Grants Scheme; and Sevenoaks District Sports Council and Arts Council to be circulated to all Members of the Advisory Committee

Resolved: That the report be noted.

6. Visit Kent - 2015 Priorities

Members received a [presentation](#) from Cheryl Parker, Head of Development, Partnerships and Funding at Visit Kent.

Queries were raised with regards to the efficacy of the search engines and website links on the Visit Kent and Visit Sevenoaks website, with particular reference to Westerham. A member of the public who worked on the Westerham Town Partnership website amongst others, addressed the Committee raising some questions and offering her services for free. It was requested that direct contact be made with town partnerships rather than through the Parish and Town Councils. The Health & Community Services Manager advised that the Visit Sevenoaks District Website was still under development and that initially contact was made via the Parish and Town Councils, and then to other organisations such as town partnerships. The Chairman gave assurance that the Council was keen to get the best possible representation for every community across the whole District.

In response to a question concerning the lack of night time economy information, Cheryl Parker advised that there was work being carried out and better communication of arts and culture events and theatre, cinema and festivals etc but much of the information relied on it being communicated to them especially for the events section. It was suggested the online form may be too complicated. The Health & Community Services Manager responded that under the developing 'Visit Sevenoaks' site she would look to develop a theme of 'things to do after dark.'

Overnight stay capacity was not as good as the rest of Kent, however the fall in recent numbers would not appear to be due to lack of capacity and was in line with national tourism trends.. Despite the reduction spend per head had increased, and there was an increase in overseas visitors.

The Chairman thanked Cheryl on behalf of the Committee.

7. Update from Portfolio Holder

The Chairman and Portfolio Holder for Economic & Community Development, [tabled](#) a list detailing which committees each member of the Advisory Committee sat on, and requested that Members had mind to economic and community development issues when sitting elsewhere.

Action 2: The Head of Economic Development & Property to circulate tips and information on improving Broadband speed.

Economic & Community Development Advisory Committee - 25 June 2015

8. Sevenoaks District Community Safety Partnership Annual Report - Presentation

The Community Safety Manager gave a brief [presentation](#) on the Sevenoaks District Community Safety Partnership Annual Report.

Action 3: The Community Safety Manager to circulate links to the Council's [Safeguarding Policy for Children and Vulnerable Adults](#) and the [Kent County Council rogue traders information](#).

9. Work Plan

The work plan was noted with the following additions agreed:

- | | |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24 September 2015 | <ul style="list-style-type: none">• Economic Development Strategy Update to include the Business Barometer• Hotel Study• Community Safety Plan – Annual Report |
| 19 January 2016 | <ul style="list-style-type: none">• Community Safety Strategic Plan• West Kent Leader – Update• Emergency Plan/Business Continuity• Community Grant Scheme |
| 17 April 2016 | <ul style="list-style-type: none">• Draft Community Safety Plan 2016/17• Dunton Green Project - Update |

THE MEETING WAS CONCLUDED AT 9.00 PM

CHAIRMAN

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ACTIONS FROM THE MEETING HELD ON 25/6/15			
Action	Description	Status and last updated	Contact Officer
ACTION 1	External website links for: West Kent Leader Grant programme; the Sevenoaks District Council Safeguarding policy for children and vulnerable adults; Sevenoaks District Community Grants Scheme; and Sevenoaks District Sports Council and Arts Council to be circulated to all Members of the Advisory Committee	Email sent 29/7/15	Vanessa Etheridge Ext: 7199
ACTION 2	The Head of Economic Development & Property to circulate tips and information on improving Broadband speed.	Email sent 29/7/15	Mark Bradbury Ext: 7099
ACTION3	The Community Safety Manager to circulate links to the Council's Safeguarding Policy for Children and Vulnerable Adults and the Kent County Council rogue traders information.	Email sent 29/7/15	Kelly Webb Ext: 7474

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Item 5 (a) – Referral from Planning Advisory Committee

Relevant minute extract below from the meeting of the Planning Advisory Committee held on 7 July 2015:

8 Local Plan Work Programme

The Strategic Planning Manager presented a report which provided a summary project plan for the work needed to achieve an adopted Local Plan. Preparation of a Local Plan was required by Government. The current Core Strategy and Allocations and Development Management Plan were to be updated and combined in a new Local Plan for Sevenoaks District ensuring compliance of policy with any changes in national planning policy since their adoption. It was requested that all key decisions be determined within years 2 and 3 of the current administration. It was also requested that local Members be kept thoroughly apprised.

Resolved: That

- a) preparation of an Area Action Plan (AAP) for Swanley and Hextable be commenced;
- b) subject to the agreement of the Economic & Community Development Advisory Committee's , a joint working group of 6 be set up to include Cllrs. Clark, Halford and Hunter, looking at the protection of employment land especially with regard to the Swanley and Hextable AAP; and
- c) the work programme summary for preparing a Local Plan be accepted and noted.

[\(link to the report\)](#)

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**BUDGET 2016/17: REVIEW OF SERVICE DASHBOARDS AND SERVICE CHANGE
IMPACT ASSESSMENTS (SCIAS)**

Economic and Community Development Advisory Committee – 24 September 2015

Report of Chief Finance Officer

Status: For Decision

Also considered by: Housing and Health Advisory Committee – 22 September 2015

Direct and Trading Advisory Committee – 6 October 2015

Legal and Democratic Services Advisory Committee – 8 October
2015

Planning Advisory Committee – 13 October 2015

Finance Advisory Committee – 17 November 2015

Policy and Performance Advisory Committee – 26 November
2015

Key Decision: No

Executive Summary: This report sets out updates to the 2016/17 budget within the existing framework of the 10-year budget and savings plan. The report presents proposals that have been identified which need to be considered, together with further suggestions made by the Advisory Committees, before finalising the budget for 2016/17.

Informed by the latest information from Government and discussions with Cabinet, it is proposed that from next year the Council sets a budget which assumes no funding from Government through the Revenue Support Grant. This is the first major step taken towards the Council's ambition to be financially self-sufficient as set out in its Corporate Plan.

To achieve this aim and to ensure a balanced budget position over the next 10 year period, whilst also increasing the Council's ability to be sustainable beyond that time, a savings requirement of £500,000 in 2016/17 is required, along with additional income or savings of £100,000 in each of the following nine years.

Portfolio Holder Cllr. Searles

Contact Officer(s) Adrian Rowbotham Ext. 7153

Helen Martin Ext. 7483

Recommendation to each Advisory Committee:

- (a) Advise Cabinet with views on the growth and savings proposals identified in Appendix D applicable to this Advisory Committee.
- (b) Advise Cabinet with further suggestions for growth and savings.

Reason for recommendation: It is important that the views of the Advisory Committees are taken into account in the budget process to ensure that the Council's resources are used in the most suitable manner.

Introduction and Background

- 1 The Council's financial strategy over the past eleven years has worked towards increasing financial sustainability and it has been successful through the use of a number of strategies including:
 - implementing efficiency initiatives;
 - significantly reducing the back office function;
 - improved value for money;
 - maximising external income;
 - the movement of resources away from low priority services; and
 - an emphasis on statutory rather than non-statutory services.
- 2 Over this period the Council has focused on delivering high quality services based on Members' priorities and consultation with residents and stakeholders. In financial terms, the adoption of this strategy has to date allowed the Council to move away from its reliance on general fund reserves.
- 3 Due to the level of funding and other potential changes and uncertainties, it is increasingly difficult to anticipate with sufficient accuracy what the level of Government settlement is likely to be. However, using the data sources available to the Council, this report sets out a budget over the 10-year period but recognises that it is likely that more accurate data will become available in future months and current assumptions may need to be updated.
- 4 In setting its budget for 2011/12 onwards, the Council recognised the need to address both the short-term reduction in Government funding as well as the longer-term need to reduce its reliance on reserves. The outcome was a 10-year budget, together with a four-year savings plan, that ensured the Council's finances were placed on a stable footing but that also allowed for flexibility between budget years.
- 5 With the amount of Revenue Support Grant provided by Government continuing to reduce at a significant rate it is important that the council aims to become more financially self-sufficient by having a balanced economy and a financial strategy that is focused on local solutions. These solutions include:

- a) continuing to deliver financial savings and service efficiencies;
 - b) growing the council tax base; and
 - c) generating more income.
- 6 The intention of this report is to provide Members of each Advisory Committee an opportunity to give their views on potential growth and savings items that could be included in the updated 10-year budget that will be presented to Council on 16 February 2016.
- 7 The 'Financial Prospects and Budget Strategy 2016/17 and Beyond' report has been presented to Cabinet to start the budget setting process for 2016/17.
- 8 This report presents members with the following documents relating to the budget for 2016/17:
- a) Service Dashboards relating to the Advisory Committee (Appendix A);
 - b) 2015/16 Budget by Service relating to the Advisory Committee (Appendix B);
 - c) Summary of the Council's agreed savings plan and growth items (Appendix C);
 - d) New growth and savings items proposed (Appendix D);
 - e) Service Change Impact Assessment forms (SCIAs) for the new growth and savings items relating to the Advisory Committee – if applicable (Appendix E);
 - f) 10-year budget (Appendix F);
 - g) Budget timetable (Appendix G).

Financial Self-Sufficiency

- 9 The Council's Corporate Plan, introduced in 2013, set out an ambition for the Council to become financially self-sufficient. This would mean the Council no longer required direct funding from Government, through Revenue Support Grant or New Homes Bonus, to deliver its services.
- 10 This approach was adopted in response to the financial challenges the Country is faced with in bringing its public spending down to ensure it is able to live within its means. In practice this has seen Government funding to local authorities dramatically reduced since 2010/11 with Sevenoaks District Council seeing a 32% reduction in its funding from government in 2015/16 alone.
- 11 The decision to become financially self-sufficient is intended to give the Council greater control over their services, reducing the potential for decision making to be influenced by the level of funding provided by government to local authorities.
- 12 The attached 10-year budget assumes no Revenue Support Grant from 2016/17 and no New Homes Bonus from 2019/20. If funding continues to be received from these sources, the intention is to put it into the Financial Plan Reserve which can be used to support the 10-year budget by funding invest to save initiatives and

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support for the Property Investment Strategy. One of the aims of the Property Investment Strategy is to achieve returns of 6%; therefore using funding for this purpose will result in additional year on year income that is not impacted by Government decisions.

- 13 Cabinet are keen to become financially self-sufficient early to be ahead of the game and after reviewing the assumptions in the 10-year budget it is clear that it is an achievable aim to be free from Government control and be able to move ahead in the knowledge that this council has the financial resources to provide the services that the district's residents want into the future.

Service Dashboards

- 14 This is a new document as it is the intention to provide Members with improved information during the budget setting process to provide context and inform any growth and savings ideas that Members may put forward.
- 15 The Service Dashboards cover a summary of the services provided, objectives, challenges and risks, achievements and opportunities, priorities and performance.
- 16 Appendix A contains the Service Dashboards for those services directly relevant to this Advisory Committee and Appendix B contains the budget for those services.

Savings Plan

- 17 Appendix C to this report sets out a summary of the savings and growth items approved by Council since the 10-year budget strategy was first used in 2011/12, which have allowed the Council to deliver a 10 year balanced budget.
- 18 The savings plan requires a total of £5.3 million to be saved between 2011/12 and 2016/17 which is an average saving of nearly £900,000 per annum. In the twelve years from 2005/06, over £10m of savings will then have been made.
- 19 Further savings are scheduled to be made in later years as previously agreed by Council.

Proposed Growth Items

- 20 Growth items are items that are in addition to non-service issues and risks, such as grant settlements, impacts of economic change and other pressures highlighted in the 'Financial Prospects and Budget Strategy 2016/17 and Beyond' report considered by Cabinet on 17 September 2015.

- 21 A list of the growth items proposed can be found in Appendix D and a summary by Advisory Committee is shown in the following table:

Advisory Committee	Annual Impact £000	10-year Budget Impact £000
Direct and Trading	36	360
Economic and Community Development	39	390
Finance	55	550
Housing and Health	-	-
Legal and Democratic Services	40	400
Planning	-	-
Policy and Performance	-	-
Total	170	1,700

- 22 In addition, the growth item for making the staffing establishment levels permanent in the Economic Development and Property Team (SCIA1) is included in the 'New Growth' line on the 10-Year Budget.

Proposed Savings Items

- 23 A number of savings items are also being proposed which can also be found in Appendix D and a summary by Advisory Committee is shown in the following table:

Advisory Committee	Annual Impact £000	10-year Budget Impact £000
Direct and Trading	(15)	(75)
Economic and Community Development	(10)	(100)
Finance	(233)	(2,330)
Housing and Health	(40)	(400)
Legal and Democratic Services	-	-
Planning	(20)	(200)
Policy and Performance	(300)	(3,000)
Total	(618)	(6,105)

- 24 Service Change Impact Assessments (SCIAs) contain further details for all proposed growth and savings items. SCIAs applicable to this Advisory Committee can be found in Appendix E.
- 25 Members should note that even if all of the growth and savings proposals included in Appendix D are agreed, further savings will still need to be identified to reach the £500,000 target.

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Financial Summary

- 26 It is increasingly difficult to produce an accurate forecast at this early stage due to the level of uncertainty, in particular for Government Support. The assumptions currently included take into account the latest information available but a number of assumptions may change before the final budget meeting in February 2015.
- 27 The 10-year budget attached at Appendix E includes the changes that were included in the 'Financial Prospects and Budget Strategy 2016/17 and Beyond' report.

Role of the Advisory Committees

- 28 Views of the Advisory Committees on the growth and savings items proposed together with any additional suggestions will be considered by Cabinet at its meeting on 3 December 2015.
- 29 To assist the Advisory Committees in making additional suggestions, a number of questions will be asked and Members will be requested to write their answers on post-it notes and put on the relevant board.
- 30 The questions that Members will be asked at the Advisory Committees are:
- a) What services should the Council invest more in?
 - b) What services should the Council disinvest from?
 - c) What services work well?
 - d) What services don't work well?
 - e) What issues would you like Cabinet to take into account?
- 31 Officers will summarise the answers before the Committee decides on suggestions to be recommended to Cabinet. The focus of the answers and recommendations should be on the services within the terms of reference of the Advisory Committee however, comments relating to other services will also be passed onto Cabinet.

Process and Timetable

- 32 This report is the second stage of the budget process as shown in the Budget Timetable (Appendix G).
- 33 It is possible that Advisory Committees may have to re-address service budgets in January if significant changes have taken place leading to a large and unmanageable deficit.

Key Implications

Financial

All financial implications are covered elsewhere in this report.

Legal Implications and Risk Assessment Statement.

There are no legal implications.

For the effective management of our resources and in order to achieve a sustainable budget it is essential that all service cost changes and risks are identified and considered.

Challenges and risks are included in the Service Dashboards and each Service Change Impact Assessment (SCIA) includes the likely impacts including a risk analysis.

Financial risks will be reviewed again when the Cabinet publishes its proposals for the annual budget.

Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and varies between groups of people.

Individual equality impact assessments have been completed for all Service Change Impact Assessments (SCIAs) to ensure the decision making process is fair and transparent.

Conclusions

The Strategic Financial and Business Planning process has ensured that the Council follows a logical and well considered process and approach in dealing with the many difficult financial challenges which it has faced. The 10-year budget has further improved this process and helped to ensure that the Council is well placed in dealing with more immediate and longer-term financial challenges.

By becoming financially self-sufficient at an early stage, this Council will become much more in control of its own destiny as the Property Investment Strategy should provide a much more stable income stream than the reducing direct government funding streams.

The attached 10-year budget shows that this Council can continue to be financially stable going into the future with a level of assurance that any council would aspire to.

This budget process will once again be a major financial challenge for a Council that already provides value for money services to a high standard. In making any budget proposals, Members will need to consider the impact on service quality and staff well-being, to ensure that these proposals lead to an achievable 10-year budget that supports the Council's aspirations for customer-focused services.

Members' consideration and scrutiny of the relevant services is an essential and key element in the business and financial planning process. If the net total of growth and

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savings proposals identified by the Advisory Committees and approved by Cabinet does not reach the £500,000 savings target, additional savings will be required that may result in service changes, to ensure a balanced budget position.

Appendices

Appendix A – Service Dashboards relating to this Advisory Committee.

Appendix B – 2015/16 Budget by Service relating to this Advisory Committee.

Appendix C – Summary of the Council's agreed savings plan and growth items.

Appendix D – New growth and savings items proposed.

Appendix E - Service Change Impact Assessment forms (SCIAs) for the new growth and savings items relating to this Advisory Committee (if applicable).

Appendix F – 10-year budget.

Appendix G – Budget timetable.

Background Papers:

- a) Report to Council 17 February 2015 – Budget and Council Tax Setting 2015/16
- b) Report to Cabinet 17 September 2015 – Financial Prospects and Budget Strategy 2016/17 and Beyond

Adrian Rowbotham
Chief Finance Officer

Economic and Community Development Advisory Committee: 2015/16 Budget by Service

Revenue		2015/16	2015/16	2015/16
Chief Officer	Description	Expenditure	Income	Net
		£'000	£'000	£'000
Communities and Business	Administrative Expenses - Communities & Business	14	0	14
Communities and Business	Community Development Service Provisions	0	(5)	(5)
Communities and Business	Community Safety	173	0	173
Communities and Business	Economic Development	49	0	49
Communities and Business	Grants to Organisations	184	0	184
Communities and Business	The Community Plan	49	0	49
Communities and Business	Tourism	31	0	31
Communities and Business	West Kent Partnership	32	(32)	0
Communities and Business	Youth	38	0	38
Env & Op Svs	Civil Protection	34	0	34
		605	(37)	568

Capital		2015/16
Chief Officer	Description	Expenditure
		£'000
Communities and Business	Parish Projects	61

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Summary of the Council's Agreed Savings and Growth Items

Appendix C

SCIA		Description	2011/12 £000	2012/13 £000	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	Later Years £000	Total £000
Year	No.									
		Direct and Trading Advisory Committee								
		No savings or growth agreed from 2016/17 onwards								
		Economic and Community Development Advisory Committee								
2014/15	2	Economic Development & Property Team - SCIA originally called 'Broadband and business growth' (reversal of temporary growth item)						(50)	(30)	
		Finance Advisory Committee								
2011/12	62,63	Staff terms and conditions - savings agreed by Council 18/10/11						(143)	(836)	
2015/16	1	Staffing: Employers National Insurance increase from April 2016 - implications due to change in legislation						200		
2015/16	10	External Audit fee reduction (reversal of temporary saving item)							30	
2015/16	11	Dartford BC partnerships: revised split of costs (reversal of temporary saving item)						90		
		Housing and Health Advisory Committee								
2015/16	17	Housing Advice: Bed and breakfast reduction (reversal of temporary saving item)						10		
2015/16	18	Housing Advice: Private sector letting scheme (reversal of temporary saving item)						10		
		Legal and Democratic Services Advisory Committee								
		No savings or growth agreed from 2016/17 onwards								
		Planning Advisory Committee								
2014/15	15	Planning: Use CIL funds for monitoring						(50)		
		Policy and Performance Advisory Committee								
2014/15	18	Corporate Projects (reversal of temporary growth item)						(60)		
2014/15	21	Customer Services: Channel shift programme						(20)		
		Total Savings	(2,984)	(841)	(314)	(479)	(533)	(103)	(806)	(6,060)
		Total Growth	371	45	50	327	177	90	(30)	1,030
		Net Savings	(2,613)	(796)	(264)	(152)	(356)	(13)	(836)	(5,030)

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New Growth and Savings Proposals

Proposal shown as 'New Growth' on the attached 10-year budget						
SCIA Year	No.	Description	Year	Ongoing	Annual Impact £000	10-year Budget Impact £000
Growth						
Policy and Performance Advisory Committee						
2016/17	1	Economic Development & Property: Staffing establishment levels made permanent	2016/17	yes	88	1,342
Total					88	1,342

Proposals not included on the attached 10-year budget						
SCIA Year	No.	Description	Year	Ongoing	Annual Impact £000	10-year Budget Impact £000
Growth						
Direct and Trading Advisory Committee						
2016/17	2	Street Cleaning: Fly-tipping clearance and enforcement action	2016/17	yes	36	360
Economic and Community Development Advisory Committee						
2016/17	3	Tourism: Full-time Tourism Officer	2016/17	yes	39	390
Finance Advisory Committee						
2016/17	4	Facilities Management: Loss of asset maintenance income	2016/17	yes	13	130
2016/17	5	Facilities Management: Asset maintenance at Hever Road Travellers Site	2016/17	yes	30	300
2016/17	6	Finance: Insurance Premium Tax increase	2016/17	yes	12	120
Housing and Health Advisory Committee						
none						
Legal and Democratic Services Advisory Committee						
2016/17	7	Register of Electors: Individual Electoral Registration	2016/17	yes	40	400
Planning Advisory Committee						
none						
Policy and Performance Advisory Committee						
none						
Sub Total					170	1,700

Proposals not included on the attached 10-year budget						
SCIA Year	No.	Description	Year	Ongoing	Annual Impact £000	10-year Budget Impact £000
Savings						
Direct and Trading Advisory Committee						
2016/17	8	Playgrounds: Reduction in asset maintenance	2016/17	5 yrs	(7)	(35)
2016/17	9	Public Conveniences: Reduction in asset maintenance	2016/17	5 yrs	(8)	(40)
Economic and Community Development Advisory Committee						
2016/17	10	Youth: Reduction in contributions to projects	2016/17	yes	(10)	(100)
Finance Advisory Committee						
2016/17	11	Facilities Management: Reduction in utility costs	2016/17	yes	(15)	(150)
2016/17	12	Facilities Management: Reduction in maintenance and consumables cost	2016/17	yes	(66)	(660)
2016/17	13	Facilities Management: Increased print income	2016/17	yes	(10)	(100)
2016/17	14	Various partnerships: Revised split of costs	2016/17	yes	(70)	(700)
2016/17	15	Finance: Partnership work covered within existing resources	2016/17	yes	(72)	(720)
Housing and Health Advisory Committee						
2016/17	16	Housing Advice & Standards: Housing Register	2016/17	yes	(15)	(150)
2016/17	17	Disabled Facility Grants: Fee income	2016/17	yes	(20)	(200)
2016/17	18	Private Sector Lettings (PSL) scheme: reduced contribution	2016/17	yes	(5)	(50)
Legal and Democratic Services Advisory Committee						
none						
Planning Advisory Committee						
2016/17	19	Planning: Efficiency review	2016/17	yes	(20)	(200)
Policy and Performance Advisory Committee						
2016/17	20	Pay costs saving	2016/17	yes	(300)	(3,000)
Sub Total					(618)	(6,105)
Net Savings Total					(448)	(4,405)
Net Savings required in 10-Year Budget					(500)	
Remaining shortfall IF all of the above SCIA's are agreed					(52)	

SERVICE CHANGE IMPACT ASSESSMENT

SCIA 3 (16/17)

Chief Officer:	Communities & Business	Service:	Health, Leisure & Tourism
Activity	Tourism	No. of Staff:	0.2 fte

Activity Budget Change	2016/17 Growth / (Saving) £000	Later Years Comments (ongoing, one-off, etc.)
Full-time Tourism Officer	39	Ongoing

Reasons for and explanation of proposed change in service

Issue:

Because of an increase placed on the importance of tourism to the local economy and Members' desire to improve the offer, it has been suggested that we increase capacity to provide tourism services and review the services provided by Visit Kent. Tourism brings £168m into the District each year. Objectives include increasing the total number of stays in the District, increasing the number of beds and increasing the number of day visits. The last study completed (2013) showed a reduction in the total stay spend and a reduction in the number of day visits.

Increasing the Council's capacity would require the employment of a Tourism Officer.

Tourism services are currently provided through a Service Level Agreement with Visit Kent. This Service Level Agreement costs the Council £9,455 per year.

As part of that agreement, they provide:

Marketing and promotion exposure to the tourism industry to attract visitors to the District from both the UK, Europe and targeted campaigns in other countries

Professional business start up and existing business advice for tourism businesses

Assessment and grading accommodation which enables local providers to advertise their businesses

Organise travel trade and media visits to the District to increase awareness of the District as a key visitor destination.

Provide regular content in trade and industry magazines,

SERVICE CHANGE IMPACT ASSESSMENT

website, e-newsletter and other social media

Feature Sevenoaks District on the Visit Kent website including events, themed features such as heritage sites, food and drink, shopping, active and outdoors

Support the Council with a dedicated website

Provide quarterly performance indicator data against agreed targets.

In addition to the work undertaken by Visit Kent, the Health, Leisure & Tourism Manager spends approximately 20% of her time on Tourism working with tourism partners to deliver the Tourism priorities within the Corporate, Plan, Community Plan and Economic Development Strategy.

Context:

The Corporate Plan commits to supporting tourism and the rural economy. The Community Plan commits to:

- Encouraging and supporting tourism and the rural economy
- Work together to deliver projects including Darent Valley Landscape Partnership scheme to conserve the landscape, wildlife and rich heritage (Green Environment)

The Economic Development Strategy includes targets to:

- Sustain the number of bedrooms provided by tourism accommodation providers
- Increase the number of providers of hotel accommodation
- Produce a Destination Management Plan
- Increase the number of users of a District Tourism web portal
- Provide sector specific workshops and networking event

History

The Council's Tourism budget and activity was reduced in 2010 to contribute a required saving of £30k. Formerly, the Council employed a part-time Tourism Officer, 50% of whose primary function was to produce a paper accommodation guide and advertise the guide. Distribution of 85,000 copies of the guide was undertaken by a private distribution company specialising in such work. The other 50% was spent working with Maidstone, Ashford, Tunbridge Wells and Tonbridge and Malling to promote the Heart of Kent.

SERVICE CHANGE IMPACT ASSESSMENT

This partnership no longer exists and the guide ceased in 2010.

At that time, tourism marketing was changing in line with new digital methods used by customers and it was agreed that the old tourism role was best performed by Visit Kent who were better placed than the Council to promote the District's tourism offer nationally and internationally and provide specialist advice and services, using their links into the tourism industry both locally and abroad.

The budget in 2015/16 is £31,275, including staffing, on costs, premises costs, etc with £12,000 of this available to commission Visit Kent. The staff allocated to the Tourism function includes just 20% of the Health, Leisure and Tourism Manager's time.

Key Stakeholders Affected

The key stakeholders affected would be tourist attractions, accommodation providers, town partnerships, Visit Kent, businesses indirectly affected by the tourist economy.

Likely impacts and implications of the change in service (include Risk Analysis)

It will be necessary to retain some of the services of Visit Kent or another provider if we are to continue to promote the District nationally and internationally as the Council does not have the budget to make the significant connections with the trade and tourism industry media.

However, specialist knowledge and increased capacity within the Council would enable time to be spent on particular campaigns, supporting local tourism businesses, updating the website and destination management plan, creating linkages between tourism businesses, promoting and developing tourism events and developing the offer this District has as a key visitor destination.

Risk to Service Objectives (High / Medium / Low)

Medium

2015/16 Budget

	£'000
Operational Cost	31
Income	-
Net Cost	31

SERVICE CHANGE IMPACT ASSESSMENT

Equality Impacts

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

SERVICE CHANGE IMPACT ASSESSMENT

SCIA 10 (16/17)

Chief Officer:	Communities & Business	Service:	Community Safety & Youth
Activity	Youth	No. of Staff:	0.1 fte dedicated to youth

Activity Budget Change	2016/17 Growth / (Saving) £000	Later Years Comments (ongoing, one-off, etc.)
Reduction in contribution to youth projects undertaken in the District	(10)	Ongoing

Reasons for and explanation of proposed change in service

Reduction in contribution to one off projects aimed at young people in order to meet required budget savings. Many projects aimed at young people contribute to outcomes such as a reduction in unemployment, increase in skills and diversionary activities to reduce anti-social behaviour. For this reason they are often done in partnership with other organisations that also make a contribution to the project. It is proposed that we would seek to maintain the extent to which we are involved in initiating and participating in such projects but seek additional funding either from partners or from other external funding sources.

Key Stakeholders Affected

Young people, partner agencies

Likely impacts and implications of the change in service (include Risk Analysis)

Through the use of external funding and working closely with partners, we would anticipate zero impact as the projects would still go ahead.

Risk to Service Objectives (High / Medium / Low)

Low

SERVICE CHANGE IMPACT ASSESSMENT

2015/16 Budget

	£'000
Operational Cost	38
Income	-
Net Cost	38

Equality Impacts

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Ten Year Budget - Revenue

	Budget 2015/16	Plan 2016/17	Plan 2017/18	Plan 2018/19	Plan 2019/20	Plan 2020/21	Plan 2021/22	Plan 2022/23	Plan 2023/24	Plan 2024/25	Plan 2025/26
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Expenditure											
Net Service Expenditure c/f	14,136	14,253	13,676	14,248	14,499	14,659	15,210	15,564	15,925	16,293	16,666
Inflation	473	569	506	622	446	638	454	461	468	473	478
Superannuation Fund deficit: actuarial increase	0	(721)	300	0	0	200	0	0	0	0	0
Net savings (approved in previous years)	(356)	(13)	(162)	(271)	(216)	(187)	0	0	0	0	0
New growth	0	88	28	0	30	0	0	0	0	0	0
New savings/Income	0	(500)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)
Net Service Expenditure b/f	14,253	13,676	14,248	14,499	14,659	15,210	15,564	15,925	16,293	16,666	17,044
Financing Sources											
Government Support											
: Revenue Support Grant	(1,516)	0	0	0	0	0	0	0	0	0	0
New Homes Bonus	(1,818)	(2,247)	(1,348)	(1,348)	0	0	0	0	0	0	0
Council Tax	(9,298)	(9,597)	(9,905)	(10,221)	(10,546)	(10,879)	(11,222)	(11,574)	(11,935)	(12,307)	(12,688)
Locally Retained Business Rates	(1,934)	(1,973)	(2,012)	(2,052)	(2,093)	(2,135)	(2,178)	(2,222)	(2,266)	(2,311)	(2,357)
Interest Receipts	(301)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)
Property Investment Strategy Income	0	(500)	(500)	(700)	(700)	(700)	(700)	(700)	(800)	(800)	(800)
Contributions to/(from) Reserves	(233)	(233)	(353)	(353)	(353)	(353)	(353)	(179)	(179)	(635)	148
Total Financing	(15,100)	(14,800)	(14,368)	(14,924)	(13,942)	(14,317)	(14,703)	(14,925)	(15,430)	(16,303)	(15,947)
Budget Gap (surplus)/deficit	(847)	(1,124)	(120)	(425)	717	893	861	1,000	863	363	1,097
Contribution to/(from) Stabilisation Reserve	847	1,124	120	425	(717)	(893)	(861)	(1,000)	(863)	(363)	(1,097)
Unfunded Budget Gap (surplus)/deficit	0	0	0	0	0	0	0	0	0	0	0

Assumptions	
Revenue Support Grant:	-100% in 16/17
Locally Retained Business Rates:	2% all years
Council Tax:	2% in all years
Interest Receipts:	£250,000 16/17 onwards
Property Inv. Strat.:	£500,000 from 16/17, £700,000 from 18/19, £800,000 onwards
Pay award:	1% in 16/17 - 19/20, 2% later years
Other costs:	2.25% in all years
Income:	2.5% all years

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2016/17 Budget Setting Timetable

	Date	Committee
Stage 1		
Financial Prospects and Budget Strategy 2016/17 and Beyond	1 September	Finance AC
	17 September	Cabinet
↓		
Stage 2		
Review of Service Dashboards and Service Change Impact Assessments (SCIAs)	22 September	Housing & Health AC
	24 September	Economic & Comm. Dev. AC
	6 October	Direct & Trading AC
	8 October	Legal & Dem. Svs AC
	13 October	Planning AC
	17 November	Finance AC
	26 November	Policy & Performance AC
↓		
Stage 3		
Budget Update (incl. Service Change Impact Assessments (SCIAs), feedback from Advisory Committees)	3 December	Cabinet
↓		
Stage 4		
Budget Update (incl. Government Support information)	14 January	Cabinet
↓		
Stage 5		
Budget Update and further review of Service Change Impact Assessments (if required)	January - February	Advisory Committees
↓		
Stage 6		
Budget Setting Meeting (Recommendations to Council)	4 February	Cabinet
↓		
Stage 7		
Budget Setting Meeting (incl. Council Tax setting)	16 February	Council

Note: The Scrutiny Committee may 'call in' items concerning the budget setting process.

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ECONOMIC DEVELOPMENT UPDATE

Economic and Community Development Advisory Committee – 24 September 2015

Report of Chief Officer Communities and Business

Status: For information

Key Decision: No

Executive Summary:

This report updates Members on the work of the Economic Development Team

This report supports the Key Aim of the Community Plan's Dynamic & Sustainable Economy priorities and the District Council's Corporate Plan

Portfolio Holder Cllr. Hogarth

Contact Officer(s) Lesley Bowles Ext 7335

Mark Bradbury Ext 7099

Recommendation to the Economic and Community Development Advisory Committee

Members are asked to note the report

Reason for recommendation: Members are asked to note the progress made in developing the Economic Development & Property Team and delivering the Economic Development Strategy & Action Plan

Introduction and Background

- 1 The Sevenoaks District Community Plan makes a commitment to a thriving local economy where businesses flourish, where people have the skills for employment and where tourism is supported. The Community Plan also commits to a sustainable economy where people can live, work and travel more easily and are empowered to shape their communities. One of the Council's five promises in the Corporate Plan is to support and develop the local economy.
- 2 The Council's Economic Development Strategy and Action Plan was approved by the Economic and Community Development Advisory Committee on 21 October 2014 and by Cabinet on 11 December 2014.
- 3 The Economic Development & Property Team has recently been enhanced by the appointment of a new Economic Development Officer. Emily Haswell joined the team on the 10 August from her previous position at Kent County Council. Emily will be introduced to members at the committee.

Agenda Item 7

4 The following highlights against the Strategic Objectives can be reported :-

5 **Inward Investment**

- Regular meetings continue to be held with Qinetiq to develop plans for the establishment of an engineering cluster at Fort Halstead. Following the resolution to grant planning permission on 10th September, subject to satisfactory receipt of the completed S106 agreement these discussions will now move forward to discuss timescales and action plans for delivery.
- Countryside Properties, one of the country's largest housebuilders, opened a regional office in Sevenoaks in April 2015 with 25 staff. They have already expanded significantly to employ close to 50 staff.

6 **Skills and Support**

- We held a very successful Business Advice Seminar and Networking event in Partnership with the Institute of Chartered Accountants and local sponsor Handelsbanken on 2 September. Over 25 attendees enjoyed presentations from Samuels Accountants and Cooling's Nursery as well as some local wines from the Mount Vineyard in Shoreham. A second in this series of events will be held on 12 November.
- In partnership with Tonbridge & Malling and Tunbridge Wells Borough Councils, the West Kent Partnership has secured £30,000 to deliver a series of bespoke advice and training sessions to 100 businesses across West Kent. Areas that will be focussed on include independent retailers and rural businesses.
- Our 'Team Around Your Business' approach to working with new and growing businesses is now well established and we continue to promote this at a range of business events around the district including the Bank on Business event at Biggin Hill where the Portfolio Holder was one of the speakers. A case study featuring a family butchers in Seal featured in InShape Magazine

7 **Transport and Infrastructure**

- Funding has now been agreed with Kent County Council from the Local Sustainable Transport Fund for South Eastern Rail and Network Rail to progress the initial stages of design for a new station building at Swanley Station. South Eastern Rail are appointing designers to progress the initial stages including local consultation regarding the design of a new station building. Local Members and the Town Council will be invited to take part in this at the outset.
- Funding from the same source has been secured from to design a wayfinding strategy for Swanley. Further details will be presented at the meeting and further local consultation of Local Members will take place.
- An update on the roll out of Superfast Broadband will be presented at the meeting.

8 **Energy & Sustainability**

- After a successful and well attended first round of STEM (Sustainable Together through Environmental Management) workshops for small businesses we are working on plans to deliver a further round in 2016.

9 **Places for Growth and Improvement**

- As mentioned above the Development Control Committee resolved to grant planning permission for the redevelopment of Fort Halstead on 10th September. The Economic Development & Property Team and Planning colleagues worked to negotiate agreement from the developers to :
 - Commit to the delivery of new build business accommodation in the first phase of development
 - Commit to the refurbishment of existing buildings to create business accommodation in the first phase of development.
 - Commit to the delivery of a Business Incubator in the first phase of development
 - Identify additional land for office development should demand be proven
- Plans to regenerate Swanley Town Centre are moving forward and planning consent has now been secured for the redevelopment of 27 – 37 High Street to provide 4000 square feet of business space (with the potential to develop a Business Incubator) and 14 new apartments.

10 **Rural Economy**

- Details for the next round of Leader funding are now being finalised and it is expected that the programme will be launched this Autumn. The Economic Development Team and the Leader team are working together to ensure that as many Sevenoaks businesses as possible benefit from this funding.
- As mentioned above sector specific business Support programmes are currently being developed with the West Kent Partnership for rural businesses using funding from KCC.

11 **Tourism**

- Plans to develop a hotel and additional parking on the Sennocke and Bradbourne Car Parks close to Sevenoaks Station have been well received by the local Business and Tourism communities. Further details on these proposals will be brought before Cabinet and Council shortly.
- A Bed and Breakfast event is to be held on 5 November to help people who wish to start bed and breakfast businesses.

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- This year, there have been 12,000 hits to the Sevenoaks destination page on the Visit Kent website and publicity valued at £86,000 featuring the Sevenoaks District has been placed in UK publications,

12 **Business Barometer**

- The latest business barometer will be presented at the meeting

Conclusions

- 13 Members of the Economic and Community Development Advisory Committee are asked to note the progress being made in delivering the Economic Development Strategy and Action Plan for the period 2015-2018.

Key Implications

Financial

There are no financial implications associated with the Economic Development Strategy. Work identified in the action plan will be funded from within existing resources or from external funding where this can be accessed.

Legal Implications and Risk Assessment Statement.

There are no legal implications associated with this report.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Appendices None

Background Papers: Economic Development Strategy

http://www.sevenoaks.gov.uk/_data/assets/pdf_file/0009/179217/Economic-Development-Strategy.pdf

Lesley Bowles
Chief Officer Communities and Business

COUNTER-TERRORISM AND SECURITY ACT 2015 AND THE PREVENT PROGRAMME

Economic & Community Development Advisory Group - 24 September 2015

Report of Lesley Bowles, Chief Officer Communities and Business

Status: For Information

Key Decision: No

Executive Summary: To inform Members of the implications of the Counter-Terrorism and Security Act 2015 and the Prevent Duty. The report informs Members how this will be achieved at the Council, including the mechanisms for reporting concerns.

This report supports the Key Aim of Community Plan – Safe & Caring Environment

Portfolio Holder Cllr. Roddy Hogarth

Contact Officer(s) Kelly Webb – Ext 7474

Recommendation to Economic & Community Development Advisory Committee: That Members note the update and support the contents of the report.

Introduction and Background

Summary of the Counter-Terrorism and Security Act 2015 Act

1. Section 26 of the Counter-Terrorism and Securities Act 2015 (the Act) places a duty on certain bodies (“specified authorities” listed in Schedule 6 of the Act), in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”.
2. The Prevent strategy is one of four strands of the government’s counter-terrorism strategy, and aims to stop people becoming terrorists or supporting terrorism. The Prevent Strategy was revised in 2011. The other three strands are:
 - Respond to the ideological challenge of terrorism and the threat we face from those who promote it;
 - pursue: to stop terrorist attacks;
 - protect: to strengthen our protection against terrorist attacks and
 - prepare: where an attack cannot be stopped, to mitigate its impact.
3. The 2011 Prevent strategy has three specific strategic objectives:
 - Respond to the ideological challenge of terrorism and the threat we face from those who promote it;

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- Prevent people from being drawn into terrorism and ensure they are given appropriate advice and support; and
 - Work with sectors and institutions where there are risks of radicalisation that we need to address.
4. The Prevent Strategy was revised in 2011 to deal with all forms of terrorism and non-violent extremism, which can create the atmosphere conducive to terrorism and can popularise views which terrorists then exploit. The strategy also made it clear that preventing people becoming terrorists or supporting terrorism requires challenge to extremist ideas where they are used to legitimise terrorism and shared by terrorist groups.
5. In fulfilling the new duty, Local Authorities, including elected Members and senior officers (together with many of the other specified authorities set out within the Act) will be expected to be carrying out activity in the following 5 key areas:
- Partnership Working
 - Risk Assessment and Addressing Local Priorities
 - Action Plan Development
 - Staff Training
 - Use of Local Authority Resources

Sevenoaks District Prevent Action Plan provides a structured programme of work that aims to fulfil our local objectives whilst simultaneously taking on board recommendations made by Government.

Key Implications

Financial

It is anticipated that the Prevent duty can be undertaken by existing staff within current budget parameters.

While some training may be required for individual staff it is anticipated that these will come from within existing budgets

Legal Implications and Risk Assessment Statement

The Act, places a duty upon local authorities to have a local plan and to look at Prevent. SDC will place this under their safeguarding Policy.

As the Council is a regulatory authority for the legislation given in the report there are no alternative options. Failure to update the Scheme of Delegations to reflect changes in legislation could mean that the Council may be subject to legal challenge if regulatory action is taken by unauthorised officers, or that any legal action taken under these regulations would be invalid.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Safeguarding Children and Vulnerable Adults.

Prevent will be part of SDC Safeguarding Policy

Conclusions

That the Community Safety Partnership continue to lead on the Prevent Duty on behalf of the Council and that

- a) Members support the Districts Action Plan on Prevent.
- b) The Council will support Kent County Council with the Channel Panel and specifically support any cases that are identified as having a link to the District
- c) The Council give consideration to the use of its own building and resources to ensure that they do not promote extremist views.
- d) The mechanisms for reporting concerns as detailed are noted

Appendices

None

Background Papers:

Sevenoaks District Councils Prevent Action Plan.

Lesley Bowles

Chief Officer Communities and Business

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ANTI-SOCIAL BEHAVIOUR CRIME & POLICING ACT 2014

Economic & Community Development Advisory Group - 24 September 2015

Report of Lesley Bowles, Chief Officer Communities and Business

Status: For information

Also considered by: Legal and Democratic Services – 8 October 2015

Key Decision: No

Executive Summary: The Anti-social Behaviour, Crime and Policing Act 2014 (the Act) received Royal Assent on 13th March 2014 and took effect on 20th October 2014.

The Act replaces nineteen pre-existing measures with six new measures for tackling anti-social behaviour and introduces a new absolute ground for possession of secure and assured tenancies associated with anti-social behaviour or criminality.

This is an update on the powers for new members and the new advisory group.

This report supports the Key Aim of Community Plan – Safe and Caring Environments

Portfolio Holder Cllr. Roddy Hogarth

Contact Officer(s) Kelly Webb – Ext 7474.

Recommendation to Economic & Community Development Advisory Committee: That Members note the report.

Recommendation to Legal & Democratic Services: That Members note the report.

Introduction and Background

- 1 The Anti-Social Behaviour Crime & Policing Act 2014 introduced simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities.
- 2 The community trigger and community remedy will empower victims and communities, giving them a greater say in how agencies respond to complaints of anti-social behaviour and out-of-court sanctions for offenders.
- 3 Guidance was updated and published in July 2014 and the Anti-Social Behaviour elements of the Act have been in place since 20 October 2014. There are six elements relating to Anti-Social Behaviour and these are summarised below.

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- 4 The Home Office aim is that reforms within the Act will '*put victims at the heart of the response to anti-social behaviour and give professionals effective powers that are quick, practical and easy to use, providing better protection for victims and communities and a real deterrent to perpetrators*'.
- 5 The kind of anti-social behaviour the Act is aimed at is that which causes harassment, alarm, or distress. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords.
- 6 The Act also introduces two new measures that aim to give victims a greater say in the way their reports are dealt with via a new Community Remedy and the anti-social case reviews (the Community Trigger) process.
- 7 The Act broadens existing powers to enable Police and Crime Commissioners to provide or commission support services for victims and witnesses of, and those affected by, crime and anti-social behaviour. The Act also covers a range of other matters relating to firearms; protection from sexual harm and violence; forced marriage; amends the Extradition Act 2003; introduces changes to criminal justice and court fees; and amends various policing provisions.

New measures for tackling anti-social behaviour

- 8 The Act replaces nineteen pre-existing measures with six new measures for tackling anti-social behaviour and introduces a new absolute ground for possession of secure and assured tenancies associated with anti-social behaviour or criminality. Each of the new measures is listed below.

Civil Injunctions

- To stop or prevent individuals engaging in anti-social behaviour quickly. It is a civil order for anyone over the age of 10yrs old. Need a civil standard of proof not criminal – it is awarded on balance of probabilities that the person has engaged or is threatening to engage in behaviour capable of causing nuisance and annoyance
- Can prohibit individuals from engaging in certain behaviour and can require them to engage in positive interventions
- Applicants – Local Authority, Social landlords, Police, Transport for London, Environment Agency, NHS Protect
- Power of arrest can be applied
- Can be fixed or indefinite period for adults but can be a maximum of 12 months for under 18s

Criminal Behaviour Order (CBO)

- Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti social individuals who are also engaged in criminal activity

- The court must be satisfied beyond reasonable doubt that they have engaged in behaviour that has caused or likely to cause harassment, alarm or distress and that the order will help prevent them from engaging in such behaviour.
- The Prosecution (usually CPS) are the only applicants but can do so on request from the Police or Council
- The anti-social behaviour does not need to be part of the criminal offence they are in court for.
- Will prohibit individuals from engaging in certain behaviour and can also require them to engage in positive interventions
- Can be fixed for a period of not less than 2 years or for an indefinite period

Dispersal Power

- The dispersal power is a flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community. The Council is not able to use this power
- Must specify the area to which it relates and can determine the time and the route to leave by
- Can confiscate any item that could be used to commit anti-social behaviour, crime or disorder
- Use in a specified locality must be authorised by a police inspector and can last for up to 48 hours
- A direction can be given to anyone who is, or appears to be, over the age of 10
- A person who is under 16 and given a direction can be taken home or to a place of safety. community should be considered before using the dispersal power
- Breach is a criminal offence
- Failure to comply with a direction to leave: up to a level 4 fine and/or up to three months in prison although under 18s cannot be imprisoned
- Failure to hand over items: up to a level 2 fine (£1000)

Community Protection Notice (CPN)

- To stop a person, business or organisation committing anti-social behaviour which spoils the community's quality of life
- Behaviour has to have a detrimental effect on the quality of life in the locality, be of a persistent or continuing nature and be unreasonable
- Imposes requirements to stop doing specified things, requirements to do specified things and a requirement to take reasonable steps to achieve specified results
- Written warning has to be issued informing the perpetrator of the behaviour, requesting them to stop and the consequences of continuing
- Council Officers, Police Officers, PCSOS (Possibly) and social landlords

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Public Spaces Protection Order (PSPO)

- Designed to stop individuals or groups committing anti-social behaviour in a public space
- Behaviour has to have a detrimental effect on the quality of life in the locality, be of a persistent or continuing nature and be unreasonable
- Restrictions and requirements set by the council after consultation with Police, PCC and other relevant bodies
- Can be blanket restrictions/requirements or targeted against certain behaviours/times
- Can be enforced by Police Officer, PCSO (possibly) and council officers
- Breach is a criminal offence
- Last for 3 years

Closure Power Notice & Order

Closure Notice

- To allow the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder
- To be used if the following has occurred or will occur if power not used – nuisance to the public or disorder near premises
- Last for up to 48 hours
- Can be served out of court but cannot prevent owner or occupants accessing premises

Closure Order

- To allow the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder
- To be used if the following has occurred or will occur if power not used – disorderly, offensive or criminal behaviour, serious nuisance to the public or disorder near the premises
- Needs to be applied for through the courts after Notice served
- Can close a premise for up to 6 months and can restrict all access

New Absolute Grounds for Possession

- The purpose of the new absolute ground for possession is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven in another court
- Landlords will no longer have to prove that it is reasonable to grant possession but, instead, courts must grant possession if the landlord followed the correct procedure and at least one of the specified conditions is met
- Convicted of a serious offence (specified in Schedule 2A to the Housing Act 1985)

- Found by a court to have breached a civil injunction
- Convicted for breaching a criminal behaviour order (CBO)
- Convicted for breaching a noise abatement notice
- The tenant's property has been closed for more than 48 hours under a closure order for anti-social behaviour

Other Measures

- The Act also introduces the power for the Secretary of State to make regulations under which the keeper of a vehicle may be required to pay a fixed penalty where litter has been thrown, dropped or otherwise deposited from the vehicle
- Currently, a fixed penalty notice can only be issued when litter is thrown from a car if the person responsible for throwing the litter can be identified. This new provision would bring the legislation for littering offences in line with that for fly-tipping with the keeper of a vehicle being deemed responsible for any offences committed by those within the vehicle

Community Remedy

- The Police and Crime Commissioner (PCC) has recently consulted with members of the public, community groups and local authorities on the options to be included in a community remedy menu.
- The PCC needs to have the community remedy document in place by October 2014 and the findings from the consultation will support the development of the final proposals to be agreed between the PCC and Chief Constable.
- The Act requires each local policing body (and therefore not the Council) to prepare a community remedy document for its area with a list of actions to be carried out by a person who has:
 - engaged in anti-social behaviour or has committed an offence; and
 - is to be dealt with for that behaviour or offence without court proceedings
- The community remedy document will be used by the police as part of the existing process for delivering community resolutions
- It is proposed that this will give victims of low-level crime and anti-social behaviour a say in the punishment of perpetrators out of court
- The community remedy may also be used by the police when a conditional caution or youth conditional caution is given, as a means of consulting the victim about the possible conditions to be attached to the caution.

Anti-social Behaviour Case Reviews (Community Trigger)

- The Act also enables the public to request a review of the actions taken around ASB complaints, referred to as the Community Trigger. Government have conducted various pilots around the Country to test how differing criteria would be activated and how the review process would work in practice. The decision

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is left to all local authorities to decide what the criteria for their area will be and how the review process will take place.

- The arrangements are to be determined at District level. In Kent this means that there is the possibility of having 13 different criteria for Kent & Medway. Whilst the legislation allows for this, general agreement is that this could be confusing for the public. A Kent approach or similar approaches between neighbouring districts is being encouraged.
- The proposed trigger in Appendix A is in line with the trigger for other boroughs in Kent and the PCC has been consulted.
- The ASB case review will not replace Sevenoaks District Council's complaints procedures and individuals can still complain to the relevant bodies if they are unhappy with the service received from an individual or service.
- The Council will be involved in case reviews not only as an organisation against whom a review has been requested, but also in reviewing the response of other partners when reviews are requested in respect of them. One of the benefits of the review process is that different partner organisations will be brought together so that it is a type of peer review. After the members of the review group have reviewed the handling of a matter, they can make recommendations, for example that certain steps be taken in that particular matter.
- It is proposed that the Council's community safety unit (incorporating all partner agencies) will be the first point of contact for members of the public requesting a review of their case.
- The legislation states that relevant bodies must publish prescribed information on the number of reviews, the number of applications, etc and as well as being publically available information, it is proposed these are reported to the Community Safety Partnership on a quarterly basis for review and scrutiny.

Key Implications

Financial

Certain offences within the Act can be discharged by payment of a fixed penalty notice to the local authority, a proposal is that these fines contribute towards legal costs if any.

The Council is likely to incur legal costs when applying for the new Injunction to Prevent Nuisance and Annoyance or for example if it prosecutes an individual, or body, for failure to comply with a notice, etc.

It is anticipated that the powers will be used by existing staff within current budgets.

Legal Implications and Risk Assessment Statement.

The Crime and Disorder Act 1998, places a duty upon local authorities to seek to prevent crime and disorder in its area in carrying out its duties. The Anti-social Behaviour and Policing Act 2014, provides a new set of powers for tackling anti-social behaviour.

The vast majority of these powers are unlikely to be used frequently by the Council, as they are in many cases a last resort, where other options have been tried and failed. However in some circumstances their use may be both proportionate and appropriate.

As the Council is a regulatory authority for the legislation given in the report there are no alternative options. Failure to update the Scheme of Delegations to reflect changes in legislation could mean that the Council may be subject to legal challenge if regulatory action is taken by unauthorised officers, or that any legal action taken under these regulations would be invalid.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

To provide an update to Members.

Appendices None

Background Papers: None

Lesley Bowles
Chief Officer Communities and Business

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Economic & Community Development Advisory Committee Work Plan 2015/16 (as at 11/09/15)

24 September 2015	19 January 2016	17 April 2016	Summer 2016
<p>Budget: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)</p> <p>Economic Development Update and Business Barometer</p> <p>Prevent Strategy</p> <p>Anti Social Behaviour Powers</p>	<p>Community Safety Strategic Assessment.</p> <p>West Kent Leader – Update</p> <p>Emergency Plan/Business Continuity</p> <p>Community Grant Scheme</p> <p>Hotel Study</p>	<p>Draft Community Safety Plan 2016/17</p> <p>Dunton Green Project – Update</p>	

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