

COUNCIL

Minutes of the meeting held on 20 November 2018 commencing at 7.00 pm

Present: Cllr. Mrs. Bosley (Chairman)

Cllr. Edwards-Winsor (Vice Chairman)

Cllrs. Abraham, Mrs. Bayley, C. Barnes, Barnes, Bosley, Brown, Dr. Canet, Clack, Clark, Coleman, Dickins, Dyball, Esler, Eyre, Firth, Fleming, Gaywood, Grint, Hogarth, Kelly, Lake, Layland, Lowe, Maskell, McArthur, McGarvey, McGregor, Mrs. Morris, Parson, Pearsall, Pett, Piper, Purves, Raikes, Reay, Scholey, Searles, Miss. Stack and Thornton

Apologies for absence were received from Cllrs. Ball, Halford, Hogg, Horwood, Mrs. Hunter, Kitchener, Krogdahl, London, Parkin, Scott and Williamson.

11. To approve as a correct record the minutes of the meeting of the Council held on 24 July 2018.

Resolved: That the Minutes of the meeting of the Council held on 24 July 2018 be approved and signed as a correct record.

12. To receive any declarations of interest not included in the register of interest from Members in respect of items of business included on the agenda for this meeting

No additional declarations of interest were received.

13. Chairman's Announcements

The Chairman extended her thanks to all who took part in the Dragon Boat Race including members of Silas's family. A short video of the race was shown. She advised that the dragon boat race had raised £540. The Chairman stated that she had been very fortunate to have received donations towards her charity and with the event held at Brands Hatch, the recent curry lunch, and other events, the amount raised now stood at just over £10,800. An Indoor Bowls Evening would be held on Thursday 24th January 2019, and details would be circulated soon.

With the help of local communities and parish councils the Chairman had been able to raise awareness of the work of West Kent MIND and support Mental Health Day in October by holding events during the week 8 - 12 October. Events had been held in West Kingsdown and Hartley, supported by West Kent MIND and District Council colleagues. She had also joined the luncheon club in Westerham, a 'Tea and Chat' in Farningham and the weekly running group in Crockenhill. She thanked Members who came along and supported the events.

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As Community Wellbeing was the focus of her year, it was great that the Every Step Counts Project continued to grow and she was pleased to announce that the fifth walk had been launched in Riverhead in September, with the first anniversary of the Otford walk celebrated this month. She acknowledged the support of the volunteer walk leaders to the scheme and that they were all local to the walks and came with local knowledge. The next planned walk was in the Sevenoaks North area.

The Chairman further advised that she had attended the retirement dinner of Mary Boyle, Head of Knole Academy who had asked that her thanks be shared with all past Chairman, Mayors and the Sevenoaks Community for the support she had received as Head of the school.

The Chairman was proud to be Chairman during the 100th Anniversary year of the ending of WW1 and for having had the opportunity to represent the Council at the many events held throughout the District. With the Vice Chairman she had covered as many events as possible and her thanks went out to Councillors who had also represented the Council on their behalf.

The Chairman announced the sad passing of Cllr London's father, former County Councillor and Sevenoaks Town Councillor and Freeman of the Town of Sevenoaks, John F London, who passed away peacefully on Tuesday 30 October 2018. John had been a committed public servant, and was first elected as a Councillor in 1959 to the Sevenoaks Urban District Council. He was a Sevenoaks Town Councillor from 1973 until the 2011 election. He had served 3 separate terms as Town Mayor, in 1974, 1988, and 2000. He was a County Councillor for Sevenoaks Central Electoral Division between 1997 and 2013 and Chairman of the County Council in 2005/06, and as a local County Councillor he had sat on the Sevenoaks District Joint Transportation Board. Members joined her in a moments silence as a mark of respect.

The Chairman also advised that the partner of County Cllr Mike Angell, Chairman of Kent County Council, had passed away on 25 October 2018, following a brief illness.

14. To receive any questions from members of the public under paragraph 17 of Part 2 (The Council and District Council Members) of the Constitution.

Two questions had been received from a member of the public in accordance with paragraph 17 of Part 2 (The Council and District Council Members) of the Constitution.

Question 1: Mrs Frances White

'With regard to the feedback given by the community about the DLP consultation process, what changes will SDC put in place for any future consultation, to ensure greater credibility for the Council and the procedure?'

Response: Leader of the Council

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The Council added an additional consultation on the draft Local Plan over the summer which ran for 8 weeks. Approximately 8,500 responses were received from organisations and individuals, of course a number of those responses will have been on behalf of more than one individual.

Despite being a non-statutory consultation, we drew up a comprehensive and extensive plan to ensure local people were aware and could comment on the draft local plan. Clearly this was a success, the council received 8,500 responses. There were

- Nine public consultation events across the District;
- Media briefing, for all local press, in advance of the consultation;
- News release marking the start of the consultation and flagging up public consultation events sent to media and all town and parish councils;
- Four page pull out feature in the summer issue In Shape, delivered to homes and businesses throughout the District by the Royal Mail;
- Social media
 - two short videos
 - regular social media posts in the run up and throughout the consultation
 - a month-long paid-for social media campaign, targeted at hard to reach groups;
- SDC website, including the homepage for the entire period; and
- Posters and postcard sent to all Town and Parish Councils

The results of the consultation process will be reported to the Council's Planning Advisory Committee on 22 November and to Cabinet on 6 December 2018. Officers will also seek approval from Cabinet to issue a further iteration of the Local Plan for publication consultation. This is referred to as the 'Regulation 19 Proposed Submission version' and will be the final round of public consultation on the Local Plan before it is submitted for examination.

The consultation responses received to date have informed the content of the emerging Local Plan, alongside the supporting evidence. The production of the Regulation 19 version is on-going and the overall soundness of the document will ultimately be determined by an independent Planning Inspector appointed to chair a public examination process. The results of all public consultations will be set out in Consultation Statement and copies of all responses will be sent to the Inspector when the plan is submitted for examination.

Full details of how to make comments, including a statement setting out the factors that the Inspector will consider in making his or her determination will be posted on the Council's website in due course. The Council is of the view that it has exceeded the relevant procedural requirements relating to the consultation

process to date. If you consider this not to be the case and/or would like to attend the public examination, please do make this point in response to the Regulation 19 document.

I would add that as a learning council we will always look back on consultations to see if improvements can be made.

Question 2: Mrs Frances White

From Sevenoaks District Council's experience, of the consultation process thus far (on the Draft Local Plan), at which sites omitted from the Plan do they anticipate/expect/foresee developers and/or their representatives objecting and challenging their decisions.

Response: Leader of the Council

It may well be the case that developers whose sites are not included in the plan attend the examination hearing to argue their case. All those who submit comments on the Regulation 19 version of the plan can indicate that they wish to speak at the hearing sessions. Ultimately, it is for the Inspector to decide who attends.

There was no further discussion.

15. To receive any petitions submitted by members of the public under paragraph 18 of Part 2 (The Council and District Council Members) of the Constitution.

a) Petition for SDC to explain its failure to supply information

The Lead Petitioner, Mrs Frances White, had submitted an e-petition with signatures in the following terms:

'SDC to explain

- why the community was not informed about the consultation for the Draft Local Plan by letters marked 'Important' posted to 'The Householder', as with communications re Planning Permission

- why such a short time period, mostly during the holiday period, was given for the consultation

- why community representatives, including Parish Councils, were not made aware of it in good time, especially given the summer break.'

The lead petitioner, addressed the council in support of the petition.

The Leader responded that the process for reviewing the local plan commenced in 2015 when work began on preparing the evidence base documents. Since then updates had been taken to each Planning Advisory Committee meeting, totalling eleven reports. All town and parish councils had been sent a link to the committee

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papers. A series of place-making workshops had been held in 2016 and 2017 with local representatives, including town and parish councils, to understand their priorities and local knowledge at an early stage in the process.

The Issues and Options consultation ran from August-October 2017. The statutory period for the consultation was 6 weeks, however the Council ran it for 9 weeks, and directly notified: each household; every town and parish council; amenity and civic societies; infrastructure providers; other statutory consultees; all Members; and our adjoining authorities including the County Council. A dedicated Local Plan version of the Council's 'In Shape' magazine was sent to every household in the District, together with a questionnaire. The Council received over 15,000 responses (which represented 30% of households). This was the greatest level of response ever received to a Sevenoaks District Council (SDC) consultation, and far exceeded the expected (15-20%) level of response.

Each response was carefully considered and update reports taken back to the Planning Advisory Committee.

Following that the Council ran a further, optional, non-statutory consultation in the summer for 8 weeks, directly notifying all householders again via 'In Shape', as well as the previous long list of other consultees. Nine drop in sessions were held, social media used widely, schools attended and railway stations visited to catch commuters. The Council also held press briefings and contributed to media stories. 8500 responses were received to this additional non-statutory consultation.

But the Council was still in the process. The draft Local Plan would be reported to the Planning Advisory Committee on Thursday, then to Cabinet on 6 December. If approved, there would be a further consultation. The 'Regulation 19' version of the Plan would be published for a 6-week period at the end of this year and running into 2019. All responses to this consultation will be submitted to the Secretary of State alongside the Local Plan and evidence base in Spring 2019. The Plan would then be examined by a Planning Inspector. From this examination the Planning Inspector would decide whether the plan was sound and could be adopted by Sevenoaks District Council.

The process was and would continue to be entirely transparent, recognising the value SDC placed on engagement and the involvement of our communities.

As ward member for Hartley & Hodsell Street, Cllr Gaywood concurred with the thoughts of Mrs White and criticised the Leader for not personally approaching the public and having personal involvement with the public. He was generally critical of the whole process.

The Leader responded that he would reflect on feedback, and pointed out that he had visited any local communities that had requested it, for example he had been to Halstead twice. He advised that this was the Draft Local Plan and that additional consultation over and above the statutory minimum had already been carried out. There was to be even more consultation, and finally on submission anyone could still feed their comments straight to the Planning Inspectorate. He reported that a neighbouring authority had gone straight to Regulation 19

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consultation with the public only receiving a 6-week consultation window which if missed meant that they could only go straight to the Planning Inspectorate.

The Portfolio Holder for Planning, Cllr Piper, pointed out that all Members and the public had had a chance to be involved which was proven by the higher than usual response rate. The Council had to remain neutral and consider and consult during the exercise and respect that both the public and developers had rights. It had been a joint exercise and should not be personalised.

Resolved: That the petition and the Leader's response, be noted.

16. Matters considered by the Cabinet

(a) Council Tax Reduction Scheme

Councillor Fleming proposed and Councillor Scholey seconded, the recommendation from Cabinet. The report sought adoption of a replacement Council Tax Reduction (CTR) scheme for 2019/2020.

Resolved: That the new Council Tax Reduction scheme for the 2019/20 financial year as required by Section 13A and Schedule 1A of the Local Government Finance Act 1992 as amended, be adopted.

17. Matters considered by other standing committees

(a) Gambling Act 2005 - Statement of Principles of Gambling Policy

Councillor Fleming proposed and Councillor Mrs Morris seconded, the recommendations from the Licensing Committee which sought adoption of a revised Statement of Gambling Policy as amended by the Committee on 1 November 2018 except for Minute 12(c).

Resolved: That the revised Statement of Gambling Policy be adopted as from 31 January 2019.

(b) Constitutional changes regarding Development Control Delegations

Councillor Fleming proposed and Councillor Pett seconded, the recommendations from the Governance Committee which aimed to bring in line the consultation deadline for Members with that of the public.

Resolved: That delegated authority be given to the Head of Legal and Democratic Services to amend the Constitution to enable written requests for consideration of planning applications by the Development Control Committee to be submitted no later than the relevant consultation expiry date.

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18. To consider the following reports from the Chief Executive or other Chief Officers on matters requiring the attention of Council:

(a) The Council Plan

Councillor Fleming proposed and Councillor Lowe seconded the report which sought approval of The Council Plan.

In response to questions Cllr Fleming advised that the District Council was not a public health authority that was the remit of Kent County Council, however there were a number of actions the District hoped to do that would help. Air quality across the district was getting better. The Council had a Housing Strategy to tackle the diverse need across the district and was referenced in the draft Local Plan.

Resolved: That the Council Plan be adopted and approved for publication.

(b) Draft Calendar of meetings for the municipal year 2019/20

Councillor Fleming proposed and Councillor Lowe seconded the report which sought approval of the draft calendar of meetings for 2019/20.

Resolved: That the calendar of meetings for 2019/20 be approved subject to formal adoption at the Annual meeting of Council on 21 May 2019.

19. To consider any questions by Members under paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution, notice of which have been duly given.

One question had been received from a Member in accordance with paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution.

Question 1: Cllr Purves

‘Quercus Housing Ltd

How much money is currently available for affordable housing in the Quercus Housing Company, and how much has actually been committed to be spent on bricks & mortar since its formation in April 2018.’

Response: Leader of the Council

The Leader of the Council advised that a total of £6 million had been earmarked for Quercus Housing for affordable housing. The funding would only be transferred on a scheme by scheme basis as and when each scheme was agreed. The Board was working hard to bring forward schemes which would spend all of the money available to the Company.

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In response to Cllr Purves' supplementary question on spending, the Leader of the Council advised that there was a Quercus 7 shareholders' meeting being held immediately after the meeting of Council pointing out that money would only be invested in a scheme that made financial sense.

In accordance with the Constitution, no further discussion was allowed.

20. To consider any motions by Members under paragraph 20 of Part 2 (The Council and District Council Members) of the Constitution, notice of which have been duly given.

No motions had been received.

21. To receive the report of the Leader of the Council on the work of the Cabinet since the last Council meeting.

The Leader of the Council reported on the work that he and the Cabinet had undertaken in the period 9 July to 2 November 2018.

THE MEETING WAS CONCLUDED AT 7.48 PM

CHAIRMAN