

COUNCIL

Minutes of the meeting held on 25 February 2020 commencing at 7.00 pm

Present: Cllr. Edwards-Winser (Chairman)

Cllr. Esler (Vice Chairman)

Cllrs. Abraham, Andrews, Bayley, Ball, Brown, Dr. Canet, Carroll, Cheeseman, Clack, Penny Cole, Perry Cole, Coleman, Collins, Dickins, Eyre, Firth, Fleming, Foster, Fothergill, Griffiths, Grint, Harrison, Hogarth, Hudson, Hunter, Layland, London, Maskell, McArthur, McGarvey, Nelson, Osborne-Jackson, Parkin, Pender, Piper, Purves, Raikes, Reay, Roy, Thornton and Waterton

Apologies for absence were received from Cllrs. Barnes, Barnett, Clayton, G. Darrington, P. Darrington, Dyball, Kitchener, McGregor, Mrs. Morris, Pett and Williamson

37. To approve as a correct record the minutes of the meeting of the Council held on 19 November 2019.

Resolved: That the Minutes of the meeting of the Council held on 19 November 2019 be approved, and signed as a correct record.

38. 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.

39. Chairman's Announcements.

The Chairman reported the sad news that the former Liberal Democrat Councillor and member for Eysnford from 1973 to 1995, Eric Syddique; and former conservative Councillor, past Chairman and Leader of the Council Alison Cook, had both passed away. The current ward Councillor and Leader of the Council spoke of Alison Cooke, her work and their memories of her.

Members held a moment's silence in their memory.

The Chairman reported that over the Christmas period he had enjoyed visiting patients in Sevenoaks Hospital, spending time in the CCTV room and having lunch with Age UK at Hollybush with elderly residents who would otherwise have been on their own.

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He had recently hosted an enjoyable event at Hollybush Bowls Club, with figures indicating a figure in excess of £400 raised for his charity, and he would be sending out invitations shortly to his Civic Service on Saturday 18 April at St Bartholmew's Church in Otford.

On behalf of Members he bid farewell to Lesley Bowles who was leaving after over 20 years of invaluable service to the Council. The Leader of the Council thanked her and Members expressed their appreciation.

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

No questions had been received.

41. 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:

The Sevenoaks Society had submitted a petition with 1463 signatures in the following terms:

“We the undersigned petition the council to make a Compulsory Purchase Order to enable the District Council to acquire the site of the former Farmers public house opposite the Sevenoaks Railway Station on London Road so as to bring it into productive use at an early date with a residential development which includes affordable housing.

Permission was first given in 2005 on appeal for the demolition of the Farmers, a much loved local pub, and the construction of 23 flats and maisonettes. In 2015 a second permission was given, again on appeal, for a revised scheme, the construction of 39 flats together with retail units on the ground floor. During all that time the site has lain as it remains today, unused and unkempt, an eyesore surrounded by scruffy hoardings contributing no rates or Council Tax.

It is time for the Council to follow up what they have said in the Local Plan about getting vacant sites into development and act to put an end to this eyesore. In collaboration with the right development partner or housing association much needed homes could be provided on this site including an element of affordable housing.”

David Green, the Chairman of the Sevenoaks Society, addressed the Council in support of the petition.

The Leader stated that he shared the frustration but often what seemed like simple solutions were far from that, and briefly outlined the planning history of the site and explained the issues faced and the financial risk of any Compulsory Purchase Order (CPO).

He moved the following motion, seconded by Councillor Dickins:

‘That the council seeks a definitive statement from the owner of their timelines to dispose of the site or to fully implement the planning permission. I also move that the council pursues the owner for the full CIL payment due.’

Speaking to the motion he advised that his preferred course of action remained finding another developer interested in taking over the site and developing it with a more sympathetic scheme than the one which was approved on appeal, as it was a real landmark site and deserved the very best architectural solution. He would not want to proceed with the current scheme which he believed was seriously deficient in terms of design, and so would need a masterplan, a consultation, a planning application followed by a CPO resolution, a possible Inquiry and negotiation on a price. A conservative timeline would be around 3 years but could be more. So whilst a CPO might look appealing it was not a course of action he could recommend at the current time.

Councillor Purves queried how much longer the town had to wait and that a fair price could be agreed at the lands tribunal. It was a scruffy site with a detrimental impact on the town when it could have much need affordable housing on it with joint partnerships with local housing associations.

In response it was stated that if there was a landlord/housing association willing to take on the site the council would be very interested. Some discussion was held on the shared feelings of frustration, and the suitability of a CPO for the site.

The motion was put to the vote and it was

Resolved: That

- a) a definitive statement be sought from the owner of the former Farmers public house site, of their timelines to dispose of the site or to fully implement the planning permission; and
- b) the owner be pursued for the full community infrastructure levy (CIL) payment due.

42. Matters considered by the Cabinet

- a) Calculation of Council Tax Base and other tax setting issues

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought approval the calculation of the District’s tax base for Council tax setting purposes.

Resolved: That

- a) the report of the Chief Officer Finance & Trading for the calculation of the Council’s tax base for the year 2020/21 be approved;

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- b) pursuant to the report of the Chief Officer Finance & Trading and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by the Sevenoaks District Council as its Council tax base for the whole area for the year 2020/21 shall be 51,207.88;
- c) pursuant to the report of the Chief Officer Finance & Trading and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by the Sevenoaks District Council as the Council tax base for 2020/21 for the calculation of local precepts shall be:

<u>Parish</u>	<u>Tax Base</u>
Ash-cum-Ridley	2,459.75
Badgers Mount	334.98
Brasted	778.10
Chevening	1,456.01
Chiddingstone	604.75
Cowden	449.88
Crockenhill	659.12
Dunton Green	1,321.92
Edenbridge	3,697.28
Eynsford	948.87
Farningham	666.28
Fawkham	292.04
Halstead	778.40
Hartley	2,556.57
Hever	620.75
Hextable	1,698.15
Horton Kirby & South Darent	1,302.24
Kemsing	1,853.31
Knockholt	634.27
Leigh	961.50
Otford	1,720.71
Penshurst	837.74
Riverhead	1,247.77
Seal	1,303.53
Sevenoaks Town	9,690.61

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Sevenoaks Weald	617.77
Shoreham	683.97
Sundridge	937.54
Swanley	5,663.91
Westerham	2,066.03
West Kingsdown	2,364.13

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

b) Treasury Management Strategy 2020/21

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought adoption of Treasury Management Strategy 2020/21.

Resolved: That the Treasury Management Strategy for 2020/21 be approved.

c) Capital Strategy 2020/21

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought approval of the Capital Strategy report 2020/21.

Resolved: That the Capital Strategy for 2020/21 be approved.

d) Budget and Council Tax Setting 2020/21

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought approval of the proposed budget and required level of Council Tax for 2020/21. The net expenditure budget for 2020/21 would be £15.6m with the District's Council Tax increasing by 2.3% resulting in Band D Council Tax being £219.96, an increase of £4.95. Provision had also been made for setting up the Net Zero Transition Fund.

The Leader spoke to the motion stating that Members had before them another balanced 10 year budget, 10 years on from the first, an achievement that remained unique within Local Government and had laid the foundation for the bold budget in front of them tonight. He could guarantee, with absolute certainty that the budget would be unique across local government in the positivity of its messages: continued investment in services, not cuts; increased investment in

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assets not cuts; and the most significant capital programme in living memory, delivering investment in and for the District's communities.

At this point in the municipal year, stock could be taken of the year passed and the opportunities and challenges ahead. The current municipal year had seen: the completion of another major capital project - investment in the new Sevenoaks Town Car Park, which provided much needed long stay parking and support for the local economy, paid for in part with innovative capital funding through housing; the successful planning application for the new Swanley White Oak Leisure Centre - replacing a centre, although much loved, that, in the most part, has come to the end of its usable life; the work of the Council's two wholly owned companies to bring forward an exciting mixed tenure housing scheme in Westerham which would see the Council deliver the first truly affordable homes in over 30 years a promise made this time last year, and a model that we hope will see us deliver our target of 100 truly affordable homes over the next 10 years; a planning application in on one of the Council's two town centre sites in Swanley, looking to bring both housing and a business hub to the town; the scoping for the masterplan of the Council owned town centre sites in Sevenoaks, looking to bring education, arts, retail, transport, housing and other uses together over two sites; and in Edenbridge, work to see how we can move forward a refurbishment of the Leisure Centre so it can continue to play an important part in that community for many years to come. Across the district, the Council continued to show the levels of community leadership and support that could only come on the back of financial responsibility and stability, protecting those universal services that mattered most to residents. A cursory glance across our southern borders serving as a timely reminder of how fortunate as a Council to continue to have services such as refuse collection and street sweeping in house, delivering (again unique in Kent) a truly weekly service. Alongside enhanced services to those within the community who most need help and support. In the context of local government as a whole, no one looking at this track record or future plans could deny 'we are a seriously different Council'.

However there was no getting away from the fact these were incredibly difficult times for local government. In the last 10 years Sevenoaks District Council's revenue support grant has fallen by over five million pounds. In simple terms, the direct grant funding for every man, woman and child within the District had been reduced from £55.95 in 2010 to zero, absolutely nothing two years ago. The report demonstrated that on top of all of the savings made and pressures absorbed over the last 10 years, the budget had also been reduced by almost £5m or 30% in real terms, spending £1.5m less next year than 10 years ago. None of this would have been possible without the hard work and diligence put in by members and officers.

Risks however remain, the uncertainty of the fair funding review and business rate retention is real, government interference on how services are delivered all come together to mean certain parts of our financial future currently remain beyond our control. Self-sufficiency and a property portfolio were never the end of the story, they were always to give us the opportunity to make decisions which best served the communities represented.

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He strongly believed that the Council should always balance the make-up of the money available to spend. The main three pillars that remained after the removal of government support were Council Tax, Savings and Investment income, over reliance on any one of which he believed destabilised an authority and put at risk the ability to deliver the positive agenda set out. That is why above and beyond the actions set out in the budget he had set two new challenges: firstly removing the retained business rates figure from the budget; and secondly looking at treasury management and reducing the gap between returns and inflation.

He stated that despite the challenges ahead all had been done in order to place the Council in the strongest position possible for the future, to lead and serve the communities and residents. An increase in Council Tax of £4.95 per annum was proposed, taking the total Sevenoaks District Council Tax figure to £219.96 at Band D. A rise of 2.3% - everything for less than a fiver a week. 0.3% would be put into a Net Zero fund. He stated that there would undoubtedly be challenges ahead, and the future was not without risk, some of which fell outside of the Council's control, so all that could be done was to make sure the Council was fit for, ready for, and up for the challenges.

The work of members and officers at Sevenoaks District Council and the outcomes achieved had gained national and international recognition, and over the coming years the Council would need to go further, faster, and both learn from others and lead. The work done and the continuing work, supported by the balanced ten year budget before members was the solid foundation that made him believe that the Sevenoaks District would not just survive the future but thrive. He commended the budget to members.

Some Members queried the amount set aside for the Net Zero fund: whether it was enough, where would it go. It was noted that the first meeting of the working group was to take place which was the first step and the amount set aside was a step in the right direction.

The vote was taken by all those present throughout the debate.

For	Against	Abstention
Cllr. Abraham	Cllr. Dr. Canet	
Cllr. Andrews	Cllr. Fothergill	
Cllr. Ball	Cllr. Griffiths	
Cllr. Bayley	Cllr. Hudson	
Cllr. Brown	Cllr. Purves	
Cllr. Carroll		
Cllr. Cheeseman		
Cllr. Clack		
Cllr. Penny Cole		
Cllr. Perry Cole		
Cllr. Coleman		
Cllr. Collins		

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Cllr. Dickins Cllr. Edwards-Winser Cllr. Esler Cllr. Eyre Cllr. Firth Cllr. Fleming Cllr. Foster Cllr. Grint Cllr. Harrison Cllr. Hogarth Cllr. Hunter Cllr. Layland Cllr. London Cllr. Maskell Cllr. McArthur Cllr. McGarvey Cllr. Nelson Cllr. Osborne-Jackson Cllr. Parkin Cllr. Pender Cllr. Piper Cllr. Raikes Cllr. Reay Cllr. Roy Cllr. Thornton Cllr. Waterton		
38	5	0

It was therefore

Resolved: That

- a) the Summary of Council Expenditure and Council Tax for 2020/21 set out in Appendix E be approved;
- b) the 10-year budget 2020/21 to 2029/30 which is the guiding framework for the detailed approval of future years' budgets set out in Appendix B to the report be approved, including the growth and savings proposals set out in Appendix C-D to the report, and that where possible any variations during and between years be met from the Budget Stabilisation Reserve;
- c) the Capital Programme 2020/23 and funding method, as set out in Appendix H to the report, be approved;
- d) the changes to reserves and provisions, as set out in Appendix J to the report, be approved;

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- e) the Local Council Tax Reduction Scheme 2019/20, be rolled forward to 2020/21, with effect from 1 April 2020, as set out in Appendix L to the report;
- f) the Capital Programme 2020/23 and Asset Maintenance 2020/21 budget of £687,000 be approved;
- g) it be noted that at the Cabinet meeting on 9 January 2020 the Council calculated its council tax base for the year 2020/21
 - (i) for the whole Council area as 51,207.88 being Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended, (the “Act”); and
 - (ii) for dwellings in those parts of its area to which a parish precept relates as set out in Appendix N to the report;
- h) that the council tax requirement for the Council’s own purpose for 2020/21 (excluding Town and Parish precepts) be calculated as £219.96;
- i) the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:
 - (i) £56,302,245 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Town and Parish Councils.
 - (ii) £40,401,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (iii) £15,901,245 being the amount by which the aggregate at (i)(i) above exceeds the aggregate at (i)(ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year (Item R in the formula in Section 31B of the Act).
 - (iv) £310.52 being the amount at (i)(iii) above (Item R), all divided by (g)(i) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (including Town and Parish precepts).
 - (v) £4,637,560 being the aggregate amount of all special items (Town and Parish precepts) referred to in Section 34 (1) of the Act (Appendix N).

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(vi) £219.96 being the amount at (i)(iv) above, less the result given by dividing the amount at (i)(v) above by the amount at (g)(i) above (Item T), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no Town or Parish precept relates.

j) it be noted that for the year 2020/21 the Kent County Council, the Kent Police & Crime Commissioner and the Kent & Medway Towns Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below:-

<u>Valuation Bands</u>	<u>Precepting Authority</u>			
	Sevenoaks District Council £	Kent County Council £	Kent Police & C.C. £	Kent & Medway Towns Fire Authority £
A	146.64	900.84	135.43	52.86
B	171.08	1,050.98	158.01	61.67
C	195.52	1,201.12	180.58	70.48
D	219.96	1,351.26	203.15	79.29
E	268.84	1,651.54	248.29	96.91
F	317.72	1,951.82	293.44	114.53
G	366.60	2,252.10	338.58	132.15
H	439.92	2,702.52	406.30	158.58

k) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Appendix Q to the report, as the amounts of council tax for the year 2020/21 for each part of its area and for each of the categories of dwellings; and

l) the Council's basic amount of council tax for 2020/21, shown in (i)(vi) above, was not excessive in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992.

e) Property Investment Strategy Update

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought approval of amendments to the Property Investment Strategy.

Resolved: That the Property Investment Strategy criteria be approved.

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43. Matters considered by other standing committees:

a) Licensing Act 2003 - Statement of Licensing Policy

Councillor Clack moved and Councillor Abraham seconded the recommendation from Licensing Committee, which sought approval of the revised Statement of Licensing Policy for adoption from 1 April 2020.

Resolved: That the 'Statement of Licensing Principles 2020-2025' be adopted as revised Policy from 1 April 2020, subject to the corrections identified at Licensing Committee.

b) Sexual Establishments - Statement of Licensing

Councillor Clack moved and Councillor Abraham seconded the recommendation from Licensing Committee, which sought approval of the revised Sexual Establishments Statement of Licensing Policy for adoption from 1 April 2020.

Resolved: That the Sexual Establishments Statement of Licensing Policy 2020-2023 be adopted as revised Policy from 1 April 2020.

c) Statement of Hackney Carriage & Private Hire Policy

Councillor Clack moved and Councillor Abraham seconded the recommendation from Licensing Committee, which sought approval of the revised Statement of Hackney Carriage & Private Hire Policy for adoption from 1 April 2020.

Resolved: That the Statement of Hackney Carriage & Private Hire Policy 2020/23 be adopted as revised Policy from 1 April 2020.

d) Monitoring Officer's Annual Report

Councillor Ball moved and Councillor Raikes seconded the recommendation from Standards Committee, noting the annual Monitoring Officer's report.

Resolved: That the Monitoring Officer's Annual report be noted.

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

(a) Pay Policy Statement

Councillor Fleming proposed and Councillor Dickins seconded the report which set out the elements of senior officer pay that enabled the Council to attract high quality officers whilst protecting value for money to the community. Approval by Council and publication on the Council website improved transparency and accountability whilst ensuring adherence to the Localism Act 2011.

Resolved: That the Pay Policy Statement be adopted and published on the Council's website.

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45. 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 Dr Canet

‘Portfolio Holder Decision number 13 (2018/19) committed to expend £12,840 (+VAT) from the Section 106 affordable housing planning gains to commission a housing stock and needs analysis for older people.

This was approved on the grounds that ‘With a growing older population, it is proposed to undertake an additional and more detailed study to map older people’s accommodation across the District by size/type/tenure and to assess accommodation needs at ward level going forward in to the future...to better plan for older people’s accommodation needs into the future.’

Portfolio Holder decision signed by Cllrs Lowe and Piper on 28 December 2018.

Could the Council advise

- a) Whether this analysis has yet taken place
- b) If it was not proceeded with why, and was this decision reported back to the Councillors?
- c) Was the earmarked money expended on another project?
- d) How do the Council intend to accurately assess and provide the older population’s housing accommodation needs?

[Portfolio Holder Decision number 13 \(2018/19\)](#)

Response of the Leader of the Council:

Thank you Cllr Dr Canet, in response to your question the analysis has not yet taken place, although there is already a considerable amount of information available on these requirements.

He understood that the Portfolio Holder at the time was made aware of the delay which was due to a number of national and local changes. This included the National Planning Policy Framework (NPPF), which was subsequently updated in 2019, and then several changes at national Government level and also a planned Social Housing White Paper, which had been delayed several times, but officers thought was key to understanding before going ahead with commissioning a survey. This white paper was now due later in 2020. The District Council had also just taken part in the County Council’s Affordable Housing Select Committee and would be of likely value to also await the outcome of that work before finalising the project brief for such a study. As it was a one-off pot of funding secured to undertake a study with no future such funding available, officers had wanted to make sure that when the money was spent it gained the most useful information possible and all of these changes had to be thought through properly to make sure the work was done. Updates were not typically given, but he could request that

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Officers send out update emails. He understood that the Housing Policy Manager had given previous assurances that Councillor Dr Canet would be invited to participate in the project, once it commenced, both in her role as a District Councillor and with the added input of the Sevenoaks Seniors' Action Forum.

Which, he responded, answered the next query that no, the money had not been spent elsewhere and was still set aside for this study with the prospective consultants still on board.

Finally you have asked how the Council intends to accurately assess and provide the older population's housing accommodation needs - as you are aware - full Council agreed the current Housing Strategy in July 2017 and it set out priorities relating to the provision of suitable housing and related support services for older people. Housing for older people forms a routine and significant part of every housing development considered and explored.

The 2016 Sevenoaks Local Housing Needs Survey also provided a considerable amount of information housing requirements in the district and as with all documents of this nature, the survey forms part of the evidence base for the emerging local plan and a material consideration in the determination of planning applications.

Supplementary question: Cllr Dr Canet

Councillor Dr Canet advised that she would like to take the offer of email updates and her supplementary question referred to the expected timescale.

Response of the Leader of the Council:

The Leader responded that there was already a large amount of information currently used when determining planning applications and available in the already mentioned documents which included: the majority of older people (67.4%) wanted to stay in their own homes with help and support when needed and around a quarter (24.4%) would consider buying a property on the open market; and sheltered accommodation and Extra Care housing were both considered attractive options, with slightly more people preferring the option to purchase rather than rent.

46. 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.

47. 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 4 November 2019 to 7 February 2020.

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THE MEETING WAS CONCLUDED AT 8.07 PM

CHAIRMAN