

16 April 2020 at 7.00 pm

This meeting will be held virtually
Despatched: 06.04.20



Cabinet


Membership:

Chairman, Cllr. Fleming; Vice-Chairman, Cllr. Dickins
Cllrs. McArthur, Piper, Dyball and Thornton

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Committee held on 5 March 2020, as a correct record.	(Pages 1 - 4)	
2. Declarations of interest Any interests not already registered.		
3. Questions from Members (maximum 15 minutes)		
4. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees (if any)		
5. COVID-19: Update Report	(Pages 5 - 10)	Dr. Pav Ramewal Tel: 01732 227298
		
6. COVID-19: Report on Urgency Decisions	(Pages 11 - 32)	Dr. Pav Ramewal Tel: 01732 227298
7. COVID-19 Supplementary Estimates	(Pages 33 - 38)	Adrian Rowbotham Tel: 01732 227153
		
8. Rural Housing Work Programme	(Pages 39 - 44)	Gavin Missons Tel: 01732 227332

- | | | | |
|-----|---|-------------------|------------------------------------|
| 9. | Sevenoaks District Council UK Resettlement Scheme Protocol | (Pages 45 - 58) | Hayley Brooks
Tel: 01732 227272 |
| |  | | |
| 10. | Temporary Accommodation Placement Policy | (Pages 59 - 84) | Hayley Brooks
Tel: 01732 227272 |
| 11. | Financial Results 2019/20 - to the end of January 2020 | (Pages 85 - 126) | Alan Mitchell
Tel: 01732227483 |
| 12. | Carry Forward Requests 2019/20 | (Pages 127 - 138) | Alan Mitchell
Tel: 01732227483 |

REPORTS ALSO CONSIDERED BY THE CABINET ADVISORY COMMITTEES

- | | | | |
|-----|---|-------------------|------------------------------------|
| 13. | Use of Article 4 to restrict permitted development rights for a change of use from office to residential | (Pages 139 - 148) | Hannah Gooden
Tel: 01732 227178 |
| 14. | White Oak Leisure Centre: New build and operator procurement contract awards | (Pages 149 - 194) | Sarah Robson
Tel: 01732227129 |



EXEMPT INFORMATION

Consideration of Exempt Information

Recommendation: That, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting when considering Appendices C and D of Agenda Item 14 above, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information))



Indicates a Key Decision



indicates a matter to be referred to Council

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

CABINET

Minutes of the meeting held on 5 March 2020 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllr. Dickins

Cllrs. Dyball, Piper, and Thornton

Apologies for absence were received from Cllrs. McArthur

Cllrs. Hogarth, Mrs Hunter and Osborne-Jackson were also present.

65. Minutes

Resolved: That the Minutes of the meeting of Cabinet held on 4 February 2020 be approved and signed as a correct record.

66. Declarations of interest

There were no additional declarations of interest.

67. Questions from Members

There were none.

68. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees

There were none.

69. Sevenoaks District Commissioner for the Public Realm

The Monitoring Office presented a report which sought the creation of a Sevenoaks District Commissioner for the Public Realm. A Commission would be set up to assist the Commissioner work towards the creation and retention of good quality public space within the District.

Resolved: That

- a) Councillor Hogarth be nominated as Sevenoaks District Council's Commissioner for the Public Realm;
- b) the following terms of reference for the Commissioner as set out below be agreed;

Phase 1 - Information and Data gathering

1. Where are our current public spaces across the district and what purpose or uses do they serve
2. What new developments are planned and has the public realm been considered, designed or planned
3. What makes good Public Space
4. Commission recruitment

Phase 2 - The Commission

1. The principles of Public Space in Sevenoaks (Wellbeing, Health, Safety, Economy, Built Environment, Environment)
2. Public Art, commissioning and financing
3. Urban Green Space
4. Report and Outcomes

Phase 3 - Delivery

1. Calendar of events
2. 'Quick Wins'
3. Updated Planning Policies
4. Philanthropy Network

- c) the Chief Executive in consultation with the Leader, the relevant Portfolio Holder and the Commissioner be delegated authority to appoint a voluntary Commission for the Public Realm to advise the Commissioner on matters within his terms of reference;
- d) the Commissioner be required to report at least once in every Municipal Year to Cabinet on the execution of their duties, to be incorporated into the terms of reference;
- e) the role of the Commissioner for the Public Realm cease to exist at the end of the 2022/23 municipal year; and
- f) the role of the Commissioner shall sit within the portfolio of the Portfolio Holder for People and Places.

70. Economic Development Strategy Delivery Plan Monitoring

The Improvement & Innovation Portfolio Holder presented the report which updated Members on the delivery of the 2018-2021 Economic Development Strategy. The Economic Development Officer set out that work on the strategy began in January 2019. The strategy was designed to have the flexibility to adapt to economic changes and needs of business customers.

Both the Improvement & Innovation and People & Places Advisory Committees had considered the same report.

Public Sector Equality Duty

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

Resolved: That the progress of the Economic Development Strategy delivery plan to date be noted.

71. Community Grant Scheme Draft Allocations 2020/21

The People & Places Portfolio Holder presented the report which sought approval of the Applications received which had been appraised according to the Council's Guidelines and recommended for funding support the aims of the scheme and represent value for money.

The Community Projects & Funding Officers indicated that applications received had been appraised according to the Council's Guidelines. The People & Places Advisory Committee had considered and noted the same report.

Public Sector Equality Duty

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

Resolved: That the grants as set out within Appendix C to the report, be approved subject to the following conditions

- (i) that performance indicators as set out in the application forms are adhered to and monitored;
- (ii) that appropriate Safeguarding policies and arrangements are in place, where necessary;
- (iii) that appropriate recognition of this Council's funding contribution is made in all their publicity;
- (iv) where services are provided over a wider area than the District boundaries, organisations will be required to hold grant aid from this Council in a restricted fund for the benefit of Sevenoaks District residents;
- (v) that organisations funded either have or are working towards any quality accreditation.

72. Sevenoaks District Community Safety Strategy & Action Plan 2020-21

The People & Places Portfolio Holder presented the report which set out the Partnership activity aimed at addressing domestic abuse, serious and acquisitive crime, anti-social behaviour, safeguarding, substance misuse, and doorstep crime.

The Community Safety Manager set out that the Action plan was a multi-agency document and would be monitored on a quarterly basis by the Community Safety Partnership to ensure that actions would be on target.

The People & Places Advisory Committee had considered the same report.

Public Sector Equality Duty

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

Resolved: That the Community Safety Strategy & Action Plan for 2020/21 be approved.

THE MEETING WAS CONCLUDED AT 7.58 PM

CHAIRMAN

IMPLEMENTATION OF DECISIONS

This notice was published on 9 March 2020. The decisions contained in Minutes 69 and 70 take effect immediately. The decisions contained in Minutes 71 and 72 take effect on 17 March 2020.

COVID-19 UPDATE

Cabinet - 16 April 2020

Report of	Chief Executive
Status	For consideration
Also considered by	Council - 21 April 2020
Key Decision	No

Portfolio Holder Cllr. Peter Fleming

Contact Officer Dr Pav Ramewal, Ext. 7298

Recommendation to Cabinet: That Members note the report.

Recommendation to Council: That Members note the report.

Reason for recommendation: To update Members on the measures the Council is taking surrounding the Coronavirus pandemic (COVID-19).

Introduction

- 1 The outbreak of Coronavirus / COVID-19 has had a significant impact nationally and globally. The Council has adapted quickly to continue delivering services that residents and local businesses rely upon, to provide additional services to support people in most need and respond to additional demands placed on it by Government.
- 2 A useful summary of some of the advice, guidance and support being provided to assist residents and businesses can be seen on a dedicated section of the Council's website at www.sevenoaks.gov.uk/coronavirus
- 3 Members will note the action already taken under urgency procedures which are included in a separate report.
- 4 This information in this report is correct as of Thursday 2 April. The coronavirus outbreak and the Council's response has been fast-moving and Members will be updated on any further development and actions at the meeting.

Staffing and Business Continuity

- 5 Business Impact Assessments have been reviewed for all services. This has enabled the Council to put in place detailed plans, on a service by service

Agenda Item 5

basis, to seek to ensure they continue for as long as possible. The plans are specific to the coronavirus outbreak and focus on what the Council will do if, over time, more staff become unable to work, or if supply chains that support Council business begin to fail. The Business Impact Assessments are continuing to be reviewed using the experience gained in recent weeks.

- 6 The Strategic Management Team and Cabinet Members have worked together to establish a list of priority services provided by Argyle Road staff that are essential to the COVID-19 response. The functions provided by Direct Services at the Dunbrik Depot have also been prioritised so that it is clear which services will continue depending on the number of staff available.
- 7 Following the guidance issued by the Prime Minister on 23 March 2020, a significant number of staff based at the Argyle Road offices are now working from home. Prior to that, it was arranged for all staff at the highest risk of severe illness to work from home. Staff are continuing to work effectively and productively to continue to deliver our services. The Argyle Road reception was closed as of 25 March 2020 and public access to Dunbrik Depot was also stopped at the same time. These changes were effectively communicated to our residents and there have been no reports of customers arriving at reception expecting a service.
- 8 At Dunbrik Depot, staffing levels are continuing to hold up well. However, a small number of absences is having an impact on the delivery of services that are a lower priority in the current situation. Qualified and trained drivers are integral to our crews being able to be out and about in the District. As these staff have fallen unwell, drivers have been moved from lower priority services to ensure higher priority services are continued. As a result, this means that the bulky waste service has been withdrawn. All bookings that had been made were honoured, but no new bookings are being taken.
- 9 The green waste service is continuing. As it is likely this service will come under increased pressure from lack of resources, and with many shops closed which means customers can no longer buy garden waste sacks, the decision has been made to not accept new customers to buy garden waste bins. This will help to prolong this service for as long as possible for existing customers with the resources available to us.

Support for businesses

- 10 The Council has written to all 4,000 businesses in the District telling them about the business rate relief and business rate holidays that may be available to them.
- 11 The Council's website is also being kept up to date with the wider package of support that is available to businesses. A dedicated page can be seen at https://www.sevenoaks.gov.uk/info/20004/business/511/coronavirus_covid-19_advice_for_businesses

- 12 It has been an extremely busy time for the Business Rates team as the Government has continued to announce significant changes which impact on the vast majority of businesses. The team are continuing to process everything that is being sent to ensure that no bills are inadvertently sent to businesses that are no longer required to pay business rates this year.
- 13 Many businesses in the retail, hospitality and leisure sectors will receive grants of £10,000 or £25,000 and the intention is to get these sent out as soon as possible.
- 14 As of Thursday 2 April more than £100,000 in grants had been paid, with substantially greater sums due to be paid to businesses in the days that followed.
- 15 In addition, working with colleagues across the County, a dedicated business support line for Coronavirus-related issues has been launched. The service is being delivered by the Kent & Medway Growth Hub and is available from Monday to Friday, 8.30am to 6pm.

Support for residents

- 16 As well as continuing to urge our residents to follow Government advice, Council services are adapting to ensure they are supportive of residents' needs as the coronavirus outbreak affects more families. Decisions have been taken to automatically extend discretionary housing payments, to those already in receipt, to help them stay in their homes. Those contacting us with issues about paying their council tax are being offered new flexibilities according to individual circumstances.
- 17 The Council has suspended all parking charges across the District. This is designed to support not only businesses that remain open, but keyworkers that still need to travel to work and to help those residents that need to go out for essential shopping or services.
- 18 The HERO team and the housing advice service are continuing to support as many residents as possible with advice. Although face to face contact has stopped, comprehensive support is still being provided over the telephone and by email where it is appropriate.
- 19 The Government has also made it clear that the Council must work with any rough sleepers in the District to find them temporary accommodation which the Council is continuing to do.
- 20 The Council has worked incredibly quickly to set up a scheme to safely register volunteers and match them with residents in need of support. Working closely with the Care for our Community group of volunteers, colleagues in the voluntary and community sector and Town & Parish Councils. In excess of 1,000 volunteers have been registered and more than 400 residents have been helped with their basic needs. This includes advice, befriending, mental health, family support and food deliveries.

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- 21 A priority has been to put in place arrangements to support the proportion of the 1.5m people that the Government has identified as being at extreme risk of severe illness from coronavirus that live in our District. This group of people have been asked to stay in their homes for the next 12 weeks, and over the first four weeks of that period the Government will be scaling up its own door-to-door food deliveries. In the meantime the Council, working with its community and voluntary partners, is ensuring that residents receive the food and support they need.
- 22 Inside a day, Sevenoaks Leisure Centre was prepared to act as a distribution centre. The first food delivery from the Government was received on Saturday 28 March 2020 which provided sufficient supplies for 16 people. Council staff have worked incredibly hard, and resourcefully, to purchase its own food supply to ensure that residents do not go without.
- 23 As of 2 April 2020 there were 232 people across our District that had registered for support from the Government. The Council has contacted each of them to assess their immediate needs, ensured they have the food that they need, and where appropriate registered them with the Care for our Community volunteering scheme for additional support.

Key Implications

Financial

There are expected to be adverse financial implications of COVID-19 which are likely to consist of additional expenditure, reduced income and cash flow implications of Government decisions.

These will be closely monitored, and details will be provided in later reports.

Legal Implications and Risk Assessment Statement

None directly arising from 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.

Conclusions

Members are asked to note this report. The Chief Executive will continue to provide regular email updates to Members.

Appendices None

Background Papers None

Dr Pav Ramewal

Chief Executive

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COVID-19: REPORT ON SPECIAL URGENCY DECISIONS

Cabinet - 16 April 2020

Report of	Chief Executive
Status	For consideration
Key Decision	No

Portfolio Holder Cllr. Peter Fleming

Contact Officer Vanessa Etheridge, Ext.7199

Recommendation to Cabinet: That Members note the report.

Reason for recommendation: To comply with the Council’s governance arrangements.

Introduction

- 1 This report complies with Part 13, paragraph 12 (d) of the Council’s Constitution which states that the Chief Executive has the delegated authority

‘In cases of urgency, after consultation with the Leader and Deputy Leader of the Council [and, where possible, the Leader(s) of the Opposition], to take any decision which could be taken by the Cabinet or by a Committee and to report such actions to Cabinet or Committee as appropriate.
- 2 A total of three urgency decisions were taken.
- 3 The urgent decisions were also classified as ‘Key Decisions’ and as such, usually subject to a notice period of 28 days. Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, allows for cases of ‘special urgency’ to be taken with the agreement of the Chairman of the Scrutiny Committee that the decision is ‘urgent and cannot be reasonably deferred and notice is given as soon as reasonably practicable after the agreement is given.’ (See also paragraph 17, Appendix A -Access to Information Procedure Rules, of the Council’s Constitution.) The Chairman of Scrutiny Committee’s consent was given and notices were published of the decisions as soon as they were made.
- 4 In addition to the above, key decisions are subject to a call-in period and would not usually come into force until the ‘expiry of five clear working days after their publication. Appendix C, paragraphs 18.3 to 18.18 of the

Agenda Item 6

Council's Constitution sets out call-in and urgency procedures. In these cases the Chairman of the Council agreed that that the decisions proposed were reasonable in all the circumstances and were to be treated as matters of urgency, and not be subject to call-in.

Decisions

- 5 Since the last meeting of the Cabinet the following three decisions have been taken, and are attached as Appendices A, B and C:
- Officer Decision 01 (2019/20) - Temporary Suspension of Car Parking Charges
 - Officer Decision 02 (2019/20) - Expanded Retail Discount Scheme
 - Officer Decision 03 (2019/20) - COVID-19 - Allocation of funding to support vulnerable people and communities
- 6 Each decision sets out its reasons for urgency.

Key Implications

Financial

The financial implications of these decisions are included in a separate report which complies with the reporting procedures set out in Appendix D (Financial Procedure Rules) 2(d) paragraphs 2.32 and 2.33 of the Council's Constitution.

Legal Implications and Risk Assessment Statement

All relevant legislation and constitutional requirements were adhered to. Each decision sets out its reason for urgency.

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

The Coronavirus pandemic (Covid-19) could not have been foreseen. When the decisions referenced in this report were made, legislation did not allow for virtual meetings (by the time this is reported this may have changed).

The decision to use the urgency provisions as set out in the report were taken in view of the pressing need for an immediate response to the crisis. The decisions could not have waited for an extraordinary meeting of Cabinet.

Members are asked to note this report.

Appendices

Appendix A - Officer Decision 01 (2019/20) -
Temporary Suspension of Car Parking Charges

Appendix B - Officer Decision 02 (2019/20) -

Appendix C - Officer Decision 03 (2019/20) -

Background Papers

[Council's Constitution](#)

Dr Pav Ramewal

Chief Executive

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Officer Decision Statement

Openness of Local Government Bodies Regulations 2014/2095

Subject:	Temporary Suspension of Car Parking Charges
Key Decision	Yes
Notice of the Key Decision	Notice has been given as per Regulation 11 of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012
Details of Decision taken	<p>That car parking charges be suspended in order to help the local community during these difficult times.</p> <p>The following actions will be put in place:</p> <ol style="list-style-type: none"> 1. Suspension of on-street parking charges. 2. Suspension of off-street parking charges. 3. Suspension of car parking season tickets. 4. Parking restrictions will continue to be enforced (e.g. time limits in car parks) <p>These actions will be implemented for 3 months commencing on 23 March 2020 Season ticket holders will be contacted, and signage will be placed in car parks and on parking machines.</p>
Reason for Decision	With the special circumstances surrounding the impact on residents of the coronavirus (Covid 19), the Council wants to take measures to help alleviate the financial burdens of its residents and businesses.
Reason for Urgency	<p>In order to have a positive and immediate impact it is not possible to wait until the next meeting of Cabinet on 16 April 2020 and following government advice, prudent to avoid unnecessary meetings of groups of people. Instant action is required due to the real and present financial impact on residents of the spread of the virus and the measures required to contain that spread, and any delay increases that impact.</p> <p>Pursuant to Appendix C, paragraph 18 of the Council's Constitution, it is deemed that the decision proposed is reasonable in these circumstances to be treated as a matter of urgency and the call-in procedure does not apply.</p>

All Documents considered:

Background information attached.

Details of any alternative options considered and rejected by the Officer when making the Decision: None.

Financial implications

The potential loss of income for three months is as follows:

	£
Suspension of on-street parking charges	116,000
Suspension of off-street parking charges	534,000
Suspension of car parking season tickets	108,000
Total	758,000

The above figures are based on April 2019 income levels however, it should be noted that actual usage of available parking has significantly reduced over the last week so the actual income that is likely to be received if these actions were not implemented would be significantly less.


Legal Implications and Risk Assessment Statement

This decision is taken by the Chief Executive acting in accordance with Paragraph 12 (d) of Part 13 of the Constitution, which authorises him as follows:

(d) In cases of urgency, after consultation with the Leader and Deputy Leader of the Council [and, where possible, the Leader(s) of the Opposition], to take any decision which could be taken by the Cabinet or by a Committee and to report such actions to Cabinet or Committee as appropriate.

Furthermore, this being an urgent Key Decision, Notice has been duly given and the agreement of the Chairman of the Scrutiny Committee has been sought to enable the decision to proceed as per Regulation 11(1)(a) of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012.

Furthermore, this being an urgent Key Decision, the agreement of the Chairman of the Council has been sought to disapply the call-in procedure set out in Paragraph 18 of Appendix C of the Constitution, for the reasons set out in Paragraphs 18.13 - 18.18.

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.	
Local Member(s), Portfolio Holders and/or Chief Officer/Heads of Service Consulted	
Councillors Fleming, Dickins and McArthur. Chief Officer - Finance and Trading	
Agreement of Chairman of Scrutiny Committee pursuant to 11 (1)(a) of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012, obtained on: 20 March 2020	
Agreement of the Chairman of the Council pursuant to Appendix C, para.18.16 of the Council’s Constitution, obtained on: 20 March 2020	
Details of any conflicts of interest	
a) declared by any member who was consulted or was part of the body giving specific express authorisation	
b) and any details of dispensations granted by the Chief Executive in respect of any declared conflict	
Decision taken by:	Dr. Pav Ramewal, Chief Executive
Signed by Officer	
Date of Decision	20.03.20
Record made by:	Vanessa Etheridge
Date of record:	20.03.20

This decision takes immediate effect

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Background Information for Emergency Expenditure Request

Emergency: Coronavirus 2020
Subject: Suspension of Car Parking Charges
Date: 19 March 2020
Chief Officer: Adrian Rowbotham

Council Constitution

Appendix D - Financial Procedure Rules

2d. Emergency Expenditure

Why is this important?

The Council needs to have in place a procedure for meeting immediate needs in the case of an emergency situation arising in the District.

General

2.32 The Chief Executive and s.151 Officer/Chief Finance Officer shall have the authority to approve expenditure on any item which is essential to meet any immediate needs created by an emergency or which is referable to Section 138 of the Local Government Act 1972, subject to a subsequent report to Cabinet and/or Full Council depending on whether or not the expenditure can be met from within the current budget framework.

2.33 The Chairman or Vice-Chairman of the Council together with the Leader or Deputy Leader of Council, having received a report from the Chief Executive and the Chief Executive and s.151 Officer/Chief Finance Officer, shall have power to incur expenditure which is essential to meet any immediate needs created by an emergency or which is referable to Section 138 of the Local Government Act 1972 (or other subsequent legislation) which is not otherwise authorised or where it is necessary in the Council's interest to settle legal proceedings which have been commenced against the Council. A subsequent report shall be submitted to Cabinet and/or the full Council depending on whether or not the expenditure can be met from within the current budget framework.

Detail

Members have requested the suspension of car parking charges in order to help the local community during these difficult times.

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The following actions will be put in place:

1. Suspension of on-street parking charges.
2. Suspension of off-street parking charges.
3. Suspension of car parking season tickets.
4. Parking restrictions will continue to be enforced (e.g. time limits in car parks)

These actions will be implemented for 3 months commencing on 23 March 2020.

Season ticket holders will be contacted, and signage will be placed in car parks and on parking machines.

Financial Impact

The potential loss of income for three months is as follows:

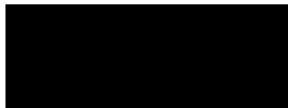
	£
Suspension of on-street parking charges	116,000
Suspension of off-street parking charges	534,000
Suspension of car parking season tickets	108,000
Total	758,000

The above figures are based on April 2019 income levels. However, it should be noted that actual usage of available parking has significantly reduced over the last week so the actual income that is likely to be received if these actions were not implemented would be significantly less.

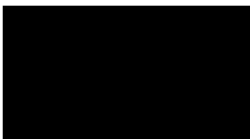
Requesting Chief Officer: Adrian Rowbotham, Chief Officer - Finance and Trading

Approval

Chief Executive:



Chief Officer - Finance and Trading:



Officer Decision Statement

Openness of Local Government Bodies Regulations 2014/2095

Subject:	Expanded Retail Discount Scheme
Key Decision	Yes
Notice of the Key Decision	Notice has been given as per Regulation 11 of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012
Details of Decision taken	The endorsement of the Expanded Retail Discount Scheme providing rate relief for 2020/2021 in response to the coronavirus.
Reason for Decision	With the special circumstances surrounding the impact on businesses of the coronavirus (Covid 19), the Council must deliver on the Government direction quickly to support the business community.
Reason for Urgency	<p>In order to have a positive and immediate impact it is not possible to wait until the next meeting of Cabinet on 16 April 2020 and following government advice, prudent to avoid unnecessary meetings of groups of people.</p> <p>An urgent decision is required on the adoption of the Expanded Retail Discount Scheme. It is imperative that we deliver much needed support to the business community in the form of rate relief to preserve the local economy</p> <p>Pursuant to Appendix C, paragraph 18 of the Council's Constitution, it is deemed that the decision proposed is reasonable in these circumstances to be treated as a matter of urgency and the call-in procedure does not apply.</p>
All Documents considered:	Report and appendices attached
Details of any alternative options considered and rejected by the Officer when making the Decision:	None.

Financial implications

Since 1 April 2013 all discretionary relief granted has come under the provisions of the business rates retention scheme.

The cost of relief is initially shared between central government (50%) and local authorities (50%). Of this Sevenoaks District Council is required to fund 40%. However, due to the complexities of business rates retention, the actual impact is likely to be significantly lower.

Central government will fully reimburse billing authorities and major precepting authorities for the actual cost to them under the rates retention scheme of the relief that falls within the definitions in the guidance set out in Appendix A. Reimbursement will be by way of a grant under section 31 of the Local Government Act 2003.

Legal Implications and Risk Assessment Statement

This decision is taken by the Chief Executive acting in accordance with Paragraph 12 (d) of Part 13 of the Constitution, which authorises him as follows:

(d) In cases of urgency, after consultation with the Leader and Deputy Leader of the Council [and, where possible, the Leader(s) of the Opposition], to take any decision which could be taken by the Cabinet or by a Committee and to report such actions to Cabinet or Committee as appropriate.

Furthermore, this being an urgent Key Decision, Notice has been duly given and the agreement of the Chairman of the Scrutiny Committee has been sought to enable the decision to proceed as per Regulation 11(1)(a) of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012.

Furthermore, this being an urgent Key Decision, the agreement of the Chairman of the Council has been sought to disapply the call-in procedure set out in Paragraph 18 of Appendix C of the Constitution, for the reasons set out in Paragraphs 18.13 - 18.18.

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.

Local Member(s), Portfolio Holders and/or Chief Officer/Heads of Service Consulted


Councillors Fleming and Dickins
Chief Officer - Customer and Resources

Agreement of Chairman of Scrutiny Committee pursuant to 11 (1)(a) of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012, obtained on: On 23 March 2020

Agreement of the Chairman of the Council pursuant to Appendix C, para.18.16 of the Council’s Constitution, obtained on:
On 23 March 2020

Details of any conflicts of interest
a) declared by any member who was consulted or was part of the body giving specific express authorisation

b) and any details of dispensations granted by the Chief Executive in respect of any declared conflict

Decision taken by:	The Chief Executive
Signed by Officer	
Date of Decision	30.03.20
Record made by:	30.03.20
Date of record:	Vanessa Etheridge

This decision takes immediate effect

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Background Information for Emergency Expenditure Request

Emergency: Coronavirus 2020
Subject: Expanded Retail Discount Scheme
Date: 20 March 2020
Chief Officer: Jim Carrington-West

Council Constitution

Appendix D - Financial Procedure Rules

2d. Emergency Expenditure

Why is this important?

The Council needs to have in place a procedure for meeting immediate needs in the case of an emergency situation arising in the District.

General

2.32 The Chief Executive and s.151 Officer/Chief Finance Officer shall have the authority to approve expenditure on any item which is essential to meet any immediate needs created by an emergency or which is referable to Section 138 of the Local Government Act 1972, subject to a subsequent report to Cabinet and/or Full Council depending on whether or not the expenditure can be met from within the current budget framework.

2.33 The Chairman or Vice-Chairman of the Council together with the Leader or Deputy Leader of Council, having received a report from the Chief Executive and the Chief Executive and s.151 Officer/Chief Finance Officer, shall have power to incur expenditure which is essential to meet any immediate needs created by an emergency or which is referable to Section 138 of the Local Government Act 1972 (or other subsequent legislation) which is not otherwise authorised or where it is necessary in the Council's interest to settle legal proceedings which have been commenced against the Council. A subsequent report shall be submitted to Cabinet and/or the full Council depending on whether or not the expenditure can be met from within the current budget framework.

Detail

On 27 January 2020 the Government increased the existing Retail Discount for 2020/2021 from 33% of the net rates bill to 50% and extended the scope of the discount to include cinemas and live music venues.

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In response to the coronavirus, In the budget on 11 March 2020 the Government further increased the Retail Discount for 2020/2021 from 50% to 100% and extended the scope of the discount to encompass the leisure and hospitality sectors.

On 17 March 2020 the rateable value limit of £51,000 which was previously in place was lifted to allow any occupied qualifying business to receive the discount, regardless of rateable value.

It is for individual billing authorities to adopt a local scheme and to determine in each individual case when, having regard to the guidance issued on 18 March 2020, to grant relief using discretionary powers under section 47 of the Local Government Finance Act 1988 (as amended).

It is imperative that we deliver much needed support to the business community in the form of rate relief to preserve the local economy

Financial Impact

Since 1 April 2013 all discretionary relief granted has come under the provisions of the business rates retention scheme.

The cost of relief is initially shared between central government (50%) and local authorities (50%). Of this Sevenoaks District Council is required to fund 40%. However, due to the complexities of business rates retention, the actual impact is likely to be significantly lower.

Central government will fully reimburse billing authorities and major precepting authorities for the actual cost to them under the rates retention scheme of the relief that falls within the definitions in the guidance set out in Appendix A. Reimbursement will be by way of a grant under section 31 of the Local Government Act 2003.

Requesting Chief Officer: Jim Carrington-West - Customer and Resources

Approval

Chief Executive:



Chief Officer - Finance and Trading:



Officer Decision Statement

Openness of Local Government Bodies Regulations 2014/2095

Subject:	COVID-19 - Allocation of funding to support vulnerable people and communities
Key Decision	Yes
Notice of the Key Decision	Notice has been given as per Regulation 11 of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012
Details of Decision taken	Approval of £100,000 funding to support the Council's community response to COVID-19, including the emergency set up and delivery of the community co-ordination hubs within the Sevenoaks district for vulnerable people and communities.
Reason for Decision	With the special circumstances surrounding the impact on communities of the coronavirus (Covid 19), the Council wants to take measures to support its most vulnerable people and communities, including the emergency set up and delivery of community co-ordination hubs.
Reason for Urgency	<p>The Ministry of Housing, Communities and Local Government (MHCLG) has directed for COVID-19 community co-ordination hubs to be urgently established to provide targeted support for those most at risk during the coronavirus outbreak.</p> <p>Immediate action is required due to the real and present community impact on residents of the spread of the virus and the measures required to contain that spread, and any delay increases that impact.</p> <p>Pursuant to Appendix C, paragraph 18 of the Council's Constitution, it is deemed that the decision proposed is reasonable in these circumstances to be treated as a matter of urgency and the call-in procedure does not apply.</p>
All Documents considered:	Background information attached.

Details of any alternative options considered and rejected by the Officer when making the Decision: None.

Financial implications

Council investment of £100,000 is being sought.

Legal Implications and Risk Assessment Statement

This decision is taken by the Chief Executive acting in accordance with Paragraph 12 (d) of Part 13 of the Constitution, which authorises him as follows:

(d) In cases of urgency, after consultation with the Leader and Deputy Leader of the Council [and, where possible, the Leader(s) of the Opposition], to take any decision which could be taken by the Cabinet or by a Committee and to report such actions to Cabinet or Committee as appropriate.

Furthermore, this being an urgent Key Decision, Notice has been duly given and the agreement of the Chairman of the Scrutiny Committee has been sought to enable the decision to proceed as per Regulation 11(1)(a) of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012.

Furthermore, this being an urgent Key Decision, the agreement of the Chairman of the Council has been sought to disapply the call-in procedure set out in Paragraph 18 of Appendix C of the Constitution, for the reasons set out in Paragraphs 18.13 - 18.18.

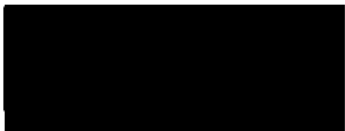
Equality Assessment

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.

Local Member(s), Portfolio Holders and/or Chief Officer/Heads of Service Consulted

Councillors Dyball and Coleman.
Chief Officer - People and Places
Councillors Fleming and Dickins

Agreement of Chairman of Scrutiny Committee pursuant to 11 (1)(a) of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012, obtained on: 24 March 2020

<p>Agreement of the Chairman of the Council pursuant to Appendix C, para.18.16 of the Council’s Constitution, obtained on: 24 March 2020</p>	
<p>Details of any conflicts of interest a) declared by any member who was consulted or was part of the body giving specific express authorisation</p> <p>b) and any details of dispensations granted by the Chief Executive in respect of any declared conflict</p>	
<p>Decision taken by:</p>	<p>The Chief Executive</p>
<p>Signed by Officer</p>	
<p>Date of Decision</p>	<p>30.03.20</p>
<p>Record made by:</p>	<p>30.03.20</p>
<p>Date of record:</p>	<p>Vanessa Etheridge</p>

This decision takes immediate effect

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Background Information for Emergency Expenditure Request

Emergency: Coronavirus 2020
Subject: COVID-19 - Allocation of funding to support vulnerable people and communities
Date: 23 March 2020
Chief Officer: Sarah Robson

Council Constitution

Appendix D - Financial Procedure Rules

2d. Emergency Expenditure

Why is this important?

The Council needs to have in place a procedure for meeting immediate needs in the case of an emergency situation arising in the District.

General

2.32 The Chief Executive and s.151 Officer/Chief Finance Officer shall have the authority to approve expenditure on any item which is essential to meet any immediate needs created by an emergency or which is referable to Section 138 of the Local Government Act 1972, subject to a subsequent report to Cabinet and/or Full Council depending on whether or not the expenditure can be met from within the current budget framework.

2.33 The Chairman or Vice-Chairman of the Council together with the Leader or Deputy Leader of Council, having received a report from the Chief Executive and the Chief Executive and s.151 Officer/Chief Finance Officer, shall have power to incur expenditure which is essential to meet any immediate needs created by an emergency or which is referable to Section 138 of the Local Government Act 1972 (or other subsequent legislation) which is not otherwise authorised or where it is necessary in the Council's interest to settle legal proceedings which have been commenced against the Council. A subsequent report shall be submitted to Cabinet and/or the full Council depending on whether or not the expenditure can be met from within the current budget framework.

Detail

The Ministry of Housing, Communities and Local Government (MHCLG) has directed for COVID-19 community co-ordination hubs to be urgently established to provide targeted support for those most at risk during the coronavirus outbreak. This is being led by Kent Resilience Forum's 'Vulnerable People and Communities Cell', who are working with the 12 borough and district councils across the county.

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The hub will manage and co-ordinate the re-deployment of staff, community volunteers and resources to meet that demand, on behalf of the public sector. It will also pass on general offers of help and will work alongside existing voluntary and community groups to help maximise support for our local communities.

The hub aims to match people who can offer their time and specific skills with those who have been advised to self-isolate.

The Chief Officer - People and Places is requesting investment of £100,000 to be made available to support the district's vulnerable people and communities, including the emergency set up and delivery of community co-ordination hubs.

The funding will:

- Support the establishment of local community hub(s), which will be set up as the main spokes across the district, including support such as:
 - Direct funding to hubs;
 - Volunteering directory;
 - Staff resources;
 - Free parking permits to key workers, volunteers and health professionals;
 - Printing facilities (inc ID badges, passes etc) to support local communications needed in our local community hubs;
 - Vehicles and drivers to support critical activities;
 - Warehousing and storage capacity; and
 - Community supplies.
- Provide funding to the voluntary and community sector, where a critical needs or gap in service provision to the community is identified. This will assist them to mobilise frontline services.

Financial Impact

The Chief Officer - People and Places is requesting additional Council investment of £100,000 to be made available to support the district's vulnerable people and communities, including the emergency set up and delivery of community co-ordination hubs.

Requesting Chief Officer: Sarah Robson, Chief Officer, People and Places.

Approval

Chief Executive:



Chief Officer - Finance and Trading:



COVID-19 SUPPLEMENTARY ESTIMATES

Cabinet - 16 April 2020

Report of Chief Officer - Finance and Trading

Status: For consideration

Also considered by Council - 21 April 2020

Key Decision: No

This report supports the Key Aim of Effective Management of Council Resources

Portfolio Holder Cllr. Matthew Dickins

Contact Officers Adrian Rowbotham, Ext. 7153

Recommendation to Cabinet: Cabinet support the recommendation to Council.

Recommendation to Council: That Members agree to supplementary estimates of £758,000 for the suspension of car parking charges and £100,000 to support vulnerable people and communities funded from the Budget Stabilisation Reserve.

Reason for recommendation: Sound financial governance of the Council.

Introduction & Background

- 1 Following the outbreak of Coronavirus / COVID-19 it has been necessary to make amendments to the budget agreed by Council on 25 February 2020.
- 2 Further to reporting procedures set out in Appendix D (Financial Procedure Rules) 2(d) paragraphs 2.32 and 2.33 of the Council's Constitution, when expenditure has been agreed by the Chief Executive and S151 Officer/Chief Officer - Finance & Trading a report is required on whether or not the expenditure can be met from within the current budget framework.
- 3 As noted in a previous report on this agenda, three decisions have been made using the above Financial Procedure Rules.

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- 4 Two of the three decisions, 'Temporary Suspension of Car Parking Charges' and 'Allocation of funding to support vulnerable people and communities' have an adverse impact on the revenue budget.
- 5 Details of the three decisions are detailed below.

Temporary Suspension of Car Parking Charges

- 6 The following actions have been put in place for three months from 23 March 2020:
 - Suspension of on-street parking charges.
 - Suspension of off-street parking charges.
 - Suspension of car parking season tickets.
 - Parking restrictions will continue to be enforced (e.g. time limits in car parks)
- 7 Season ticket holders have been contacted and signage has been placed in car parks and on parking machines.

Financial Impact

- 8 The potential loss of income for three months is £758,000.
- 9 The above figures are based on April 2019 income levels. However, it should be noted that actual usage of available parking has significantly reduced over recent weeks so the actual income that is likely to be received if these actions were not implemented would be significantly less.

Expanded Retail Discount Scheme

- 10 On 27 January 2020 the Government increased the existing Retail Discount for 2020/2021 from 33% of the net rates bill to 50% and extended the scope of the discount to include cinemas and live music venues.
- 11 In response to the coronavirus, In the budget on 11 March 2020 the Government further increased the Retail Discount for 2020/2021 from 50% to 100% and extended the scope of the discount to encompass the leisure and hospitality sectors.
- 12 On 17 March 2020 the rateable value limit of £51,000 which was previously in place was lifted to allow any occupied qualifying business to receive the discount, regardless of rateable value.
- 13 It is for individual billing authorities to adopt a local scheme and to determine in each individual case when, having regard to the guidance issued on 18 March 2020, to grant relief using discretionary powers under section 47 of the Local Government Finance Act 1988 (as amended).

- 14 It is imperative that we deliver much needed support to the business community in the form of rate relief to preserve the local economy

Financial Impact

- 15 Since 1 April 2013 all discretionary relief granted has come under the provisions of the business rates retention scheme.
- 16 The cost of relief is initially shared between central government (50%) and local authorities (50%). Of this Sevenoaks District Council is required to fund 40%. However, due to the complexities of business rates retention, the actual impact is likely to be significantly lower.
- 17 Central government will fully reimburse billing authorities and major precepting authorities for the actual cost to them under the rates retention scheme of the relief that falls within the definitions in the guidance set out at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875613/Expanded_Retail_Discount_Guidance_25.03.20.doc.pdf.
- 18 Reimbursement will be by way of a grant under section 31 of the Local Government Act 2003.

Allocation of funding to support vulnerable people and communities

- 19 The Ministry of Housing, Communities and Local Government (MHCLG) has directed for COVID-19 community co-ordination hubs to be urgently established to provide targeted support for those most at risk during the coronavirus outbreak. This is being led by Kent Resilience Forum's 'Vulnerable People and Communities Cell', who are working with the 12 borough and district councils across the county.
- 20 The hub will manage and co-ordinate the re-deployment of staff, community volunteers and resources to meet that demand, on behalf of the public sector. It will also pass on general offers of help and will work alongside existing voluntary and community groups to help maximise support for our local communities.
- 21 The hub aims to match people who can offer their time and specific skills with those who have been advised to self-isolate.
- 22 The Chief Officer - People and Places has requested investment of £100,000 to be made available to support the district's vulnerable people and communities, including the emergency set up and delivery of community co-ordination hubs.
- 23 The funding will:
- Support the establishment of local community hub(s), which will be set up as the main spokes across the district, including support such as:

Agenda Item 7

- Direct funding to hubs;
 - Volunteering directory;
 - Staff resources;
 - Free parking permits to key workers, volunteers and health professionals;
 - Printing facilities (inc. ID badges, passes etc) to support local communications needed in our local community hubs;
 - Vehicles and drivers to support critical activities;
 - Warehousing and storage capacity; and
 - Community supplies.
- Provide funding to the voluntary and community sector, where a critical needs or gap in service provision to the community is identified. This will assist them to mobilise frontline services.

Financial Impact

- 24 £100,000 has been made available to support the district's vulnerable people and communities, including the emergency set up and delivery of community co-ordination hubs.

Key Implications

Financial

The decisions made will have the following impact on the Council's revenue budget over 2019/20 and 2020/21:

	£
Temporary suspension of car parking charges	758,000
Expanded retail discount scheme	-
Support vulnerable people and communities	100,000
Total	858,000

It is proposed that £858,000 will be removed from the Budget Stabilisation Reserve to fund these items.

The Budget Stabilisation Reserve is used to support the balanced 10-year budget. By reducing this reserve, further budget decisions may be required as part of the next annual budget setting process to ensure that the Council continues to have a balanced 10-year budget.

The financial implications for each decision are set out elsewhere in this report. This report complies with the reporting procedures set out in Appendix D (Financial Procedure Rules) 2(d) paragraphs 2.32 and 2.33 of the Council's Constitution.

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RURAL HOUSING WORK PROGRAMME

Cabinet - 16 April 2020

Report of Chief Officer People & Places

Status For Information

Key Decision No

This report supports the Key Aim of: the District Council's Housing Strategy (2017), Community Plan Priorities (2019-2022) and emerging Local Plan.

Portfolio Holder Cllr. Robert Piper

Contact Officer Gavin Missons, Ext. 7332

Recommendation to Cabinet:

- 1) That Members note the draft priority matrix (Appendix A) which will be used to develop and maintain a timetabled programme of rural housing needs surveys in the future; and
- 2) That the Chief Officer Planning & Policy be granted delegated authority to populate the template in order to create a working schedule of future surveys and to update as and when necessary.

Reason for recommendation: To support the delivery of the District Council's Housing Strategy (2017) whilst also better supporting equality of opportunity.

Introduction and background

- 1 Following the transfer of its social housing stock to *West Kent Housing Association (WKHA)* back in 1989, the District Council has worked to enable the delivery of affordable housing in its role as strategic housing authority. This has been carried out in partnership with several external housing providers and, more recently, through *Quercus Housing*.
- 2 Key to the District Council's enabling role is the gathering together of a wide-range of evidence in order to best determine future housing requirements and this is all brought together from a number of sources, e.g. Strategic Housing Market Assessment (SHMA); Local Housing Needs Study (LHNS); bespoke parish-level rural housing needs surveys; and live data from the new in-house *Sevenoaks District Housing Register (SDHR)*.

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- 3 When considering the provision of rural housing, independent and bespoke rural housing needs surveys are commissioned by the District Council and undertaken by *Action with Communities in Rural Kent (ACRK)*. This evidence-based approach is essential to pursue such a project and back up any subsequent planning application under Core Strategy Policy SP4 (and emerging Local Plan Policy H3).
- 4 In the past, the District Council worked on a typically ad hoc basis when undertaking rural housing needs surveys and was very much lead by those parish councils generally in support of the idea. Although this approach worked relatively well, some parishes did not engage and with those in housing need not given similar support and opportunities to others elsewhere in the District.

Existing and emerging policy

- 5 In response to the above, the District Council's Housing Strategy (2017) committed it to review its future approach to the provision of affordable rural housing to best meet local housing needs across the whole District (Priority 1.15, p18). This objective was introduced to follow good practice elsewhere and bring the District Council in line with more formal programmes operated in other areas.
- 6 Further to the above, the District Council's Draft Local Plan subsequently included the following paragraph: *'To understand the level of need for rural exceptions housing, all parishes will undergo a five-year rolling programme of rural housing needs surveys'* (Para. 2.28, p45).
- 7 It should be noted that the District Council did not receive any objections to the proposal in either of the related consultation and approval processes and nor at any time during the Local Plan hearings subsequently held by the Government Inspector during October 2019.
- 8 To further support this change in approach, a formal programme would directly contribute to outcomes included in the District Council's Community Plan Priorities (2019-2022) and with particular relevance to the theme covering 'Sustainable Economy' (Priorities 2 and 3, p30-31).

Current situation

- 9 In preparation for this change in approach, it was agreed to place the commissioning of any rural housing needs surveys on hold and until such time as a draft priority matrix was adopted. In doing so, this has also helped the

District Council to better manage the nine currently active rural exceptions housing projects and which is, by far, the most schemes than at any time previously.

- 10 Work on a new priority matrix is now complete and this will be the system used to develop a new schedule of rural housing needs surveys (Appendix A).

Next steps

- 11 A timetabled programme of surveys will be created and the results shared with all interested parties as well as being published on the District Council's website.
- 12 Under the rolling programme, the District's parishes which are eligible to develop rural exceptions housing will all then be surveyed in future years. The five parishes not eligible for rural exceptions housing will still be surveyed, however, but with a view to more general housing development and the subsequent use of sustainable lettings plans.

Interim arrangements

- 13 It should be noted that this change in approach will not prevent any parish councils, community groups and/or individuals from pursuing their own projects outside of the new programme and independent of the District Council, should they wish to do so.
- 14 For example, parish councils, groups and/or individuals wishing to take forward a project in the interim would have the option to form a Community Land Trust (CLT) in order to develop a community-lead housing scheme. If this route were to be taken, external funding could be applied for to help set up a CLT and potentially contribute to certain elements of a project.
- 15 For others wishing to pursue a project outside of a CLT and with a view to submitting a planning application, they would have the additional option to fund a rural housing needs survey themselves (as is done by many land owners and/or developers).

Other Options Considered and/or Rejected

- To continue with the current approach of ad hoc surveys
- 16 If the District Council were to continue with the ad hoc approach, it would be at odds with emerging Local Plan policy. It would also not be fulfilling its obligations to all of its communities and would run the risk of being

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challenged by those not assessed and/or assisted through the rural housing work programme (either historically and/or in the future).

Key Implications

Financial

With limited financial resources, a programmed approach would ensure that the District Council invested its time/funds across all parishes as opposed to disproportionately targeting and/or investing in particular areas. To note - there would be no financial impact on District Council budgets.

Legal Implications and Risk Assessment Statement.

As per paragraph 15 - if the District Council were to continue with the current ad hoc approach, it would not be fulfilling its obligations to all of its rural communities and would run the risk of being challenged by those not assessed and/or assisted through the rural housing work programme (either historically and/or in the future).

Equality Assessment

The proposed system would ensure that rural communities were given equal opportunities as opposed to, as is currently the case, some areas being unreasonably favoured over others. This approach would result in fully positive impacts, therefore.

Community Impact and Outcomes

The proposed system would provide support to all relevant parishes equally.

Resource (non financial)

Being a disproportionately time-consuming work programme, the proposed system would ensure that all relevant parishes were better supported.

Appendices Appendix A - Priority matrix

- Background papers**
- 1) Housing Strategy (2017)
https://www.sevenoaks.gov.uk/downloads/file/1028/housing_strategy_2017
 - 2) Draft Local Plan (2019)
<https://www.sevenoaks.gov.uk/localplanexamination>
 - 3) Community Plan Priorities (2019-2022)
https://www.sevenoaks.gov.uk/site_search/results/?q=Community+Plan+Priorities+%282019-2022%29.++&jadu-search-type=
 - 4) Core Strategy
https://www.sevenoaks.gov.uk/info/20069129/current_local_plan/249/core_strategy_development_plan
 - 5) Housing Act 1996
<http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=2ahUKEwip9O7YnJ7IAhUVEcAKHaURAYoQFjAC08-01%3Fwrap%3Dtrue%26timeline%3Dtrue&usg=AOvVaw3aWYGBWTmdaUMDItogDOe>

Sarah Robson
Chief Officer Places & People

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SEVENOAKS DISTRICT COUNCIL UK RESETTLEMENT SCHEME PROTOCOL

Cabinet - 16 April 2020

Report of Chief Officer People and Places

Status For Consideration

Key Decision Yes

Executive Summary: This report sets out this Council's Policy for participating in the UK Resettlement Scheme, which updates the current Syrian Vulnerable Persons Relocation Scheme (SVPRS) in Kent. It is broadly very similar to the existing scheme.

This report supports the Key Aim of safe and caring communities and healthy environment.

Portfolio Holder Cllr. Robert Piper

Contact Officers Hayley Brooks, Ext. 7272 & Lisa Webb, Ext. 7231

Recommendation to Housing and Health Advisory Committee:

For consideration and to note the content of the report.

Recommendation to Cabinet:

- a) to adopt the updated Sevenoaks District Council UK Resettlement Scheme Policy set out in Appendix A;
- b) to delegate authority to the Portfolio Holder for Housing and Health to make decisions relating to the Sevenoaks District Council UK Resettlement Scheme Policy.

Reason for recommendation: The national Syrian Vulnerable Persons Relocation Scheme (SVPRS) comes to an end in May 2020 and is being replaced by the 'UK Resettlement Scheme'. This report sets out a Policy to enable affordable and suitable private rented properties to be used for the UK Resettlement Scheme, on a case-by-case basis.

Introduction and Background

- 1 As part of its response to the refugee crisis in Syria, the Government set up the SVPRS in February 2014. This scheme involves taking particularly vulnerable refugees straight from the Middle East and resettling them in the

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UK. The refugees are given five years Humanitarian Leave to Remain and as such are able to work and claim benefits and access other public funds from day one.

- 2 In September 2015, the Government announced that the SVPRS would be expanded so that 20,000 people would be assisted under the scheme by 2020. The scheme is voluntary and dependent on local authorities agreeing to take part. Both the district and county council (in two-tier areas) are responsible for arranging housing, school places and any additional support that is required. Housing is normally provided in the private rented sector, as determined by the Local Housing Authority.

Resettlement Scheme - Sevenoaks District

- 3 In October 2015, it was agreed that Kent County Council (KCC) would co-ordinate and commission a service and work in partnership with Kent district councils. The providers work closely with the district council, KCC, other agencies and the voluntary sector to provide all the necessary support to the families.
- 4 In July 2017, Cabinet approved the decision for this Council to participate in the SVPRS programme in Kent, in partnership with KCC. Delegated authority was agreed for the Portfolio Holder for Housing and Health to make decisions relating to the scheme, in consultation with the relevant local Members.
- 5 In Sevenoaks District Council's area, housing refugee families in rented accommodation relies on local private landlords willing to offer a property for the SVPRS and the property must be at an affordable rental rate (at the Local Housing Allowance rate). This Council has chosen not to use social housing, as not to reduce social housing for local people on the Housing Register.
- 6 As at January 2020, five Syrian families have been resettled into properties in the District. All of the families have re-settled well, with most of the adults/adult children now in employment or further education/training. The families continue to be supported by the KCC commissioned provider and Sevenoaks Welcomes Refugees, a local voluntary sector organisation.

The UK Resettlement Scheme

- 7 In June 2019, the Government confirmed its ongoing commitment to resettlement families and announced plans for a more globally focused scheme. All current resettlement schemes, including the SVPRS, will be consolidated into one new scheme. This new scheme will be known as the 'UK Resettlement Scheme' and will not have a specific geographical focus, with the nationalities of refugees potentially changing in response to world events. Priority areas will be set by the UNHCR (United Nations High Commissioner for Refugees). The scheme will be open to refugees identified by the UNHCR to be in need of resettlement to the UK because of their vulnerability (as with the SVPRS).

- 8 The Home Office conducts security checks on refugee families before choosing to accept families for UK resettlement. This includes checks on criminal records, military background, political affiliation and family background. The International Organisation for Migration also carries out a detailed interview of the family when they apply to be resettled including their past history and reason for fleeing their country of origin. The Home Office also undertakes interviews by skype with the families prior to their arrival in the UK. Families have to meet specific United Nations High Commission for Refugees (UNHCR) criteria determined by the Home Office in order to be resettled in the UK to ensure that the most vulnerable are given priority. These include amongst others survivors of conflict, those with legal and/or physical protection needs and children and adolescents at risk.
- 9 The new scheme will operate in the same way as before and will begin as soon as the original target of 20,000 refugees has been met - this is expected to be around April 2020. Government anticipate a smooth transition and expects there to be a seamless continuation between the current and new schemes. It is anticipated that the nationalities of refugees will be broadly similar to the existing schemes including families from Syria. This update, enables the scheme to consider the nationalities of refugees resettled in response to world events and the global context. In the first year of the new scheme (2020-21), the UK will aim to resettle approximately 5,000 refugees.
- 10 The new scheme remains voluntary for local authorities and officials will work with each Council to identify a suitable family based on the type of property available, location and proximity to relevant support services. This Council will look at accepting families as and when suitable properties are available, on a case by case basis.
- 11 Based on the five Syrian families already resettled in the District, the Council will continue to prioritise its support for Syrian families to help further embed community cohesion and support from local services.
- 12 The recommendation set out in this report asks Members to adopt the updated Sevenoaks District Council UK Resettlement Scheme Policy, as set out at Appendix A. This enables the Council to participate in the new scheme when suitable and affordable properties are identified (in the same way as the SVPRS).
- 13 The Policy details how this Council to work closely with local partners including KCC and the contracted support provider. Properties put forward for the scheme will be considered on a case-by-case basis and approved under the Policy, once the property has been assessed for its affordability and suitability for the scheme, in consultation with KCC and the local health/support providers.

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Key Implications

Financial

As with the SVPRS, under the UK Resettlement Scheme, KCC will receive the local authority tariff from the Home Office to cover the support and associated costs relating to each family. The new scheme will be of no cost to this Council.

Legal Implications and Risk Assessment Statement.

This Council will have a Memorandum of Understanding with Kent County Council outlining the responsibilities of both parties as part of the scheme.

Resource (non-financial)

If this Council supports the resettlement of further families in this District, existing Officer and partner resources would be required to support the family's arrival and housing requirements. This Council's existing strong partnerships with local key agencies, the voluntary sector and local community groups would support the families and this work.

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 does not vary between groups of people. The results of this analysis are set out immediately below.

An Equalities Impact Assessment has been carried out. The decisions recommended through this paper will assist vulnerable families.

Conclusions

Members are asked to adopt the updated Sevenoaks District Council UK Resettlement Scheme Policy to enable this Council to support the resettlement of refugee families, if suitable and affordable housing is identified. This Policy includes delegating powers for this work to the Portfolio Holder responsible for Housing and Health, in consultation with local Members.

Appendices

Appendix A - Sevenoaks District Council UK Resettlement Scheme Policy.

Appendix B - Sevenoaks District Council UK Resettlement Scheme Equality Impact Assessment.

Background Papers

[UK Resettlement Scheme - Note for Local Authorities](#)

Sarah Robson

Chief Officer People & Places

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**Sevenoaks District Council
UK Resettlement Scheme Policy**

1. This policy sets out how Sevenoaks District Council acting in their capacity as the local Housing Authority will support the resettlement of refugee families within the Sevenoaks District, as part of the Government's UK Resettlement Scheme (The Scheme).
2. When making a decision under this Policy the Council will have regard to:
 - a. South East Strategic Partnership for Migration (SESPM) Statement of Outcomes (at pages 2-3);
 - b. Signed Memorandum of Understanding with Kent County Council;
 - c. Sevenoaks District Council Safeguarding Children, Young People and Vulnerable Adults Flowchart Summary (at page 4).
3. Any identified properties, which may be suitable for refugee families as part of The Scheme, will be inspected and considered by this Council for suitability and other local needs. Only properties that are unable to meet a local need will be considered for use under The Scheme. An assessment of affordability will be made by Sevenoaks District Council against Local Housing Allowance rates when considering the suitability of properties.
4. Portfolio Holder responsible for Housing, following consultation with local Members, has delegated powers to offer properties to the Home Office.
5. In line with the Memorandum of Understanding (MOU), on acceptance of a family and property, a local Steering Group will be set up to co-ordinate the pre and post arrival arrangements. This will include appropriate representatives from Sevenoaks District Council, Kent County Council and the commissioned support service provider.
6. The Steering Group will ensure compliance with the SESPM Statement of Outcomes (as set out on pages 2-3) and co-ordinate support and communication across Sevenoaks District Council and Kent County Council when involved in:
 - a. Decision making on accepting cases
 - b. Pre-arrival planning
 - c. Financial planning
 - d. Post arrival support
 - e. Ongoing support
 - f. Planning for years 2-5 and exit

South East Strategic Partnership for Migration - Statement of Outcomes

1. Section 1 - Delivery Outcomes

- 1.1 The SRP is made up of two elements:
 - 1.1.1 **Pre arrival** - Provision of medical and travel services enabling the migration of accepted Beneficiaries to the UK; and
 - 1.1.2 **Post arrival** - Housing provision, initial reception arrangements, casework and orientation support including English language provision.
- 1.2 This Statement of Outcomes describes the **post arrival outcomes** to be achieved.

2. Post Arrival Outcomes

Provision of accommodation:

- 2.1 The Recipient will arrange accommodation for the arriving Beneficiaries which meets local authority standards and which will be available on their arrival and is affordable and sustainable.
- 2.2 The Recipient will ensure that the accommodation is furnished appropriately. The furniture package should not include luxury items. This means that funding received through this Instruction should be used for food storage, cooking and washing facilities but should not include the provision of other white goods or brown goods, i.e. TV's, DVD players or any other electrical entertainment appliances. This shall not preclude the Recipient from providing Beneficiaries with additional luxury, white or brown goods through other sources of funding.
 - 2.2.1 The Recipient will ensure that the Beneficiaries are registered with utility companies and ensure that arrangements for payments are put in place (no pre pay/card accounts).
 - 2.2.2 The Recipient will provide briefings on the accommodation and health and safety issues for all new arrivals including the provision of an emergency contact point.

Initial Reception Arrangements:

- 2.3 The Recipient will meet and greet arriving Beneficiaries from the relevant airport and escort them to their properties, briefing them on how to use the amenities.
- 2.4 The Recipient will ensure that Beneficiaries are provided with a welcome pack of groceries on their arrival - the content of this pack should take into account the culture and nationality of the Beneficiary(ies).
- 2.5 The Recipient will provide an initial cash allowance for each Beneficiary of £200 - this is to ensure they have sufficient funds to live on while their claim for benefits is being processed.

Casework Support:

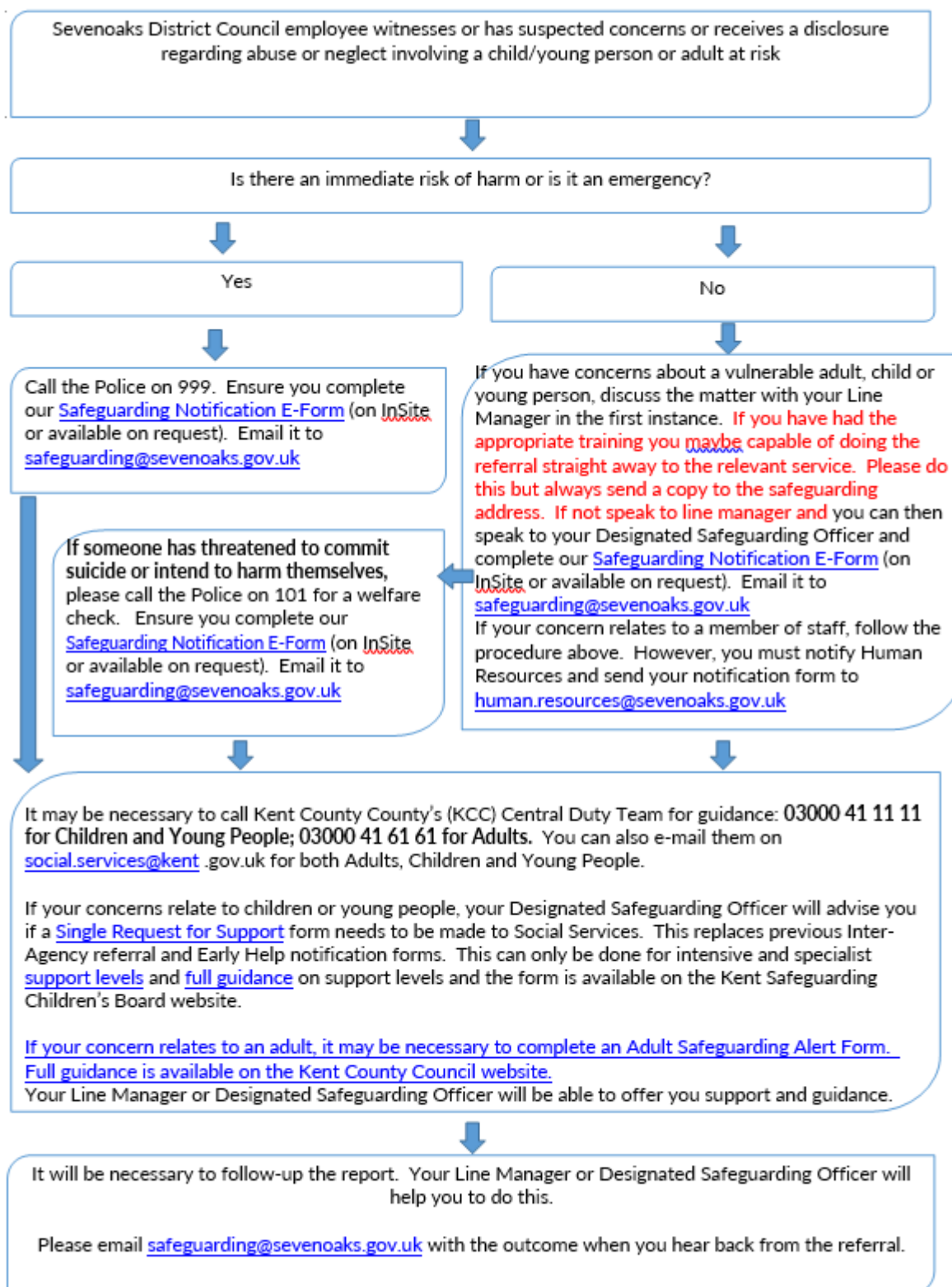
- 2.6 The Recipient should ensure that Beneficiaries are provided with a dedicated source of advice and support to assist with registering for mainstream benefits and services, and signposting to other advice and information giving agencies - this support includes:

- 2.6.1 Assisting with registration for and collection of Biometric Residence Permits following arrival
- 2.6.2 Registering with local schools, English language and literacy classes
- 2.6.3 Attending local Job Centre Plus appointments for benefit assessments
- 2.6.4 Registering with a local GP
- 2.6.5 Advice around and referral to appropriate mental health services and to specialist services for victims of torture as appropriate
- 2.6.6 Providing assistance with access to employment.
- 2.7 The Recipient shall develop an overarching (or framework) support plan and bespoke support plans for each family or individual for the first 12 month period of their support to facilitate their orientation into their new home/area.
- 2.8 The Recipient shall undertake an assessment with each Beneficiary of their English language capability to determine appropriate support arrangements through provision of English for Speakers of Other Languages (ESOL) or equivalent. The purpose of the language tuition is to ensure that each Beneficiary is able to carry out basic transactions within the communities in which they have been placed. Beneficiaries should be able to access such classes within one month of their arrival and they should be made available until such time as suitable mainstream provision becomes available or until 12 months after arrival (whichever is sooner).
- 2.9 Any language support provision should be delivered by an accredited provider.
- 2.10 Throughout the period of resettlement support the Recipient will ensure interpreting services are available.
- 2.11 The above outcomes will be provided through a combination of office based appointments, drop in sessions, outreach surgeries and home visits.
- 2.12 The Recipient shall collate such casework information as is agreed to enable the Authority to monitor and evaluate the effectiveness of the Programme's delivery.

Requirements for Beneficiaries with special needs/assessed community care needs:

- 2.13 Where Beneficiaries are identified as potentially having special needs/community care needs the Authority will ensure, as far as possible that these needs are clearly identified and communicated to the Recipient six (6) weeks prior to the arrival of the Beneficiaries.
- 2.14 Where special needs/community care needs are identified only after arrival in the UK, the Recipient will use its best endeavours to ensure that care is provided by the appropriate mainstream services as quickly as possible.
- 2.15 Where sensitive issues (including safeguarding issues or incidents of domestic abuse, violence or criminality) are identified pre-arrival by the Authority, the Authority will notify the Recipient immediately, and not longer than 24 hours, after its receipt of the information.
- 2.16 Where sensitive issues such as the above are identified post-arrival by the Recipient, the Recipient shall notify the Authority within 24 hours, setting out what procedures are to be put in place to mitigate the situation.

Sevenoaks District Council Summary of Safeguarding Policy (Flowchart Summary)



For full details please see the Sevenoaks District Council's Safeguarding Policy and related forms at: https://www.sevenoaks.gov.uk/downloads/file/3/safeguarding_policy_for_children_and_vulnerable_adults

Alternatively email the Safeguarding Leads: safeguarding@sevenoaks.gov.uk

Summary of decision to be made:	UK Resettlement Scheme		
Lead Officer (job title):	Sarah Robson, Chief Officer People & Places		
Date the final decision is due to be made:	21/04/2020	Date this assessment commenced:	04/02/2020
Is the decision relevant to the aims of the Public Sector Equality Duty?	Yes / No		
Eliminate discrimination, harassment and victimisation	Yes / No		
Advance equality of opportunity	Yes / No		
Foster good relations	Yes / No		
If the answer is yes to any of the above, proceed with the assessment. If the answer is no, please say why and summarise any evidence:			
For each of the following characteristics, summarise any existing data, consultation activity, interpretation of the impacts and actions that can be taken to reduce or mitigate any negative impacts:			
Characteristic:	Data and consultation	Summary of impact	Actions
Disability	UK Resettlement Scheme	Provides accommodation and services for vulnerable family where one or more member may have been identified as being a refugee with medical needs or disabilities..	WKEP Aim: Other actions as a community leader
Carers	As above	Provides accommodation and services for vulnerable family where one or more member may be a caring for a family member who has been identified as a refugee with medical needs or disabilities.	WKEP Aim: Other actions as a community leader
Race	As above	Provides accommodation and services for vulnerable family where one or more member is a survivor of violence and/or torture because of their race.	WKEP Aim: Other actions as a community leader
Gender	As above	Provides accommodation and services for vulnerable family where one or more member has been identified as a woman or girl at risk.	WKEP Aim: Other actions as a community leader

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Age	As above	Provides accommodation and services for vulnerable family where one or more member may be children or adolescents at risk.	WKEP Aim: Other actions as a community leader
Religion / Belief	As above	Provides accommodation and services for vulnerable family that are refugees and survivors of violence and/or torture because of their religion or belief.	WKEP Aim: Other actions as a community leader
Sexual Orientation	As above	Provides accommodation and services for vulnerable family where one or more member may be persons at risk due to their sexual orientation or gender identity	WKEP Aim: Other actions as a community leader
Pregnancy / Maternity	As above	Provides accommodation and services for vulnerable family where one or more member has been identified as a woman or girl at risk who is pregnant or with small children.	WKEP Aim: Other actions as a community leader
Marital or Civil Partnership Status	As above	Provides accommodation and services for vulnerable family where one or more member may be persons at risk due to their sexual orientation or gender identity	WKEP Aim: Other actions as a community leader
Gender reassignment	As above	Provides accommodation and services for vulnerable family where one or more member may be persons at risk due to their sexual orientation or gender identity	WKEP Aim: Other actions as a community leader

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<p>Summary of impacts : (to be included in committee reports)</p>	<p>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 impact has been analysed and does not vary between groups of people. The decisions recommended through this paper will assist vulnerable families.</p>			
<p>Please tick the outcome of this assessment:</p>	<p>No impact</p>	<p>Adjust the policy</p>	<p>Continue the Policy</p>	<p>Stop and remove the policy</p>
<p>Date assessment will be reviewed:</p>	<p>04/02/2021</p>			

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TEMPORARY ACCOMMODATION PLACEMENT POLICY

Cabinet - 16 April 2020

Report of	Chief Officer People & Places
Status	For Consideration
Key Decision	No

Executive Summary: A Temporary Accommodation Placement Policy has been developed to improve outcomes for customers by ensuring they are supported to move on into suitable and more permanent housing. Members are asked to approve this Policy.

This report supports the Key Aim of the District Council's Housing Strategy (2017), West Kent Homelessness Strategy (2016-21) and wider elements of the Community Plan (2019-22).

Portfolio Holder Cllr. Robert Piper

Contact Officer Hayley Brooks, Ext. 7272

Recommendation to Cabinet: That Members approve the Temporary Accommodation Placement Policy.

Reason for recommendation: The Council has a legal requirement to provide temporary accommodation, this Policy sets out this Council's framework when placing households in temporary accommodation and supporting customers to move into more permanent housing.

Introduction and Background

- 1 This Council has a legal obligation and a duty of care to provide emergency and temporary accommodation in certain circumstances in response to the needs of local people. This responds to the needs of local people who have been evacuated as part of an emergency incident (such as flooding or fire) and those who are in priority need and facing homelessness.
- 2 The legal duty of this Council is to provide, or secure the provision of, advice and information about homelessness and the prevention of homelessness, and to ensure advice meets the needs of particular vulnerable groups. The Government defines someone who is homeless as: a person is homeless if they have no accommodation available for occupation, this includes

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someone who cannot secure entry or it is not reasonable for them to stay/return to the accommodation.

- 3 Types of homelessness includes rough sleeping, statutory homelessness (where local authorities have a duty to secure a home for some groups of people) and hidden homelessness such as people who are sofa surfing, staying in hotels/squats and in overcrowded accommodation.
- 4 The Council has a responsibility to ensure that temporary accommodation goes to those in greatest need with a local connection. The local connection is defined as a previous or current connection to this District through living, working, family associations and other special circumstances. Support is provided to customers at risk of homelessness to help them to manage their finances and sustain longer term tenancies.
- 5 The Council works in close partnership with other organisations to provide tailored support services for vulnerable people at risk of homelessness. The Council has recently secured additional funding from the MHCLG to support people with addictions, provide specialist nurses to support people with mental health and medical issues and provide accommodation and support to rough sleepers during severe weather.

Temporary Accommodation - Homelessness Duty

- 6 As of 1 April 2018 under the new Homelessness Reduction Act 2017 (HRA), this Council has a legal duty to prevent and relieve homelessness. This Duty also includes the provision of temporary accommodation to households who are eligible and in priority need and at risk of homelessness, if suitable permanent accommodation is not available.
- 7 Where temporary accommodation is provided, the Council aims to:
 - Reduce any stays to a minimum by supporting customers into more permanent housing through a range of housing options
 - Ensure that the standard of accommodation provided meets the needs of individuals and where required, support services are provided
 - Support customers to sustain longer term tenancies by providing advice and support on managing finances, budgeting and maintaining a successful tenancy
- 8 At present, the District Council has access to a number of temporary accommodation properties and which are provided by two housing associations in the District, West Kent Housing Association (WKHA) and Moat. These properties are provided at no cost to this Council as the household receive a short-term tenancy, whilst they are supported to find more suitable longer-term accommodation.
- 9 This existing supply of temporary accommodation is not adequate to meet current levels of need. This has included an extension within the HRA from

28 to 56 days whereby the District Council is duty-bound to provide certain support measures to those threatened with homelessness. As a result of this, the District Council has seen an increase in the number of qualifying households and with an additional consequent need for temporary accommodation.

- 10 With the District having a limited supply of temporary accommodation in the District, there is no alternative but to secure placements from private Housing Providers elsewhere in Kent. These properties are provided at a nightly paid rental rate based on the size of the household/property. This cost ranges between £35-£80 per night.
- 11 This nightly paid accommodation is funded through the Flexible Homelessness Support Grant provided by Government (MHCLG) to this Council. However, with the increased numbers requiring temporary accommodation, it is important to ensure that this accommodation is provided to those with the greatest needs, to make best use of the funding available. Where possible, this Council recovers Housing Benefit contributions to help towards this cost, but the Local Housing Allowance (LHA) rate for this District does not cover the nightly costs of providing this accommodation. Therefore it is essential that the Council ensures the temporary accommodation is being used appropriately to those who cannot make alternative temporary housing arrangements.
- 12 The Council is exploring other housing options to ensure that there are a greater range of opportunities available to customers. These include working with: Kent Savers who can provider community loan and savings schemes, Young Lives to offer an advocacy service and working with other landlords and housing providers to offer rooms in shared houses, support services and develop our own affordable tenancies through Quercus Housing.

Strategising

- 13 The District Council's 'Housing Strategy (2017)' highlighted the likely effects of the (then) upcoming changes to legislation and consequently committed the District Council to update its 'Housing Allocations Policy' as part of a fuller review of its homelessness support services. A new 'Housing Allocations Policy' has subsequently been adopted, helping the District Council to make more effective use of its housing advice staff and temporary accommodation resources.
- 14 The Council has around 80 households at any one time in temporary accommodation, with 50 in housing association properties within the District and a further 30 outside the District. Although this is one of the lowest in Kent, the Council has put actions in place to reduce stays in temporary accommodation and make best use of the properties available to the Council by:
 - Agreeing standardised nightly rates with Providers to ensure best use of funds available;

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- Work with housing associations to develop Pre-eviction Panels to support them to address and prevent evictions at the earliest opportunities. This will aim to prevent homelessness by wrapping services around vulnerable tenants.
- Developing the landlord incentives to support customers to access private rented properties;
- Introducing sign in/out sheets at properties to ensure that temporary accommodation is being used appropriately. If a customer does not stay at the property, the Council is still charged for the booking;
- Introducing property inspections to ensure a good standard of accommodation is provided;
- Working with housing association to move customers quicker into vacant temporary accommodation properties within the district so they are closer to their support network;
- Working with *Quercus Housing* to explore opportunities for purchasing new forms of temporary accommodation in the District.
- Improve the Housing Benefit claim process across internal teams to maximise funding for providing this accommodation.

15 In order to reduce the need for temporary accommodation, a key objective of the District Council's 'Housing Strategy (2017)' is to maximise delivery of new affordable housing. With evidence suggesting a requirement of 604 new affordable dwellings annually to meet existing and newly-arising need, the District Council will only ever be in a position to part-achieve this objective, however, and so the procurement, provision and control of externally-sourced temporary accommodation will continue to be required into the long-term.

Short-term approach

- 16 The District Council must continue to work to maximise the use of locally-based temporary accommodation. Where it secures properties for a nightly rate rental amount from elsewhere in Kent, seek to ensure it secures the best and most cost-effective accommodation possible.
- 17 In order to support this approach, a 'Temporary Accommodation Placement Policy' (Appendix A) has been produced in order to provide a suitable framework within which to work and improve the outcomes for customers.

Key Implications

Financial

The use of temporary accommodation is currently funded via the Government's Flexible Homelessness Support Grant (FHSG). A key aim of this policy is to reduce

unnecessary costs associated with temporary accommodation. The current LHA rates for Housing Benefit that can be reclaimed only covers a third of the overall expenditure on this accommodation, therefore it is essential that Government funding is used effectively to cover the remainder of the costs.

Legal Implications and Risk Assessment Statement

The District Council has a legal duty to households in priority need at risk of or presenting as homeless and the use of temporary accommodation is essential to meet with relevant legal requirements. If the District Council were to not secure this temporary accommodation, it would not be able to meet its legal duties.

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 does not vary between groups of people. The results of this analysis are set out immediately below.

The Policy aims to provide accommodation assistance to all households with a priority need at risk of homelessness, in accordance with the Housing Act. The Equalities Impact Assessment is set out at Appendix B.

Conclusions

Members are asked to approve the Temporary Accommodation Placement Policy to make best use of the properties available and ensure they are provided to those with the greatest need, whilst achieving the best outcomes for customers.

Appendices

Appendix A - Temporary Accommodation Placement Policy (Draft)

Appendix B - Equalities Impact Assessment

Background Papers

Homelessness Reduction Act 2017

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-14-ending-the-prevention-and-relief-duties>

Housing Strategy (2017)

https://www.sevenoaks.gov.uk/downloads/file/1028/housing_strategy_2017

West Kent Homelessness Strategy

https://www.sevenoaks.gov.uk/site_search/results/?q=west+kent+housing+strategy&jadu-search-type=1

Community Plan

https://www.sevenoaks.gov.uk/info/20026/your_community/290/community_plan

Housing Register Allocations Policy

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https://www.sevenoaks.gov.uk/downloads/file/1742/housing_register_allocation_policy

Sarah Robson

Chief Officer People & Places

Policy	Temporary Accommodation Placement Policy
Key legislation	<ul style="list-style-type: none"> – Housing Act 1996; – Homelessness Code of Guidance for Local Authorities (MHCLG, 2018); – Homelessness (Suitability of Accommodation) England Order 2012; – Homelessness Reduction Act 2017; – Children Act 2004; – Equality Act 2010; and – Civil Contingencies Act 2004.
Key strategies and policies	<ul style="list-style-type: none"> – Community Plan (2019-22); – Housing Strategy (2017); – Housing Allocations Policy (2019); – West Kent Homelessness Strategy (2016-21); and – Kent & Medway Housing Strategy (2020).
Version	Draft v1 (06/02/20)
<p>Contents</p> <p>1. Introduction 2</p> <p>2. Council’s Responsibility..... 3</p> <p>3. Cost of Temporary Accommodation..... 4</p> <p>4. Suitability of accommodation..... 4</p> <p>5. Offers of Temporary Accommodation 5</p> <p>6. Out-of-District Placements..... 6</p> <p>7. Charging Policy..... 7</p> <p>8. Refusing and Ending Temporary Accommodation..... 9</p> <p>9. Behaviour and Conduct 10</p> <p>10. Duty of Care and Safeguarding 11</p> <p>11. Out of Hours Service 12</p> <p>12. Monitoring 12</p> <p>APPENDIX A: Offer of Temporary Accommodation Template Letter 12</p> <p>APPENDIX B: Local Housing Allowances Rates (LHA) 13</p> <p>APPENDIX C: Glossary of Terms..... 13</p> <p>APPENDIX D: Affordability Assessment Calculations..... 13</p>	

1. Introduction

Under the Housing Act 1996 and, more recently, the Homelessness Reduction Act 2017, the District Council has a legal duty to prevent and relieve homelessness. In certain circumstances, this duty also includes the provision of temporary accommodation to households in priority need, as per below:

a) Those having been defined as ‘Legally Homeless’:

Legally homeless includes those who are homeless or threatened with homelessness and have been identified as eligible and in priority need, as set out in the Housing Act 1996 (Part 7), Homelessness (Priority Need for Accommodation) (England) Order 2002 and the Homelessness Reduction Act 2017;

b) When activating a Major Emergency Plan:

This includes those who have been evacuated from their home and unable to return for a period of time as set out in the Civil Contingencies Act 2004. It also includes those with a priority need for accommodation having been made homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster, as set out in the Housing Act 1996 (Section 189).¹

With limited affordable housing in the District (c15% of total housing stock), the District Council has difficulty in acquiring suitable accommodation to meet growing demand. In addition, the District’s private rented sector is similarly limited (c12.3% of total housing stock) and, with Local Housing Allowance (LHA) levels no longer reflecting local lower-quartile rents, this sector is unattainable for many low-income households and particularly those reliant on welfare benefits. See Appendix B for the Local Housing Allowance rates at the time of producing this Policy.

The District is designated 93% Green Belt and 60% Areas of Natural Beauty (AONB) with land and property prices amongst some of the highest in the UK. As a result, the development of all forms of affordable housing, including temporary accommodation, are limited and use of the existing housing stock must be increasingly prioritised to best effect, therefore.

The District Council continues to work with a wide-range of partners across sectors to enable the provision of additional temporary accommodation. At present, the District Council’s Large-Scale Voluntary Transfer (LSVT) partner, West Kent Housing Association, provides a number of self-contained and shared-facilities properties for the use of temporary accommodation. Some proprieties are also provided by other housing associations such as Moat.

¹ <http://www.legislation.gov.uk/ukpga/1996/52/section/189>

Through its new affordable housing company, Quercus Housing, the District Council will be aiming to increase the supply of good quality in-District temporary accommodation in future years to help meet demand. This is a longer-term objective, however, and so short-term solutions continue to be required to meet urgent and anticipated demand moving through 2020 and beyond.

With the above in mind, this policy provides a local framework for the allocation of temporary accommodation within the District and, where required, elsewhere in Kent. The policy has been developed in accordance with the allocation of temporary accommodation under relevant legislation and accords with standards set out in the Homelessness Code of Guidance for Local Authorities (MHCLG, 2018).

Whilst the District Council will have regard to this policy when allocating temporary accommodation to qualifying households, it will retain the discretion to take into account any particular personal circumstances of a household when allocating any form of temporary accommodation - either within or outside of the District.

Note: This policy does not cover allocations into the District's permanent social housing stock as a secure or assured tenant. This is instead covered by the District Council's Housing Allocations Policy (2019) and which relates to the Sevenoaks District Housing Register.

2. Council's Responsibility

The legal duty of this Council is to provide, or secure the provision of, advice and information about homelessness and the prevention of homelessness, and to ensure advice meets the needs of particular vulnerable groups. The Government defines someone who is homeless as: a person is homeless if they have no accommodation available for occupation, this includes someone who cannot secure entry or it is not reasonable for them to stay/return to the accommodation. Types of homelessness includes rough sleeping, statutory homelessness (where local authorities have a duty to secure a home for some groups of people) and hidden homelessness such as people who are sofa surfing, staying in hotels/squats and in overcrowded accommodation.

The Council has a responsibility to ensure that temporary accommodation goes to those in greatest need with a local connection. The local connection is defined as a previous or current connection to this District through living, working, family associations and other special circumstances. Support is provided to customers at risk of homelessness to help them to manage their finances and sustain longer term tenancies.

The District Council's 'Severe Weather Emergency Protocol for Rough Sleepers' sets out the arrangements that will be put in place to ensure that people are not at risk of ill health or death when sleeping rough within the District during extreme cold and severe weather. The Protocol explains the steps that the District Council

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will take to ensure actions are taken during periods of severe weather in order to offer and provide overnight accommodation to anyone sleeping rough in the District and believed to be at risk due to these conditions.²

As with other local authorities in Kent, the District Council is experiencing a significant increase in households at risk of homelessness and/or in need of assistance into suitable housing to meet their urgent housing needs.

3. Cost of Temporary Accommodation

Introduced back in 2017, Government's 'Flexible Homelessness Support Grant' was brought in to support local authorities to deliver a wide-range of homelessness services and with a key focus on prevention. With LHA rates below lower-quartile rents, however, and as set out above, the District Council is only able to claim up to relevant LHA thresholds when procuring temporary accommodation and this further restricts the supply of suitable accommodation available to use.

Where a household in temporary accommodation is eligible for Housing Benefit towards their housing costs, the Council will seek to recover 100% of the rent charged. The Council may support households in temporary accommodation who are in receipt of Housing Benefit to claim Discretionary Housing Payments (DHP), where further financial assistance is required to meet their housing costs. The Council's Housing Advice Service will provide tenants with information and advice about discretionary housing payments, including the application process.

A key aim of this policy is to reduce unnecessary costs associated with temporary accommodation. The current LHA rates for Housing Benefit that can be reclaimed only covers a third of the overall expenditure on this accommodation, therefore it is essential that Government funding is used effectively to cover the remainder of the costs incurred by this Council.

4. Suitability of accommodation

The District Council relies on a mix of self-contained and shared-facilities housing provided by housing association partners and a range of nightly-paid accommodation procured through private providers. Temporary accommodation can include in-District or out-of-District (see below for out of District placements) and be designated either short-term or long-term.

Short-term temporary accommodation

Short-term temporary accommodation will normally be allocated to households accepted as requiring assistance in accordance with Section 188 of the Housing Act 1996. This is because the District Council will have reason to believe that the household is homeless, eligible for assistance and also in priority need. This

² See Severe Weather Emergency Protocol (SWEP) at www.sevenoaks.gov.uk/housing

type of accommodation should only be occupied for a short period of time whilst the District Council makes enquiries and so may not achieve as high a degree of suitability for the household.

Longer-term temporary accommodation

This type of accommodation will normally be allocated to households that have been accepted as requiring assistance in accordance with Section 193 of the Housing Act 1996 and/or have other exceptional circumstances that the District Council considers appropriate to be offered long-term temporary accommodation. Households in nightly paid accommodation for over 56-days will also be considered for this form of temporary accommodation. Longer-term is often provided through a short term six months license or tenancy with a housing association for an interim period.

Bed & Breakfast (B&B)

Under The Homelessness (Suitability of Accommodation) (England) Order 2003, local authorities cannot use B&B accommodation for households with dependent children and/or expectant mothers, unless: 1) there is no other accommodation other than B&B available for occupation by a household with family commitments; and 2) the household occupies B&B accommodation for a period, or a total of separate periods, which does not exceed 6-weeks. The District Council will only use B&B accommodation if there is no other alternative accommodation available for the household.

Any health and mobility issues of a household will be taken into account if they are likely to have an impact on the suitability of a temporary accommodation placement. If any medical grounds were not revealed during an initial assessment, a medical form must be submitted to the District Council for further consideration. Any medical grounds for the unsuitability of the property must be specific. Conditions that would persist in any form of accommodation will not usually be considered to have an impact on the suitability of temporary accommodation. Travel to all from all forms of temporary accommodation, whether within or outside the District, will only be funded by the District Council in exceptional circumstances and with the prior approval from a senior member of the Housing Advice Service.

5. Offers of Temporary Accommodation

Where the District Council has a duty to secure temporary accommodation for a household, the allocated Housing Advice Officer will carry out an assessment to determine the requirements of the household and any children. This will include any physical, medical or disability needs. It will also take into account the availability of all types of temporary accommodation available at the time. There is no guarantee of accommodation in any particular area, including inside or outside the District. A letter will then be provided to the household setting out the District Council's offer (Appendix A).

Relief Duty

Section 189(b) of the Housing Act 1996 (the 'Relief Duty') requires the District Council to help people who are homeless to secure accommodation. The Relief Duty applies when the District Council is satisfied that the household is both homeless and eligible for assistance. The District Council is obliged to take reasonable steps to help the applicant secure suitable accommodation with a reasonable prospect that it will be available for their occupation for at least 6-months.

Where the District Council has reason to believe that a household may be homeless, eligible and have a priority need, it must provide interim accommodation whilst fulfilling the Relief Duty.

There are different circumstances under which a Relief Duty can be brought to an end. In addition to these common circumstances, the Relief Duty will end when 56-days has passed and the District Council is satisfied that the household has a priority need and is homeless unintentionally; on refusal of a final accommodation offer; or Part 6 offer.³

The District Council will make one offer of temporary accommodation to a qualifying household and it will be advised to accept this. The District Council has no obligation to allow households to view any temporary accommodation placements beforehand and this will not be permitted unless in exceptional circumstances and with prior approval of the Council's Housing Advice Service. If a household is placed in temporary accommodation and more suitable accommodation subsequently becomes available, the household may be moved by agreement of a senior member of the Housing Advice Service.

6. Out-of-District Placements

With a limited supply of temporary accommodation in the District and demand far outstripping supply, there will be occasions when out-of-District placements cannot be avoided. In such cases, the District Council will provide accommodation in other districts/boroughs having considered factors such as type, availability, suitability, cost and condition of accommodation elsewhere. This will also include travelling times/distances between the District and respective area using public and private transport, as opposed to actual distances.

When making any offer of accommodation, the District Council will consider what accommodation is available at the time and prioritise the use of the nearest accommodation to households in greatest need for the type of accommodation available. Where there are households with equal priority, length of waiting times

³ <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-13-relief-duty>

will further determine allocations, i.e. those waiting the longest will be given preference.

Out-of-District placements may be more appropriate if, for instance, a person is fleeing domestic abuse and/or other forms of intimidation/violence and needs to move away from the area for reasons of safety; or to enable rehabilitation and in an area away from previous neighbourhoods/contacts; and/or to improve educational, training or employment opportunities. In such cases, the District Council will work with the household and liaise with housing providers across the county, and potentially further afield (in exceptional circumstances), in order to identify the best solutions bespoke to each particular case. Specialist forms of housing will also be considered in appropriate cases, such as domestic abuse refuges and different forms of supported housing.

7. Charging Policy

Under the Housing Act 1996, the District Council has a right to make a reasonable charge for temporary accommodation, to reduce inappropriate use of this accommodation and to ensure it is available to those with the greatest housing need. Where a household is to be placed into temporary accommodation, an affordability assessment (means test calculation) will be carried out in order to determine whether a contribution or full payment will be required. This assessment will be based on the national standards for assessing affordability as outlined in the Government’s Code of Guidance to Local Authorities.⁴ When doing so, regard will also be given to the Homelessness (Sustainability of Accommodation) Order 1996.⁵

Affordability Assessment

The Council will give due consideration to the affordability of any offer made. Where the household in temporary accommodation is eligible for Housing Benefit, the Council will seek to recover 100% of the Housing Benefit of the rent charged. If the household is required to pay a cost towards rent charges, the household’s entire income will be taken into account as part of the affordability assessment. This includes any welfare state benefits, the cost of additional travel to and from the applicants’ normal place of work, children’s school or educational institute and access medical services for on-going treatment or aftercare. Further details on how this assessment will be carried out can be found at Appendix D.

Charge	Description
Accommodation Rental charges	Fees will reflect the relevant Broad Rental Market Area (BRMA) LHA levels for shared-accommodation and will form the basis of any related needs assessments. ⁶ The

⁴ <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-17-suitability-of-accommodation>

⁵ <http://www.legislation.gov.uk/ukxi/1996/3204/made?view=plain>

⁶ See Appendix B for LHA rates

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	household will be required to either contribute up to a set amount deemed suitable from the affordability assessment. This may include any shortfall between the Housing Benefit claimed and the cost of the nightly rental charge for the accommodation. Where the household in temporary accommodation is not eligible for Housing Benefit, the Council will only seek to recover a reasonable charge towards the rent. Where it is affordable to the household, they may be required to pay full costs associated with temporary accommodation for the full duration of the stay.
Cancellation/non-attendance charge	Where a household is booked into temporary accommodation and does not take up the accommodation, the District Council will still be charged by the provider for the booking. In such cases, the District Council may recharge the full amount to the household and seek to recover these costs in line with accommodation fees, as per above.
Storage of household possessions	The District Council will have due regard to Chapter 20 of the Homelessness Code for Guidance relating to the protection of personal property. ⁷ Where possible, the District Council will work with housing association partners to utilise any vacant residential garages for storage, if considered safe and secure. Where this is not available, a household may be recharged for any removal/storage requirements during occupation of any temporary accommodation.
Utilities charges	Where utilities charges are separate to rent costs, the District Council may recharge for utilities costs up to the full amount or based on an affordability assessment. Alternatively, the household may be required to pay the utility costs directly to the Housing Provider.
Damage to property and/or loss to ancillary items	Where any temporary accommodation is damaged and/or ancillary items (e.g. furniture; fixtures and fittings etc) are removed/lost, the District Council may recharge the full amount to the household and seek to recover costs up to the full amount, based on an affordability assessment.
Cleaning	Where temporary accommodation units require cleaning over and above what is considered reasonable, either whilst the household is occupying the accommodation

⁷ <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-20-protection-of-personal-property>

	and/or when vacated, the District Council may recharge the full amount to the household and seek to recover costs up to the full amount based on an affordability assessment.
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Recovery of outstanding costs

The Council will aim to minimise the level of arrears in a sensitive but effective manner, ensuring that there is early intervention in all cases before a debt becomes unmanageable. The process will be based on a preventative approach that seeks to maximise tenants' entitlement to benefits and secure regular payments. If arrears occur, prompt action will be taken to ensure that the arrears do not increase. Any decision to take legal action to recover outstanding payments will only be taken when all other means of recovery have been exhausted, in line with the Council's Debt Recovery Procedures.

8. Refusing and Ending Temporary Accommodation

Refusal of Interim/Temporary Accommodation

If a household refuses an offer of temporary accommodation, it must provide reasons satisfactory to the District Council for this refusal. The District Council will consider any reasons given and make any further enquiries, as necessary. If the District Council concludes that the offer is in fact unsuitable, it will be withdrawn and another suitable offer made. There is no statutory right to review of an offer of Section 188 interim accommodation.

Where an applicant rejects an offer of suitable interim accommodation (or accepts and moves into the interim accommodation and then later rejects it), this will bring the Council's interim accommodation duty to an end and the Council will not provide alternative accommodation. In this case, the household will be required to make its own arrangements. There will be no right of appeal against the suitability of accommodation offered to the household. Note, however, that an applicant's rejection of interim accommodation does not affect other homelessness duties that the Council may owe under Part 7 of the Housing Act 1996.

Ending Interim/Temporary Accommodation - No Homelessness Duty

If it is subsequently found that a homelessness duty is not owed to a household, they will be asked to leave the temporary accommodation in line with relevant 'Intentionally Homeless' guidelines or in line with the end of the Homelessness Relief Duty. An appropriate notice period of 28 days will be given. In this instance, the household has the right to review this homelessness decision. At the Council's discretion, the Council may continue to provide temporary accommodation during the review period. Each case will be considered on an individual basis, with any new information considered as part of the Review process, that may affect the original decision. The particular circumstances of the household and possible effects of loss of any accommodation will be considered.

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Where required, the Council will seek independent advice when reviewing the decision.

9. Behaviour and Conduct

The Council aims to ensure that all its tenants in temporary accommodation and their neighbours enjoy the right to a quiet and peaceful living environment, where they can enjoy their home without disturbance from neighbours or other people. At the start of a temporary accommodation placement, the lead member of household will be asked to sign a Temporary Accommodation Agreement.

If a household in temporary accommodation feels unsafe or threatened, they should try and solve the problem calmly or speak to their Housing Provider. If they feel it is not something they can deal with, depending on the nature of the nuisance, they should contact the Police immediately (if they feel threatened or suspect that the nuisance is criminal in nature), making a note of the crime reference number. They should also contact their Housing Officer at the Council who will investigate and aim to resolve the issues and where necessary provide alternative accommodation.

Tenant responsibilities

When the Temporary Accommodation Agreement is signed by the lead member of the household (known as the tenant), they agree to abide by the rules and conditions laid down by the Council in the agreement. These rules include the following:

As a tenant, they are responsible for:

- The behaviour/conduct of every person, including children and visitors living in or visiting your home.
- Their behaviour/conduct not only in their property but in communal areas and in the locality.
- Ensuring there is no nuisance, annoyance or harassment to other tenants, their visitors, and people legally going about their business. This includes staff, members of the Council, contractors and Housing Providers.
- Ensuring that all person living with or visiting, do not use the property for any illegal or immoral activity.
- Ensuring that no criminal offences are committed at the property, in any communal areas, or in the local area.

What action the Council may take

The Council will do all that it can to help resolve the situation. It will seek to settle disputes by offering support and advice to all parties. If the nuisance continues and communication can't resolve the situation, the Council is able to pursue the following options:

- Formal warnings

If anti-social or inappropriate behaviour is proven, the Council or Housing Provider will issue the tenant with a formal warning. If the tenant ignores this warning, this may result in the loss of the temporary accommodation. The Council is under no obligation to provide alternative accommodation as the Council's duty to provide interim accommodation (under Section 188 of the Housing Act 1996) has ended.

- Ending the accommodation
The Council or Housing Provider may ask the household to leave the accommodation due to anti-social or inappropriate behaviour that has a detrimental or negative impact on other tenants or/and the wider community. The Council is under no obligation to provide alternative accommodation as the Council's duty to provide interim accommodation (under Section 188 of the Housing Act 1996) has ended.

10. Duty of Care and Safeguarding

The District Council's Safeguarding Policy aims to protect and promote the welfare of children, young people and vulnerable adults using or receiving services which are either provided by or commissioned by the District Council.

When undertaking priority assessments, the District Council will have due regard to the principle needs of any children, young people and/or vulnerable adults in the household and the need to safeguard and promote their welfare. In particular, regard will be had to any disruption to schools and education, medical care, social work, and/or other key support and services.⁸ The District Council will work with its partners to ensure any form of temporary accommodation is suitable for the relevant household and its particular make-up.⁹

The District Council will have due regard to the Equality Act 2010 and ensure the needs of those with disabilities and/or any other protected status characteristics are fully considered to ensure their needs are met when determining the type and location of any form of temporary accommodation.¹⁰

For safeguarding purposes, the District Council may be required to divulge any potential risk and/or safeguarding issues to a temporary accommodation provider prior to any placement and the provider will be at liberty to refuse that placement. This is in line with the temporary accommodation protocol which is operational across Kent.

In such circumstances, the District Council will do all that is reasonably possible to provide temporary accommodation. Where a referral is refused by the provider,

⁸ Section 11 of the Children Act 2004

⁹ See Policy for the protection of children, young people and vulnerable adults:

https://www.sevenoaks.gov.uk/downloads/file/3/safeguarding_policy_for_children_and_vulnerable_adults

¹⁰ <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-16-securing-accommodation>

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the District Council will try other providers and contact other local authorities in Kent to help find a solution. There may be occasions when the risk presented by a client means that no providers will accept a referral, however. In such situations, the District Council will continue to seek temporary accommodation and as required under relevant legislation.

11. Out of Hours Service

If a duty to accommodate a household is accepted outside of the District Council's normal office hours, which are: Monday-Thursday 8.45am-5.00pm and Friday 8.45am-4.45pm, the applicant will be placed in temporary accommodation available at that time. This service can be accessed via the Council's main telephone number on 01732 227000 and customers are then contacted by a specialist housing out-of-hours provider, such as Clarion, who will assist and advise the customer. Where required, the household will be offered emergency overnight accommodation until the next working day when they will be contacted by a Housing Advice Officer to complete a homelessness assessment and application. When the customer requires homelessness advice only, contact details for other local support organisations will be provided such as Porchlight.

12. Monitoring

The District Council will continually monitor placements into temporary accommodation, both within and outside of the District, and this will also include protected characteristics of households and where they are placed. Senior housing officers work closely with local housing associations to support households in temporary accommodation into more permanent suitable properties. A number of Key Performance Indicators (KPIs) are also associated with this work programme and more detailed monitoring of separate elements will be undertaken, therefore, and with a view to adjusting and improving strategy as time goes by.

APPENDIX A: Offer of Temporary Accommodation Template Letter

Dear Customer

No s.188 interim accommodation duty - Housing Act 1996 Part 7, Section 188

Rent/ Accommodation charge:

This letter is to offer you the above property as interim accommodation. We believe the offer is suitable for you to accept. Should you refuse to accept this offer of accommodation, we will regard ourselves as having notified you, by virtue of this letter that the duty owed to provide you with interim accommodation (under s.188 Housing Act 1996 Part 7), whilst we investigate your application for assistance, will cease.

If you do not agree that the offer is suitable as interim accommodation for you, then we may reconsider the offer. We will consider your comments and let you know whether we still consider the offer of interim accommodation to be suitable for you.

However, we will not be making any alternative offers of interim accommodation at this stage.

If you refuse to accept this offer, or if you lose this interim accommodation as a result of any deliberate act or omission or if fail to occupy the accommodation then the Council may choose to cease its duty to provide you with interim accommodation. This means that no further interim accommodation would be made available to you.

As per the temporary accommodation placement policy, you will need to pay the required contribution for your temporary accommodation. Details of how to make payment are attached to this letter. This is in line with national guidance for assessing affordability.

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me.

APPENDIX B: Local Housing Allowances Rates (LHA)

WEEKLY LHA RATES BY BRMA (2019/20)			
High Weald		North West Kent	
Shared-accommodation	£79.71	Shared-accommodation	£75.16
1-bed	£139.42	1-bed	£128.43
2-bed	£181.86	2-bed	£162.34
3-bed	£223.19	3-bed	£179.66
4-bed	£336.82	4-bed	£264.87

APPENDIX C: Glossary of Terms

AONB	Area of Outstanding Natural Beauty
B&B	Bed & Breakfast
BRMA	Broad Rental Market Area
DHP	Discretionary Housing Payment
HHAC	Housing & Health Advisory Committee
KPI	Key Performance Indicator
LHA	Local Housing Allowance
LSVT	Large-Scale Voluntary Transfer
MHCLG	Ministry of Housing, Communities & Local Government
SMT	Strategic Management Team
SWEP	Severe Weather Emergency Protocol
TA	Temporary Accommodation
WKHA	West Kent Housing Association

APPENDIX D: Affordability Assessment Calculations

Homelessness Code of Guidance for Local Authorities

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Under section 210(2), the Secretary of State has made the Homelessness (Suitability of Accommodation) Order 1996. The 1996 Order specifies that in determining whether it would be, or would have been, reasonable for a person to occupy accommodation and in determining whether accommodation is suitable a housing authority must take into account whether the accommodation is affordable by them, and in particular must take account:

- (a) The financial resources available to them (i.e. all forms of income), including, but not limited to:
 - (i) salary, fees and other remuneration (from such sources as investments, grants, pensions, tax credits etc.);
 - (ii) Social security benefits
 - (iii) Payments due under a court order for the making of periodical payments to a spouse or a former spouse, or to, or for the benefit of, a child;
 - (iv) Payments of child support maintenance due under the Child Support Act 1991;
 - (v) pensions;
 - (vi) Contributions to the costs in respect of the accommodation which are or were made or which might reasonably be expected to be, or have been, made by other members of their household (most members can be assumed to contribute, but the amount depends on various factors including their age and income);
 - (vii) Financial assistance towards the costs in respect of the accommodation, including loans, provided by a local authority, voluntary organisation or other body;
 - (viii) benefits derived from a policy of insurance (such as cover against unemployment or sickness);

- (b) Savings and other capital sums which may be a source of income or might be available to meet accommodation expenses;

- (c) the costs in respect of the accommodation, including, but not limited to:
 - (i) payments of, or by way of, rent (including rent default/property damage deposits);
 - (ii) payments in respect of a licence or permission to occupy the accommodation;
 - (iii) mortgage costs (including an assessment of entitlement to support for mortgage interest (SMI) in income support/income-based jobseeker's allowance/income-related employment and support allowance/universal credit);
 - (iv) payments of, or by way of, service charges (e.g. maintenance or other costs required as a condition of occupation of the accommodation);
 - (v) mooring charges payable for a houseboat;
 - (vi) where the accommodation is a caravan or a mobile home, payments in respect of the site on which it stands;

- (vii) the amount of council tax payable in respect of the accommodation;
 - (viii) payments by way of deposit or security in respect of the accommodation;
 - (ix) payments required by an accommodation agency;
- (d) payments which that person is required to make under a court order for the making of periodical payments to a spouse or former spouse, or to, or for the benefit of, a child and payments of child support maintenance required to be made under the Child Support Act 1991; and,
- (e) other reasonable living expenses

Affordability Assessment

The Council will consider whether the applicant can afford the housing costs without being deprived of basic essentials such as food, clothing, heating, transport and other essentials specific to their circumstances. The Council will be guided by Universal Credit standard allowances (<https://www.gov.uk/universal-credit/what-youll-get>) when assessing the income that an applicant will require to meet essential needs aside from housing costs. The Council will ensure that the needs and circumstances of the applicant and their household are taken into account. The wider context of the household's particular circumstances will be considered when looking at the household overall expenditure.

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Summary of decision to be made:	Temporary Accommodation (TA) Placement Policy		
Lead Officer (job title):	Hayley Brooks, Head of Housing and Health		
Date the final decision is due to be made:	20/04/2020	Date this assessment commenced:	11/02/2020
Is the decision relevant to the aims of the Public Sector Equality Duty?	Yes / No		
Eliminate discrimination, harassment and victimisation	Yes / No		
Advance equality of opportunity	Yes / No		
Foster good relations	Yes / No		
If the answer is yes to any of the above, proceed with the assessment. If the answer is no, please say why and summarise any evidence:			
For each of the following characteristics, summarise any existing data, consultation activity, interpretation of the impacts and actions that can be taken to reduce or mitigate any negative impacts:			
Characteristic:	Data and consultation	Summary of impact	Actions
Disability	Local Housing Needs Study 2017, Health Profiles; Census, Sevenoaks District Housing Strategy 2017, West Kent Homelessness Strategy	<p>TA assessments include safeguarding elements and related groups.</p> <p>The Policy includes provision for disabled clients and sets out measures to ensure accommodation is suitable for related needs. Allocations are based on a priority system and so, again, clients would be better supported when occupying different forms of temporary housing sourced by the District Council. Where disabled clients may have additional needs with support from family, carers and/or friends etc., and that are situated in their home area,</p>	<p>Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group</p> <p>Analyse 2021 Census data, when received.</p>

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		out-of -District placements may have more of a negative effect.	
Carers	As above	The needs of children and disabled people and, by extension, those who care for them are a particular focus of the priority categories in the Policy.	Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group
Race	As above	TA assessments include safeguarding elements and related groups.	Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group
Gender	As above	TA assessments include safeguarding elements and related groups. A range of TA is procured by the District Council and some is designated as single-sex where required	Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group
Age	As above	TA assessments include safeguarding elements and related groups.	Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group. Kent Protocols in place for appropriate placements for care leavers and 16/17 year olds.

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Religion / Belief	As above	TA assessments include safeguarding elements and related groups.	Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group
Sexual Orientation	As above	TA assessments include safeguarding elements and related groups	Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group
Pregnancy / Maternity	As above	TA assessments include safeguarding elements and related groups.	Ensure the District Council's TA assessments suitably consider and, where appropriate, prioritise this client group
Marital or Civil Partnership Status	As above	TA assessments include safeguarding elements and related groups.	Ensure TA assessments suitably consider and, where appropriate, prioritise this client group. Double rooms or multiple bedrooms provided where required
Gender reassignment	As above	TA assessments include safeguarding elements and related groups.	Ensure TA assessments suitably consider and, where appropriate, prioritise this client group
Summary of impacts : (to be included in committee reports)	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		

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	<p>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 impact has been analysed and does not vary between groups of people. The decisions recommended through this paper aims to provide accommodation assistance to all households with a priority need at risk of homelessness, in accordance with the Housing Act.</p>			
<p>Please tick the outcome of this assessment:</p>	<p>No impact</p>	<p>Adjust the policy</p>	<p>Continue the policy</p>	<p>Stop and remove the policy</p>
<p>Date assessment will be reviewed:</p>				

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FINANCIAL RESULTS 2019/20 - TO THE END OF JANUARY 2020

Cabinet - 16 April 2020

Report of Chief Officer Finance and Trading

Status: For consideration

Key Decision: No

This report supports the Key Aim of Effective Management of Council Resources

Portfolio Holder Cllr. Matthew Dickins

Contact Officers Alan Mitchell, Ext. 7483

Adrian Rowbotham, Ext. 7153

Recommendation to Finance and Investment Advisory Committee: That the report be noted, and any comments forwarded to Cabinet.

Recommendation to Cabinet: Cabinet considers any comments from Finance and Investment Advisory Committee and notes the report

Reason for recommendation: Sound financial governance of the Council.

Overall Financial Position

- 1 The year-end position is currently forecast to be a favourable variance of £32,000; this represents just under 0.3% of our net service expenditure budget totalling £15,627,000. This favourable variance includes £90,000 of interest from loans to Quercus 7 for property investments. If this was excluded there would be an unfavourable variance forecast of £58,000.

Year to Date - Areas of Note

- 2 Employed pay costs - the expenditure to date on staff costs is £450,000 below budget. The large elements of this forecast are due to vacancies within Corporate Services and Planning and Building Control however this is largely being offset by agency costs. The impact of the larger salary variances are included within the Chief Officer commentaries.
- 3 Income - the Council receives a number of different income streams to help balance the budget; section 10 of the monitoring pack provides details in relation to the main streams. At the end of January, income was ahead of

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profile for On-Street Parking and Building Control and Development Management. The level of On-Street Parking income remained at an increased level as during large scale works customers park in different locations and are slowly moving back to carparks. We have seen an increase in the use of season tickets and proposed changes to implement short term parking management are anticipated to result in an increase in car park income. Land Charges and Planning Fee income is currently lower due to a reduced volume of search requests; Chief Officers have highlighted this area within their risk commentary.

- 4 Investment Returns - the return to date on the investments held by the Council has resulted in a favourable position being reported, with interest received to date totalling £219,000 compared to a budget of £173,000.
- 5 New Homes Bonus - the Council is due to receive £1,220,000 New Homes Bonus during 2019/20; as per the 10-year budget, this income will not be applied to fund the provision of services, instead it will be transferred to the Financial Plan Reserve to be utilised as per the Council's Financial plan.
- 6 Retained Business Rates - Income expectation of £2,132,000 forms part of the 2019/20 budget; any receipts over and above this amount, including those that result from being a beneficiary of the Kent Business Rates Pool, will be transferred to the Budget Stabilisation Reserve. From the 2nd quarter pool data some £450,000 of additional income is being forecasted. Regular monitoring takes place, with any amendments feeding into the outturn forecasts.

Year End Forecast

- 7 The year-end forecast position is a favourable variance of £32,000. Following are details of the larger variances, both favourable and unfavourable.

Net Service Expenditure - Favourable variances

- 8 Vacancies within the Internal Audit team have resulted in a favourable variance of £16,000
- 9 Income from Swanley Markets is ahead of profile leading to a favourable variance of £30,000.
- 10 Within Corporate Management is the grant received from the Government to help local authorities with any necessary preparations for the UK exiting the EU. Until further information about the nature of the UK's exit is known the grant funding will not be committed. The annual forecast , currently £37,000 favourable will be continually reviewed and adjusted once any necessary spending commitments are known.

Net Service Expenditure - Unfavourable variances

- 11 Land charges fees were revised for 2019/20 but the number of searches is down on previous years leading to a £50,000 unfavourable forecast.
- 12 Car Parks income is £111,000 below target to date, with day ticket income down although season ticket income is up. The Business Rates bills for 2019/20 are higher than budgeted leading to an overall unfavourable variance of £190,000.
- 13 A new Council Tax enforcement service is being trialled for a year and is currently not expected to achieve the full £100,000 in the year. The future service provision will be reviewed during the year. £95,000 is due to be received from Kent County Council following SDC's decision at Council on 26/02/19 to amend the Council Tax Empty Property discounts.
- 14 Within Local Tax £50,000 has been spent with business rates valuation experts and is shown as a cost here. A corresponding amount of additional income is shown on the Business Rates line.
- 15 Income from refuse collection is lower compared to budget due to income from glass and paper credits leading to an unfavourable variance of £50,000.
- 16 Estate Management for Buildings are forecasting an unfavourable variance of £45,000 due to Business Rates bills being higher than budgeted and includes Meeting Point in Swanley which will continue to be incurred until the building is demolished.

Other Variances

- 17 Retained Business Rates - Additional income of £50,000 has been forecast to reflect an increase in Rateable Values following works undertaken by Analyse Local; the cost of these works is reflected in Local Tax.
- 18 Interest Receipts - current levels of investment returns and possible rates available going forward has resulted in £58,000 additional income being forecast.
- 19 Investment Property Income - The properties held within the Property Investment Strategy continue to achieve the income levels predicted. During this year the council has loaned funds to Quercus 7 to enable property purchases. This will result in the council receiving an additional £90,000 interest compared to what would have been earned via treasury management interest receipts.

Future Issues and Risk areas

- 20 Chief Officers have considered the future issues and risk areas for their services and the impacts these may have on the Council's finances as follows:

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- Feasibility costs for property investments and development of council owned assets.
- Recovery of Housing Benefits is lower than the cost of Nightly Paid Accommodation leading to an overspend in the Homelessness Budget. However, this will be offset using the Flexible Homelessness Grant. This is being carefully monitored with action taken to minimise the Nightly Paid Accommodation costs
- The full service of Universal Credit, seeing the transfer of new claims to Universal Credit, commenced in November 2018. Migration for existing claims is being phased after this date; however, pensioner cases will be retained. Regular liaison meetings are taking place between DBC/SDC managers and DWP partnership managers.
- NNDR bills higher than budget figures. NNDR bill not yet received for new Sevenoaks Town Car Park.
- Risk of higher diesel prices due to attacks on Saudi oil supplies resulting in increase in crude oil prices.
- There remains the risk that planning decisions and enforcement action will be challenged, either at appeal or through the Courts. The U+I Public Inquiry has now taken place and a cost award was successful. The effect of that will be reported in future months.
- Staff turnover remains high with planning and recruiting to vacant posts continues to be difficult.
- The Local Plan process has generated the submission of a small number of high fee applications. The effect of the emerging Plan on Development Management will be closely monitored.

21 The potential impact of Brexit is being monitored and addressed as part of the Council's risk management process.

Key Implications

Financial

The financial implications are set out elsewhere in this report.

Legal Implications and Risk Assessment Statement.

Under section 151 of the Local Government Act 1972, the Section 151 officer has statutory duties in relation to the financial administration and stewardship of the authority.

Detailed budget monitoring is completed on a monthly basis where all variances are explained. Future risk items are also identified.

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

Appendix A - January 2020 Budget Monitoring
Commentary

Appendix B - January 2020 Financial Information

Background Papers

None

Adrian Rowbotham

Chief Officer Finance and Trading

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Budget Monitoring for January 2020

Contents

- 1 Commentaries
- 2 Overall Summary
- 3 Overall Summary by Service
- 4 Cumulative Salary Monitoring
- 5 Direct Services Trading accounts
- 6 Investment Income
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- 8 Income Graphs

BUDGET MONITORING - Strategic Commentary - As at 31st January 2020

People and Places – January 2020 Commentary

Service	Variance to date £000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Administrative Expenses - Communities & Business	13	10	This is due to advertisements for staff including the Chief Officer for People and Places and the Strategic Head Commercial and Property.
Community Safety	22	14	Additional expenditure has been necessary to bring the Convent of Mercy in Swanley under control. It was agreed that all corporate costs relating to the Convent of Mercy including legal and planning enforcement costs are being charged to this budget. There will be an attempt to recover some costs from the landowner.
Tourism	(23)	(1)	This includes support funding received for the Community Rail Partnership. The favourable variance results from a recharge to the trading companies.

Future Issues/Risk Areas

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Sarah Robson
 Chief Officer – People & Places
 February 2020

Service	Variance to date £000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Housing Energy Retraining Options (HERO)	25		There is an outstanding invoice and funding is to be transferred from the earmarked reserve.
Gypsy Sites	14	10	Overspend due to rent arrears which are actively being pursued and salaries. The year end forecast has been changed to a £10k overspend as a result.
Private Sector Housing	(62)	(11)	Mainly due to savings on funeral costs and salaries due to vacancies which are now filled. In addition, income is ahead of profile. The salaries variance will offset other additional housing salaries costs and should be on budget at year end. The year-end forecast is and £11k underspend.
Choosing Health WK PCT	(18)		External funding received in advance. Will be zero at year end.
PCT Health Checks	(10)		External funding received in advance
PCT Initiatives	(23)	(1)	External funding received in advance. The favourable variance results from a recharge to the trading companies.

Future Issues/Risk Areas

The Homelessness budget is under pressure because of additional responsibilities under the Homelessness Reduction Act, resulting in additional demand for emergency accommodation. The Government's Flexible Homelessness Grant is made annually and is sufficient to cover the projected additional expenditure for the year. This is held in an earmarked reserve and transferred into the Homelessness budget at intervals during the year. This is being carefully monitored with action taken to minimise the Nightly Paid Accommodation costs.

Sarah Robson - Chief Officer – People & Places (February 2020)

Finance & Investment – January 2020 Commentary

Service	Variance to date £'000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Misc. Finance	71		The current overspend is caused by the costs of the project to replace Task with Agresso. These costs will be financed from the Corporate Project reserve, eliminating the variance.
Administrative Expenses - Finance	41	30	Works carried out to improve the Finance IT system, including set up of the ledger for new entities, Making Tax Digital and Direct Debit.
Support - Exchequer and Procurement	25	5	Temporary staffing to cover vacancies
Dartford Audit Partnership Hub (SDC Costs)	(82)		This is aggregated with the Dartford Hub costs and the Sevenoaks share of any total underspend is shown in the 'Support – Audit Function' line
Support – Audit Function	11	(16)	Vacant posts due to the staffing restructure that is taking place.
Dartford Rev&Ben Partnership Hub (SDC costs)	(32)		This is aggregated with the Dartford Hub costs and the Sevenoaks share of any total underspend is shown in the 'Support – Audit Function' line.
Local Tax	90	121	A new enforcement service is being trialled for a year and is currently not expected to achieve the full £100,000 in the year. The future service provision will be reviewed during the year. £50,000 has been spent with business rates valuation experts and is shown as a cost here. A corresponding amount of additional income is shown on the Business Rates line. The remainder is accounted for by court costs and impact on recovery.
Support - Legal Function	(36)	(43)	Underspend mainly due to staff turnover and reduced legal expenditure. In addition there is a small recharge to the trading companies.

For noting, figures in brackets represent a favourable variance

Future Issues/Risk Areas

- The full service of Universal Credit, seeing the transfer of new claims to Universal Credit, commenced in November 2018. Migration for existing claims is being phased after this date; however, pensioner cases will be retained. Regular liaison meetings are taking place between DBC/SDC managers and DWP partnership managers.
- NNDR bills higher than budget figures. NNDR bill not yet received for new Sevenoaks Town Car Park.
- Risk of higher diesel prices due to attacks on Saudi oil supplies resulting in increase in crude oil prices.
- Income from refuse collection is lower compared to budget due to income from glass and paper credits

Adrian Rowbotham
Chief Officer – Finance & Trading
February 2020

Improvement and Innovation – January 2020 Commentary

Service	Variance to Date £000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Members	(26)	(17)	This is due to the gap between the election and appointment to roles. Members are only paid one Special Responsibility Allowance.
Economic Development Property	178	10	This relates to feasibility and other work in the lead up to a number of property investments. Most of this will be capitalised as projects proceed and start to attract an income. This is an ongoing situation. Finance undertake the capitalisation work towards the end of the financial year. This also includes additional salaries costs to fill Head of Service post with interim staff, pending permanent appointment and the advert costs for the Strategic Head of Service for Commercial and Property.
Asset Maintenance IT	(68)		Spend as per 10-year asset maintenance plan – surplus to IT Asset Maintenance reserve at year end as agreed
Corporate Projects	(22)	(20)	Staff Savings re Maternity Leave not back filled.
Elections	54		Advanced payment received for the Parliamentary Election, full costs including relevant staffing have yet to be accounted for against this area. End of year position expected as per budget once the Electoral Claims Unit have approved the final claim. The overspend is due to income outstanding relating to the EU Parliamentary and local Elections and Parliamentary General Election. The remaining 25% of the fees for EU and PGE will be recovered once accounts are signed off by the Electoral Claims Unit (ECU).

Service	Variance to Date £000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Register of Electors	(14)	(6)	Underspend due to staff turnover now recruited to so year end position expected on budget
Land Charges	41	50	Current underachievement in income is due to a reduced volume of search requests received.
Street Naming	(10)	(10)	Increased income
Support - Local Offices	10	10	Final extension of contract.
Support - Contact Centre	(9)	(10)	Underspend due to staff turnover.
Support - IT	2	(30)	Includes payment in advance for 2020/21 Agresso maintenance – to be adjusted accordingly
Support - Human Resources	16	28	Additional staffing costs to deliver service partially offset by a recharge to the trading companies.
Support - General Admin (Print Shop)	26	14	Print Studio income has been reduced this year. Despite savings in staff costs and expenditure on materials an adverse variance is expected at year-end.
External Communications	(26)	(9)	The current favourable variance is as a result of invoices due to be paid in relation to the distribution of In Shape. These will be paid in before year-end and reduce the expected year-end position as shown.
Corporate Management	(83)	(37)	Government provided additional funding to support the Council to meet any costs that may arise as a result of leaving the EU. This funding will not be committed in full during this financial year and is to be moved to reserves. Forecasts for salaries and services have been adjusted to reflect the expected position at year end.

Service	Variance to Date £000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Corporate - Other	25)	(20)	The savings made from vacant posts are currently ahead of profile for the year to date. It is anticipated that these we'll exceed the budget level at year-end.
Administrative Expenses - Human Resources	10		Additional one-off costs due to staff turnover and subsequent recruitment.

For noting, figures in brackets represent a favourable variance

Future Issues/Risk Areas

Feasibility costs for property investments and development of council owned assets increase with the number of projects worked on and it is possible that this will exceed the budget at the year end. This is carefully monitored.

<p>Jim Carrington-West Chief Officer - Customer & Resources February 2020</p>	<p>Sarah Robson Chief Officer - People & Places February 2020</p>
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Cleaner and Greener – January 2020 Commentary

Service	Variance to date £'000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Car Parks	198	190	Business Rates increases (growth SCIA included in 2020/21 budget process) and increased Electricity Costs are causing overspends. Additionally parking income is below target.
CCTV	53	15	Full income budget will not be realised (growth SCIA to reduce income budget included in 2020/21 budget process). Control Room costs paid up front for next year. This will be accrued to eliminate the overspend in this area.
Asset Maintenance Argyle Road	(20)		Budget for new Keyless Entry system yet to be spent.
Asset Maintenance Direct Services	(16)	(5)	Works due to be completed at Mill Pond and Mildmay Depot, Shoreham. A minor underspend forecast at year end.
Asset Maintenance Leisure	(24)		Spend behind profile.
Refuse Collection	60	50	Income from glass and paper credits will be below budget.
Car Parking - On Street	12	(20)	Additional income received for Wayleaves offsetting minor overspends.
Estates Management - Buildings	30	40	Business Rates bills paid including for Meeting Point building in Swanley. This will continue to be paid until the building is demolished - £50,000. Additional rental income has been received for SDC owned buildings.
Estates Management - Grounds	21	15	Essential tree work undertaken. Legal fees paid for transferring land to Swanley Town Council.
Housing Premises	(10)	(10)	Income received for Private Sewage treatment works ahead of profile. Income received higher than budget.

Service	Variance to date £'000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Markets	(32)	(30)	Increased income, following re -tendering for Sevenoaks and Swanley markets.
Parks and Recreation Grounds	(18)	(6)	Minor underspend relating to asset maintenance.
Parks - Rural	(17)	(4)	Income received for coppiced timber. Additional works in woodlands is being carried out will offset some of this income.
Asset Maintenance Operatives	11		Recovery of costs behind spend.
Street Cleansing	(12)		
Support - Central Offices	7	(10)	Reduced energy costs.
Support - Central Offices - Facilities	16	28	Facilities Management relies heavily on overtime to maintain building opening times and also manage the asset maintenance service. Levels do fluctuate but overtime for cover will continue to be required. At the current rate and in view of the general election in December, it is forecast that there will be a further £12,000 overspend for the rest of the financial year.
Support - General Admin (Post/Scanning)	(31)	(15)	Savings on Salaries and postage costs
Support - Direct Services	17	14	Additional staff training.
Direct Services – Trading Accounts	77	89	Income £29,000 below profile. Expenditure £15,000 above profile. Profiled surplus £179,000. Actual surplus £135,000.
EH Animal Control	15	16	This is the result of an underachievement on fee income.

Service	Variance to date £'000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
EH Environmental Protection	(39)	(43)	Expenditure is below profile on air quality monitoring, but will be required later in the year. Some of the costs are expected to be funded by S106 grant. This also reflects a reduction in the payment of hub costs, agreed with DBC.
Licensing Partnership Hub (Trading)	(18)		This is the result of an overachievement in fee income that will be reinvested in the recent service restructure.
Licensing Regime	(18)	(22)	This is the result of exceeding income targets for premises licensing.

Future Issues/Risk Areas

Risk of higher diesel prices.

Adrian Rowbotham Chief Officer – Finance & Trading February 2020	Richard Morris Chief Officer Planning & Regulatory Services February 2020
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Development and Conservation – January 2020 Commentary

Service	Variance to date £'000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Administrative Expenses - Planning Services	49	42	This is a result of staff training and development, including university fees.
Planning Performance Agreement (PPA)	42	47	This is our Urban Designer post costs, which will be offset by an underspend on salaries due to vacant posts in the department.
Conservation	(11)	(13)	This results from an underspend on salaries due to vacant posts
LDF Expenditure	79		The funds to cover the expenditure will be drawdown from the Local Plan reserve.
Planning Policy	(28)	(50)	This relates to a vacant post. Any underspend can form part of the Local Plan reserve.
Planning - Appeals	22	33	This is the result of an award of costs at Fircroft Way, Edenbridge. Additional costs will be forthcoming following the U+I appeal in Swanley.
Planning - CIL Administration	(15)	(11)	This results from an underspend on salaries due to the temporary staff being on a lower grade than provided in the budget.
Planning - Development Management	(276)	(278)	This results from an underspend on salaries due to vacant posts, which are proving difficult to fill, and an overachievement on fee income due to a small number of high fee applications.
Planning - Enforcement	85	93	This is due to increased enforcement activity, including the successful serving of Injunctions, associated costs and the salary cost of our temporary officers.
Administrative Expenses - Building Control	(9)	(10)	Savings in the admin costs due to the partnership arrangement.

Service	Variance to date £'000	Forecast Annual Variance £000	Explanation of variance and action planned (including changes from previous month)
Building Control	(56)	3	Overachievement on fee income is planned to be reinvested in future periods and to offset an increased staff costs of the partnership.

Future Issues/Risk Areas

There remains the risk that planning decisions and enforcement action will be challenged, either at appeal or through the Courts.

The U+I Public Inquiry has taken place and a cost award was successful. The effect of that will be reported in future months as we are still awaiting final costs.

Staff turnover remains high and recruiting to vacant posts continues to be difficult.

The Local Plan process has generated the submission of a small number of high fee applications. The effect of the emerging Plan on Development Management will be closely monitored.

Richard Morris
Chief Officer Planning & Regulatory Services
February 2020

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*Position as at the end of January 2020
(Period 202010)*

People & Places
Customer & Resources
Finance & Trading
Planning & Regulatory Services

Adjustments to Reconcile to amount to be met from reserves

Direct Services Trading Account

Capital Charges outside the General Fund
Support Services outside the General Fund

NET SERVICE EXPENDITURE

Revenue Support Grant and New Homes Bonus
Retained Business Rates
Council Tax
Contribution from Collection Fund
Summary excluding Investment Income

Investment Property Income
Interest Receipts

OVERALL TOTAL

Planned Appropriation to/(from) Reserves
Other Reserve Movements

Supplementary Estimates

(Surplus)/Deficit

Y-T-D Actual £'000	Annual Budget £'000	Annual Forecast (including Accruals) £'000	Annual Variance £'000	Annual Variance %
1,860	1,805	1,822	17	1.0
3,414	3,281	3,379	98	3.0
6,764	8,618	8,790	172	2.0
793	1,923	1,713	(210)	(10.9)
12,830	15,627	15,704	77	0.5
(67)	(144)	(55)	89	61.8
(50)	(60)	(60)	0	(0.5)
(144)	(172)	(172)	0	0.1
12,570	15,251	15,417	166	1.1
0		0	0	-
(1,777)	(2,132)	(2,632)	(500)	(23.5)
(9,098)	(10,917)	(10,917)	0	(0.0)
0	0	0	0	-
1,696	2,202	1,868	(334)	(15.2)
(1,476)	(1,258)	(1,348)	(90)	0.0
(219)	(200)	(258)	(58)	0.0
0	744	262	(482)	(64.8)
(620)	(744)	(744)	0	
0	0	450	450	
0	0	0	0	
(620)	0	(32)	(32)	

3. Services by Chief Officer

Position as at the end of January 2020 (Period 202010)

People & Places SDC Funded

	Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual for Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
- Administrative Expenses - Communities & Business	29	16	13	22	10	32	10
- Administrative Expenses - Housing	2	-	2	-	-	-	-
- All Weather Pitch	(4)	(4)	(0)	(5)	-	(5)	-
- Community Development Service Provisions	(6)	(6)	-	(6)	-	(6)	-
- Community Safety	188	166	22	199	14	213	14
Community Housing Fund	4	-	-	-	-	-	-
- Economic Development	41	48	(7)	59	(1)	58	(1)
- Economic Development Property	439	261	178	268	10	278	10
- Grants to Organisations	181	177	4	181	(1)	181	(1)
- Health Improvements	40	43	(3)	51	(2)	49	(2)
- Housing Initiatives	32	40	(9)	48	-	48	-
- Homeless	203	203	1	253	(1)	252	(1)
- Homelessness Funding	86	90	(4)	-	-	-	-
- Housing	138	131	7	148	-	148	-
- Homelessness Prevention	7	-	7	-	-	-	-
- Housing Energy Retraining Options (HERO)	122	98	25	45	-	45	-
Housing Register	10	5	-	6	-	6	-
- Leader Programme	4	4	0	4	-	4	-
- Leisure Contract	76	74	2	182	(1)	181	(1)
- Leisure Development	15	20	(5)	20	-	20	-
- The Community Plan	43	46	(3)	55	(3)	52	(3)
- Tourism	6	30	(23)	33	(1)	32	(1)
- Youth	36	28	8	34	-	34	-
- West Kent Partnership	(10)	(6)	(4)	-	-	-	-
- Energy Efficiency	-	5	(5)	5	(4)	1	(4)

**Position as at the end of January 2020
(Period 202010)**

People & Places SDC Funded cont.

- Gypsy Sites
- Disabled Facilities Grant Administration
- Private Sector Housing
- Sevenoaks Switch and Save
- Total People & Places (SDC Funded)**

Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual For Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
9	(5)	14	(6)	10	3	10
0	-	0	(20)	-	(20)	-
161	223	(62)	228	(11)	217	(11)
0	-	0	-	-	-	-
1,853	1,686	158	1,805	19	1,824	19

**Position as at the end of January 2020
(Period 202010)**

People & Places Externally Funded

- Choosing Health WK PCT	(34)	(15)	(18)	-	-	-	-
- Community Sports Activation Fund	16	18	(2)	-	-	-	-
- Dementia Area Project - Run Walk Push	(4)	-	(4)	-	-	-	-
- Dunton Green Projects - S106	34	26	8	-	-	-	-
- Dunton Green Projects	(0)	-	(0)	-	-	-	-
- One You - Your Home Project	(8)	-	(8)	-	(1)	(1)	(1)
- Partnership - Home Office	(6)	(6)	(0)	-	-	-	-
- PCT Health Checks	(10)	-	(10)	-	-	-	-
- PCT Initiatives	(3)	20	(23)	-	(1)	(1)	(1)
- Sport Satellite Clubs	(1)	-	(1)	-	-	-	-
- Sportivate Inclusive Archery Project	(0)	-	(0)	-	-	-	-
- Troubled Families Project	(2)	-	(2)	-	-	-	-
- West Kent Enterprise Advisor Network	34	33	1	-	-	-	-
- West Kent Kick Start	(9)	-	(9)	-	-	-	-
- West Kent Business Rates Retention	-	-	-	-	-	-	-
- West Kent Partnership Business Support	(1)	-	(1)	-	-	-	-
Total Communities & Business (Ext Funded)	6	76	(70)	-	-	(2)	(2)

Total People & Places

Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual for Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
6	76	(70)	-	-	(2)	(2)
1,860	1,763	88	1,805	19	1,822	17

**Position as at the end of January 2020
(Period 202010)**

Customer & Resources

	Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual For Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
- Asset Maintenance IT	168	236	(68)	283	-	283	-
- Civic Expenses	16	16	(1)	17	-	17	-
- Democratic Services	128	122	6	148	5	153	5
- Elections	174	120	54	136	-	136	-
- Register of Electors	180	193	(14)	223	(6)	217	(6)
- Administrative Expenses - Corporate Services	16	12	3	17	-	17	-
Land Charges	(50)	(92)	41	(105)	50	(55)	50
Street Naming	(6)	5	(10)	6	(10)	(4)	(10)
- Administrative Expenses - Legal and Democratic	59	59	(0)	69	4	73	4
- Administrative Expenses - Human Resources	14	4	10	4	-	4	-
- Support - Contact Centre	436	445	(9)	536	(10)	526	(10)
- Support - IT	1,066	1,063	2	1,117	(30)	1,086	(30)
- Support - Legal Function	164	200	(36)	241	(43)	198	(43)
- Support - Local Offices	28	19	10	19	10	29	10
Support - Rev & Ben Control	-	-	-	239	-	239	-
- Support - Nursery	2	-	2	-	-	-	-
- Support - Human Resources	288	272	16	318	28	346	28
- Corporate Projects	62	85	(22)	101	(20)	81	(20)
- Benefits Admin	(521)	(521)	0	4	(1)	2	(1)
- Benefits Grants	396	396	(0)	(25)	-	(25)	-
- Dartford Rev&Ben Partnership Hub (SDC costs)	1,452	1,469	(17)	-	-	-	-
- Local Tax	(571)	(661)	90	(118)	121	3	121
- Administrative Expenses - Revenues and Benefits	0	-	0	-	-	-	-
- Support - Counter Fraud	(84)	(84)	-	55	-	55	-
Total Customer & Resources	3,414	3,356	57	3,281	98	3,379	98

**Position as at the end of January 2020
(Period 202010)**

Finance & Trading

	Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual For Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
- Action and Development	5	6	(1)	7	-	7	-
- Consultation and Surveys	-	-	-	4	(4)	(0)	(4)
- Corporate Management	713	796	(83)	1,056	(37)	1,019	(37)
- Corporate - Other	-	25	(25)	151	(20)	131	(20)
- Equalities Legislation	-	-	-	20	(20)	(0)	(20)
- External Communications	158	184	(26)	201	(9)	192	(9)
- Housing Advances	1	1	(0)	1	-	1	-
- Housing Other Income	(18)	(12)	(6)	(14)	-	(14)	-
- Members	351	377	(26)	455	(17)	438	(17)
- Misc. Finance	1,400	1,329	71	1,763	-	1,763	-
- Performance Improvement	6	6	(0)	(1)	7	6	7
- Administrative Expenses - Chief Executive	7	13	(6)	22	-	22	-
- Administrative Expenses - Finance	64	23	41	32	30	61	30
- Administrative Expenses - Transformation and Strategy	5	4	1	5	-	5	-
- Support - Audit Function	(17)	(29)	11	176	(16)	160	(16)
- Support - Exchequer and Procurement	121	96	25	116	5	121	5
- Support - Finance Function	155	150	5	183	(5)	178	(5)
- Treasury Management	99	102	(3)	126	(1)	126	(1)
- Car Parks	(1,512)	(1,709)	198	(1,951)	190	(1,760)	190
- Asset Maintenance Argyle Road	106	126	(20)	167	-	167	-
- Asset Maintenance CCTV	17	15	3	18	-	18	-
- Asset Maintenance Countryside	0	7	(7)	8	(6)	3	(6)
- Asset Maintenance Other Corporate Properties	29	28	1	33	-	33	-
- Asset Maintenance Direct Services	51	67	(16)	80	(5)	75	(5)
- Asset Maintenance Hever Road	36	33	3	38	-	38	-
- Asset Maintenance Leisure	127	151	(24)	182	-	182	-

**Position as at the end of January 2020
(Period 202010)**

Finance & Trading cont.

	Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual For Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
- Asset Maintenance Playgrounds	6	7	(1)	8	-	8	-
- Asset Maintenance Support & Salaries	34	29	5	78	-	78	-
- Asset Maintenance Sewage Treatment Plants	0	7	(7)	9	-	9	-
- Asset Maintenance Public Toilets	-	6	(6)	7	-	7	-
- Bus Station	17	10	7	13	-	13	-
- Car Parking - On Street	(398)	(411)	12	(494)	(20)	(514)	(20)
- CCTV	266	212	53	264	15	279	15
- Civil Protection	55	59	(4)	71	(0)	70	(0)
- Emergency	57	57	0	68	-	68	-
- Estates Management - Buildings	27	(3)	30	(11)	40	29	40
- Estates Management - Grounds	119	98	21	118	15	133	15
- Housing Premises	(2)	8	(10)	15	(10)	5	(10)
- Kent Resource Partnership	(38)	(54)	16	(0)	-	(0)	-
- Markets	(190)	(158)	(32)	(185)	(30)	(215)	(30)
- Parking Enforcement - Tandridge DC	(27)	(22)	(5)	(29)	-	(29)	-
- Parks and Recreation Grounds	136	154	(18)	185	(6)	179	(6)
- Parks - Greensand Commons Project	101	-	101	-	-	-	-
- Parks - Rural	89	106	(17)	130	(4)	126	(4)
- Asset Maintenance Operatives	11	-	11	-	-	-	-
- Public Transport Support	-	0	(0)	0	-	0	-
- Refuse Collection	2,310	2,251	60	2,781	50	2,831	50
- Administrative Expenses - Direct Services	0	-	0	-	-	-	-
- Administrative Expenses - Property	4	3	1	3	-	3	-
- Administrative Expenses - Transport	7	5	2	7	-	7	-
- Street Cleansing	1,210	1,222	(12)	1,467	(0)	1,467	(0)
- Support - Central Offices	421	415	7	473	(10)	463	(10)

**Position as at the end of January 2020
(Period 202010)**

Finance & Trading cont.

- Support - Central Offices - Facilities
- Support - General Admin (Post/Scanning)
- Support - General Admin (Print Shop)
- Support - General Admin
- Support - Health and Safety
- Support - Direct Services
- Support - Procurement
- Support - Property Function
- Public Conveniences
- Dartford Audit Partnership Hub (SDC Costs)
- Total Finance & Trading**

Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual For Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
225	209	16	271	28	299	28
123	154	(31)	184	(15)	169	(15)
12	(14)	26	(37)	14	(23)	14
13	22	(9)	166	-	166	-
18	17	1	22	(0)	22	(0)
56	40	17	51	14	65	14
7	5	2	6	-	6	-
49	40	9	48	-	48	-
45	38	7	49	-	49	-
93	176	(82)	-	-	-	-
6,764	6,477	287	8,618	172	8,790	172

**Position as at the end of January 2020
(Period 202010)**

Planning & Regulatory Services

	Y-T-D Actual £'000	Y-T-D Budget £'000	Y-T-D Variance as at y- t-d £'000	Annual Budget £'000	Annual For Var £'000	Annual Forecast (including Accruals) £'000	Forecast Annual Variance £'000
- Administrative Expenses - Planning Services	82	32	49	46	42	88	42
- Conservation	63	75	(11)	85	(13)	73	(13)
- Planning Performance Agreement	42	-	42	-	47	47	47
- LDF Expenditure	0	-	0	-	-	-	-
- Planning - Appeals	190	168	22	203	33	236	33
- Planning - CIL Administration	(39)	(24)	(15)	(68)	(11)	(79)	(11)
- Planning - Counter	(0)	-	(0)	-	-	-	-
- Planning - Development Management	(111)	166	(276)	222	(278)	(56)	(278)
- Planning - Enforcement	316	231	85	280	93	373	93
- Planning Policy	423	451	(28)	569	(50)	519	(50)
Building Control Partnership Members	0	-	0	-	-	-	-
Building Control Partnership Hub (SDC Costs)	1	(0)	1	-	-	-	-
Building Control	(163)	(107)	(56)	(129)	3	(126)	3
Dangerous Structures	1	2	(1)	3	(2)	1	(2)
- Dartford Environmental Hub (SDC Costs)	-	-	-	-	-	-	-
- EH Commercial	5	(2)	7	263	3	266	3
- EH Animal Control	12	(2)	15	1	16	17	16
- EH Environmental Protection	20	60	(39)	405	(43)	362	(43)
- Licensing Partnership Hub (Trading)	(26)	(9)	(18)	-	-	-	-
- Licensing Partnership Members	-	-	-	-	-	-	-
- Licensing Regime	(23)	(5)	(18)	10	(22)	(12)	(22)
- Administrative Expenses - Health	1	7	(6)	10	(5)	5	(5)
- Administrative Expenses - Licensing	1	6	(5)	8	(5)	3	(5)
- Taxis	(4)	3	(7)	4	(9)	(5)	(9)
Administrative Expenses - Building Control	1	10	(9)	12	(10)	2	(10)
Total Planning & Regulatory Services	793	1,062	(270)	1,923	(211)	1,713	(211)

4. Cumulative Salary Monitoring

Position as at the end of January 2020 (Period 202010)

People & Places

Customer & Resources

- Revenues & Benefits

- Legal & Democratic Services

Finance & Trading

- Operational Services

- Parking

- Emergency Planning & Property

Transformation & Strategy

Planning & Regulatory Services

- Planning

- Building Control

- Environmental Health

- Licensing

Sub Total

Council Wide - Vacant Posts

Staff Recruitment and Retention

TOTAL SDC Funded Salary Costs

Externally Funded & Funded from other sources (gross figures).

Overspendings here are matched by external funding and represent additional resources secured for the Council since the budget was set.

People & Places Ext. Funded

Finance & Trading Ext. Funded

TOTAL All Salary Costs

Y-T-D	Annual	Annual	Annual	Annual
Actual	Budget	Forecast	Variance	Variance
£'000	£'000	£'000	£'000	%
997	1,144	1,149	5	0
3,238	4,021	3,882	(139)	(3)
1,198	1,523	1,459	(64)	(4)
451	577	552	(25)	(4)
5,018	5,951	5,856	(94)	(2)
3,316	3,930	3,920	(10)	(0)
394	467	467	0	-
609	718	663	(55)	(8)
338	457	436	(21)	(5)
2,869	3,585	3,404	(181)	(5)
1,740	2,190	2,049	(141)	(6)
287	336	344	8	2
533	668	640	(28)	(4)
309	391	371	(20)	(5)
12,461	15,157	14,727	(430)	(14)
0	27	7	(20)	-
0	72	72	0	-
12,461	15,255	14,805	(450)	(3)
477	667	667	0	-
100	150	118	(32)	-
577	817	785	(32)	-
13,038	16,073	15,591	(482)	(3)

2019-20 Jan-20	PERIOD				YEAR-TO-DATE				ANNUAL			Y-T-D NET VARIANCE			ANNUAL NET VARIANCE		
	Budget	Actual	Actual /	Variance	Budget	Actual	Actual /	Variance	Budget	Forecast	Variance	Net	Net Actual	Variance	Net Budget	Net Actual	Variance
	£'000	£'000	%	£'000	£'000	£'000	%	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Income																	
Refuse	(219)	(222)	(1.3)	(3)	(2199)	(2209)	(0.4)	(10)	(2640)	(2650)	(10)	9	35	26	10	35	25
CDSU	(9)	(9)	0.3		(86)	(89)	(3.8)	(3)	(103)	(106)	(3)	17	22	5	20	25	5
Street & Toilet Cleaning	(114)	(114)	0.1		(1164)	(1172)	(0.7)	(8)	(1400)	(1408)	(8)	(8)	(41)	(33)	(13)	(46)	(33)
Trade	(31)	(36)	(14.5)	(5)	(384)	(365)	5.0	19	(447)	(427)	20	(50)		50	(46)	5	51
Workshop	(62)	(58)	5.7	4	(620)	(616)	0.7	4	(744)	(740)	4	(1)		1	(1)	0	1
Green Waste	(32)	(50)	(55.4)	(18)	(520)	(568)	(9.2)	(48)	(596)	(643)	(47)	(82)	(92)	(11)	(66)	(76)	(10)
															0	0	0
Cesspools	(20)	(19)	6.1	1	(203)	(192)	5.1	10	(243)	(236)	7	(26)	(6)	21	(31)	(15)	16
Pest Control	(4)	(4)	14.7	1	(81)	(57)	29.8	24	(90)	(67)	23	(6)	23	29	0	28	28
Grounds	(15)	(15)	0.0	0	(153)	(153)	(0.3)	(1)	(185)	(185)	0	1	(33)	(34)	(2)	(36)	(34)
Fleet	(80)	(85)	(6.9)	(6)	(798)	(820)	(2.7)	(21)	(958)	(958)	0	0	20	20	0	41	41
Depot	(25)	(24)	0.3		(253)	(224)	11.2	28	(302)	(287)	15	1	19	18	0	2	2
Emergency	(5)	(5)	0.0	0	(47)	(47)	0.0	0	(57)	(57)	0	(13)	(16)	(3)	(15)	(19)	(3)
Total Income	(615)	(640)	(4.1)	(25)	(6508)	(6513)	(0.1)	(5)	7766	(7764)	1	(157)	(67)	89	(145)	(56)	89
Expenditure																	
Refuse	221	242	9.5	21	2,208	2,244	1.6	35	2,650	2,685	35						
CDSU	10	12	13.0	1	103	111	7.7	8	124	131	7						
Street & Toilet Cleaning	116	107	(7.4)	(9)	1,156	1,131	(2.1)	(25)	1,387	1,362	(25)						
Trade	33	44	32.2	11	334	365	9.2	31	401	432	31						
Workshop	62	63	2.3	1	619	616	(0.5)	(3)	743	740	(3)						
Green Waste	40	55	36.4	15	438	476	8.5	37	530	567	37						
															0	0	0
Cesspools	18	17	(3.5)	(1)	176	186	5.8	10	212	221	9						
Pest Control	8	7	(12.4)	(1)	76	81	6.3	5	90	95	5						
Grounds	15	10	(34.2)	(5)	154	120	(21.8)	(34)	183	149	(34)						
Fleet	80	88	10.1	8	798	840	5.2	42	958	999	41						
Depot	23	26	11.7	3	254	244	(3.9)	(10)	301	289	(12)						
Emergency	3	3	(9.9)	(0)	34	31	(9.0)	(3)	41	38	(3)						
Total Expenditure	629	673	7.0	44	6352	6446	1.5	94	7621	7708	87						
Net	14	33	3.0	19	(157)	(67)	1.4	89	145	(56)	89						

STAFFING STATISTICS JANUARY 2020

	BUDGET FTE	STAFF FTE	AGENCY STAFF	CASUAL FTE	TOTAL	COMMENTS	DECEMBER TOTALS
1. People and Places (Communities and Business	19.42	32.93	1.00	0.95	34.88	This includes Housing Advice	34.94
2. Customers and Resources Customer Solutions, HR, PAs, Legal, Democratic Service, Election, <i>Revenues and Benefits</i>	65.67	96.09	2.00	0.72	98.81		95.26
3. Finance and Trading	145.64	151.14	26.40	2.40	179.94		168.25
<i>3c & 3d Operational Services + CCTV</i>	112.16	109.39	25.40	1.20	135.99		127.78
<i>3e. Parking & Amenity Services</i>	13.00	13.00			13.00		13.00
<i>3f. Property Services (AM P&Property and FM)</i>	20.48	15.68			15.68		15.79
<i>Finance & Audit</i>		13.07	1.00	1.20	15.27		11.68
4. Transformation and Strategy	67.92	13.17	0.00		13.17		13.17
5a. Planning and regulatory (Environmental Services, Development Management, Licensing, Planning Policy)	50.21	66.48	3.00	0.16	69.64		69.54
<i>5b. Building Control</i>	7.00	7.00	0.00		7.00		7.00
<i>3a. Environmental Health</i>	12.57	0.00			0.00		0.00
<i>3b. Licensing</i>	10.67	0.00			0.00		0.00
SUB TOTAL	355.86	366.81	32.40	4.23	403.44		388.16
EXTERNALLY FUNDED POSTS							
7. Communities and Business	18.7	7.7	0.00		7.70		8.70
8. Operational Services	2	2	0.00		2.00		2.00
9. Property Services	1.50	1.00	0.00		1.00		1.00
SUB TOTAL	22.20	10.70	0.00		10.70		11.70
TOTAL	378.06	377.51	32.40	4.23	414.14		399.86
Number of staff paid in Dec 2019: 418 permanent, 12 casuals							

Agenda Item 11

Position as at the end of January 2020 (Period 202010)

		Opening Balance	Latest Balance	Movement
		19/20 Opening Balance	Balance as at end January 20	19/20 Cumulative Movement to Date
BS010	Earmarked Reserv- VehiclRenewal (DAA)	(7,938)	(7,330)	608
BS020	Earmarked Reserv- FTS (DAB)	(1,364)	(1,364)	-
BS030	Earmarked Reserv- Carry Forward Items (DAC)	(1,000)	(1,000)	-
BS035	Earmarked Reserv- Capital ExpenditurReserve	(750)	(750)	-
BS045	Earmarked Reserv- IT Asset Maintenance	(707)	(682)	25
BS060	Earmarked Reserv- Rent Deposit Guarante(DAN)	(682)	(682)	-
BS065	Earmarked Reserv- Homelessness Prevention	(592)	(592)	-
BS075	Earmarked Reserv- Housing Surveys	(586)	(586)	-
BS090	Earmarked Reserv- Members Training (DAU)	(565)	(565)	-
BS120	Earmarked Reserv- VehiclInsuranc(DAZ)	(532)	(532)	-
BS125	Earmarked Reserv- Car Loans Fidelity Guarantee	(500)	(500)	-
BS130	Earmarked Reserv- District Elections (DAZ)	(491)	(309)	182
BS135	Earmarked Reserv- Electoral Registration	(444)	(444)	-
BS155	Earmarked Reserv- Economic Development	(423)	(423)	-
BS165	Earmarked Reserv- RHB repayablAssistance	(406)	(406)	-
BS250	Earmarked Reserv- DWP Hsg Benefit Subsidy	(396)	(396)	-
BS260	Earmarked Reserv- Local Plan/LDF	(351)	(381)	(30)
BS290	Earmarked Reserv- Unauthorised Encampments	(299)	(299)	-
BS300	Earmarked Reserv- Action and Development	(255)	(386)	(131)
BS320	Earmarked Reserv- Re-organisation	(206)	(206)	-
BS330	Earmarked Reserv- Capital Financing	(185)	(185)	-
BS340	Earmarked Reserv- Local Strategic Partnerships	(104)	(26)	79
		(18,778)	(18,045)	733
BS350	Earmarked Reserv- ClimatChangPPS	(99)	(99)	-
BS360	Earmarked Reserv- Budget Stabilisation	(94)	(94)	-
BS370	Earmarked Reserv- Civic Expenses Transport	(65)	(65)	-
BS380	Earmarked Reserv- Financial Plan	(61)	(61)	-
BS400	Earmarked Reserv- Community Development Reserve	(54)	(54)	-
BS410	Earmarked Reserv- Development Services Reserve	(37)	(54)	(17)
BS460	Earmarked Reserv- Swanley Station Improvements	(36)	(36)	-
BS470	Earmarked Reserv- New Homes Bonus Reserve	(35)	(129)	(94)
BS480	Earmarked Reserv- Big Community Reserve	(33)	(33)	-
BS490	Earmarked Reserv- Flood Support Scheme	(24)	(24)	-
BS500	Earmarked Reserv- Pension Fund Valuation Adj.	(14)	(14)	-
BS510	Earmarked Reserv- NNDR Safety Net Deficit Reserve	(10)	(10)	-
BS520	Earmarked Reserv- CorporatProject Support Reserve	(8)	(8)	-
BS540	Earmarked Reserv- Property Investment Strategy MaintenancReserve	(7)	(7)	-
BS570	Earmarked Reserv- Community InfrastructurLevy Administration (CIL)	(6)	(6)	-
BS580	Earmarked Reserv- Switch and Save	(5)	(5)	-
BS590	Earmarked Reserv- Community Housing Fund	(4)	(4)	0
BS600	Earmarked Reserv- Housing & Commercial Growth Fund		(567)	(567)
Other Earmarked Reserves (balances <£100k)		(594)	(1,272)	(677)
Total		(19,372)	(19,317)	56
General Fund				
BW020	General Fund	(1,500)	(1,500)	-
Total		(20,873)	(20,817)	56

10. Capital

**Position as at the end of January 2020
(Period 202010)**

People & Places

<DIRECTORATE_text>

RHPCG 10-11 SDC

WKHA Adaps for Disab Financing Costs Advances

Affordable Housing

Improvement Grants

Improvement Grants HIA (DFG) - Capital

Property Investment Strategy

PIS 1st Floor Suffolk House - Refurbishment

Whiteoak Leisure Centre

Finance & Trading

Vehicle Purchases

CCTV

Buckhurst 2 Multi-Storey Car Park

Buckhurst 2 - Housing

Bradbourne Car Park

Junction Works - Suffolk Way/High Street

Planning & Regulatory

S106 Capital

CIL Other

CIL Parish Councils

Total Capital

Y-T-D	Annual (19/20)	Annual	Annual (19/20)
Actual	Budget	For Var	Forecast (including Accruals)
£'000	£'000	£'000	£'000
3	-	-	-
130	-	-	-
2,638	-	-	-
279	1,100	-	1,100
362	-	-	-
184	5,000	-	5,000
17	-	-	-
597	550	-	550
-	-	-	-
414	548	-	548
1	20	-	20
8	5,861	-	5,861
3,384	-	-	-
-	-	-	-
(274)	-	-	-
-	-	-	-
122	-	-	-
1,448	-	-	-
529	-	-	-
-	-	-	-
9,841	13,079	-	13,079

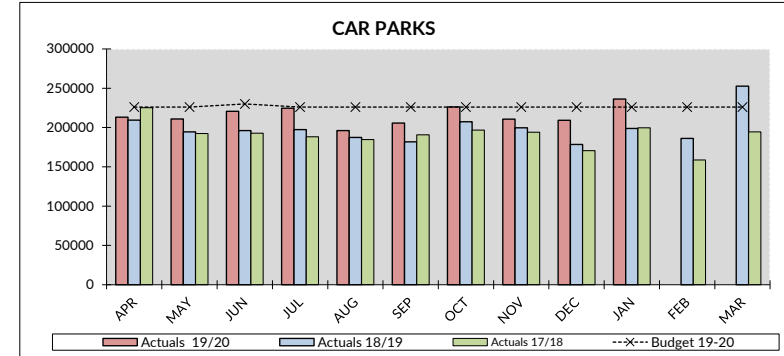
8 Income Graphs Summary

		Comparison of 18/19 and 19/20, where brackets show increased income	MANAGER'S PROFILED BUDGET	Variance, where brackets are favourable	ANNUAL BUDGET 2019/20	Annual Forecast
	ACTUAL					
CAR PARKS	2,153,502	(202,447)	2,264,588	111,086	2,716,705	2,716,705
ON-STREET PARKING	892,666	53,849	858,447	(34,219)	1,030,136	1,030,136
LAND CHARGES	144,188	(25,613)	175,113	30,924	210,135	210,135
BUILDING CONTROL	446,229	(60,944)	389,258	(56,971)	467,110	467,110
DEVELOPMENT MANAGEMENT	1,014,460	(356,353)	768,102	(246,358)	921,722	921,722
	4,651,045	(591,508)	4,455,507	(195,539)	5,345,808	5,345,808

CAR PARKS (HWCARPK)

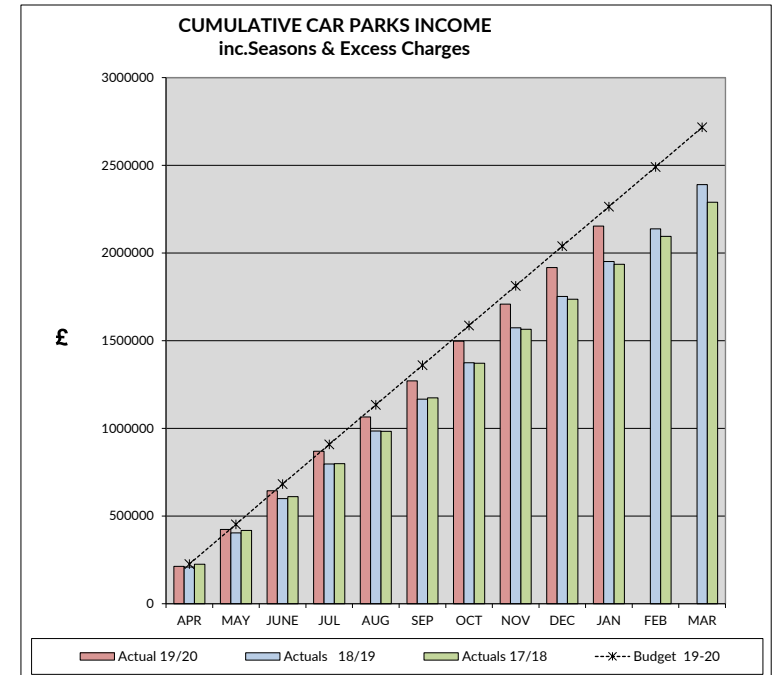
	Actuals 17/18	Actuals 18/19	Actuals 19/20	Increase / decrease from 18/19 to 19/20	Budget 19-20	Variance (Budget-Actuals)	Manager's Forecast
1 APR	225,193	209,387	213,119	(3,732)	226,059	12,940	
2 MAY	192,331	194,451	210,813	(16,362)	226,059	15,246	
3 JUN	192,806	196,119	220,637	(24,518)	230,059	9,421	
4 JUL	188,319	197,332	224,678	(27,346)	226,059	1,381	
5 AUG	184,778	187,490	196,164	(8,674)	226,059	29,895	
6 SEP	190,794	181,917	205,737	(23,820)	226,059	20,322	
7 OCT	196,832	207,316	226,210	(18,894)	226,059	(151)	
8 NOV	194,124	199,634	210,651	(11,017)	226,059	15,408	
9 DEC	170,661	178,551	209,265	(30,714)	226,059	16,793	
10 JAN	199,732	198,858	236,228	(37,370)	226,059	(10,169)	
11 FEB	158,761	186,163			226,059		
12 MAR	194,523	252,653			226,059		
	2,288,853	2,389,870	2,153,502	-202,447	2,716,705	111,086	2,716,705

NOTE: Budget Profiles to be reviewed



CAR PARKS (CUMULATIVE)

	Actuals 17/18	Actuals 18/19	Actual 19/20	Cumulative increase / decrease from 18/19 to 19/20	Budget 19-20	Variance (Budget-Actuals)	Manager's Forecast
APR	225,193	209,387	213,119	(3,732)	226,059	12,940	
MAY	417,523	403,838	423,932	(20,094)	452,118	28,185	
JUNE	610,329	599,957	644,570	(44,612)	682,176	37,607	
JUL	798,648	797,289	869,247	(71,959)	908,235	38,988	
AUG	983,426	984,779	1,065,411	(80,632)	1,134,294	68,883	
SEP	1,174,220	1,166,696	1,271,148	(104,452)	1,360,353	89,205	
OCT	1,371,052	1,374,012	1,497,358	(123,346)	1,586,411	89,054	
NOV	1,565,176	1,573,646	1,708,009	(134,363)	1,812,470	104,461	
DEC	1,735,836	1,752,197	1,917,274	(165,077)	2,038,529	121,255	
JAN	1,935,568	1,951,055	2,153,502	(202,447)	2,264,588	111,086	
FEB	2,094,330	2,137,218			2,490,646		
MAR	2,288,853	2,389,870			2,716,705		2,716,705



Jan-20

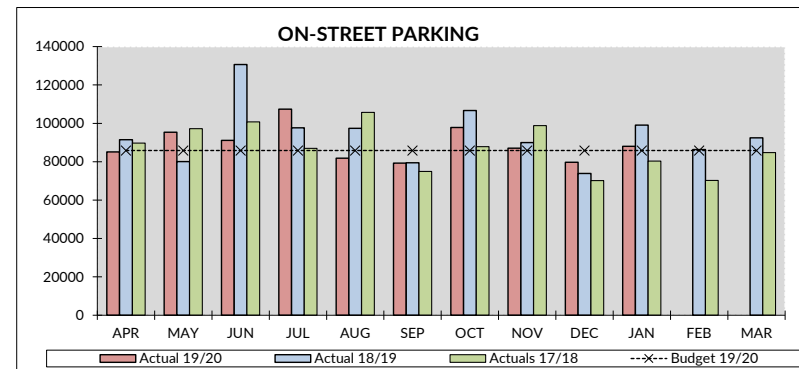
HWCARPK

	Actual (Cumulative)	Budget	(Monthly)	
DAY TICKETS	3300	1,821,572	1,869,623	188,425
EXCESS / PENALTY CHARGES	****1/****3	-	-	-
SEASON TICKETS	***2	(597)	(0)	-
SEASON TICKET CAR PARK	3310	319,345	372,944	46,551
OTHER (inc.Res.Pkg)	***9	-	5,520	-
WAIVERS	3404	-	-	-
RENT	94500	13,275	16,500	1,252
Business Permits	3406 /3408	(94)	-	-
	2,153,502	2,264,587	236,228	
	(0)	(0)	-	

ON-STREET PARKING (HWDCRIM / HWENFORC)

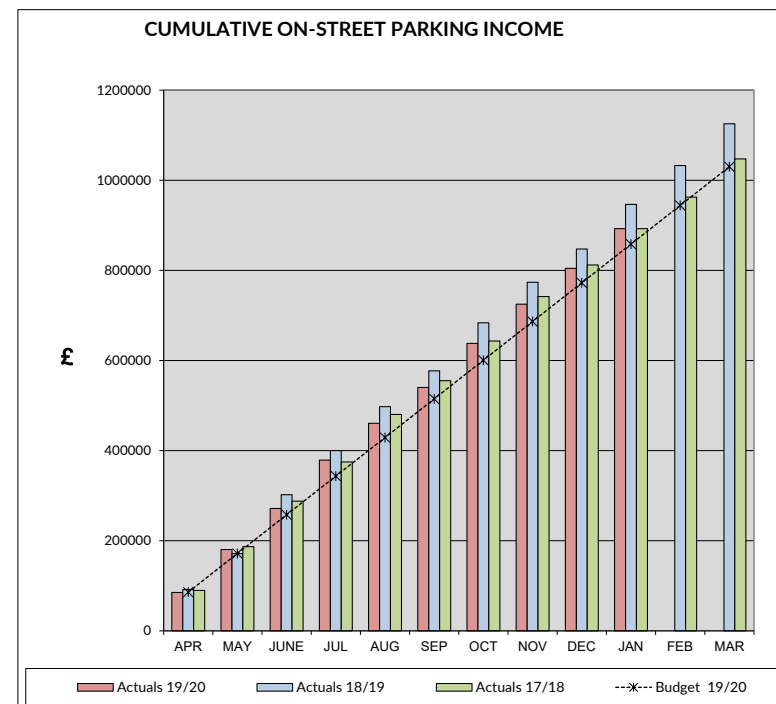
	Actuals 17/18	Actual 18/19	Actual 19/20	Increase / decrease from 18/19 to 19/20	Budget 19/20	Variance (Budget-Actuals)	Manager's Forecast
1 APR	89,694	91,515	85115	6,400	85,845	730	
2 MAY	97,250	80,099	95338	(15,240)	85,845	(9,494)	
3 JUN	100,738	130,688	91102	39,586	85,845	(5,257)	
4 JUL	86,987	97,678	107391	(9,713)	85,845	(21,547)	
5 AUG	105,737	97,434	81797	15,637	85,845	4,048	
6 SEP	74,972	79,445	79308	137	85,845	6,537	
7 OCT	87,843	106,690	97818	8,872	85,845	(11,973)	
8 NOV	98,849	89,993	87032	2,961	85,845	(1,187)	
9 DEC	70,137	73,861	79729	(5,868)	85,845	6,116	
10 JAN	80,326	99,112	88036	11,076	85,845	(2,191)	
11 FEB	70,259	86,373			85,845		
12 MAR	84,739	92,426			85,845		
TOTAL	1,047,530	1,125,314	892,666	53,849	1,030,136	-34,219	1,030,136

Note: Budget profiles still subject to review



ON-STREET PARKING (CUMULATIVE)

	Actuals 17/18	Actuals 18/19	Actuals 19/20	Cumulative increase / decrease from 18/19 to 19/20	Budget 19/20	Variance (Budget-Actuals)	Manager's Forecast
APR	89,694	91,515	85115	6,400	85,845	730	
MAY	186,944	171,613	180,453	(8,840)	171,689	(8,764)	
JUNE	287,681	302,302	271,555	30,746	257,534	(14,021)	
JUL	374,669	399,980	378,947	21,033	343,379	(35,568)	
AUG	480,406	497,414	460,744	36,671	429,223	(31,520)	
SEP	555,378	576,859	540,052	36,807	515,068	(24,984)	
OCT	643,221	683,549	637,870	45,679	600,913	(36,957)	
NOV	742,070	773,542	724,901	48,641	686,757	(38,144)	
DEC	812,207	847,403	804,630	42,773	772,602	(32,028)	
JAN	892,532	946,515	892,666	53,849	858,447	(34,219)	
FEB	962,791	1,032,888			944,291		
MAR	1,047,530	1,125,314			1,030,136		1,030,136



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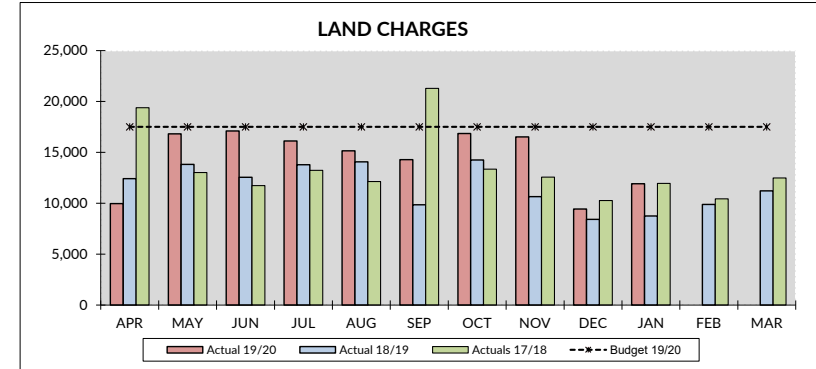
HWDCRIM / HWENFORC

	Actual (Cumulative)	Budget	(Monthly)
PENALTY NOTICES & EXCESS CH/ 3403/****1	290,913	297,645	29,271
WAIVERS	3404	13,008	9,198
RESIDENTS PERMITS	3406	71,029	44,153
ON STREET PARKING	3300	493,889	431,103
BUSINESS PERMITS	3408	20,115	76,348
Driveway Access Protection Lines	3405	1,757	278
OTHER	9999	1,955	-
TOTAL	892,666	858,447	88,036

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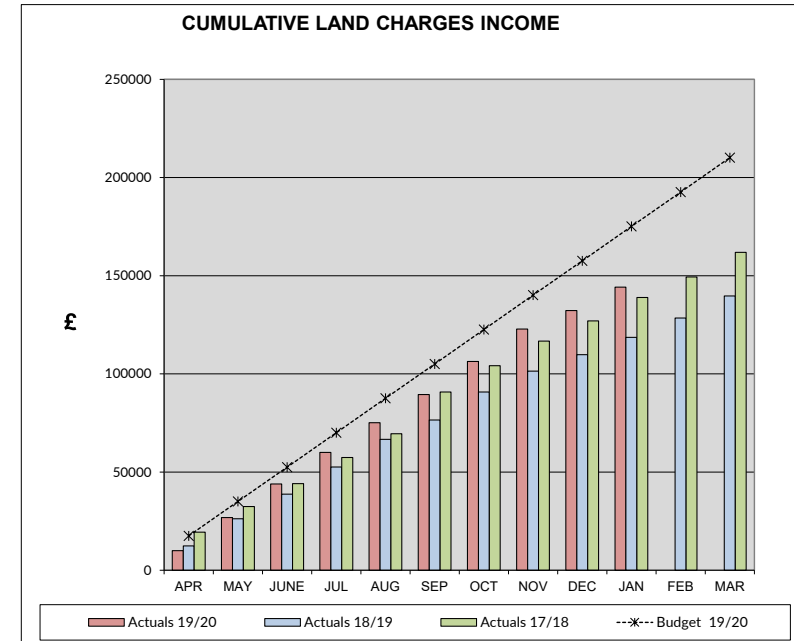
LAND CHARGES (LPLNDCH)

	Actuals 17/18	Actual 18/19	Actual 19/20	Increase / decrease from 18/19	Budget 19/20	Variance (Budget-Actuals)	Manager's Forecast
1 APR	19,382	12,416	9,967	2,449	17,511	7,544	
2 MAY	13,025	13,827	16,828	(3,001)	17,511	683	
3 JUN	11,742	12,546	17,112	(4,566)	17,511	399	
4 JUL	13,243	13,782	16,113	(2,331)	17,511	1,398	
5 AUG	12,132	14,070	15,149	(1,079)	17,511	2,363	
6 SEP	21,283	9,855	14,286	(4,431)	17,511	3,225	
7 OCT	13,360	14,249	16,854	(2,605)	17,511	657	
8 NOV	12,568	10,650	16,519	(5,869)	17,511	993	
9 DEC	10,270	8,425	9,444	(1,019)	17,511	8,067	
10 JAN	11,950	8,755	11,917	(3,162)	17,511	5,595	
11 FEB	10,438	9,882			17,511		
12 MAR	12,485	11,220			17,511		
TOTAL	161,879	139,678	144,188	-25,613	210,135	30,924	210,135



LAND CHARGES (CUMULATIVE)

	Actuals 17/18	Actuals 18/19	Actuals 19/20	Cumulative increase / decrease from 18/19	Budget 19/20	Variance (Budget-Actuals)	Manager's Forecast
APR	19,382	12,416	9,967.29	2,449	17,511	7,544	
MAY	32,408	26,244	26,795	(552)	35,023	8,227	
JUNE	44,149	38,789	43,907	(5,118)	52,534	8,626	
JUL	57,393	52,572	60,020	(7,449)	70,045	10,025	
AUG	69,525	66,641	75,169	(8,528)	87,556	12,387	
SEP	90,808	76,497	89,455	(12,958)	105,068	15,612	
OCT	104,167	90,746	106,309	(15,564)	122,579	16,269	
NOV	116,735	101,396	122,828	(21,432)	140,090	17,262	
DEC	127,005	109,821	132,272	(22,451)	157,601	25,329	
JAN	138,955	118,576	144,188	(25,613)	175,113	30,924	
FEB	149,394	128,457			192,624		
MAR	161,879	139,678			210,135		210,135



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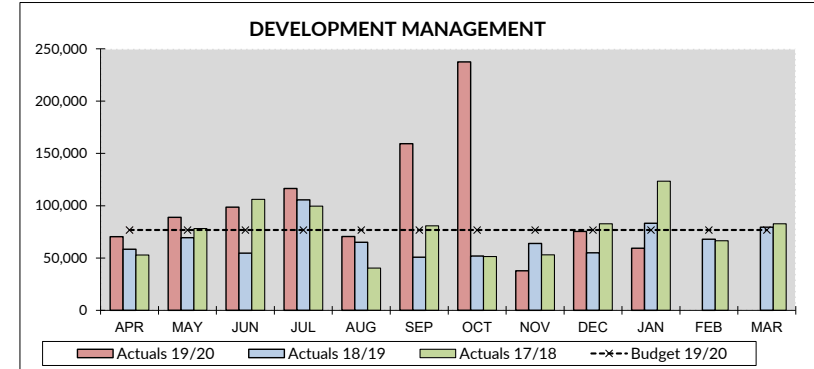
LPLNDCH

Searches Received - Paper
 Searches Received - Electronic
 Searches Received - Personal

	Received (Month)	Percentage (Month)	Percentage (Month 19/20)	(Cumulative)
£105	6	3%	6%	132
£86	90	40%	43%	896
£0	129	57%	51%	1,077
TOTAL	225	100%	100%	2,105

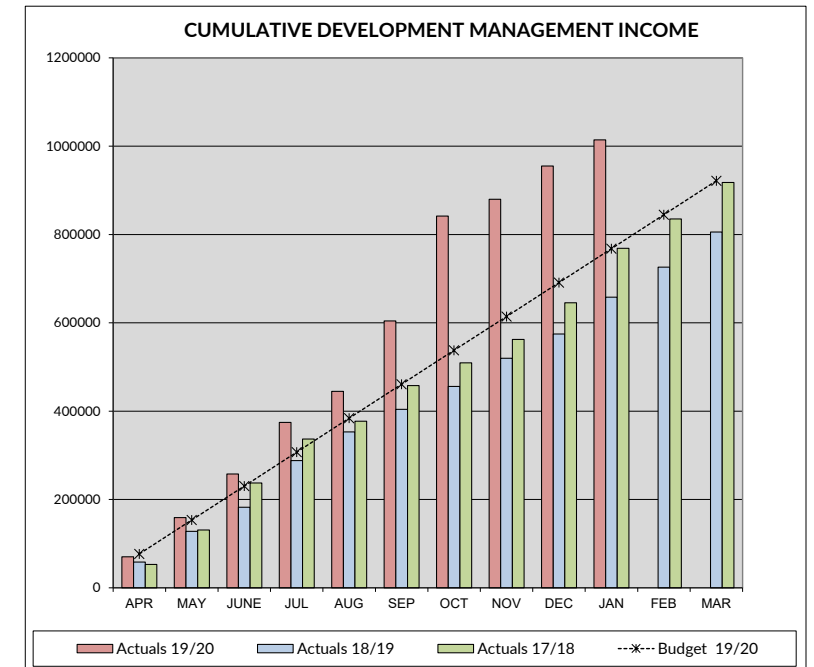
DEVELOPMENT MANAGEMENT (DVDEVCT/DVDEVRND)

	Actuals 17/18	Actuals 18/19	Actuals 19/20	Increase / decrease from 18/19 - 19/20	Budget 19/20	Variance (Budget-Actuals)	Manager's Forecast
1 APR	52,884	58,404	70,363	(11,959)	76,810	6,447	
2 MAY	78,250	69,455	88,827	(19,372)	76,810	(12,017)	
3 JUN	106,124	54,668	98,710	(44,043)	76,810	(21,900)	
4 JUL	99,681	105,667	116,501	(10,834)	76,810	(39,690)	
5 AUG	40,402	64,977	70,614	(5,637)	76,810	6,196	
6 SEP	80,747	50,827	159,361	(108,534)	76,810	(82,551)	
7 OCT	51,400	51,985	237,506	(185,522)	76,810	(160,696)	
8 NOV	53,057	63,941	37,774	26,167	76,810	39,036	
9 DEC	82,753	54,926	75,475	(20,549)	76,810	1,335	
10 JAN	123,499	83,258	59,329	23,929	76,810	17,481	
11 FEB	66,539	67,922			76,810		
12 MAR	82,682	79,480			76,810		
	918,017	805,509	1,014,460	(356,353)	921,722	(246,358)	921,722



DEVELOPMENT MANAGEMENT (CUMULATIVE)

	Actuals 17/18	Actuals 18/19	Actuals 19/20	Cumulative increase / decrease from 18/19 to 19/20	Budget 19/20	Variance (Budget-Actuals)	Manager's Forecast
APR	52,884	58,404	70,363	(11,959)	76,810	6,447	
MAY	131,134	127,859	159,190	(31,331)	153,620	(5,570)	
JUNE	237,257	182,526	257,900	(75,374)	230,431	(27,469)	
JUL	336,939	288,193	374,400	(86,208)	307,241	(67,160)	
AUG	377,340	353,170	445,014	(91,844)	384,051	(60,963)	
SEP	458,087	403,997	604,376	(200,378)	460,861	(143,515)	
OCT	509,487	455,982	841,882	(385,900)	537,671	(304,211)	
NOV	562,544	519,923	879,656	(359,733)	614,481	(265,175)	
DEC	645,297	574,849	955,131	(380,282)	691,292	(263,840)	
JAN	768,796	658,107	1,014,460	(356,353)	768,102	(246,358)	
FEB	835,335	726,029			844,912		
MAR	918,017	805,509			921,722		921,722



Jan-20

	Actual (Cumulative)	Budget	(Monthly)
DVDEVCT/DVDEVRND			
Planning Application Fees	94300/3009	943,935	677608
Other	94300/9999	(153)	0
Pre-application Fees	94301	70,678	81001
Monitoring Fees	94302		9493
RECH-Other A/C'S	98100		
	1,014,460	768,102	59,329

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CARRY FORWARD REQUESTS 2019/20

Cabinet - 16 April 2020

Report of Chief Officer Finance and Trading

Status For recommendation

Key Decision No

This report supports the Key Aim of Effective Management of Council Resources

Portfolio Holder Cllr. Matthew Dickins

Contact Officer Alan Mitchell, Ext 7483

Recommendation to Cabinet: That

- (a) the Revenue ‘carry forward’ requests totalling up to £295,000 as set out in paragraph 3 of the report be approved, subject to any amendments suggested by the Finance and Investment Advisory Committee;
- (b) the Capital carry forward request totalling £134,000 as set out in paragraph 4 of the report be approved, subject to any amendments suggested by the Finance Advisory Committee;

Introduction

- 1 In help facilitate a shorter final accounts process these requests for specific unspent budgets to be placed in an earmarked reserve for spending in a subsequent year (the ‘carry forward’ reserve) have been brought to this meeting rather than waiting until the final outturn results are available.
- 2 As was the case in 2018/19 any other variances at year end are transferred to the Budget Stabilisation Reserve.

Revenue Carry Forward Items

- 3 There are five specific Revenue carry forward requests. Further details including the implications of not carrying forward these budgets are set out in the Appendix A.

No.	ITEM	CHIEF OFFICER	AMOUNT (up to) £

Agenda Item 12

R1	Corporate Management	Finance & Trading	100,000
R2	Internal Audit Partnership	Finance & Trading	31,000
R3	Building Control	Planning & Regulatory Services	180,000
R4	Environmental Health Partnership	Planning & Regulatory Services	43,000
R5	Revenue and Benefits Partnership	Customer & Recourses	90,000
	SUB TOTAL		295,000

Capital Programme

- 4 The following capital scheme was underspent at the year end and the unspent budget is recommended for carry forward. Further details are set out in Appendix A.

No.	SCHEME	CHIEF OFFICER	AMOUNT £
C1	Vehicle Replacement Fund	Finance & Trading	134,000
	Total		134,000

Key Implications

Financial

There are no financial implications arising from this report.

Legal Implications and Risk Assessment Statement.

Under section 151 of the Local Government Act 1972, the section 151 officer has statutory duties in relation to the financial administration and stewardship of the authority.

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Budget Carry Forward Request 2019/20

Chief Officer : Adrian Rowbotham

Budget description : Corporate Management

Type of expenditure: Revenue

Cost Centre & Account code : CXCRPMG 92200 5030

Budget forecast to be unspent at 31/3/20: £100,000

Amount requested for carry forward: Up to £100,000

Reason for request, including the benefits of this expenditure, why the budget was not spent in 2019/20 and timescales for expenditure in 2020/21 : Grant funding received for EU Exit not fully utilised this financial year.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc): Shortfall of funding for emerging Brexit related costs which are not included in the 2020/21 budget.

Agenda Item 12
Budget Carry Forward Request 2019/20

R2

Chief Officer:	Adrian Rowbotham
Budget description:	Internal audit
Type of expenditure:	Revenue
Cost Centre & Account code:	20100 YPAA
Budget forecast to be unspent at 31/3/20:	£ 66,000
Amount requested for carry forward:	£ 31,000 (up to)

Reason for request, including the benefits of this expenditure, why the budget was not spent in 2019/20 and timescales for expenditure in 2020/21 :

There is an underspend on the staffing budget in 2019/20 due to the vacant posts being held prior to the new staffing structure being implemented. The implementation took place late in the year, and the team was unable to deliver the audit plan in full. It is proposed to carry forward part of the staffing budget underspend to fund the delivery of the outstanding audits by contractors.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):

Due to the team being fully staffed next year, no funds will be available for contractors. In order to deliver the outstanding audits from this year and the audit plan for the next year, the scope will need to be reduced.

Budget Carry Forward Request 2019/20

Chief Officer:	Richard Morris
Budget description:	Building Control
Type of expenditure:	Revenue
Cost Centre & Account code:	DVBCFEE 94300
Budget forecast to be unspent at 31/3/20:	£ 31,000
Amount requested for carry forward:	£ 31,000

Reason for request, including the benefits of this expenditure, why the budget was not spent in 2019/20 and timescales for expenditure in 2020/21 :

The service achieved income above its targets and costs incurred. The department requires upgrading of its IT equipment to facilitate the provision of services at the required level.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):

The legislation requires local authorities to charge for carrying out their building regulations chargeable service as nearly as possible equally to the cost incurred. Local authorities are required to take account of surpluses and deficits made in early years and to offset these against projected future costs resulting in reduced or increased charges, as appropriate, and income received for that year and subsequent years so that over a reasonable period income matches costs.

The Council would not be compliant with a legislative requirement if this were not carried forward.

Agenda Item 12
Budget Carry Forward Request 2019/20

R4

Chief Officer:	Richard Morris
Budget description:	EH Partnership
Type of expenditure:	Revenue
Cost Centre & Account code:	EHPROT/EHCOMM 60405
Budget forecast to be unspent at 31/3/20:	£74,000
Amount requested for carry forward:	£43,000 (up to)

Reason for request, including the benefits of this expenditure, why the budget was not spent in 2019/20 and timescales for expenditure in 2020/21 :

To increase the efficiency of work of the partnership it is proposed to merge the databases of the two authorities. The sum has been earmarked for the project which is now in the process of evaluation.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):

Proposed improvements to IT systems would not be able to be delivered due to no budget being available in the future periods.

Budget Carry Forward Request 2019/20

Chief Officer:	Jim Carrington-West
Budget description:	RBCF partnership
Type of expenditure:	Revenue
Cost Centre & Account code:	FSLTHSB, XBAF, FSCTADM
Budget forecast to be unspent at 31/3/20:	£ 90,000
Amount requested for carry forward:	£ 90,000 (up to)

Reason for request, including the benefits of this expenditure, why the budget was not spent in 2019/20 and timescales for expenditure in 2020/21 :

The following grants were received in 2019/20:

- KCC - Counter Fraud work to Council Tax £46,490
- KCC - Council Tax Support £106,000
- KCC - Incentive Fund £8,361
- DWP - Local Authority Data Sharing £10,596
- DWP - Verify Earnings and Pensions Alerts Service £30,288

With welfare reform changes continuing to occur following the Local Council Tax Support Scheme replacing Council Tax Benefit from 2013/14, several grants have been received.

The largest item above is from Kent County Council for fraud work. As the largest recipient of Council Tax, it is in their best interests for as much Council Tax to be collected as possible and therefore they have provided funding for the Counter Fraud Team to help achieve this. Sevenoaks and Dartford (as a shared service) were the first council's in Kent to get this agreement in place and to start to receive this extra funding.

A restructure of Revenues and Benefits took place in 2018. Improvements and efficiencies have already taken place which have used some of the above grants but more work is planned to improve the service further.

The costs of Revenues and Benefits are shared with Dartford BC. Some of the above funding has already been spent but when the partnership accounts for the year are confirmed between the two partners, it is expected that some of the above funding will not have been used in the year.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):

Agenda Item 12

It will reduce the funding available to deliver the improvements and efficiencies planned for the service.

Budget Carry Forward Request 2019/20

Chief Officer : Adrian Rowbotham

Budget description : Vehicle Purchase Programme

Type of expenditure: Capital

Cost Centre & Account code : YLLP 40000

Budget forecast to be unspent at 31/3/20: £134,000

Amount requested for carry forward: Up to £134,000

Reason for request, including the benefits of this expenditure, why the budget was not spent in 2019/20 and timescales for expenditure in 2020/21 : Delay in vehicles purchased.

Implications of not carrying forward this budget (e.g. impact on achievement of performance targets, etc):
Inability to replace the vehicles as per the plan would have an adverse effect on service delivery at the depot.

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Item 13 - Use of Article 4 to restrict permitted development rights for a change of use from office to residential

The attached report was considered by the Development & Conservation Advisory Committee on 10 March. The relevant Minute extract is below.

Development & Conservation Advisory Committee (10 March 2020, Minute 37)

The Planning Policy Team Leader presented the report which outlined the proposal to serve Article 4 directions, to restrict permitted development rights for a change of use from office to residential, to protect office accommodation in three key areas. In response to questions she advised that to avoid risk of compensation the Council had to give at least one, but no more than two, year's notice ahead of the Directions coming into force. During that year's notice, the sites could go through the prior approval process.

Public Sector Equality Duty

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

Resolved: That it be recommended to Cabinet to serve Article 4 directions, to restrict permitted development rights for a change of use from office to residential, as outlined in the report.

USE OF ARTICLE 4 TO RESTRICT PERMITTED DEVELOPMENT RIGHTS FOR A CHANGE OF USE FROM OFFICE TO RESIDENTIAL

Cabinet - 16 April 2020

Report of	Chief Officer - Planning & Regulatory Services
Status	For Decision
Key Decision	No

Executive Summary: This report outlines the proposal to serve Article 4 directions, to restrict permitted development rights for a change of use from office to residential, to protect office accommodation in three key areas.

This report supports the Key Aim of supporting and developing the local economy

Portfolio Holder Cllr. Julia Thornton

Contact Officer Hannah Gooden, Ext.7178

Recommendation to Development & Conservation Advisory Committee: That the recommendation to Cabinet is endorsed.

Recommendation to Cabinet: To agree to serve Article 4 directions, to restrict permitted development rights for a change of use from office to residential, as outlined in the report.

Reason for recommendation: To protect office accommodation in three key areas, to support and develop the local economy.

Introduction

- 1 Certain types of development, subject to limits and conditions, do not require full planning permission. These forms of development are called 'permitted development'. An Article 4 Direction can be used to remove specific permitted development (PD) rights in all or parts of a local authority's area.
- 2 The proposal is to remove PD rights for a change of use from office use (B1a) to residential use (C3) in three areas (see maps at Appendix A) in the District:
 - Land at the junction of London Road and Hitchen Hatch Lane, Sevenoaks (BT Building)

Agenda Item 13

- Land on London Road, in and around the junctions with Pembroke Road and Argyle Road, Sevenoaks (these offices and surroundings)
- Crown Inn, Westerham Trading Centre

3 These three areas were previously exempt from this permitted development right, but the exemption expired in May 2019. The proposal is to continue this exemption through the application of an Article 4 Direction.

Background

4 In 2013, a new permitted development right was introduced, allowing change of use from office to residential, to boost the nationwide supply of housing. This is via a 'prior approval' system, where only a limited number of factors can be taken into account, namely transport and highways issues, contamination and flooding.

5 SDC applied to central government for 11 'exempt office areas', on the basis that the loss of offices in these areas would lead to 'substantial adverse economic consequences at the local authority level which are not offset by the positive benefits the new rights would bring'.

6 SDC was granted three 'exempt office areas' as listed above in May 2013 and shown in Appendix A. Please note that these maps were prepared in 2013 and there have since been a number of developments in these areas.

7 These 'exempt office areas' were only granted in a very limited number of locations (London boroughs, Manchester, Stevenage, Ashford, East Hampshire and Vale of the White Horse).

8 These 'exempt office areas' expired in May 2019. The intention was that these areas would be 're-designated' via the emerging Local Plan. Draft Policy EMP1 (Supporting a vibrant and balanced economy') states that:

'all office accommodation on allocated sites will be served an Article 4 direction to retain important business space to meet the needs of the District's economy'

9 As the Local Plan is currently paused, the intention is to serve Article 4 Directions on the three previously-designated areas, as the first phase of this process, and serve the rest of the Article 4 Directions, once the Local Plan is adopted.

10 Our evidence base, specifically our Economic Needs Study (2016) identifies that the District needs to retain its existing employment base and needs an additional 11.6ha of employment land up to 2035, of which 7.2 ha is needed for office space (B1a/b).

11 Our annual monitoring, through our Authority Monitoring Report (AMR) and Community Plan, outlines that the change to permitted development rights

allowing change of use from office to residential has had a detrimental impact on the supply of office floor space in the District.

- 12 Since 2013, when the permitted development right was introduced, 8,263 sqm of office space has been lost (which has resulted in 111 new housing units).

Process

- 13 Article 4 Directions and Notices for each of the three sites have been drafted by legal, together with a covering letter to accompany the relevant Notice.
- 14 These will be sent to all properties within the three affected areas and relevant consultees, and affected parties are able to make comments and representations to the Council.
- 15 To avoid any risk of compensation, the Council must give at least one, but no more than two, year's notice ahead of the Directions coming into force.
- 16 Once the Direction comes into force, those who wish to carry out the work previously permitted (office to residential change of use) will need to obtain express planning permission from the Local Planning Authority. This does not mean that planning consent would not be granted, just that wider considerations (including economic impact) can be taken into account in decision-making, rather than the narrow remit of the 'prior approval' process.

Other Options Considered and/or Rejected

- 17 SDC could wait until the adoption of the Local Plan to progress the Article 4 Directions. However, there is a risk that office accommodation in these key areas could be lost during this time as the exemption areas have expired. Alternatively, Article 4 Directions could be served on all office accommodation on allocated employment sites, but it is recommended that this wider approach is first tested via the Local Plan examination.

Key Implications

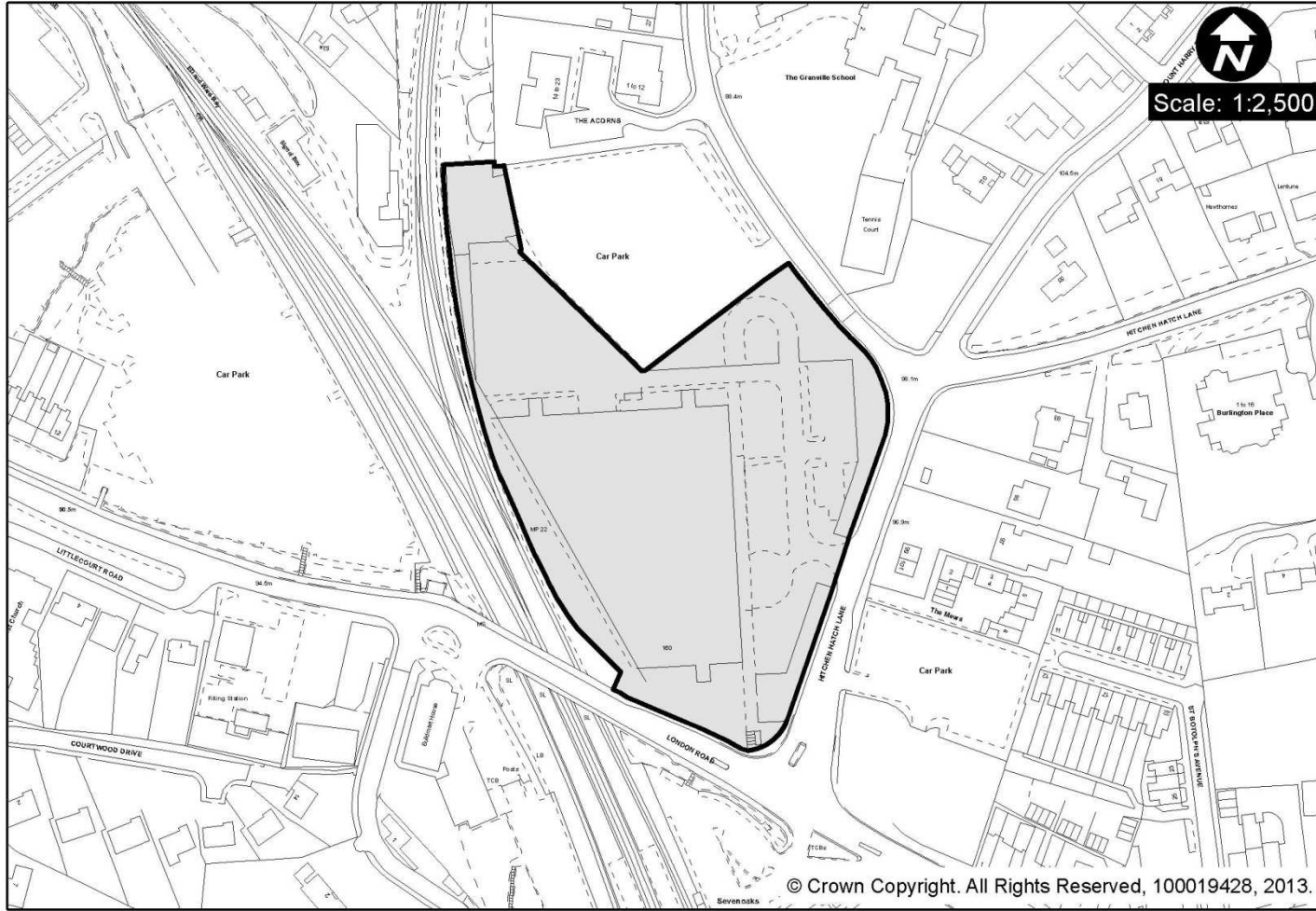
Financial

No additional costs. To avoid any risk of compensation, the Council must give at least one, but no more than two, year's notice ahead of the Directions coming into force. Local Plan implementation funded from Local Plan budget.

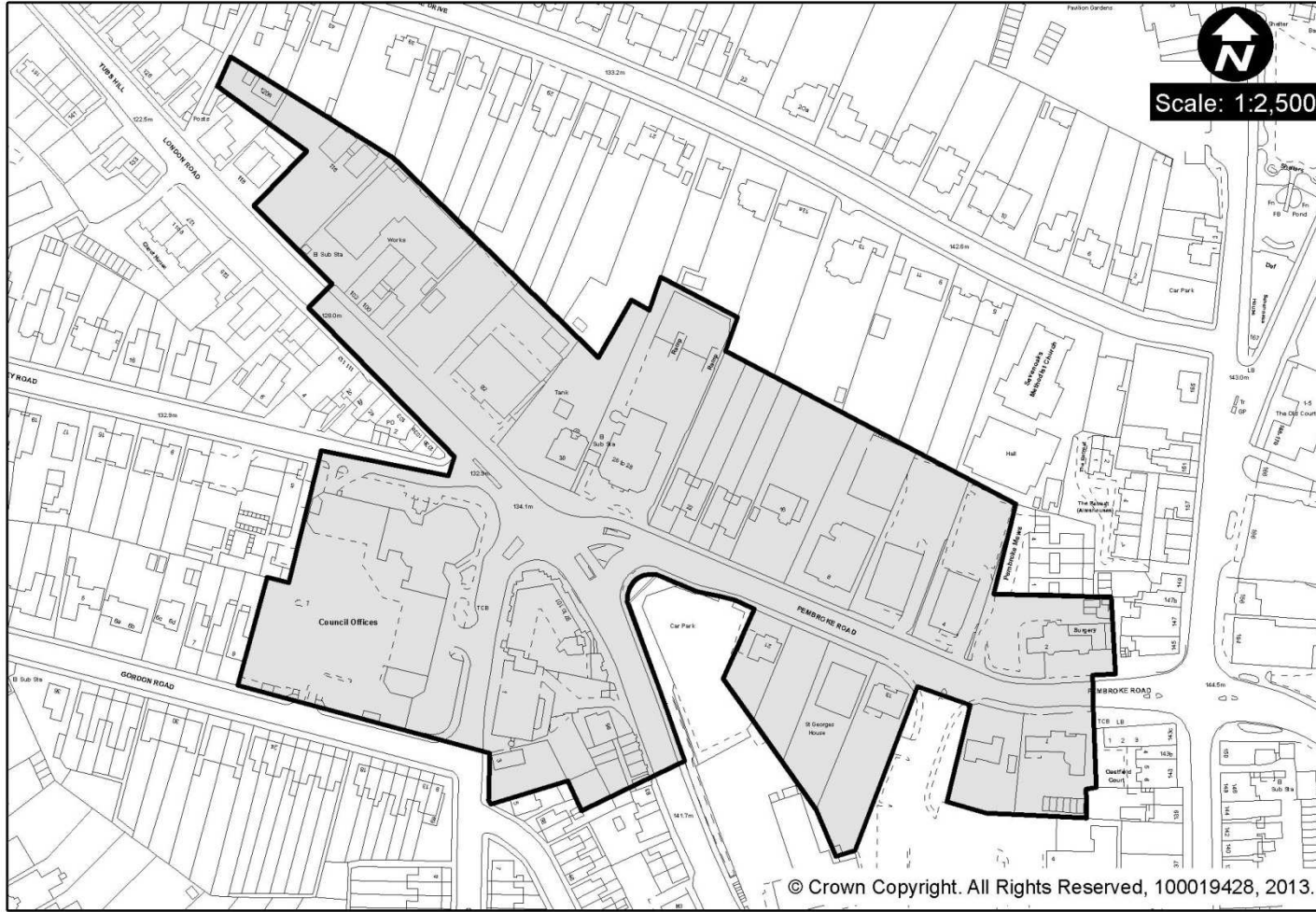
Legal Implications and Risk Assessment Statement.

Legal involvement and advice in relation to issue of Article 4 Directions. Risks associated with content and production of the Local Plan are set out in the Local Development Scheme.

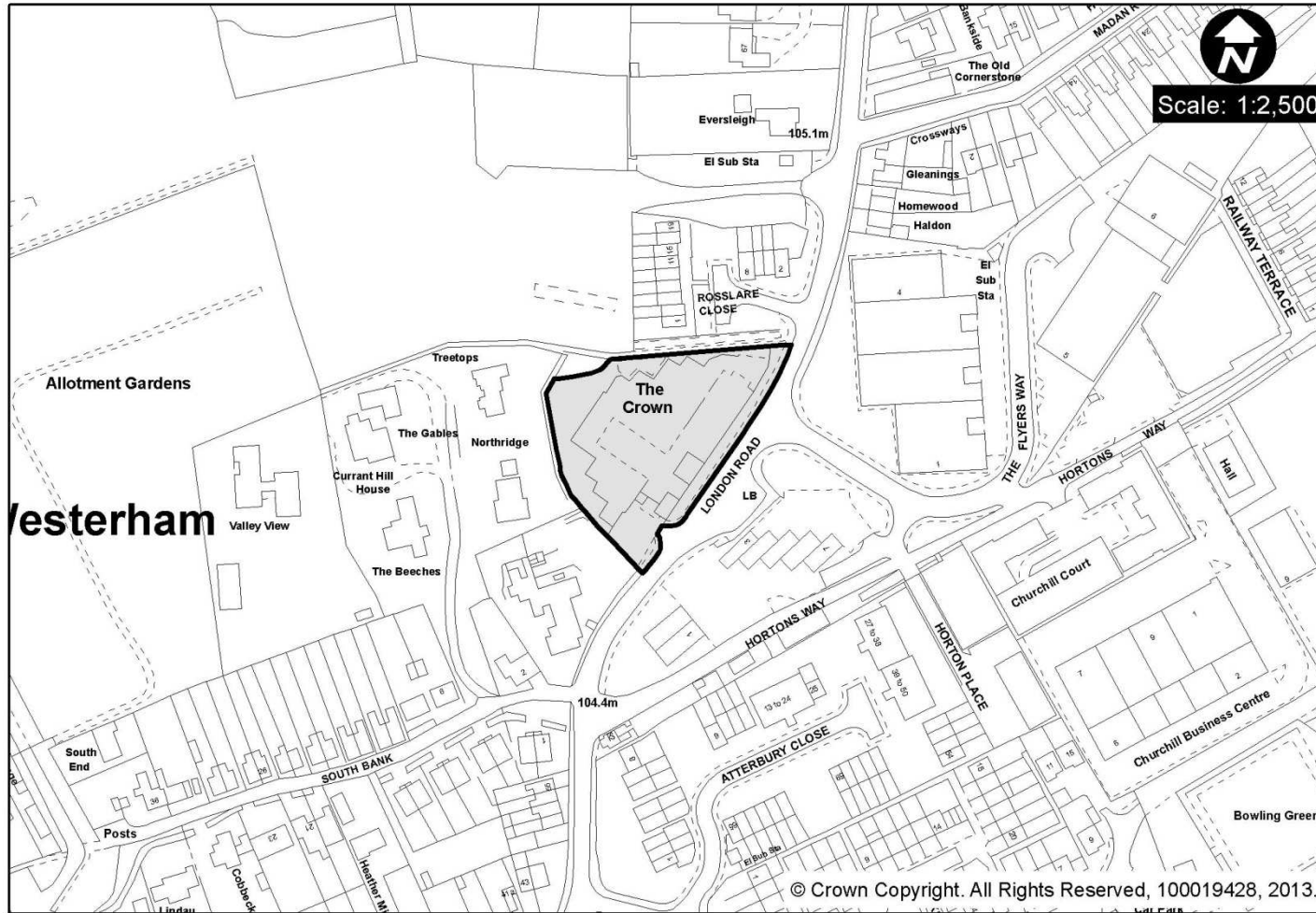
BT Building, London Road, Sevenoaks



London Road, Sevenoaks



Crown Inn at Westerham Trading Centre, London Road, Westerham



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Item 14 - White Oak Leisure Centre: New Build and operator procurement

The attached report was considered by the Improvement & Innovation Advisory Committee on 27 February 2020 and People & Places Advisory Committee on 3 March 2020. The report was due to be considered by the Finance & Investment Advisory Committee but this had been cancelled due to the current Covid-19 crisis.

The relevant Minute extracts are below.

Improvement & Innovation Advisory Committee (27 February 2020, Minute 37)

The Chief Officer People & Places presented the report which set out the proposed construction of the new leisure centre, the demolition of the existing White Oak Leisure centre, and the appointment of an operator for the new centre. The report set out the facility mix and detailed costings and funding sources. Planning permission had been granted on 13 February 2020. The construction of the new leisure centre and demolition of existing leisure centre cost, together with fees and charges, was due to be £20m.

The Chief Officer People & Places advised Members of the proposed design of the new leisure centre, which included a Tag Active zone, multi-purpose rooms, a pool, a café, soft play area and parking provision for 144 vehicles and two coach spaces. There was focus on making the building as flexible as possible in its use. The new leisure centre was due to open in November 2021.

The preferred operator was Sport and Leisure Management (SLM). If the contract would be approved, then the net payment to the Council would be £507,248 a year on average. The preferred operator had shown interest in embedding themselves in the local community early on in the process. The Chief Officer People & Places advised that there would be 38 full time equivalent members of staff working for SLM which provide good operator resilience.

Members were advised that there were risks related to construction with Alliance Leisure Services Ltd (ALS) as well as risks outside their responsibility. These included utilities issues, prolonged extreme weather conditions, planning conditions imposed, changes to national building regulation, and unexpected ground conditions.

In response to queries regarding the new floor at Orchards Academy sports hall, Members were advised that the manufacturer had checked the new floor was suitable for sports currently using the hall, such as roller hockey.

In response to questions on timetabling, Members were advised that the operator would ask existing clubs what their needs would be and what times would be suitable. Timetables would be decided long before the opening of

Agenda Item 14

the leisure centre. The communication between the operator and clubs would be overseen by the Community Projects and Funding Officer.

Following concerns over the popularity of the facilities provided, such as Tag Active zone, it was emphasised to Members that the building was designed to be flexible and would therefore adapt based on demand of facilities.

In response to a query on financial variation in the contract, Members were advised that there would be a monthly payment tied into the contract. If any income would be above what was predicted, the cost would be split between the Council and the operator.

Resolved: That the following comments on recommendations a) to e) as set out within the report, be passed to Cabinet

- a) That it be ensured that
 - i) the new floor in the Orchard Academy sports hall be able to accommodate sports such as roller hockey and netball; and
 - ii) early discussions take place with existing clubs during the redevelopment process

People & Places Advisory Committee (3 March 2020, Minute 41)

The Chief Officer People & Places presented the report which set out the proposed construction of the new leisure centre, the demolition of the existing White Oak Leisure centre, and the appointment of an operator for the new centre. The report set out the facility mix and detailed costings and funding sources. Planning permission had been granted on 13 February 2020. The construction of the new leisure centre and demolition of existing leisure centre cost, together with fees and charges, was due to be £20m.

The Chief Officer People & Places advised Members of the proposed design of the new leisure centre, which included a Tag Active zone, multi-purpose rooms, a pool, a café, soft play area, and parking provision for 144 vehicles and two coach spaces. There was focus on making the building as flexible as possible in its use. The new leisure centre was due to open in November 2021.

The preferred operator was Sport and Leisure Management (SLM). If approved the contract award net payment to the Council would be £508,248 a year on average. The preferred operator had shown interest in embedding themselves in the local community early on in the process. The Chief Officer People & Places advised that there would be 38 full time equivalent

members of staff working for SLM which would provide good operator resilience.

Members were advised that there were risks related to construction with Alliance Leisure Services Ltd (ALS) as well as risks outside their responsibility. These included utilities issues, prolonged extreme weather conditions, planning conditions imposed, changes to national building regulation, and unexpected ground conditions.

In response to Members' queries on the changing facilities at the Orchards Academy sports hall, the Community Projects & Funding Officer advised that the changing rooms and sanitary ware would be refurbished. Shower facilities were already provided on site. Following health and safety concerns from Members, the Head of Finance advised that an insurance policy set up for the new sports hall would consider health and safety risks. Members expressed an interest in a site visit to the sports hall.

In response to queries on the use of Orchards Academy sports hall, Members were advised that it would be used for sports such as roller hockey and netball taking place in the evenings and weekends. The school would be managing the use of the hall itself and may need to consider a community use agreement, which had not been discussed at this stage. It was advised that an agreement will be drawn up between SDC and Orchards Academy regarding the improvements, to give confidence in the future use of the facility.

Members questioned if the new leisure centre would meet the needs of older people and the 4 to 11 year old age group. The Chief Officer People & Places advised that the new operator wanted to engage and support the local community at the centre and beyond it, appealing to all ages and those harder to engage, hence the offer of activities such as Tag Active, the support for GP referrals and Shapemaster (supporting those recovering from illness and those who would need extra help to become fitter). In response to concerns over accessibility for those with a lower income, the Community Projects & Funding Officer advised that there would be concessionary memberships including junior, disabled and senior memberships. Members were advised that the new operator was a large company with experience of how to make an income without charging a high amount for its use. The flexibility of the leisure centre design would allow the operator to optimise the number of people using it.

In response to questions, Members were advised that a logistics plan had been drawn up to allow for parking provision in the run up to the new car park being completed in May 2022. The new contractor would have responsibility for a schedule of programmed maintenance at the new leisure centre, which the Council would be entitled to review. The Community Projects & Funding Officer advised that the Council would have access to all maintenance information online. Members queried what the lifespan of the new leisure centre was likely to be.

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Action 1: That the Community Projects & Funding Officer circulate the predicted lifespan of the new leisure centre to Members

Following environmental concerns expressed by Members, it was pointed out that the new building was being designed to enable the new leisure centre to meet the Building Research Establishment Environmental Assessment Method (BREEAM) 'very good' standard as stated in paragraph 14 of the report.

It was noted that c) in the recommendation to Council, as set out in the report, incorrectly referred to paragraph 46 when it should have referred to paragraph 53.

The Chairman thanked the Chief Officer People & Places.

Resolved: That the following comment on recommendations a) to e) as set out within the report, be passed to Cabinet:

- a) That the security and safeguarding of the Council's investment in the Orchards Academy site, be ensured

WHITE OAK LEISURE CENTRE: NEW BUILD AND OPERATOR PROCUREMENT

Cabinet - 16 April 2020

Report of	Chief Officer, Communities & Business Chief Officer, Finance & Trading Chief Officer, People & Places
Status	For consideration and recommendation to Council
Also considered by	Improvement & Innovation Advisory Committee - 27 February 2020 People & Places Advisory Committee - 3 March 2020 Finance & Investment Advisory Committee - 24 March 2020 Council - 21 April 2020
Key Decision	No

Executive Summary: This report seeks approval, subject to the decision of the Development Control Committee (on 13 February 2020), to construct a new leisure centre, demolish the existing White Oak leisure centre and to appoint an operator for the new centre. The report also seeks approval to use income from the operator and the proceeds of identified Council-owned developments in Swanley to fund the cost of the works.

The report sets out the proposed facility mix, the need for the Centre and programme for the works. It includes the detailed costings and funding sources.

The report also seeks approval to provide some enhancements to the Orchards Academy sports hall in Swanley to accommodate sports clubs who need a 4 court sports hall.

The construction of the new leisure centre and demolition of the existing leisure centre cost, together with fees and charges, is due to be £20m. That is provided the works contractor is appointed by May 2020. A delay of one year would represent an increase in cost of some £919,000 using the BCIS All-in Tender Price Index.

Funding sources for the scheme are planned to be a combination of:

- Community Infrastructure Levy (CIL) funding;
- Capital receipts from several Council owned assets in Swanley;
- External funding paid for by income from the operator of the new leisure centre.

The funding is therefore identified to undertake the construction of the new leisure

centre and demolition of the existing leisure centre, with a margin for contingency.

This report supports the Key Aim of safe and caring communities, green and healthy environment and a dynamic and sustainable economy.

Portfolio Holder Cllr. Peter Fleming, Improvement & Innovation

Cllr. Lesley Dyball, People & Places

Cllr. Matthew Dickins, Finance & Investments

Contact Officers Lesley Bowles, Ext 7335

Adrian Rowbotham, Ext 7153

Sarah Robson, Ext 7430

Recommendation to Improvement & Innovation Advisory Committee, People & Places Advisory Committee and ~~Finance & Investment Advisory Committee~~: That comments on recommendations (a) to (e) below are passed to Cabinet.

Recommendation to Cabinet: That recommendations (a) to (e) below are recommended to Council.

Recommendation to Council:

- (a) Enter into a Development Management Agreement with Alliance Leisure Services Limited (ALS) for the construction of a new leisure centre and demolition of the existing White Oak Leisure Centre, at a cost of £19,852,464 including improvements to the 4 court sports hall at Orchards Academy; in addition, the sum of £147,536 to be used by the Council for any ancillary work outside the ALS contract, making a project total of £20m as set out in Table 3.
- (b) Enter into a Leisure Operating Contract with Sport and Leisure Management Ltd (SLM), the preferred operator, to operate the new White Oak Leisure Centre providing income of £7.623m over 15 years. The income from that Leisure Operating Contract is to be used to service the loan taken out for the purposes of building the leisure centre.
- (c) Approve the development and subsequent disposal of sites in Swanley as set out in paragraph 53, the proceeds of which will be earmarked within the Council's capital receipts to fund the cost of the leisure centre.
- (d) To approve the funding for the of the scheme as follows:
 - CIL funding £0.9m

- Capital receipts £10.63m
- External borrowing £8.0m
- Total £19.53m

It is recognised that the split of funding may change due to actual development and disposal proceeds, also the cost of borrowing at the time loans are taken out. Additional funding may be required if the above amounts are not achieved.

- (e) To delegate authority to the Chief Executive in consultation with the Leader of the Council to make necessary changes to the Development Management Agreement with Alliance Leisure Services (ALS), to the Leisure Operating Contract and to the funding of the project provided that such changes do not place any financial burden on the Council other than the use of those sources mentioned in this report.

Introduction and Background

- 1 White Oak Leisure Centre has served generations of Swanley residents for more than 50 years. Predominantly built in 1967, the centre, due to its age and condition, has now reached the end of its serviceable life.
- 2 Following consideration by Members of the significant ongoing and expected asset maintenance requirements for the Centre, options to invest in the existing building, to do nothing or to close the leisure centre were all dismissed in favour of replacing it with a new modern, high quality centre.
- 3 During 2015 and again in 2016 during the Master Vision for Swanley work a number of sites were identified and considered for the location of the new centre. Four sites were identified as being deliverable in terms of planning. These included 8 further sites which were investigated and considered to be undeliverable in planning terms. This work concluded with the site next to the current White Oak Leisure Centre being the only available and practical solution.
- 4 Community engagement in Swanley and the surrounding areas took place in 2016 as part of the Master Vision for Swanley and reaffirmed the need for a leisure and swimming facility. Retaining a central location was important to people. Household surveys, also as part of the Master Vision, of 9,403 households and 397 businesses, identified that retaining leisure facilities was important to 96% of respondents.
- 5 In July 2017 a report by Strategic Leisure Ltd also identified the need to consider future provision of the White Oak Leisure Centre.
- 6 In 2018, Alliance Leisure Services Ltd (ALS) were procured via the UK Leisure Framework to scope:
 - The needs of the local area, including population projections.

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- How the existing centre is performing.
 - The mix of facilities that meets local needs and the feasibility that demonstrates it will help pay for and maintain a new leisure centre.
 - The land use, size and configuration of a new leisure centre, including the need to keep the existing centre open while the new one is built.
 - Maximising space for car parking.
 - Providing land for new housing to help pay for the new centre.
- 7 In putting forward proposals for the new Centre, ALS had to take into account the physical constraints of the site and the need to maintain the existing centre in operation until the new centre was built. In order to sustain the Centre into the future and to help fund the capital cost, ALS had to find a mix of facilities that would attract an operator able to provide enough income to pay the Council a sum sufficient to support the required borrowing to fund the centre.
- 8 ALS also had to take into account the need to provide multi-use space that would offer flexibility for the future and which could broaden the appeal of the centre to a wider audience. There was a need to continue to support older people, and those recovering from illness, for example through the Feel Good studio. There was also a need for a 'destination' element.
- 9 The resulting design of the new centre was used as the basis for the public engagement in March 2019 in Swanley. Feedback from these sessions has been used to improve the mix of facilities for users, providing spectator seating and a deeper pool to assist swimming lessons and water polo. The new plans provide a sports hall, 4 flexible multi-use rooms and studios, Tag Active, soft play for young children, a 25 metre, 6 lane pool and learner pool, a hundred station fitness studio and spin space, a Feel Good studio for those who need help in maintaining or becoming fit or recovering from illness and a café area.
- 10 Discussions are taking place with Orchards Academy regarding improvements to their 4 court sports hall to accommodate sports such as netball and roller hockey and clubs requiring larger areas and funding for this work is included in the scheme's financials.
- 11 There will be a Changing Places area for people with disabilities, and pool pods, which provide a modern, dignified way for swimmers with a wide range of mobility difficulties to access the pools.

Development Proposals - Leisure Centre

Scope of Works

- 12 The scheme entails construction of a new leisure centre, adjacent to the existing White Oak Leisure Centre to the south of the site. The existing leisure centre will be kept operational during the construction of the new leisure centre to maintain continuity of leisure operation for the local community.

- 13 The new leisure centre will have a facility mix as follows:
- 25m, 6 lane, 2 metre deep, community pool with moveable floor
 - Learner pool
 - Poolside spectator seating (100 seats)
 - Café / seating area
 - Tag Active zone
 - Soft play area
 - Multi-purpose sports hall
 - Multi-purpose rooms (2 rooms with connecting doors to enable 1 larger room)
 - Studio spaces (2 rooms with connecting doors to enable 1 larger room)
 - Feel Good studio - with equipment for those who need extra help to exercise
 - 100 station fitness gym
 - Wet and dry changing areas, including a Changing Places area for disabled people
 - Parking provision for 144 cars and coaches
- 14 The new building is being designed to enable the new leisure centre to meet the Building Research Establishment Environmental Assessment Method (BREEAM) 'very good' standard and will incorporate an air source heat pump system as well as other energy efficient features such as water consumption monitoring, leak detection, flow control and responsible sourcing of construction products. The car park will also have electric charging points.
- 15 The existing leisure centre will be demolished and the new car park constructed, once the new leisure centre is open and operational.
- 16 Enabling residential development will be constructed on the site of the demolished leisure centre to partly fund the new leisure centre, following the above works. The residential development will have accommodation as follows:
- 35 to 40 residential units
 - Residential mix to be either 1, 2 or 3 bed units, with either integral or on-street parking
 - Units to be either 2 or 3 storey high

Phasing

- 17 The proposals will be phased in three parts to maintain continuity of leisure operation for the local community:
- a) Construction of the new leisure centre
 - b) Demolition of the existing leisure centre and construction of new car parking
 - c) Construction of the residential development

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Planning

- 18 A hybrid planning application (reference [19/02951/HYB](#)) was submitted in October 2019 for the following:
- Full application for a new leisure centre and associated parking at White Oak Leisure Centre site in Swanley
 - Outline application for enabling residential development on the site of the current White Oak Leisure Centre.
- 19 Determination of the application by the Development Control Committee is expected by 13 February 2020.

Procurement

- 20 The ALS project team was procured through The UK Leisure Framework and includes experienced leisure architects Saunders Boston and contractor ISG. Following the project scoping business planning and feasibility, ALS progressed the design to 'Cost Confidence' stage and then to pre-construction 'Cost Certainty' stage.
- 21 A budget of £550,000 was approved by Council on 26/02/2019 as part of the Capital Programme to develop the new White Oak Leisure Centre scheme design, undertake site surveys and planning application submission to the pre-construction stage of Cost Certainty which is now completed.
- 22 Draft terms have been agreed with Alliance Leisure Services Limited to enter into a Development Management Agreement for the construction of a new leisure centre, the provision of certain equipment and demolition of the existing White Oak Leisure Centre. A summary is given in Appendix A.

Programme

- 23 The key indicative programme dates are shown as follows in Table 1.

Table 1 Key Indicative Programme Dates

Stage	Detail	By when
Design and cost		COMPLETE
Statutory approvals	Planning consent	February 2020
Building Control	Building Regs approval	March 2020
Project approval	Council project approval process	April 2020
	Development agreement	April 2020
	Instruct contractor	April 2020
Construction	Mobilisation	May 2020
	Start on site	May 2020

	Phase 1 complete	November 2021
	Centre handover	November 2021
	Fit out and training	November 2021
	Asbestos R&D of existing centre	December 2021
	New Centre opens	November 2021
	Existing centre strip out	December 2021
	Phase 2 - Demolition and car park works	May 2022

Appointment of a Future Operator

- 24 The ALS team were procured through The UK Leisure Framework and includes Max Associates, market leader in leisure management contract procurement, and Trowers & Hamblins LLP Solicitors. The team have managed the EU Operator Tender process with the District Council team.

Operator Tender Evaluation

- 25 The procurement followed a 3 stage process:
- (i) Selection Questionnaire (SQ), to demonstrate applicants' experience and ability to meet SDC's minimum technical and functional requirements in respect of delivering the contract;
 - (ii) First Stage Tender, applicants invited to submit detailed solutions (ISDS); and
 - (iii) Final Tender, applicants invited to submit final tenders (ISFT) following a period of dialogue.
- 26 The evaluation team comprised of 11 people. Two Members, seven Council Officers, and representatives from Max Associates and Trowers & Hamblins LLP Solicitors.
- 27 At the SQ stage applicants were permitted to express interest in the contract and were required to submit information regarding their organisation, capacity, financial standing and history with similar schemes. Applicants had to meet specified minima and where more than four applicants are left then only the four highest scoring would proceed. In this case all except one applicant satisfied the minimum criteria. The four highest scoring applicants were shortlisted and invited to submit tenders by ISDS (Invitation to Submit Detailed Submission).

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- 28 At the ISDS stage three applicants submitted tenders. One withdrew from the procurement process due to prior commitments with other partners.
- 29 In order to assess the tenders, Officers were guided by the results of a Members' consultation evening on 25 July 2019. This showed that, for example, Members were as interested in quality outcomes as they were in value for money. Tenders were appraised by the evaluation team and scored based on the predetermined weighting, Commercial 50% and Quality 50%. The two highest scoring applicants were invited to submit final tenders.
- 30 Final tenders were received on 20 December 2019. Applications were appraised by the evaluation team using a detailed scoring system that demonstrated each of the bidders:
- Viability of their financial model
 - Proposed amendments to the Contract
 - Ability to meet the Council's strategic outcomes
 - Operational Performance & Building Maintenance Proposals
 - Pricing Policies
 - Use of Information Technology
 - Staffing & Volunteering Proposals
 - Mobilisation
- 31 The highest scoring applicant demonstrated the best value for money for the Council whilst also meeting the key quality outcomes. The proposed preferred bidder was identified as Sport and Leisure Management Ltd (SLM).

Operator Contract & Expected Revenue

- 32 The preferred operator will enter into a bespoke Leisure Operating Contract with the Authority for an initial period of 15 years with an option, at the agreement of the parties, for a further period of five years giving a total possible term of 20 years.
- 33 The Leisure Operating Contract is a full repairing lease with clear asset maintenance systems and targets that gives the Council assurance that the new facility will be maintained to a high standard. The proposed preferred operator will deliver high operational standards which will be assessed through a number of means including the Quest accreditation standard. Trowers & Hamlins, our expert legal advisers, have worked alongside SDC's legal team to ensure the contract provides SDC with the full confidence in the contract terms. The key terms of the contract are highlighted in Appendix B.

- 34 If the preferred operator is approved then the net payment to the Council over the duration of the contract is £7,623,720 with an average annual payment of £508,248.

Operator Programme

- 35 The following table highlights the key stages and their timescales.

Start practical engagement between operator and clubs	May 2020
Give notice to Sencio (6 months prior to Centre opening)	May2021
Operator Mobilisation (12 weeks prior to centre opening)	September 2021
Centre Handover (2 weeks)	November 2021
New leisure centre opens	November 2021
Existing leisure centre demolished and new car park completed	May 2022

The operator will work with the Council and the existing leisure provider as soon as possible.

Risk Assessment

- 36 A table outlining the key risks relating to the construction, operator procurement and financial aspects can be found in Appendix D. The table highlights the mitigating controls that have been put in place to limit their impact.
- 37 Whilst there is a transfer of risks relating to the construction to ALS as set out in their Cost Certainty report (App A), there may be risks which sit outside of their responsibility. This is the case with any contract of this nature regardless of who the contractor might be. These could include such risks as utilities issues outside the control's control, prolonged extreme weather conditions leading to delay, planning conditions imposed, for example requiring archaeology, changes to national building regulations, unexpected ground conditions that could not have been identified in the surveys. These are all covered in the Council's risk assessment in Appendix D.

Key Implications

Financial Cost

- 38 The total cost of the construction of the new leisure centre and demolition of the existing White Oak Leisure Centre is £20m, made up as shown in table 3:

Table 3 Cost details	
Construction Costs (ISG)	£17,336,000
Tag Active & Toddlers Play Equipment (Play Revolution)	£600,000
Fitness Suite Equipment (Technogym)	£327,205
Feel Good Suite Equipment (Shapemaster)	£70,550
Misc Furniture, Fittings & Equipment	£54,803
ALS Delivery fee	£284,919
UK Leisure Framework access fee	£57,405
Project Management fee	£424,810
Clerk of Works	£35,000
Principal Designer fee	£22,000
Client Contingency	£509,772
Orchards Academy sports hall work	£130,000
Ancillary works and contingency outside main contract	£147,536
Total	£20,000,000

- 39 At Council on 26 February 2019, Members approved capital expenditure of £550,000 for pre-construction to the stage of cost certainty (RIBA stage 4). This included the following items:
- Pre-construction surveys/works: design to RIBA Stage 4 and Principal Designer role
 - Additional specialist design input for TAG Active, soft play, café & kitchen and Parkour
 - Quantity Surveyor
 - Project management and delivery fee
 - Client contingency
- 40 This work has been funded by capital receipts as approved by Council and the sum of £550,000 is included in the total cost of the construction set out in paragraph 37 above.
- 41 Approval is now sought for expenditure of £19.53m to complete the scheme.
- 42 A significant amount of work has been carried out to date to ensure that the scheme proposed in this report is the most appropriate and cost effective. The work has included:
- 43 **Options appraisal work regarding the future of the Centre**
- Option 1 - do nothing.
 - Option 2 - invest in the existing building.
 - Option 3 - build a new leisure centre
 - Option 4 - close the centre

- It was decided that the level of repairs and maintenance required over the next few years meant that Option 1 was not economically feasible in the future . Closure of the centre, Option 4, was not considered to be appropriate for Swanley. Options 2 and 3 were considered for further examination.
- Option 2 - invest in the existing centre. An independent conditions survey was conducted. The conclusion was that the centre had exceeded the expectation of the lifespan for this type of building. Refurbishment would require the closure of the centre for 45 to 50 weeks. Refurbishment would not allow any release of land for enabling development.
- Following investigation, Members confirmed their support for Option 3 and that several sites should be considered.

44 Consideration of sites

The existing White Oak site and the Olympic site were considered. Subsequently a Sequential Planning test was undertaken looking at 12 sites in and around Swanley and the existing White Oak site was identified as the best available town centre option.

45 Facilities mix options

Work to establish the facilities mix options identified 2 options that provided the best balance between the needs analysis and the need to provide the most viable and affordable options. These were a 6 lane pool, learner pool and fitness studio or a 6 land pool, learner pool, fitness studio and 4 court sports hall.

46 The procurement options available to the Council were considered.

- These included Design and Build working with a Framework, i.e. a framework of companies already tendered under EU procurement rules, an off the shelf centre also procured through a Framework, and an SDC contracted Design and Build. The Council also considered working with a large company on a Design, Build, Operate and Maintain approach (DBOM).
- The SDC Design and Build would provide full flexibility but the capacity of the teams involved would not be sufficient to support this.

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- The off the shelf product was untested. The Council would have been the first customer and this was considered by the Property Manager to carry too much risk. The design would not fit well onto the site.
- The DBOM approach, whilst transferring much of the risk to an operator to build the centre as well as the enabling housing developments, required an ongoing revenue contribution in addition to passing over enabling development sites.
- The Framework Design and Build option was considered to be the most suitable, ensuring that correct procurement processes were in place and giving the Council maximum flexibility, whilst transferring the major part of the risk to the Framework partner.

47 The following activities also took place to ensure value overall:

- The use of a procurement framework to ensure that the contractors delivering the project have met stringent procurement requirements and accept the major part of the risk
- The completion of an EU compliant procurement exercise to identify the leisure operator who will operate the site upon completion.
- The selection of activities offered at the new Centre not only meets the needs of a modern leisure facility but provides sufficient income from an operator to fund the required loan
- Final value engineering to ensure that the final price represents the lowest available for the design

Income

- 48 The 15-year net income from the operator is expected to be an average of £508,248 per year. There is an option to extend the contract for a further 5 years with indicative income for that period remaining at the same level.

Funding

- 49 It is intended to use the following sources to fund the remainder of the scheme. Additional details are included at **Appendix C**.
- 50 **Community Infrastructure Levy (CIL):** At the CIL Spending Board held on 9 December 2019 the scheme was awarded £0.9m.
- 51 **External borrowing** is recommended to be taken over 20 years to fit in with the operator life cycle. This would be funded from the operator income. As an example, the current Public Works Loan Board (PWLB) rate is 2.42% (as at 13/02/20 including a 0.2% certainty rate reduction). The average annual

income of £508,000 would currently be able to fund borrowing of £8m over 20 years. In addition to the £8m loan it would be necessary to take short term borrowing to fund elements of the construction phase at an estimated net cost of £80,000.

52 **Capital receipts** (proceeds from the sale of Council assets): Within Swanley there are a number of assets which have been evaluated by Savills for development and disposal. The potential receipts from these assets are shown in **Appendix C**. The level of receipts currently estimated from these assets are based on expert external appraisals by Savills. The Council's Finance and Property Officers have scrutinised and reviewed these figures and the capital receipts from the following schemes is currently estimated to be £11,327,561.

53 The sites are:

- White Oak Leisure Centre
- Bevan Place
- Alder Way
- Russett Way
- 27-37 High Street
- Woodlands (already received)

It should be recognised that the actual amounts received for these assets may vary for a range of reasons including the number of units on each site, the type and tenure of units and the timing of the project, particularly given that some of these projects may not be delivered within the next year.

54 A South East Local Enterprise Partnership (SELEP) **Growing Places Fund bid** for an interest free loan of £1.49m has been submitted but this process is in its early stage and no certainty can be given as to the outcome of the bid. The full amount would have to be repaid after five years. If the bid is successful, the total borrowing costs would be slightly reduced.

55 Based on the above information the table below details the proposed funding solution with further details included in **Appendix C**. The Council expects to make a contribution of £10.63million, funded from capital receipts.

Funding Source	£m
Capital receipts	10.630
External borrowing	8.000
CIL	0.900
Total	19.530

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- 56 Any expenditure incurred prior to the funding sources being received will be funded by a mixture of internal and external borrowing until the approved funding is available. This would impact on interest receipts.
- 57 As mentioned earlier, the value of capital receipts (due to actual sale prices) and amount of external borrowing (due to borrowing rates at the time) included in the table above are not certain.
- 58 If the value of capital receipts exceeds the amount above, the excess could be used to fund other approved capital schemes.
- 59 If interest rates reduce and less operator income is required to deliver the external borrowing amount above, this will be revenue income and will be taken into account in future budget setting processes.
- 60 However, if capital receipts and/or the amount of external borrowing are lower than the figures above, additional funding will be required. Possible sources of additional funding are:
- i) Capital receipts from the sale of other Council assets. This may reduce the ability to deliver other approved capital schemes.
 - ii) Additional external borrowing funded from other revenue sources not directly linked to White Oak Leisure Centre. This may result in savings being required from other Council services.
 - iii) Request further funding from the CIL Spending Board.

Value Added Tax (VAT)

- 61 The treatment of VAT was key consideration for this project. A VAT registered business falls within the scope of partial exemption when it has supplies of both a taxable and an exempt nature. Output VAT cannot be charged on an exempt supply and equally any input VAT incurred directly in making the exempt supply, generally, cannot be recovered.
- 62 It is therefore necessary to split the lease for the building and right to trade. The lease for the building will be at a peppercorn lease so that it can be treated as a non-business activity, allowing the VAT incurred on construction to be reclaimed. The right to trade lease granted to the operator will be classed as a standard rated supply.
- 63 If HMRC disagree with the VAT treatment it could add approximately £2m to the build costs as it would put the Council outside tolerable limits on its partial exemption calculation and all VAT on all activities included within the partial exemption calculation would need to be repaid to HMRC.
- 64 VAT advice has been taken from 2 external VAT advisers.

Legal Implications and Risk Assessment Statement

- 65 The Council is required to achieve best value and is also required to comply with relevant regional, national, and local procurement rules.
- 66 The present operator procurement exercise was subject to the Concessions Directive as implemented in domestic legislation by the Concession Contracts Regulations 2016. The construction element was subject to the EU Public Sector Procurement Directive as implemented by the Public Contracts Regulations 2015. These set out the requirements for the Council, including to uphold principles of equal treatment, non-discrimination and transparency throughout the process.
- 67 Following a decision of the Council to award the contract then the Council would be obliged to give notice to all relevant parties. A mandatory standstill period of 10 days shall then apply in which other applicants can submit any legal challenge. The contracts may only be entered into after this period.
- 68 The legal implications are otherwise as set out in the body of the report.

Equality Assessment

- 69 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 does not vary between groups of people. The results of this analysis are set out immediately below.
- 70 The facilities and health & wellbeing interventions at the new leisure centre are open to all residents. The proposed operator has an equality and diversity policy that aims to provide equality of opportunity to all customers to participate in sport and leisure activities at all levels whether as a customer or member.

Sustainability

- 71 A sustainability checklist has been completed and a positive impact is anticipated.

Conclusion

The asset maintenance needs of the existing White Oak Leisure Centre cannot be met by the Council in a sustainable way.

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The need for a leisure centre in Swanley is well-established both in the Sports Facility Report and through consultation with local people. The recommendations in this report are the culmination of considerable work to find a way forward for the Centre.

Work undertaken has included searching for an appropriate site in terms of planning, availability and access for the community, resulting in the identification of the existing White Oak site. It has involved finding a mix of facilities that not only makes the Centre attractive to as many local people as possible but provides sufficient income for the Centre to be sustainable in the long term. The income from the leisure operator will also help to fund the capital spend.

Work with an established Leisure Consultancy responded to the need to address the constraints within which the Council was working. Those constraints were that the existing leisure centre must remain open until the new Centre was operational and the site must also accommodate an enabling housing development. This meant that the space available on the site was defined. Secondly, the mix of facilities would have to provide at least one activity to encourage new people into the Centre and that the space should be designed with flexibility for the future in mind. Thirdly that there must be a space for a Shapemaster room to cater for the needs of older people, those recovering from illness and those with greater mobility needs. Fourthly, that there must be sufficient income to make the Centre financially affordable and sustainable.

The resulting design and mix of facilities includes not only fixed spaces but also a large area and 4 smaller areas suitable for mixed uses and where sliding doors can open up the spaces to enable a wider choice for users. Taking local views into account has led to changes in design including to the swimming area and the improved multi-use spaces provided. The resulting design is a modern facility that will adapt to future uses. All current sports and activities will be possible in the new centre, with the exception of very deep water sports such as diving and those requiring a large sports hall, such as roller hockey, basketball and netball. Following discussions with Orchard Academy a 4 court sports hall would be available for club based community sport use, outside school hours and at weekends and holidays. Some improvements to the hall are necessary in order to accommodate these clubs and these are included in the recommendation.

Discussions have taken place with Orchard Academy who have a 4 court sports hall and who are very pleased to welcome any club no longer able to use the proposed leisure centre. Some improvements to the Orchards Hall will be necessary in order to accommodate these clubs and this is included in the recommendation.

Alongside this work has been the procurement of an exciting new operator for the Centre. SLM Everyone Active were successful not only in offering the best income for the Council but also in their approach, which reaches out to the local community and works with schools and GP surgeries to encourage health and wellbeing. They offer modern ways for people to access their services and, as a major player in the leisure industry, offer resilience, expertise, excellent customer service and quality assurance standards.

Concurrent work has also taken place to assess the development value of other Council-owned sites in Swanley that will be needed financially to enable the new Leisure Centre to go ahead. Savills have been used to appraise each of these sites and values have also been tested with local estate agents so that the figures put forward in this report are reliable.

All of these pieces of work have now come together to enable Officers to make the recommendations in this report.

Appendices

Appendix A - Cost Certainty Completion Report Summary (January 2020) Alliance Leisure Services

Appendix B - Report on the draft Leisure Management Contract by Trowers & Hamlins

Appendix C - Funding Sources (Restricted)

Appendix D - Risk Assessment (Restricted)

Background Papers

[Operating Contract](#)

[Sports Facility Report 2016 - 2035 \(July 2017\)](#)

[Equality Impact Assessment](#)

[Sustainability Checklist](#)

<https://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=360&MId=2485&Ver=4&J=2>

Lesley Bowles
Chief Officer Communities & Business

Adrian Rowbotham
Chief Officer - Finance & Trading

Sarah Robson
Chief Office People and Places

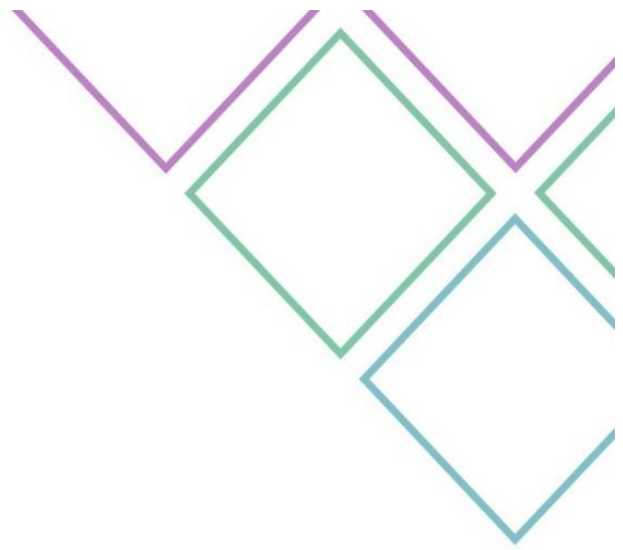
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White Oak Leisure Centre

**'COST CERTAINTY' WORK
COMPLETION REPORT - SUMMARY**

31st January 2020



CONTENTS

- 1. Introduction**
- 2. Development proposal outline**
- 3. New Development Plans & Visuals**
- 4. Total Project Costs**
- 5. Programme & Key Dates**
- 6. The Alliance Approach & Contract Structure**

1. Introduction

In May 2018 Sevenoaks District Council (SDC) engaged with leading leisure development partner Alliance Leisure Services Ltd (ALS) to prepare a facility development proposal relating to SDC aspiration of building a new and exciting leisure centre that will serve the population of Swanley and surrounding areas and provide innovative leisure activities for all generations.

In August 2018 SDC commissioned ALS to undertake a high level business plan and feasibility study for a new leisure centre that introduces new income streams, drives participation and captures a wider segment of user groups.

In October 2018, SDC commissioned ALS to take the proposal to the next stage and undertake 'Cost Confidence' work for the demolition of White Oak Leisure Centre (WOLC) and the construction of a new leisure centre, considering two options. This piece of work was completed in December 2018.

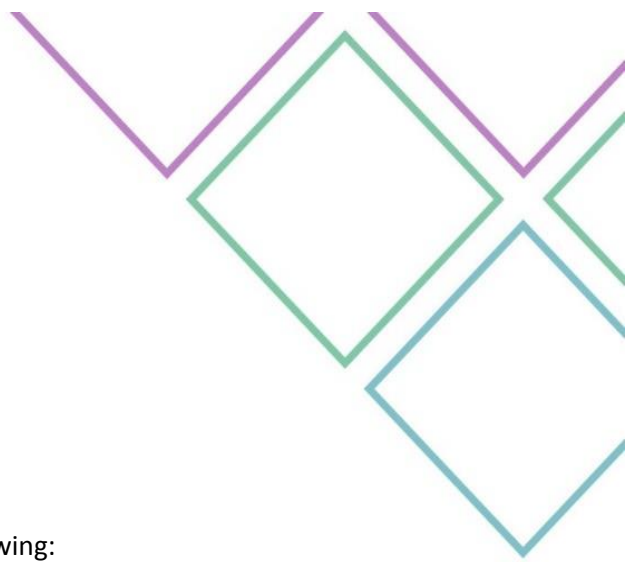
Following a period of collaborative refinement with SDC, and consultations with various stakeholders, the desired option was selected in July 2019 with a total project cost estimated at the time of £19.422m (exc. vat).

In line with the UK Leisure Framework procurement process, SDC instructed ALS to then proceed in developing this option through 'Cost Certainty' whereby essential surveys / detailed design / costing work would be undertaken to provide a fixed total project cost. In tandem with this, the team have delivered the Planning Application for the new centre and outline residential scheme (decision pending) and facilitated the Operator Procurement process through the UK Leisure Framework.

The 'Cost Certainty' process for the new development, over 5 – 6 months, has been collaborative between SDC and the ALS development team, with workshops / meetings every 2 weeks and a constant flow of information between parties. This paper provides a summary of the position on completion of this work. The builder's 'Contractor Proposals' (CP's), and further information, accompany this paper separately to provide the necessary detail.

At the conclusion of this piece of work, the Total Project Costs for complete delivery of the proposed project are **£19,852,464** (exc. vat).

The ALS development team for this project includes ISG (building contractors), Saunders Boston Architects, Max Associates (consultants), Savernake Property Consultants (PM), Axiom Project Services (QS / PM) and various equipment suppliers, from their UK Leisure Framework supply chain.



2. Development Proposal Outline

This development project for the new centre includes the following:

Ground floor:

- + Main Swimming Pool 25m x 6 lanes with variable depth
- + Learner Pool 13m x 8m
- + Spectator seating for pool areas
- + First Aid room
- + Poolside Storage
- + Village Changing rooms
- + TagActive Arena and children's Soft Play facility
- + Café Servery, Kitchen and seating areas
- + Multi-use space sports hall
- + 2 x Multi-use Rooms
- + FeelGood Studio with Shapemaster 'Power Assisted' equipment
- + Reception desk and Offices

First floor:

- + Fitness Suite accommodating over 100 pieces of gym equipment
- + 2 x Group Exercise Studios with semi sprung floors and dividing wall
- + Separate Male, Female and Access / unisex Changing Rooms
- + Staff Room

External:

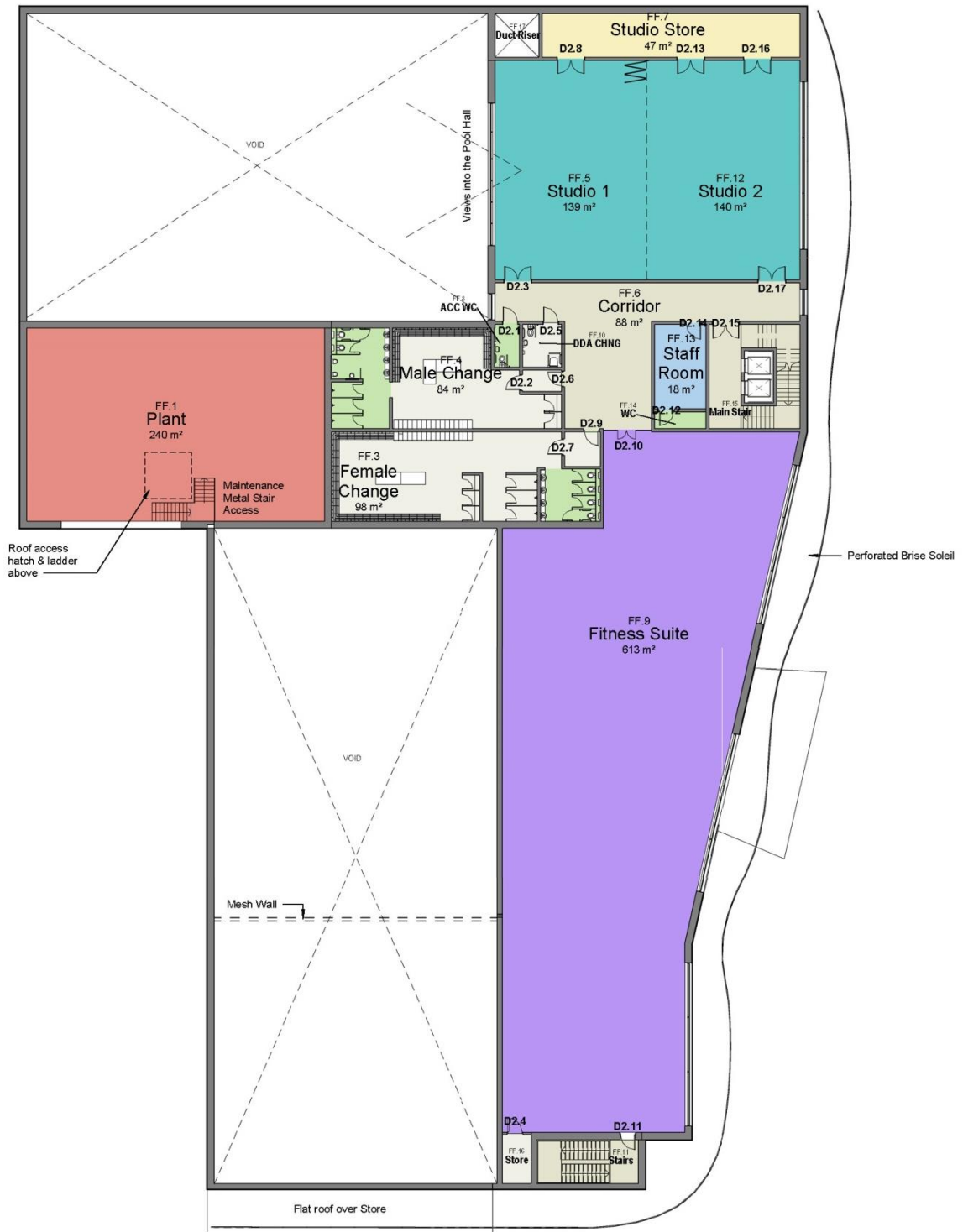
- + 12 Blue Badge Holder parking space
- + 3 Electric Vehicle Charging points
- + 129 Traditional parking spaces
- + Bus set-down area for 2 coaches

3. New Development Plans & Visuals

Ground floor general layout :

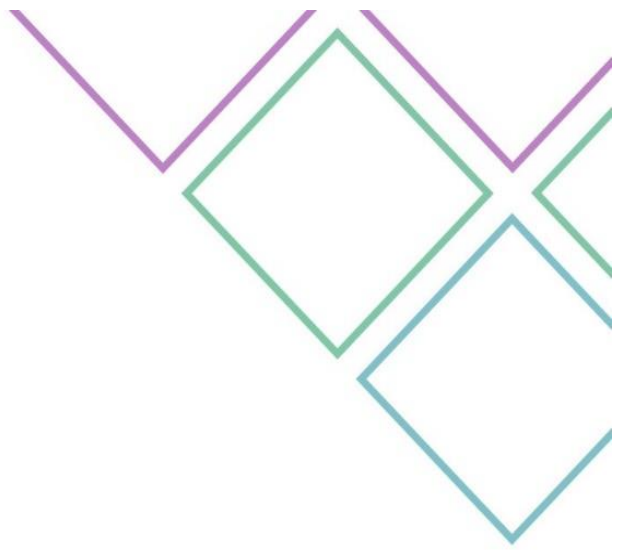


First floor general layout :



Site Plan:

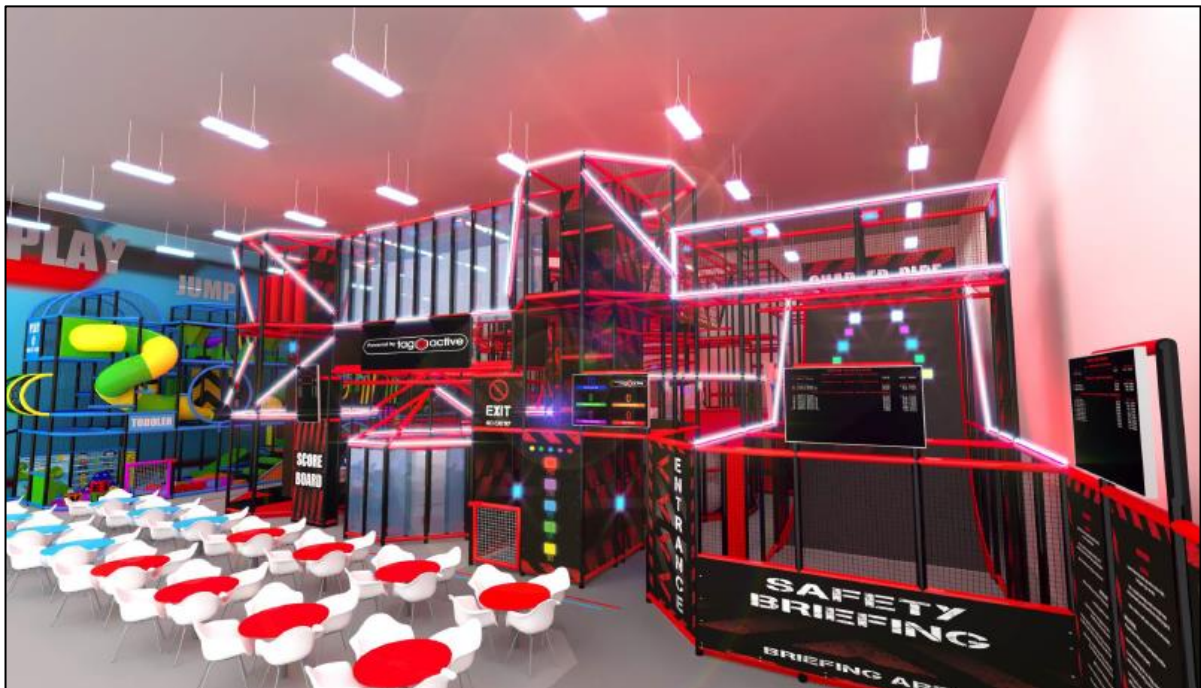
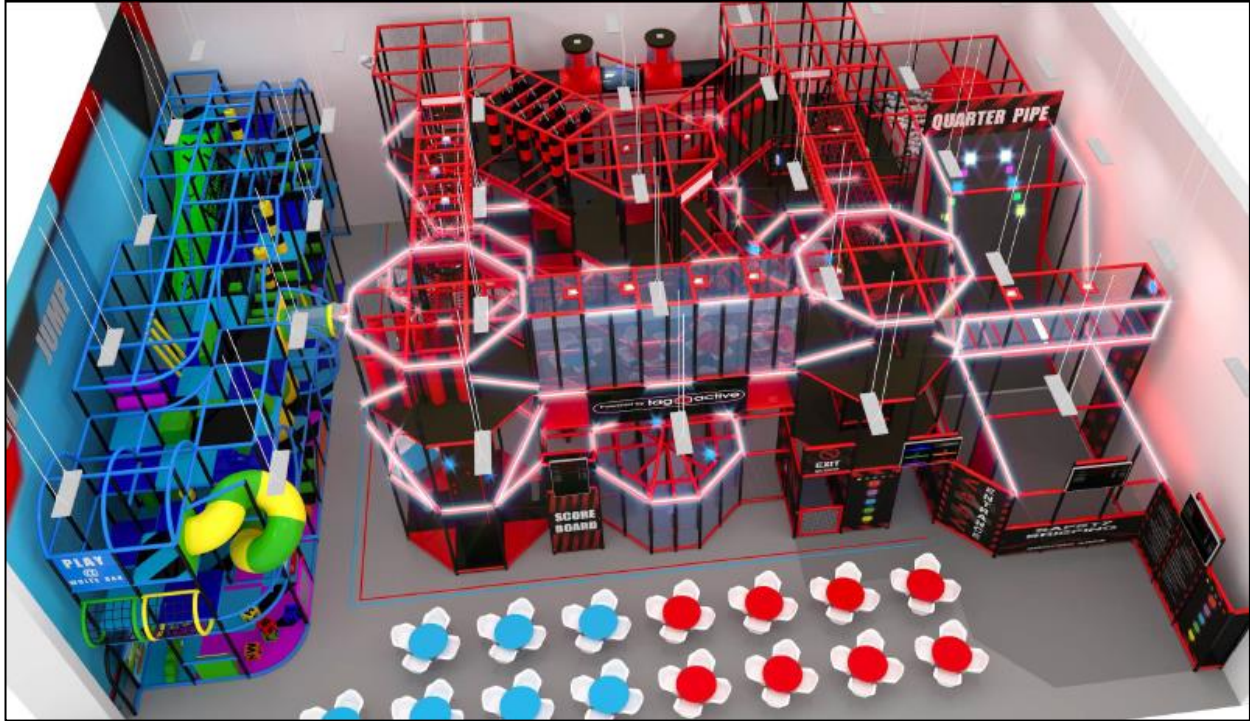




3D Visuals of the proposed externals:

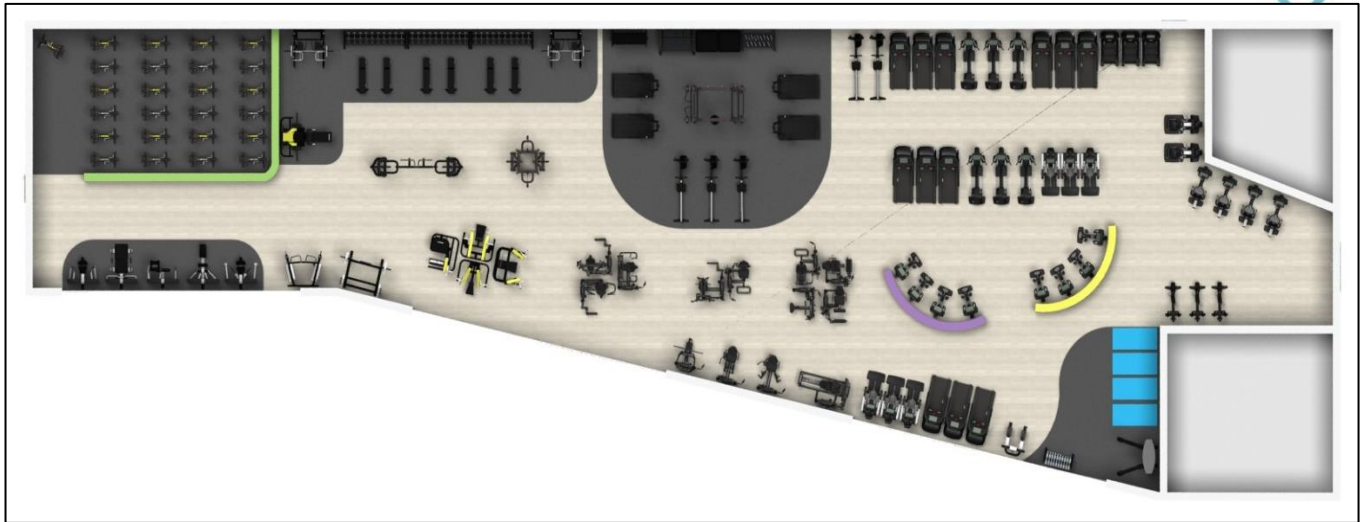


TagActive Arena & Soft Play visuals :





Indicative Gym equipment layout (Technogym):



FeelGood Studio – Indicative Shapemaster equipment:





4. Total Project Costs

The total project cost to deliver this scheme is as follows.

Element Cost (exc. vat):

Construction Costs (construction of new leisure centre & demolition of existing - ISG) £17,336,000

Tag Active & Toddlers Play Equipment (Play Revolution) £600,000

Fitness Suite Equipment (Technogym) £327,205

Feel Good Suite Equipment (Shapemaster) £70,550

Misc Furniture, Fittings & Equipment £54,803

ALS Delivery fee £284,919

UK Leisure Framework access fee £57,405

Project Management fee £424,810

Clerk of Works £35,000

Principal Designer fee £22,000

Client Contingency £509,772

Enhancements to Orchards Academy sports hall £130,000

TOTAL : £19,852,464 (exc. vat)



5. Programme & Key Dates

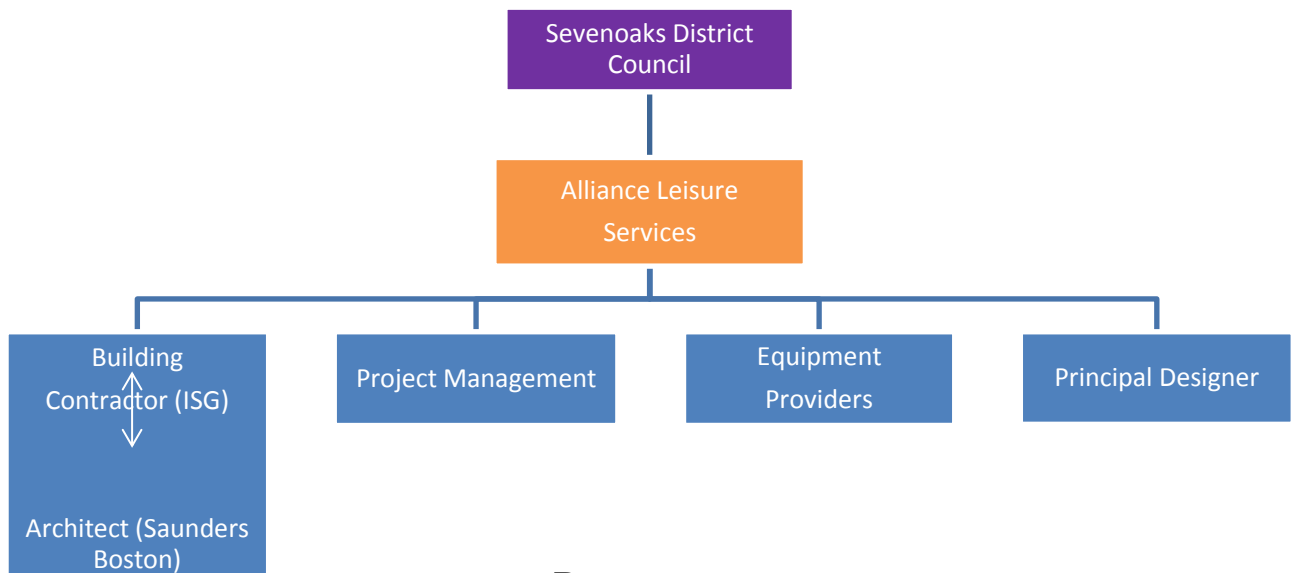
ID	Task Name	Duration	Start	Finish
1	DESIGN & COST	29 wks	Mon 01/07/19	Fri 31/01/20
2	Conclude RIBA 2	35 days	Mon 01/07/19	Fri 16/08/19
3	BREEAM Pre-Assessment	10 days	Thu 11/07/19	Wed 24/07/19
4	Instruct to Proceed to Cost Certainty	0 days	Tue 06/08/19	Tue 06/08/19
5	SDC Approve Final Layouts (RIBA 2)	10 days	Mon 19/08/19	Fri 30/08/19
6	Design to Cost Certainty	90 days	Mon 02/09/19	Fri 17/01/20
7	Price Works	65 days	Mon 07/10/19	Fri 17/01/20
8	Finalise Contractor Proposals	10 days	Mon 06/01/20	Fri 17/01/20
9	Cost Certainty Presented	0 days	Fri 17/01/20	Fri 17/01/20
10	Client CP Review / Validation	10 days	Mon 20/01/20	Fri 31/01/20
11				
12	STATUTORY APPROVALS	27.4 w	Thu 08/08/19	Fri 28/02/20
13	Planning	27.4 wk	Thu 08/08/19	Fri 28/02/20
14	Planning Pre-Application	0 wks	Thu 08/08/19	Thu 08/08/19
15	Planning Design	30 days	Mon 02/09/19	Fri 11/10/19
16	Planning Validation	13 days	Mon 14/10/19	Wed 30/10/19
17	Planning Consent	68 days	Thu 31/10/19	Mon 17/02/20
18	Planning Development Control Committee	0 wks	Thu 13/02/20	Thu 13/02/20
19	Planning Decision	0 wks	Mon 17/02/20	Mon 17/02/20
20	Review Planning Decision / Conditions	10 days	Mon 17/02/20	Fri 28/02/20
21				
22	BUILDING CONTROL	65.6 w	Thu 05/12/19	Mon 12/04/21
23	Building Regulations	65.6 wk	Thu 05/12/19	Mon 12/04/21
24	Building Regulations (Condition Approval - target)	328 days	Thu 05/12/19	Mon 12/04/21
25				
26	PROJECT APPROVAL	12 wks	Mon 03/02/20	Fri 24/04/20
27	Client Approval Process	58 days	Mon 03/02/20	Wed 22/04/20
28	Development Agreement	10 days	Fri 10/04/20	Thu 23/04/20
29	Contract	10 days	Mon 13/04/20	Fri 24/04/20
30	Instruct Contractor	0 days	Fri 24/04/20	Fri 24/04/20
31				
32	CONSTRUCTION	101 wk	Mon 27/04/20	Fri 13/05/22
33	Mobilisation	20 days	Mon 27/04/20	Fri 22/05/20
34	Start on Site	0 days	Mon 25/05/20	Mon 25/05/20
35	Phase 1 - Construction	74 wks	Mon 25/05/20	Fri 12/11/21
36	Centre Completion & Handover	0 days	Mon 15/11/21	Mon 15/11/21
37	Fit Out Period & Training	10 days	Mon 15/11/21	Fri 26/11/21
38	Asbestos R&D Survey of Existing Centre	5 days	Mon 29/11/21	Fri 03/12/21
39	New Centre Opens	0 days	Mon 29/11/21	Mon 29/11/21
40	Existing Centre Strip Out	5 days	Mon 29/11/21	Fri 03/12/21
41	Phase 2 - Demolition and Car Park Works	20 wks	Mon 06/12/21	Fri 13/05/22

6. The Alliance Approach & Contract Structure

ALS provides a unique complete leisure development solution, from initial feasibility and business planning through to design, build and funding if required. ALS can also provide on-going support and partnership, if required, to ensure facilities achieve their targets.

A key benefit to SDC in using ALS to deliver this project would be the **transfer of risk**, in line with the agreed project Risk Register. ALS would enter into contract with SDC to deliver the project at a fixed sum. ALS would then enter directly into the building contract, giving SDC the protection should there be any cost overruns. Another principal advantage of the ALS service is in experience and resources, which enable the delivery of a quality new facility **on time** and **on budget**. To undertake a development usually involves finding and co-ordinating several companies but with ALS, SDC will have **one agreement, one relationship**. ALS will absorb any project headaches, mentoring SDC through the project delivery process, so that minimal time is spent away from other work.

ALS would enter into a detailed delivery contract with SDC, a **Delivery Management Agreement (DMA)**, which states what the company will do at a set price and it is their responsibility to deliver the scheme to this price. The price will be fixed and any variations are only instructed in writing by SDC. Cost overruns have to be managed or borne by ALS. An important point to note is that ALS has never changed contract costs due to overruns in 20 years of operation (100+ projects). ALS will enter into the building contract with ISG and assume delivery risk as outlined to SDC. This will be a JCT (Joint Contracts Tribunal) Design and Build Contract between ALS and ISG. This is a standard document used extensively in the industry and familiar to the public sector. The contract allows for contractor design, which affords considerable time and cost savings brought about by utilising design and build procurement.



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dated January 2020

Sevenoaks District Council

Report on the draft Leisure Management Contract

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Agenda Item 14

The following is a high level summary for the key provisions of the Leisure Operating Contract which will be entered into between the Council and the Preferred Bidder (the Contractor) in respect of the new White Oak Leisure Centre (the facility).

1 **Commencement and duration and extension**

The agreement will be entered into shortly after the contract award with a commencement date to coincide with the expected operation date of the newly built facility in 2021. The agreement will end (subject to any earlier termination because of default) on the 15th anniversary of the commencement date. There is also an ability to extend the contract by agreement for up to an additional 5 year period.

2 **Defects**

The Council will be required to provide Collateral Warranties from the building contractor and the relevant professional team to the Contractor. The Contractor will accept responsibility for defects in the facility except where they are caused by the Council, or where the defect liability period has not expired, or where the Contract has used reasonable endeavours (without success) to enforce the terms of Collateral Warranties.

3 **Head Lease**

The Council will grant the Contractor a Head Lease of the facility which will be coterminous with the Leisure Operating Contract. The Head Lease will provide the Contractor/Leisure Operator with the necessary occupation rights in order to claim NNDR relief. The lease will be a bare lease tying back to the repair, maintenance and improvement obligations on the Contractor set out in the Leisure Operating Contract (see clause 5 below). The rent will be a nominal rent as the Management Fee will be paid by the Contractor to the Council in accordance with the calculations within the payment and performance mechanism will be set out as a schedule to the Leisure Operating Contract.

4 **Mobilisation**

- 4.1 The Council acknowledges that the Contractor has tendered on the basis of a facility that has not yet been constructed and therefore any changes to design or specification prior to handover will require consultation with the Contractor with an opportunity for the contractor to comment. If the Contractor believes additional costs will arise or changes to the services are required it will notify the Council and the Change Protocol (small, medium and high value changes as set out in schedule 24) shall apply. This will ultimately (if the change does genuinely impact on costs) result in the Contractor being no better or no worse off than if the change had not occurred.
- 4.2 The Council must give not less than 12 weeks' notice of the anticipated handover of the facility and allow the Contractor to attend meetings and comment on snagging items and other practical completion issues which will nonetheless remain the Council's responsibility.
- 4.3 Any delay to the target opening date (1 December 2021) will be an Authority Change and the Contractor shall be put in a no better and no worse position by any delayed opening.
- 4.4 The existing facility is expected to continue to trade until a short time before the opening of the new facility and if it doesn't or fewer members transfer than anticipated, this is also an

Authority Change. The Contractor can be requested by the Council to step in to the existing facility if the current operator ceases to provide service there and the Contractor cannot object to the step in request.

5 **Services**

- 5.1 The Contractor is required to ensure that at all times that the services meet the requirements of the Agreement and the Services Specification.
- 5.2 The Contractor must ensure that the maintenance and operating procedures are sufficient to ensure the Facilities are available and are kept in good structural and decorative order and shall undertake the schedule of programmed maintenance in order to ensure the service specification is met. The Contractor shall also ensure that it carries out the replacement of lifecycle items in accordance with the agreed maintenance plan and schedule of programmed maintenance.

The monitoring of the performance is by the Contractor in accordance with the provisions of the Payment Mechanism. However the Authority is entitled at its own cost to carry out its own additional performance monitoring.

6 **TUPE and Employee**

- 6.1 The transfer of the leisure service at the facility to the Contractor is treated as a TUPE transfer. There is no relationship between the new contractor and the current contractor and therefore as between the Council and the (new) Contractor the Council will accept responsibility for all remuneration and other payment (including employer pension contributions) to the transferring employees up to the commencement date. The Council will also indemnify the Contractor in respect of any employment related claims that arise prior to the commencement date. The Council accepts no responsibility for any staff related payments after the commencement date.
- 6.2 The Council is obliged to procure that it provides the Contractor with accurate information regarding the transferring employees and adjustments to the management fee could result if the information about the employees transferring is inaccurate. Provisions are made in relation to TUPE applying at expiry and termination of the agreement with the Contractor being responsible for all staff costs etc up to the Return Date being the date when the service comes back to the Council or it goes out to another provider.
- 6.3 Disclosure and barring checks are contractually required with the Contractor not being allowed to employ any person in connection with the services who has a conviction or an ASBO (Anti-Social Behaviour Order) without the Council's consent.

7 **Pensions**

The Contractor is obliged to provide eligible employees (essentially those current employees who are members of an LGPS scheme) continued membership of the LGPS (or an equivalent scheme).

8 **Payment Provisions**

Agenda Item 14

The payment provisions essentially cross refers to the Payment Mechanism which will be set out in Schedule 6. The Management Fee is payable by the Contractor to the Council on a monthly basis.

9 **Termination**

The Council is able to voluntarily terminate the Agreement without cause (Clause 39.1) by giving 20 business days' notice.

9.1 The Contractor is entitled to terminate the agreement if there is an Council Default which is defined to include a breach of the obligations under the Agreement which substantially frustrates the performance of the agreement for a continuous period of three months.

9.2 The Council can terminate for Contractor Default, subject to rectification. Contractor Default is defined to include, amongst other things, a breach of the obligations which materially and adversely affects the performance of the services, is a Persistent Breach or where various Performance and Unavailability Deductions have been levied against the Contractor over a certain period. A Persistent Breach is defined as a breach where a Final Warning Notice has been served and the breach has continued for more than fourteen days or has recurred in three or more months over the next six months after the date of service of the Final Warning Notice.

10 **Compensation on Termination**

In relation to voluntary termination by the Council and termination on Council default and the Contractor will be entitled to compensation amounting to: subcontractor breakage costs and other Capital costs it may have incurred together with 36 months' worth of anticipated profits but subject to a cap of £279,784.

Compensation is payable to the Council on termination for Contractor Default. The Contractor will be required to pay to the Council the administration and legal fees associated with terminating the agreement and any costs and expenses incurred in arranging for the service to be re-provided together with an amount which represents the difference between what the management fee would have been if the contract continued and what the management fee actually is on a retendered contract (for a 36 month period).

11 **Step-in**

The Council has a right to step in and perform the Services in the event that there is serious risk to health or safety, the need to discharge a statutory duty or because of an Emergency. If the step in is precipitated by breach by the Contractor then the Management Fee is suspended and the Council will account to the Contractor for the revenues received, less the Council costs in taking the action during the step-in period.

12 **Insurance**

The Council has agreed to be responsible for building insurance during the life of the contract with the Contractor required to maintain property damage insurance, business interruption insurance and third party public and products liability insurance.

13 **Benchmarking**

As the contract will be entered into sometime before the anticipated commencement of the services at the newly built facility, the Contractor will be entitled to adjust the Management Fee following a benchmarking exercise in the event that the opening of a competing facility has a proven impact on the Contractor's income projections. This benchmarking exercise will take place in the event that a competing facility commences operation between the date of the entry into the contract and a date which is 6 months after the commencement of the leisure services at the White Oak Leisure centre. A competing facility includes sport and leisure activities at new facilities constructed, improvements made to existing facilities or new leisure activities at existing facilities all within a 2 mile radius of the facility. Improvements to a local School Hall are to be specifically excluded from such consideration. The Contractor will take responsibility for the first 5% of any loss of income.

Trowers & Hamlins LLP

January 2020

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