

COUNCIL

Minutes of the meeting held on 17 November 2020 commencing at 7.00 pm

Present: Cllr. Edwards-Winser (Chairman)

Cllr. Esler (Vice Chariman)

Cllrs. Abraham, Andrews, Bayley, Ball, Barnes, Barnett, Dr. Canet, Carroll, Cheeseman, Clack, Clayton, Penny Cole, Perry Cole, Coleman, Collins, G. Darrington, P. Darrington, Dickins, Dyball, Eyre, Firth, Fleming, Foster, Fothergill, Griffiths, Grint, Harrison, Hogarth, Hudson, Hunter, Kitchener, Layland, London, Maskell, McArthur, McGarvey, McGregor, Morris, Nelson, Parkin, Pender, Pett, Piper, Purves, Raikes, Reay, Roy, Thornton, Waterton and Williamson

Apologies for absence were received from Cllrs. Brown and Osborne-Jackson

71. Urgent item

In accordance with Section 100B(4) of the Local Government Act 1972, the Chairman had agreed to accept an urgent matter which had missed the statutory publication deadline.

The matter was urgent as it was reasonable to believe that a delay in bringing the report to Members could dramatically increase the prospect of long-term financial impacts upon residents and businesses in light of the special circumstances surrounding the impact on residents of COVID-19.

The urgent matter had been considered at a Special meeting of the Cabinet on 16 November 2020 and was taken as Agenda Item 14 (Minute 77 (c)).

CHANGE IN AGENDA ITEM ORDER

With Members approval, the Chairman brought forward consideration of agenda item 14 (Minute 77 (c)) to follow agenda item 6 (b) (Minute 77 (b)).

72. To approve as a correct record the minutes of the meeting of the Council held on 21 July 2020.

Resolved: That the Minutes of the meeting of the Council held on 21 July 2020 be approved, and signed as a correct record.

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

No additional declarations of interest, not already registered, were received.

74. Chairman's Announcements.

The Chairman reported that it had now been eight months since the country entered the first lockdown in response to the growing threat of coronavirus, and in those eight months there had been some extraordinary efforts to support the most vulnerable and keep running the council services that residents relied on.

The current lockdown had again shown that across the district individuals and groups were willing to step up to support their neighbours and those in their communities that required help and support in the coming weeks. More than 1,200 volunteers had stepped up as part of the wonderful 'Care for our Community' to support those in need of assistance in the district, alongside the very active voluntary and community sector.

The Council had launched its Community Connectors scheme in October, working along trusted and recognised community leaders to help communicate the key Public Health England safety messages to help people get clear information on how to stay safe, reduce the risk of getting and spreading the infection, and what additional support there might be to help do this.

Since April, the Housing team had provided accommodation for over 60 rough sleepers that would otherwise have faced Covid-19 without a place to live, and the team were now working to find 'move on' accommodation for when the urgent support the council had been able to find, came to an end.

The Council had successfully secured £468k funding from Ministry of Housing, Communities and Local Government's (MHCLG) Next Steps Accommodation Fund to support the impact of Covid-19, helping rough sleepers into 'move on' accommodation. The Council's HERO team had supported 322 people who had been referred to them with concerns about their housing or finances as a direct result of Covid-19.

The Council had been given access to an allocated fund of £107,106 from the European Regional Development Fund supporting measures to establish a safe trading environment for businesses and customers in high streets. The focus on recovery and supporting the high street had seen the development of a town centre high streets communications campaign with the town councils, which was due to launch in the Christmas lead up.

The Council had allocated Government's Small Business Rate Relief and Business Grants totalling £23.32m, supporting 1,904 local businesses. The Discretionary Grant Scheme had awarded £1.2m to businesses.

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The Chairman further advised that in the absence of any face-to-face social meetings, he and the Vice Chairman had continued to contact and virtually meet with local community and charity groups to see how they were adapting to the situation, and as ever they were quite inspiring.

Prior to the current lockdown, he and the Vice Chairman had attended some outdoor events in person marking Silver Sunday, including several Every Step Counts and the Memorial Care Garden at Sevenoaks allotments as well as Flag raising ceremonies at the council offices and the Memorial Service on the Vine. He added that whilst he was at West Kingsdown attending their 'Every Step Counts', he had taken the opportunity to re-visit the much-overworked Community Cupboard to thank them for their sterling work in supporting the wider community, which had been much appreciated.

The Chairman reported that staff and Members had been fundraising for 'Children in Need' and had raised an amazing total of £864.80.

Finally he asked Members to note that the Staff Christmas Service would be taking place via Zoom on Wednesday 9 December at 11am, and that further details would follow in due course.

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

Two questions had been received from a member of the public, Mr David Green Chairman of Sevenoaks Society, in accordance with paragraph 17 of Part 2 (The Council and District Council Members) of the Constitution.

Question 1: Mr Green

Why were no steps taken in the period 25 February to 10 August 2020 pursuant to resolution 41 a) of Council on 25 February 2020 which stated: 'That a definitive statement be sought from the owner of the former Farmers public house site, of their timelines to dispose of the site or to fully implement the planning permission'? What steps if any have been taken since 10 August 2020 pursuant to the said resolution a) and with what (if any) results, and what further steps are now proposed to be taken pursuant to it?

Response: Leader of the Council

You will understand that it is difficult for the Council to give out full details of the steps which it has taken on the issue so far as it is currently subject to enforcement action and also relates to personal information.

In 2019 a lawful development certificate was issued for the site (SE/19/01295/LDCEX). This confirmed that development had lawfully commenced on the site in accordance with planning permission Ref 13/03596 dated 27 February 2015.

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We have attempted to contact the owners of the site, in writing and by phone to seek a timescale for developing the site or for its sale. We have not been able to make contact with them. As it has been difficult to seek any answers from the owners, even to statutory notices, the Council believes that clear action needs to be taken and this is what we are now doing. In light of the above it was agreed by officers that the best course of action is to pursue the CIL payments, hoping that this would encourage them to carry out the permission.

Question 2: Mr Green

Why were no steps taken in the period 25 February to 10 August 2020 pursuant to resolution 41 b) of Council on 25 February 2020 which stated: 'That the owner be pursued for the full community infrastructure levy (CIL) payment due'? What steps if any have been taken by SDC since 10 August 2020 pursuant to the said resolution b) and with what (if any) results, what further steps are now proposed to be taken pursuant to it; and what is the amount of CIL, including interest and surcharges, outstanding to SDC as at 17 November 2020?

Response: Leader of the Council

Since before 10 August 2020, the Planning Authority have been taking steps to recover the full CIL funds.

There are a number of steps that we need to take including gaining information, calculating the correct fees (including interest) and also ensuring that the details of the notice are correct and following the complicated CIL legislation. We also have to provide the owners with adequate timescales to respond to our demands at each stage. This is therefore taking some time.

Please be assured that we have commenced this process and that we are working with our Legal team to ensure this is carried out correctly. We are due to serve revised Demand Notices imminently, including all the surcharges and interest which we expect to be paid. Our Planning Team will be able to inform you of our progress, subject to personal information not being disclosed, as the steps for enforcement are taken.

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

No petitions had been received.

77. Matters considered by the Cabinet

a) 27 to 37 High Street, Swanley Redevelopment

Councillor Fleming moved and Cllr Dickins seconded the recommendation from Cabinet, which sought approval: to redevelop 27-37 High Street, Swanley, to provide a new business hub and 17 residential units; for the project to be established within the Capital Programme; and for the project to proceed. It was

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noted that paragraph 1 of the report erroneously listed Swanley Christchurch as a deprived ward and should have read Swanley White Oak.

The Leader emphasised how important the scheme was, some external funding had been secured and it was a vital part of the Council's overall plans for the regeneration work in Swanley which would, in turn, hopefully lead to private investment in the area in the coming years.

Resolved: That

- a) the redevelopment of 27-37 High Street, Swanley, as outlined in the report, to provide a new business hub and 17 residential units at an estimated total project cost of £5,624,039 as set out in Table 1 to the report, be approved;
- b) the project be funded by
 - i. capital receipts from the sale of units in the scheme, estimated to be c. £4,134,039;
 - ii. £1,490,000 from the Getting Building Fund (GBF) administered by the South East Local Enterprise Partnership (SELEP), noting that the SELEP Accountability Board would only make a decision on the match funding on the 20 November 2020 and thus approval to proceed with the project was conditional on SELEP finally awarding the GBF grant; and
 - iii. the £375,000 vired in August 2020 be transferred back to the Property Investment Strategy from this project.
- c) authority be delegated to the Strategic Head of Property and Commercial in consultation with the Head of Legal and Democratic Services and the Chief Officer Finance and Trading, to enter into necessary contracts to facilitate the development and construction of the proposed scheme in accordance with the Council's Contracts Procedure Rules.

b) Christmas Parking

Councillor Fleming moved and Cllr McArthur seconded the recommendation from Cabinet, which sought approval to the costs in term of loss of income being met from supplementary estimates for the proposed free parking in Sevenoaks town and Westerham on the two weekends leading up to Christmas in December 2020.

Resolved: That the cost of in terms of loss of income for free parking in Sevenoaks town and Westerham on Saturday 12 December 2020, Sunday 13 December 2020, Saturday 19 December 2020 and Sunday 20 December 2020, be met from Supplementary Estimates.

c) Supporting the Local Economy - Post Lockdown Parking Scheme

Councillor Fleming moved and Cllr McArthur seconded the recommendation from Cabinet, which sought approval to the costs, in term of loss of income, being met from supplementary estimates for the proposed free parking for short stay visitors within the Council's car parks for one calendar month from the end of lockdown.

Resolved: That the cost in terms of loss of income from the post lockdown parking scheme be met from a Supplementary Estimate (up to a maximum of £60,000).

d) Budget Setting 2021/22

Councillor Fleming moved and Cllr Dickins seconded the recommendation from Cabinet, which sought approval of the 2021/22 Budget Setting process.

The Leader addressed Council and stated that innovation was not a word often used within the world of finance or those who worked within it, and for good reason as just how 'creative' did you want your account, or 'cutting edge' your pension fund manager. Local government finance followed a similar path, change, if not totally frowned upon, was usually glacial in pace with only the occasional accounting guidance updates to hasten the heart and quicken the blood. This made the journey the Council had been on for over a decade, all the more remarkable. Almost 11 years on from the original 10 year budget, any other council proposing what Members had before them would be hailed as 'visionary' if not 'revolutionary', yet it had been a quiet revolution, one that again, even during the tumultuous global events, hadn't seen the council blown off course or forced to propose the wholesale diminution of services that faced many councils across the country.

He stated that it would be easy to see the budget solely through the lens of the last half year and the impact that the pandemic had had on the authority and community, and individuals and businesses. However that would miss the greatest single achievement of the budget and the rolling ten year budget as a whole. As a Council in the last ten years, the budget had been reduced from a net revenue spend of almost £17m in 2010/11 to a little over £15.5m in the last year and factoring in inflation the council had saved almost £5m or approaching a third of its overall spend without slashing services, or reducing service quality, or outsourcing or in any way compromising the breath or depth of services provided. In fact the council had continued to invest, improve and increase services across the board to the district it was tasked to serve.

The latest innovation, of bringing the budget forward by three months would mean many of the benefits contained within the budget would be in place, up and running and banked before most councils had a handle on what their budget papers would look like in February 2021. From the moment the idea was mooted, Cabinet had been determined that all Members would have had the opportunity to fully engage in the budget process as usual, and by his reckoning the budget had now been deliberated, debated and discussed in public for over 20 hours, with Members, if they so wished, being able to join and take part in every single

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meeting. It was customary at this point to thank Members and Officers for all of the work and effort in getting to this point, and this year was no exception. However on top of his usual thanks he added his specific thanks to Members for embracing the significant change in the budget timetable and Officers for getting them to this meeting within the constrained period.

The global pandemic had, as with all councils, had a huge impact that no-one could have foreseen when meeting to agree the budget earlier that year. In total Covid-19 had cost or reduced income by almost £1.5m. However, unlike colleagues across local government, the Council was able to meet the challenge in a measured way without the need for swinging cuts or financial crisis management. Members had before them clear decisions to make on savings but also investment. The scale of the challenge faced was reduced by the decisions made in the past and the sure foundation of the budget process. The stability brought by the rolling ten-year budget, allowed the Council to continue to make positive choices about high quality services, delivered in house to the residents served, with a balanced budget in a sustainable way. The ten-year budget had no direct government support and no new homes bonus included. It was again a balanced ten-year budget; a financially self-sufficient budget giving the Council greater control over its services and massively reducing the potential for decision making being driven, not by the Members of the Council on behalf of the residents served, but instead by the whims of Her Majesty's Government through the allocation, or not, of funding.

He commended the budget to Members stating that it was an innovative budget, a budget that would stand the Council in the best possible stead to continue to provide the high quality and breadth of services the district's residents deserved. He believed that come the council tax setting meeting in February 2021, the Council would be in the best possible position having taken these decisions early.

In response to a question with regards to the risk assessment and prediction of normality come 2022/23, the Leader advised that the 10 year budget was based on a number of assumptions and a measured view provided the 'best guess' of where the Council was currently and where it would be going forward.

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

For	Against	Abstention
Cllr Abraham Cllr Andrews Cllr Ball Cllr Barnes Cllr Barnett Cllr Bayley Cllr Dr Canet Cllr Carroll Cllr Clack Cllr Clayton Cllr Penny Cole		Cllr Cheeseman

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Cllr Perry Cole		
Cllr Coleman		
Cllr Collins		
Cllr G Darrington		
Cllr P Darrington		
Cllr Dickins		
Cllr Dyball		
Cllr Edwards-Winser		
Cllr Esler		
Cllr Eyre		
Cllr Firth		
Cllr Fleming		
Cllr Foster		
Cllr Fothergill		
Cllr Griffiths		
Cllr Grint		
Cllr Harrison		
Cllr Hogarth		
Cllr Hudson		
Cllr Hunter		
Cllr Kitchener		
Cllr Layland		
Cllr London		
Cllr Maskell		
Cllr McArthur		
Cllr McGarvey		
Cllr McGregor		
Cllr Morris		
Cllr Nelson		
Cllr Parkin		
Cllr Pender		
Cllr Pett		
Cllr Piper		
Cllr Purves		
Cllr Raikes		
Cllr Reay		
Cllr Roy		
Cllr Thornton		
Cllr Waterton		
Cllr Williamson		
51	0	1

It was therefore

Resolved: That

- a) the summary of the Council Expenditure for 2021/22 as set out in Appendix G to the report, be approved;

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- b) the 10 year budget 2021/22 to 2030/31 which was the guiding framework for the detailed approval of future years' budgets set out in Appendix B to the report, including the growth and savings proposals set out in Appendix D to the report be approved, and that where possible any variations during and between years be met from the Budget Stabilisation Reserve;
- c) the Capital Programme 2021/24 and funding method set out in Appendix H(i) and Capital Strategy 2021/22 as set out in Appendix H(iii) to the report, be approved; and
- e) the changes to reserves and provisions set out in Appendix J to the report, be approved.

78. Matters considered by other standing committees

- a) Statutory guidance issued by the Secretary of State for Transport to protect children and vulnerable individuals

Councillor Clack moved and Councillor Pett seconded the recommendation from the Licensing Committee. The report sought approval of amendments to the Statement of Hackney Carriage and Private Hire Policy 2020-2023. Councillor Clack responded to questions of clarification on DBS checks and in-vehicle visual and audio recording.

Resolved: That

- a) the amendments to the Statement of Hackney Carriage and Private Hire Policy 2020-2023, as set out in paragraphs 20, 30, 51-52, 58, 61, 65, 77 and 80-81 of the report, be approved;
- b) the sentence "Changes agreed in this way are to be reported back to the Licensing Committee at the next meeting." be added to paragraph 20 of the report;
- c) paragraph 30 of the report be amended to read as "Following a decision to refuse or revoke a licence by Sevenoaks District Council as the individual is thought to present a risk of harm to a child or vulnerable adult, the authority shall consider a referral to the DBS under the Safeguarding Vulnerable Groups Act 2006;
- d) paragraph 77 of the report be amended to read as "All applicants will be required to obtain a Group 2 Medical standards certificate signed by their own GP, or another practitioner who has accessed at least 2 years of medical records"; and
- e) delegated authority be granted to the Head of the Licensing Partnership following consultation with the Chairman of the Licensing Committee for the precise wording of the minor amendments.

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- b) Appointment of a Deputy Electoral Registration Officer

Councillor Eyre moved and Councillor Nelson seconded the recommendation from the Governance Committee. The report sought approval to the appointment of the Assistant Chief Executive as the Deputy Electoral Registration Officer.

Resolved: That the Assistant Chief Executive be appointed Deputy Electoral Registration Officer for Sevenoaks District Council.

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

- a) Changes to Committee membership

Councillor Fleming moved and Councillor Dickins seconded the report which sought changes to the membership of the Health Liaison Board.

Resolved: That

- a) Councillor Piper be removed from the Health Liaison Board membership and replaced with Councillor Maskell for the remainder of the municipal year 2019/21; and
- b) Councillor Maskell be appointed Chairman of the Health Liaison Board for the remainder of the municipal year 2019/21.

- b) Draft Calendar of meetings for the municipal year 2021/22

Councillor Fleming moved and Councillor Dickins seconded the report which sought approval of the draft calendar of meetings 2021/22.

Resolved: That the calendar of meetings for 2021/22 be approved subject to the formal adoption at the Annual Meeting of Council on 11 May 2021.

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

No questions had been received.

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

No motions had been received.

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

The Leader of the Council reported on the work that he and the Cabinet had undertaken in the period 6 July to 30 November 2020.

83. Quarterly report on Special Urgency decisions.

Members considered the quarterly report on special urgency decisions.

Resolved: That the report be noted.

84. To receive reports from the Chairmen of the Audit Committee on the work of the Committees since the last Council meeting.

Members noted the report presented by the Chairman of the Audit Committee, Councillor McGarvey.

THE MEETING WAS CONCLUDED AT 7.47 PM

CHAIRMAN