

14 October 2021 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 06.10.21



The meeting will also be livestreamed to YouTube here:

[https://www.youtube.com/channel/UCLT1f\\_F5OfvTzxjZ6Zqn6g](https://www.youtube.com/channel/UCLT1f_F5OfvTzxjZ6Zqn6g) Members of the public who wish to attend in person are requested to wear face masks and observe social distancing procedures. For Health and safety reasons access may be limited and will be on a first come first served basis.

## Cabinet

### Membership:

Chairman, Cllr. Fleming; Vice-Chairman, Cllr. Dickins

Cllrs. McArthur, Dyball, Maskell 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. <b>Minutes</b>	(Pages 1 - 4)	
To agree the Minutes of the meeting of the Committee held on 16 September 2021, as a correct record		
2. <b>Declarations of interest</b>		
Any interests not already registered		
3. <b>Questions from Members (maximum 15 minutes)</b>		
4. <b>Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees (if any)</b>		
<b>REPORTS ALSO CONSIDERED BY THE CABINET ADVISORY COMMITTEES</b>		
5. <b>Sevenoaks District - Voluntary Sector Barometer Survey</b>	(Pages 5 - 26)	Jenny Godfrey Tel: 01732 227112
6. <b>Tree Management Strategy</b>	(Pages 27 - 56)	Trevor Kennett Tel: 01732 227407

7. **Farmstead Drive, Spitals Cross, Edenbridge - Development Proposal** (Pages 57 - 72) Detlev Munster  
Tel: 01732227099



8. **Stangrove Estate Regeneration Project** (Pages 73 - 92) Detlev Munster  
Tel: 01732227099



 Indicates a Key Decision

 indicates a matter to be referred to Council

#### EXEMPT INFORMATION

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

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](mailto:democratic.services@sevenoaks.gov.uk).

CABINET

Minutes of the meeting held on 16 September 2021 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllr. Dickins (Vice Chairman)

Cllrs. McArthur, Dyball, Maskell and Thornton

Cllrs. Pender and Purves were also present.

Cllr. Carroll was present via a virtual media platform, which does not constitute attendance as recognised by the Local Government Act 1972.

21. Minutes

Resolved: That the Minutes of the meeting of Cabinet held on 8 July 2021, be agreed and signed as a correct record.

22. Declarations of interest

There were none.

23. Questions from Members (maximum 15 minutes)

A Member asked a question related to an item referred from the Scrutiny Committee (In-Depth Scrutiny Working Group - CCTV). The Chairman indicated that Cabinet would consider the recommendations of the Working Group in full as part of the next agenda item.

24. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees (if any)

a) In-Depth Scrutiny Working Group - CCTV

Members considered the report from the Scrutiny Committee. At its November 2019 meeting the Scrutiny Committee resolved to set up a working group to evaluate the effectiveness of the Council's CCTV Service in supporting the Community Safety Theme of the Council's Plan and its impact of privacy. The working group considered the number and location of CCTV cameras provided across the District and their effectiveness in meeting the aims of the CCTV service the impact of the General Data Protection Regulation (GDPR) and recovery costs.

Resolved: That

- a) Further information be obtained to assist in justifying the pressing need for CCTV;

- b) the Council should not disable or remove the audio recording hardware from the cameras in the Council Offices but should ensure that it is made clear that an audio recording is made; and
- c) a request to third parties, such as the Police for them to recover costs of running the CCTV Service, be considered.

25. Bank Account Signatories

The Principal Accountant presented a report which sought approval for a change to the list of officers authorised to sign cheques and sanction banking instruments on behalf of the Council, in order to bring up to date the list of authorised signatories for the Council's bank accounts.

Public Sector Equality Duty

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

Resolved: That, pursuant to Financial Procedure Rules 4.73 and 4.74, Mr Joshua Bell, Senior Accountant, be authorised to sign cheques and sanction banking instruments on behalf of the Council.

26. Treasury Management Annual Report 2020/21

The Portfolio Holder Finance & Investment presented the report which sought approval of the Treasury Management Annual report 2020/21. The Principal Accountant set out that the report outlined the strategy adopted during the year, showed the position of the investment and debt portfolios at the beginning and the end of year and gave details of how the investment fund performed in comparison with previous years and against various benchmarks.

Members were advised that the Finance & Investment Advisory Committee had considered the same report and recommended it for approval.

Public Sector Equality Duty

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

Resolved: That Treasury Management Annual Report for 2020/21, be approved.

27. Financial Results 2021/22 to the end of July 2021

The Portfolio Holder Finance & Investment presented the report on the Council's financial results to the of June 2021, which showed the year-end position was currently forecast to be an unfavourable variance of £0.246m which was largely due to COVID-19.

The Head of Finance spoke on this item and indicated that the forecast variance represented 1.4% of the Council's net service expenditure budget totalling £17.015m.

Members were advised that Finance & Investment Advisory Committee had 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 report be noted.

#### 28. Financial Prospects and Budget Strategy 2022/23 and Beyond

The Portfolio Holder Finance & Investment presented the report which was the first report of the Council's budget setting process for 2022/23 onwards. It set out the financial pressures the Council was likely to face in the coming years and suggested an appropriate strategy, utilising the 10-year budget framework, which had proved successful to date and put the Council in a much stronger financial position than most other Councils.

To achieve this and ensure a balanced budget position over the next 10-year period would continue to be challenging largely due to the uncertainties and ongoing financial impacts of the Covid-19 pandemic.

The budget process would be the same as two years ago as opposed to the shortened process last year, however it was planned to shorten the process in future years to run from November to February. The Portfolio Holder advised that Finance & Investment Advisory Committee had considered the same report.

The Deputy Chief Executive and Chief Officer - Finance and Trading set out that the annual budget gap included in the report was £100,000, which related to the annual savings target. However, it was expected that the gap would increase due to the impacts of homelessness, ongoing Covid-19 impacts and inflationary pressures. Growth and savings proposals were to be presented to the Advisory Committees and Cabinet, and their recommendations would be considered as part of the process to remove the gap.

#### Public Sector Equality Duty

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

Resolved: That

- a) the ten-year financial planning approach; financial strategy and principles set out in this report, be endorsed;
- b) Advisory Committees be requested to review the Service Dashboards and advise Cabinet of possible growth and savings options; and

- c) Officers be requested to continue to review the assumptions in this report and consider options to address the budget gap and report back to Cabinet on 9 December 2021.

IMPLEMENTATION OF DECISIONS

This notice was published on 17 September 2021. The decisions contained in Minutes 23, 24, 25, 26, 27 and 28 take effect immediately.

THE MEETING WAS CONCLUDED AT 7.47 PM

CHAIRMAN

**Item 5 - Sevenoaks District - Voluntary Sector Barometer Survey**

The attached report was considered by the People & Places Advisory Committee on 6 October 2021. The relevant Minute extract was not available prior to the printing of this agenda and will follow when available.

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**SEVENOAKS DISTRICT - VOLUNTARY SECTOR BAROMETER SURVEY**

**Cabinet - 14 October 2021**

**Report of:** Deputy Chief Executive, Chief Officer People & Places

**Status:** For Information

**Also considered by:**

- People & Places Advisory Committee - 6 October 2021

**Key Decision:** No

**Executive Summary** COVID-19 has had a major impact on the voluntary and community sector both nationally and locally. The Voluntary Sector Forum, agreed to undertake a barometer survey in May 2021 to track the impact of COVID-19 on the voluntary and community sector in the Sevenoaks District. This report presents the findings of the survey and the steps being taken to action issues raised.

**This report supports the Key Aim of:** the Councils Corporate Plan

**Portfolio Holder:** Cllr. Lesley Dyball

**Contact Officer(s):** Jenny Godfrey x7112

**Recommendation to People and Places Advisory Committee:**

To receive and note the report.

**Recommendation to Cabinet:**

To receive and note the report.

**Reason for recommendation:** The survey findings provides data on the impact of COVID-19 on the voluntary and community sector in the Sevenoaks District. The report outlines the steps being taken by the Council to support the sector.

**Introduction and Background**

- 1 COVID-19 has had a major impact on the voluntary and community sector both nationally and locally.
- 2 Sevenoaks District Council established the Sevenoaks District Voluntary Sector Forum in April 2020 as a response to the pandemic. Whilst the Forum has been informally discussing the impact throughout the pandemic, the impact had not been quantified.

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- 3 The Voluntary Sector Forum, chaired by Angela Painter, agreed to undertake a barometer survey in May 2021, to track the impact of COVID-19 on the voluntary, community sector in the Sevenoaks District. The Forum discussed and agreed a set of 15 questions for the barometer survey.
- 4 The results of the survey provide a sample of the sector's health and recovery in the district and provides information for the Council, Kent County Council (KCC) and others including decision makers and potential funders.
- 5 The Voluntary Sector Forum will revisit the questions and survey the sector every quarter to continue to track the impact of COVID-19 and highlight areas for particular intervention, support and collaboration.
- 6 Survey Monkey was used to make it quick and easy to access and complete.

### Survey results

- 7 There were 26 responses (the Forum usually has between 20 and 30 organisations regularly attend) and five key issues were identified from the results of this survey. These issues and the approach being adopted to support the voluntary sector in addressing them are set out below:
  - Working with those organisations that anticipate not being in operation this time next year, linking them with others including other voluntary organisations and free mentoring/support.
  - Continuing to find and share potential funding opportunities and facilitate good collaboration.
  - Digital inclusion - work with newly appointed Digital Inclusion Officer at Compaid (joint funded by Sevenoaks District Council and West Kent Housing Association) to ensure maximum reach and support in the district.
  - Continue to work with Imago on promoting volunteering opportunities in the district and support voluntary sector with signposting to free/good value for money training for new volunteers.
  - Government restrictions and confidence in returning to face-to-face: continue to share information and support regarding compliance with restrictions and best practice for returning to some face-to-face interactions.
- 8 These results and the above areas are being shared with the voluntary sector and will be discussed at a future Forum. We will continue to use the Forum to work on any identified challenges. For example, at the last Voluntary Sector Forum, we invited a speaker from Medway Council Public Health to tell us about the free Workplace Health Project commissioned by KCC and Medway Councils and endorsed by Public Health England. KCC are rolling it out throughout the county and voluntary sector organisations can participate and help improve the health of their workforce including volunteers. Going forward, again by way of examples, we have speakers booked from 'Funding For All' offering voluntary sector organisations free mentoring and wide expert support (HR, Finance, fundraising etc.), and,

from a national co-production project which will provide tried and tested resources and information useful for good collaboration/partnership.

- 9 It should be noted that the Council continues to support the voluntary and community sector in the District through the provision of its Community Grants scheme, the Local Strategic Partnership Community Wellbeing Fund, Community Safety Partnership grants and Service Level Agreements. In 2020 and early 2021, particularly through the lockdown periods, the Council undertook a Crowdfunding campaign for the voluntary sector and distributed additional funding via Government’s Containment Outbreak Management Fund.

**Key Implications**

Financial

None.

Legal Implications and Risk Assessment Statement.

None.

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 report 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.

Consideration of impacts under the Public Sector Equality Duty:

Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	No disadvantage or discrimination identified.
b. Does the decision being made or recommended through this paper have	Yes	The steps being taken to address issues identified by the survey will support the voluntary and

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Question	Answer	Explanation / Evidence
the potential to promote equality of opportunity?		community sector in delivering their services to those most in need. The Council will work with the voluntary sector to achieve this.
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		No negative impacts identified

### Conclusions

This paper asks that you note the findings from the May 2021 barometer survey of the voluntary and community sector in the Sevenoaks District.

#### Appendices

Appendix A - Results in Detail from May 2021 Voluntary Sector Barometer Survey

#### Background Papers

N/A

Sarah Robson

Deputy Chief Executive & Chief Officer People & Places

**SEVENOAKS DISTRICT - VOLUNTARY SECTOR BAROMETER SURVEY**

**Appendix A - Results of May 2021 Survey**

Results in detail

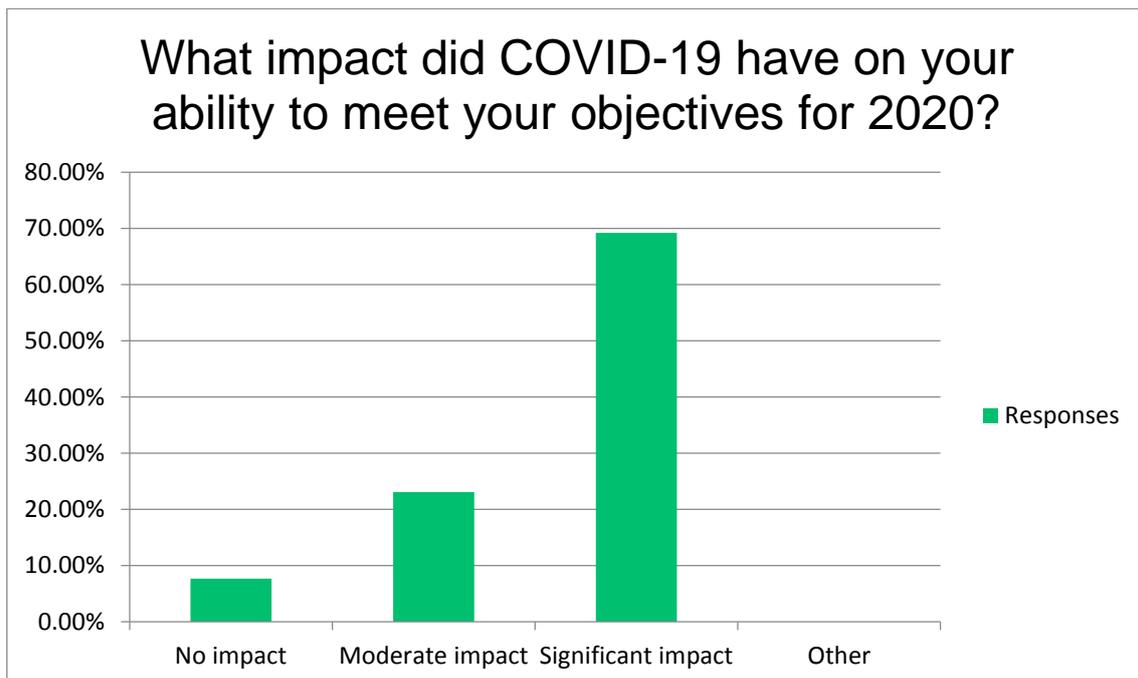
Set out below are the results for each question. These are grouped by theme:

- Objectives - Questions 1 to 3
- Financial Position - Questions 4 to 6
- Future & Budget - Questions 7 & 8
- Impact on Services - Questions 9 to 13
- Volunteers & AOB - Questions 14 & 15

**Objectives - Questions 1 to 3**

**Question 1:** What impact did COVID-19 have on your ability to meet your objectives for 2020?

Answer options	Percentage choosing answer options
No Impact	7.69%
Moderate Impact	23.08%
Significant Impact	69.23%



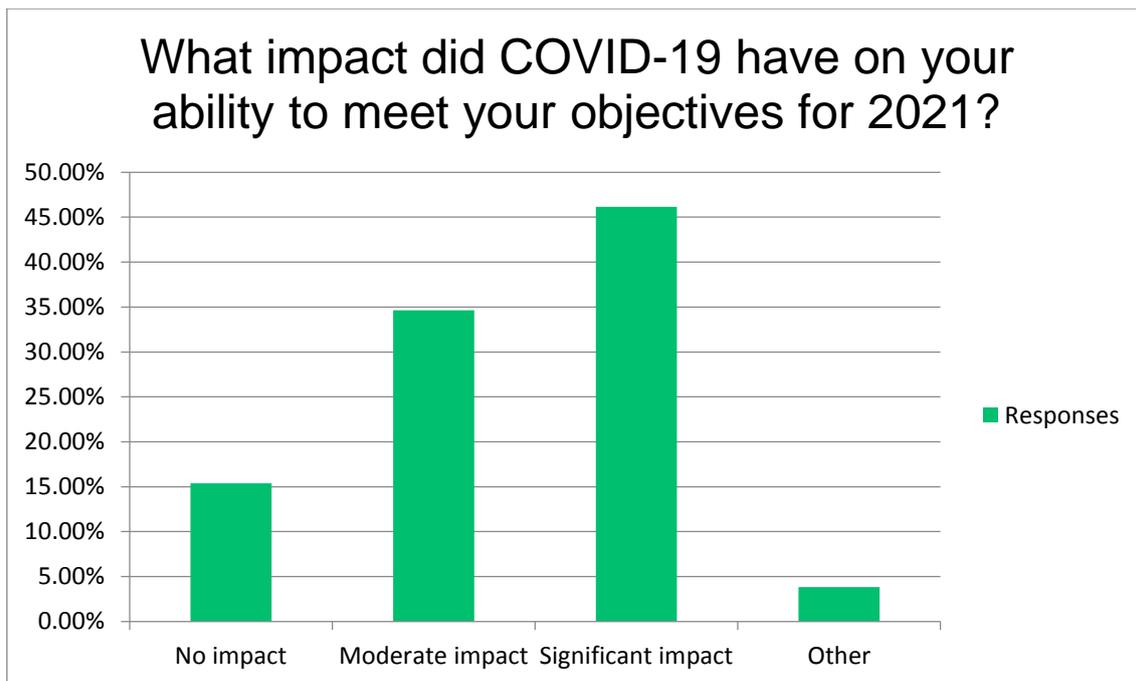
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Please tell us about the impact COVID-19 had on your 2020 objectives (here are some the answers received):

- Unable to meet with our members and run events.
- All face-to-face interactions have become virtual. This has meant that delivery has had to be adapted. Our driving service for a time was transformed into a befriending service.
- 50% of our service was face to face. It is now 100% by telephone and email and mostly being delivered remotely from home. Supervision has to be provided for all advice settings and this is now remote too.
- Reduced our ability to earn our own income and achieve unrestricted funds. This was mitigated by emergency funding.
- Our fundraising was heavily impacted and our demand for services increased significantly.

**Question 2:** What impact did COVID-19 have on your ability to meet your objectives for 2021?

Answer Options	Percentage choosing answer options
No Impact	15.38%
Moderate Impact	34.62%
Significant Impact	46.15%
Other	3.85%



Please tell us about the impact COVID-19 has had on setting your 2021 objectives (here are some of the answers received):

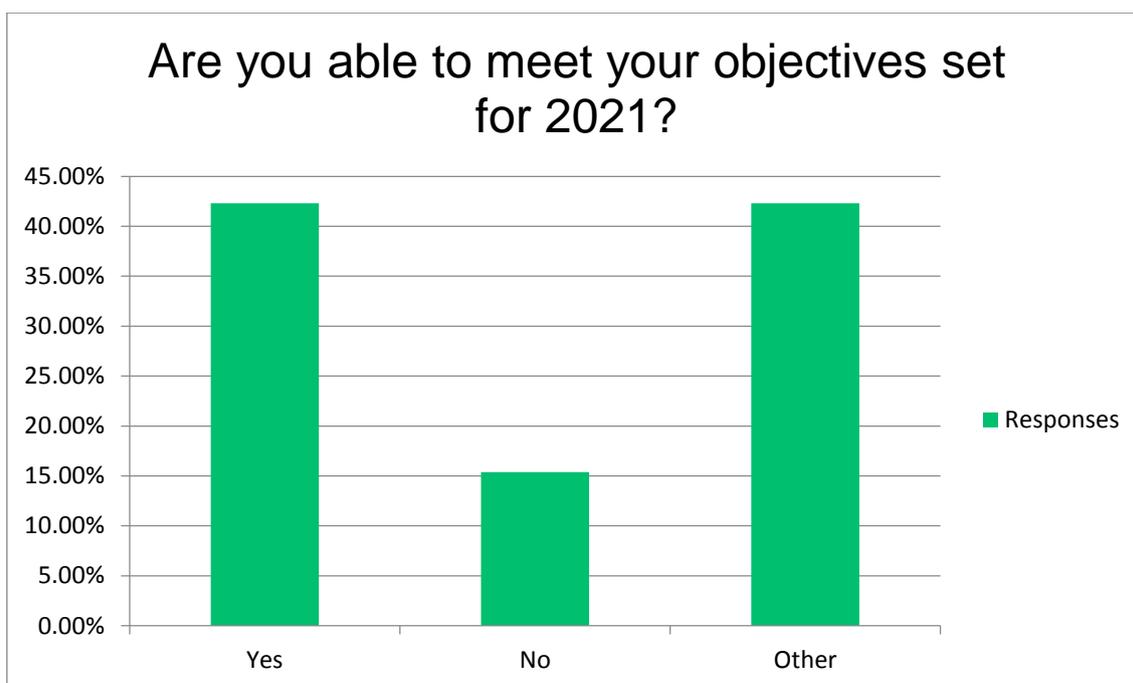
- We are trying to catch up on last year as well as deliver this year's work, on less funding than before.
- As for 2020 with continued uncertainty. Impact on health services has been huge. New question marks over transport and housing. Reliance on technology very difficult with members who aren't connected.
- We anticipate a significant financial deficit and the COVID-19 secure regulations mean are unable to use all our counselling rooms so we anticipate at least half of our counselling sessions will continue to be held by phone/online.
- With the 2020 impact and then the expectation of social distancing continuing through to mid-June, we have had to severely amend our aims and objectives for 2021. Given this we are able to achieve what we have as our revised objectives but they fall short of what we would like to be doing.
- The first four months all our services (that could be) were on Zoom. Since then we have opened up our clubs (face to face) and we are hoping to continue our services as before the pandemic.

**Question 3:** Are you able to meet your objectives set for 2021?

Answer Options	Percentage choosing answer options
Yes	42.31%

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Answer Options	Percentage choosing answer options
No	15.38%
Other	42.31%



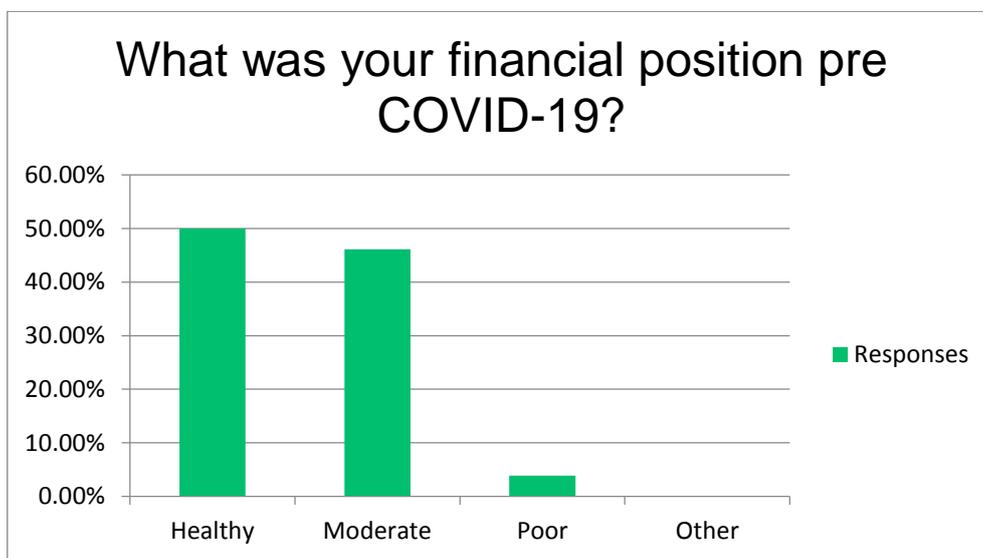
Please tell us how COVID-19 has impacted on your 2021 objectives (here are some of the answers received):

- We have been able to meet all of our objectives to date just by transferring to other technology ways of communicating with our clients. However current funding remains unconfirmed still from September 2021 to August 2022. If funding is not forthcoming then it will impact our 2021 objectives in all areas of the West Kent communities we currently cover.
- The nature of the delivery has changed. The numerical targets will be achievable.
- We are optimistic that we will be able to continue to offer counselling for the whole community whether in person or phone/online. Ticking the other box rather than the yes box reflects the uncertainty about regulations/restrictions and the resulting difficulty in planning for the year.

Financial Position - Questions 4 to 6

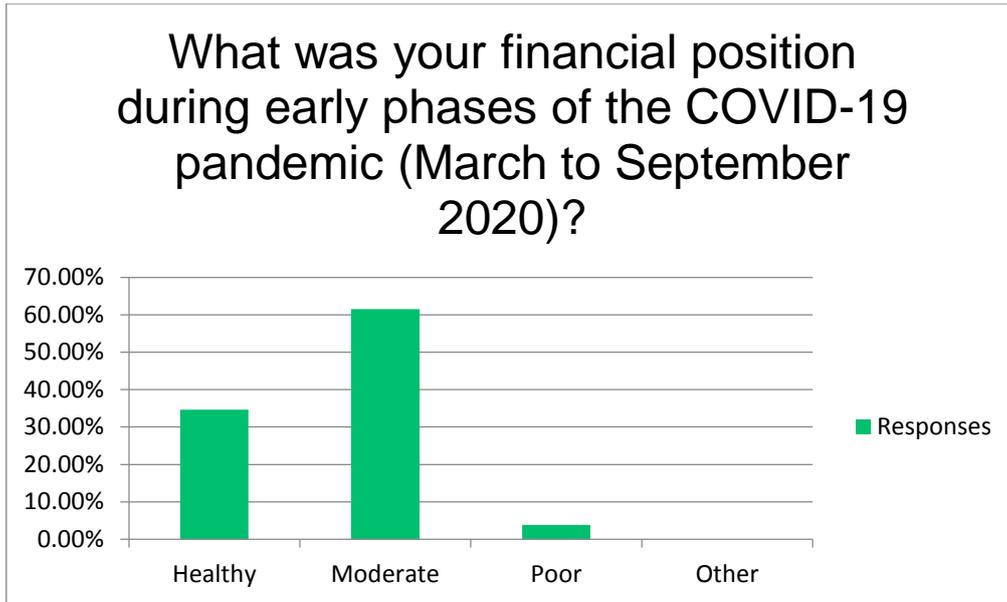
**Question 4:** What was your financial position pre COVID-19?

Answer Options	Percentage choosing answer options
Healthy	50%
Moderate	46.15%
Poor	3.85%
Other	0%



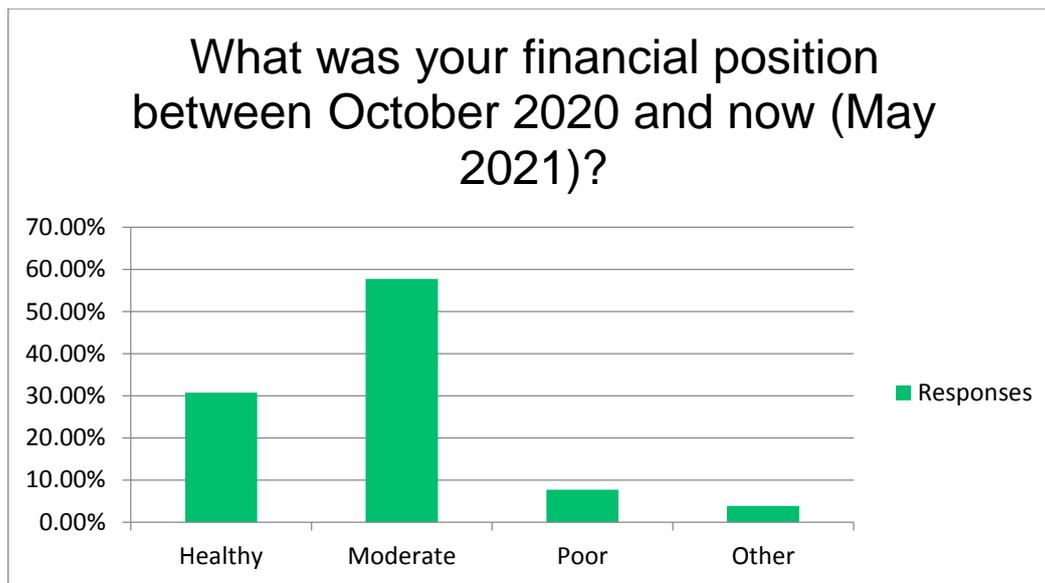
**Question 5:** What was your financial position during early phases of the COVID-19 pandemic (March to September 2020)?

Answer Options	Percentage choosing answer options
Healthy	34.62%
Moderate	61.54%
Poor	3.85%
Other	0%



**Question 6:** What was your financial position between October 2020 and now (May 2021)?

Answer Options	Percentage choosing answer options
Healthy	30.77%
Moderate	57.69%
Poor	7.69%
Other	3.85%



**Comments made in answer to above 3 questions about financial position included:**

- We have not been able to do any fundraising
- Only now picking up as we are starting to run activities and open visitor centres, so adversely affected in the first part of the year.
- The sudden closure meant an immediate drain on the reserves. We managed to secure two grants which helped ensure the impact was moderate rather than poor.
- SDC helped our finances and to keep our members informed with the printing of additional newsletters.
- Our budget is based on achieving 50% project funding. This dried up overnight and we had an uncertain few months. Ultimately, we raised £150K through emergency funding and our financial position is healthy at the end of the financial year.

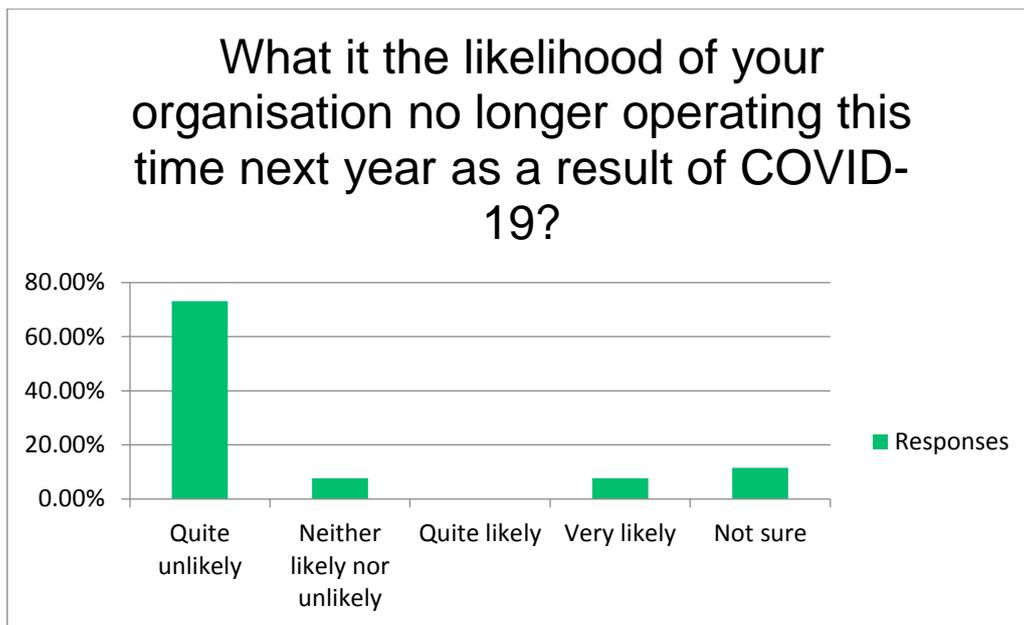
**Future & Budgets - Questions 7 and 8**

**Question 7:** What is the likelihood of your organisation no longer operating this time next year as a result of COVID-19?

Answer Options	Percentage choosing answer options
Quite Unlikely	73.08%
Neither likely nor unlikely	7.69%
Quite Likely	0%

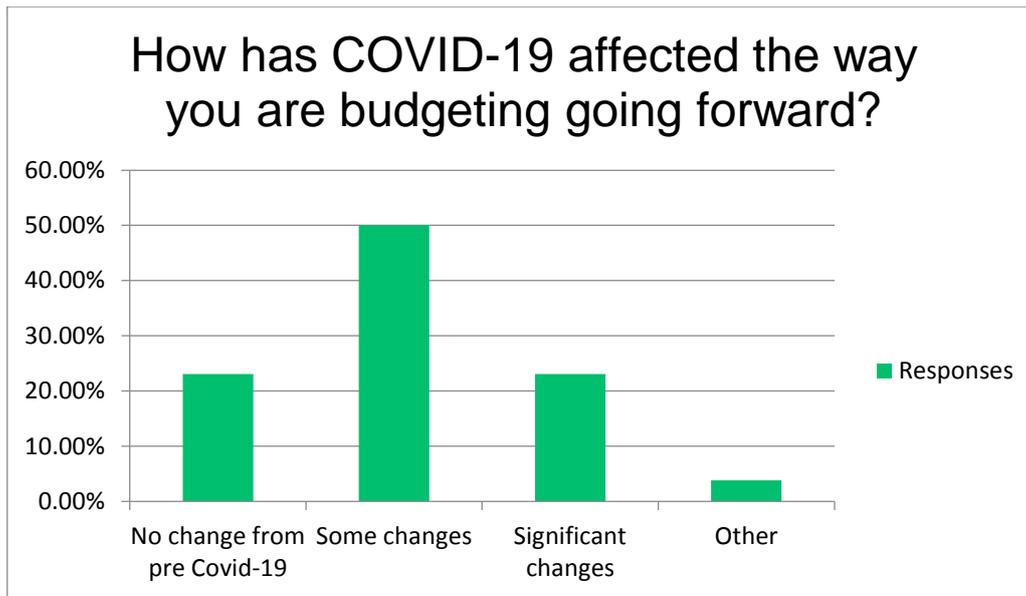
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Answer Options	Percentage choosing answer options
Very Likely	7.69%
Not Sure	11.54%



**Question 8:** How has COVID-19 affected the way you are budgeting going forward?

Answer Options	Percentage choosing answer options
No change from pre COVID-19	23.08%
Some changes	50%
Significant changes	23.08%
Other	3.85%



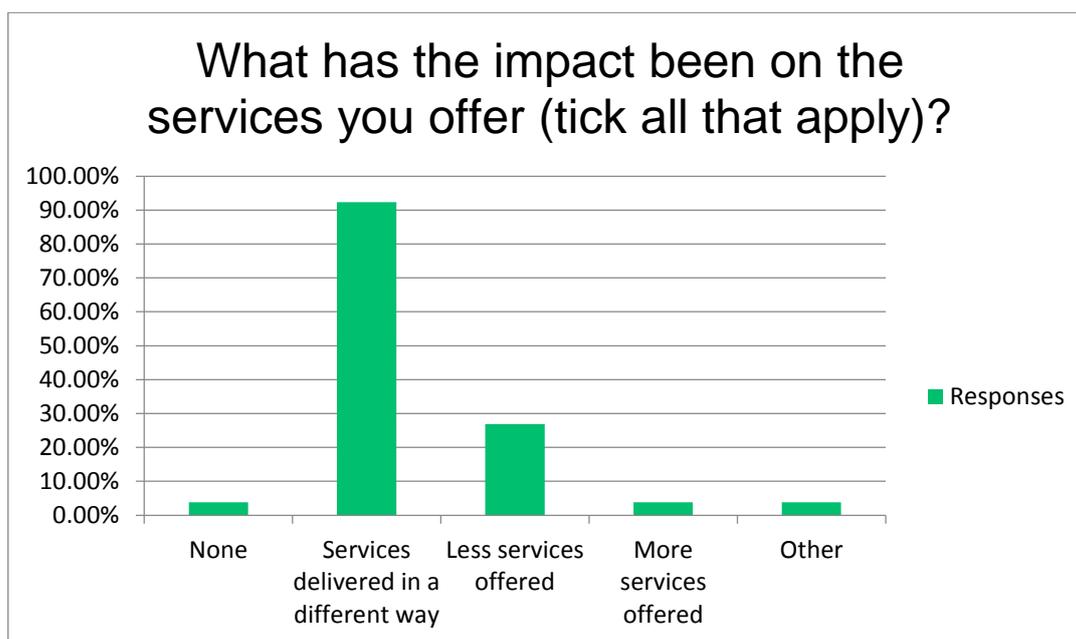
Please tell us about future changes to your budgeting as a result of COVID-19 (here are some of the responses):

- Had to revise budgets significantly several times.
- We have used up a significant amount of our reserves and will be working to replace this over the next decade.
- Previously our operational activities were a significant part of the income but with diminished reserves and seriously curtailed operations we now need to consider different and higher streams from other sources as few costs can be stopped.
- We cannot be sure when community fundraising will be possible so are relying on potential project funding.

**Impact on Services - Questions 9 to 13**

**Question 9:** What has the impact been on the services you offer (tick all that apply)?

Answer Options	Percentage choosing answer options
None	3.85%
Services delivered in a different way	92.31%
Less services offered	26.92%
More services offered	3.85%
Other	3.85%

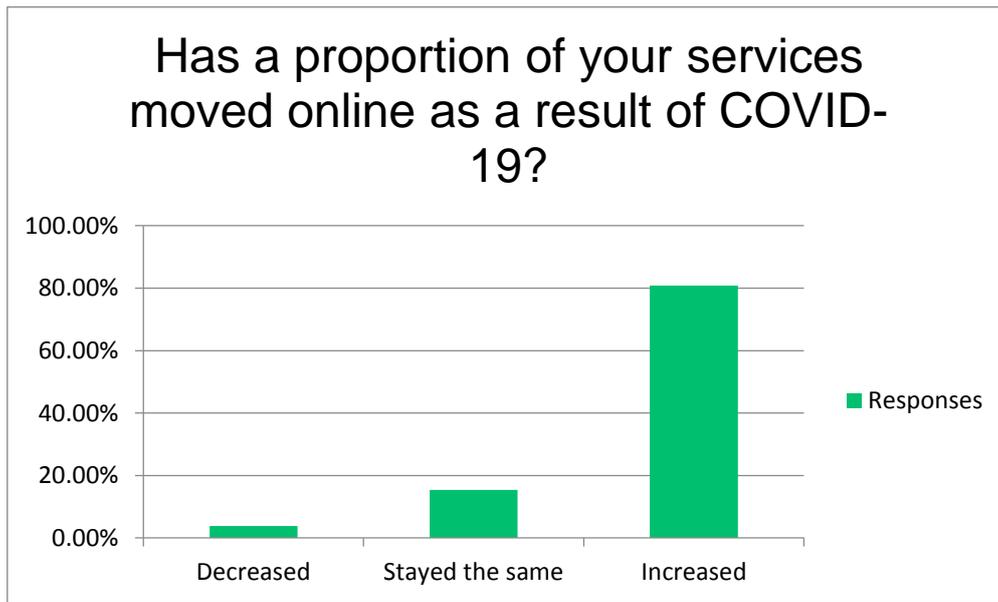


Please tell us about the impact of COVID-19 on your services (here are some of the responses):

- We have run more services on line e.g. singalongs, wellbeing seminars, committee meetings, AGM, partnership with Every Step Counts to encourage walking, encouragement of mobility exercises via zoom, provision of lots of helpful information vis newsletters ( made them twice as long).
- All counselling sessions moved to phone/online and going forwards we plan to offer a hybrid service of both online/phone and in person counselling dependent upon clinical need and client preference.
- We have used Zoom for some meetings. Camps, trips and most face to face meetings have all been stopped. In one Cub pack alone, 20 events planned for 2020 and early 2021 had to be cancelled.
- Services delivered in a different way - to more beneficiaries. This is particularly true for our loneliness projects in DGS and our infrastructure projects.
- All our appointments moved from face-to-face to telephone. Going forward we expect to offer a hybrid with both telephone and face-to-face appointments being available.
- We have delivered all services online and by phone and designed new services to meet the needs of our local community.

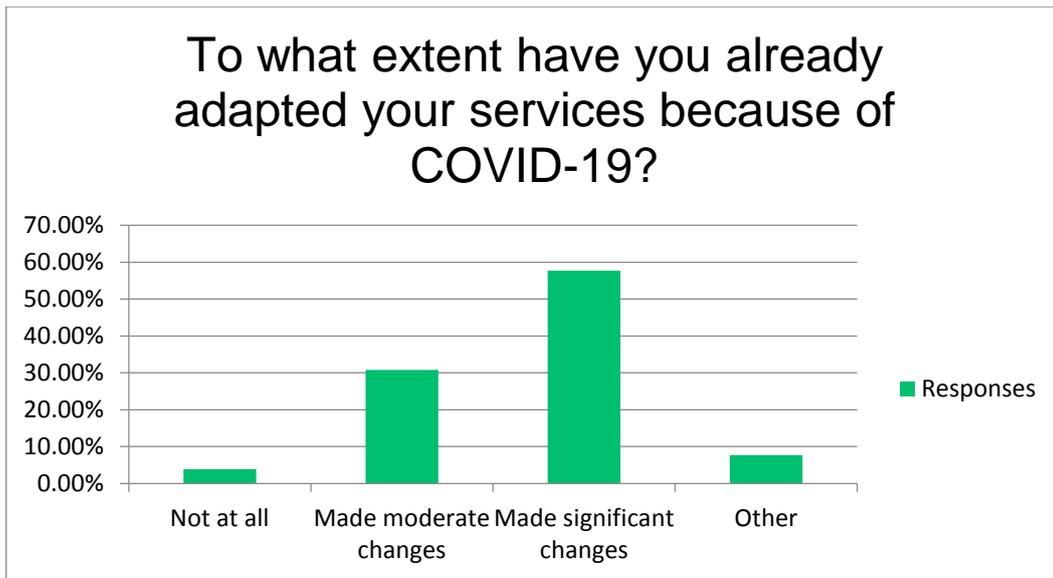
**Question 10:** Has a proportion of your services moved online as a result of COVID-19?

Answer Options	Percentage choosing answer options
Decreased	3.85%
Stayed the same	15.38%
Increased	80.77%



**Question 11:** To what extent have you already adapted your services because of COVID-19?

Answer Options	Percentage choosing answer options
Not at all	3.85%
Made moderate changes	30.77%
Made significant changes	57.69%
Other	7.69%

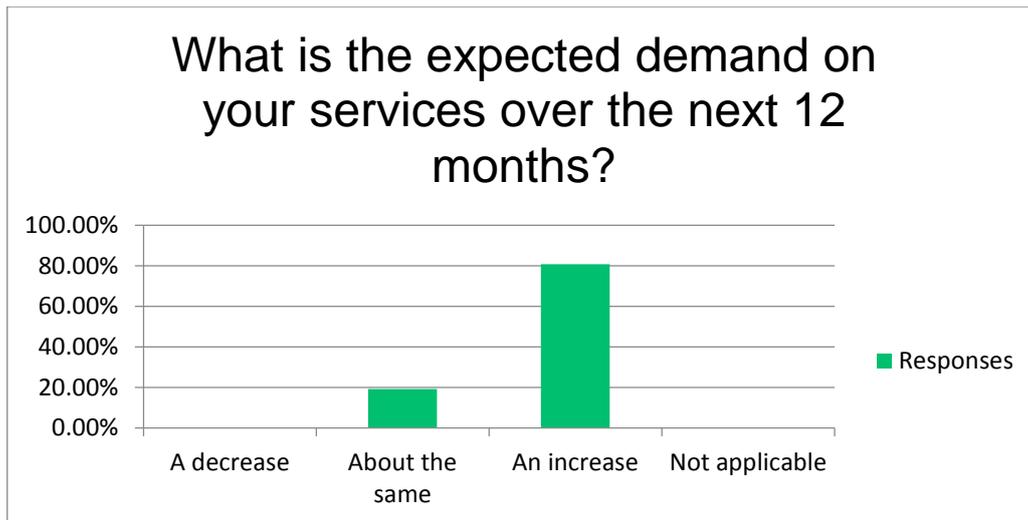


Please tell us how you have adapted your services because of COVID-19 (here are some of the responses):

- Staff working from home where possible. More innovative, digital projects taking place. Volunteering has altered as we can no longer transport them.
- The service moved online but is expecting to revert to in-person meetings. However, it is clear that there is a need for an online service to continue if time and funds permit, as some of our new service users will be unable to join us in live sessions either because of distance, transport or because their poor health makes them especially vulnerable.

**Question 12:** What is the expected demand on your services over the next 12 months?

Answer Options	Percentage choosing answer options
A decrease	0%
About the same	19.23%
An increase	80.77%
N/A	0%



**Question 13:** Going forward, what changes will you need to make to your operations and services?

Answer Options	Percentage choosing answer options
None	7.69%
Moderate changes	46.15%
Significant changes	38.46%
Other	7.69%

Please tell us about the changes to your operations and services due to COVID-19 (here are some of the responses):

- Will adapt to change as it could occur with further lockdowns and will consider more general online service to young people, yet face to face is our preference.
- If everything returns to normal we will continue to have some as it is meetings on Zoom. We have also found that some of the people we work with tend to prefer online sessions.
- Moving more advisers onto telephone work. The telephone will be the first point of contact for most people.
- We expect to need higher casework capacity to deal with increased client numbers. This will mean a need for more voluntary or paid Case Managers.

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- We are investing in a new website as we believe more traffic/referrals will come through that, new IT system, new phone system, new CRM, new finance system, new impact assessment framework.
- We are having to close some centres and move service into a consolidated effort.

### Volunteers & AOB - Questions 14 and 15

**Question 14:** Has there been a change in the number of people who volunteer for your organisation over the last 12 months?

Answer Options	Percentage choosing answer options
Decreased	53.85%
Stayed the same	34.62%
Increased	11.54%



**Question 15:** Is there anything else you would like to add?

“I think it is very hard to make definite plans for the coming year because so much is uncertain. That means we have to be alert to all possibilities, particularly when it comes to singing groups and large group gatherings, where there are known to be additional risks. We will need to make every effort to return to in-personal

sessions for the sake of people who are desperate for human contact and couldn't 'get on with Zoom' but also be ready to hop back on to the Zoom”

“We work with disabled individuals so it will be the case that many cannot just return as if nothing has happened but will take a long while to reacquaint themselves with the surroundings and people. Even some of our most capable participants who have been able to return with the restrictions have been extremely nervous, so those with learning difficulties who have no understanding what Covid is and why they have been prevented from coming could require considerable extra support before being able to fully participate. For us as organisers, not knowing what restrictions may be needed in the winter is concerning.”

“Mental health should be a priority for future funding in the community as well as within the NHS which Government has already funded but community services still unaware of their funding future for community service users.”

“Loneliness and isolation are the biggest challenges for older people.”

“We have sadly lost a committee member and several volunteers have ill health. We are working to find replacements. This will hopefully become easier when things open up fully. Many thanks to the Voluntary Sector Forum for providing an excellent and supportive space to share information and ideas”

“Fortunate to have recruited volunteers in difficult Covid times.”

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**Item 6 - Tree Management Strategy**

The attached report was considered by the Cleaner & Greener Advisory Committee on 12 October 2021. The relevant Minute extract was not available prior to the printing of this agenda and will follow when available.

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**TREE STRATEGY 2021-2031**

**Cabinet - 14 October 2021**

**Report of:** Deputy Chief Executive & Chief Officer, Finance & Trading

**Status:** For Decision

**Also Considered by:** Cleaner & Greener Advisory Committee - 12 October 2021

**Key Decision:** No

**Executive Summary:** This report sets a draft 10-year Tree Management Strategy for the Council.

**This report supports the Key Aim of:** Making Sevenoaks District to be a place where people can enjoy clean and high quality urban and rural environments.

**Portfolio Holder:** Cllr. Cllr. Margot McArthur

**Contact Officer:** Adrian Rowbotham, Ext. 7153

Trevor Kennett, Ext. 7407

**Recommendation to Cleaner & Greener Advisory Committee:** That the draft 10-year Tree Strategy 2021-2031, be considered, and its views be submitted for consideration by Cabinet and be approved.

**Recommendation to Cabinet:** That the draft 10-year Tree Strategy 2021-2031 along with any proposals submitted by the Cleaner & Greener Advisory Committee be considered and approved.

**Reason for recommendation:** The Council currently does not have a comprehensive Tree Strategy.

**Introduction**

- 1 The aim of this tree strategy is to assist and inform residents, Council officers and Councillors of the council's responsibilities and strategy regarding its own tree stock.
- 2 This strategy links strongly to the Council's Plan, Net Zero 2030 commitment and the Council's Local Plan in promoting a cleaner, greener, eco-friendly environment.
- 3 The full draft strategy is in Appendix A.

**A 10-year Tree Strategy**

## Agenda Item 6

- 4 The value of trees cannot be overemphasised. They provide numerous environmental, social, cultural and economic benefits; however, strong consideration on these benefits before any tree works is undertaken.
- 5 These benefits include:
  - Environmental
  - Social
  - Cultural
  - Economic
- 6 The importance of providing open spaces and trees to help improve mental and physical health was highlighted in 2020 with the outbreak of Covid-19 and the introduction of national lockdowns. These sites become increasingly popular as residents explored their local woods and parks.

### Trees in Sevenoaks

- 7 There is a strong cultural and historic link to trees within the district; the Council's own logo is of the seven Oak trees, and linked with the town's name, it is believed.
- 8 There is over 7,000 hectares (ha) of woodland that cover across Sevenoaks District. This equates to over 19% of the district being covered by woodland (11% ancient woodland), which is considerably higher than the overall English average.
- 9 Sevenoaks District Council has responsibility for 487ha of woodland. Approximately 287ha is common land, and 200ha is Council owned, designated as Sites of Special Scientific Interest, Ancient Woodland, Nature Reserves and Local Wildlife sites.
- 10 In an average mature woodland, you could find between 200-400+ trees per ha. This means that within woodlands that Sevenoaks District Council has responsibility for; there could be in excess of 100,000 trees.
- 11 The council also maintain the responsibility of approximately 30ha of residential housing estate grounds, 20ha of open spaces, closed churchyards, parks, and 10 ha of car parks across the district.

### Key Implications

#### Financial

In 2020/2021 the budget and spend for trees was approximately £40,000, this included maintenance, planting and removal of trees across the district.

#### Legal Implications and Risk Assessment Statement

Under the Occupiers Liability Act 1957 and 1984, as amended, the Council has a duty of care to ensure it acts as a reasonable and prudent landowner. This requires the

Council to ensure they avoid acts or omissions that could cause foreseeable risk or harm to persons or property.

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**

It is important that the Council have a published and adopted strategy for tree management as a large and responsible landowner.

**Appendices - Appendix A - Tree Strategy 2021-2031**

**Background Papers - None**

**Adrian Rowbotham**

**Deputy Chief Executive and Chief Officer - Finance & Trading**

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# Tree Strategy

2021-2031

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## *TREE STRATEGY 2021 – 2031*

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Scope of the Strategy

The aim of this tree strategy is to assist and inform residents, Council officers and Councilors of the council’s responsibilities and strategy regarding its own tree stock. This strategy is strongly linked to the **Council’s Plan, Net Zero 2030 commitment** and the **Council’s Local Plan** in promoting a *cleaner, greener, eco-friendly environment*.

Benefits of having a Tree Strategy

The value of trees cannot be overemphasised. They provide numerous environmental, social, cultural and economic benefits, which need to be strongly considered before any tree works are arranged. These benefits include:

<p style="text-align: center;"><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Reduces the urban heat island effect</li> <li>• Improves carbon sequestration</li> <li>• Trapping dust and particulate matter producing clearer air</li> <li>• Produces oxygen</li> <li>• Alleviates flooding</li> <li>• Provides vital habitat for huge range of biodiversity</li> </ul>	<p style="text-align: center;"><b>Social</b></p> <ul style="list-style-type: none"> <li>• Improves the aesthetics</li> <li>• Acts as landmarks</li> <li>• Screens unsightly views</li> <li>• Provides shade, reducing temperatures and improving comfort levels</li> <li>• Reduces stress and illnesses by providing psychological relief</li> <li>• Encourages physical recreation</li> </ul>
<p style="text-align: center;"><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Provides historical continuity</li> <li>• Contributes to the local character of an area</li> <li>• Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats</li> <li>• Contributes to the landscape character of the Areas of Outstanding Natural Beauty</li> </ul>	<p style="text-align: center;"><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Can improve property values</li> <li>• Enhance spaces, which provide attractive environments for investments</li> <li>• Reduces costs for heating and cooling systems in buildings</li> <li>• Provides business and employment opportunities in the arboriculture and wood fuel industry</li> </ul>

The importance of providing open spaces and trees to help improve mental and physical health was highlighted in 2020 with the outbreak of Covid-19 and the introduction of national lockdowns. These sites become increasingly popular as residents explored their local woods and parks. Forestry England, the country’s largest land manager, recorded an increase in 77million (or 35%) visits in 2020 compared to the previous year.

### [Queen's Green Canopy](#)

Sevenoaks District Council is calling on everyone in the district, from residents to businesses, town and parish councils, landowners, schools, voluntary and community groups to help support the Queen's Green Canopy unique tree planting initiative to mark Her Majesty's Platinum Jubilee in 2022. This is a great opportunity not only to grow trees, but also to come together as a community and contribute to reduce our impact on climate change and protect the environment in our district for generations to come.

Sevenoaks District Council has developed an action plan, which details the projects we will undertake as a Council and how we can encourage partners and communities to be involved too. At present, the Council has identified and confirmed two Council-owned sites in Sevenoaks and Swanley for tree planting. However, we will be working with partner organisations to ensure from October 2021, they 'pin' their jubilee tree on the interactive map provided at the official website; <https://queensgreencanopy.org/map-education-hub/>

### [Trees in Sevenoaks](#)

There is a strong cultural and historic link to trees within the district; the council's own logo is of the seven Oak trees, linked with the towns name.

There are over 7,000 hectares (ha) of woodland across Sevenoaks District. This equates to over 19% of the district being covered by woodland (11% ancient woodland), which is considerably higher than the overall English average. Of this Sevenoaks District Council has responsibility for 487ha of woodland.

Approximately 287ha is common land, and 200ha is council owned, designated as Sites of Special Scientific Interest, Ancient Woodland, Nature Reserves and Local Wildlife sites. In an average mature woodland, you could find between 200-400+ trees per ha. This means that within woodlands that Sevenoaks District Council has responsibility for, there could be in excess of **98,000 trees**.

The council also maintain the responsibility of approximately 30ha of residential housing estate grounds, 20ha of open spaces, closed churchyards and parks and 10 ha of car parks across the district.

Our tree management work is important because under the Occupiers Liability Act 1957 and 1984, the Council has a Duty of Care to ensure it acts as a reasonable and prudent landowner. This requires the Council to ensure they avoid acts or omissions that could cause foreseeable risk or harm to persons or property.

This is reinforced by Section 3 of the Health and Safety at Work Act 1974 and Section 3 of the Management of Health and Safety at Work Regulations 1999, which state that employers are responsible for making suitable and sufficient assessment of risks posed to their employees and persons not in their employment.

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### Council Managed sites in Sevenoaks

Site	Size	Designations	Type	Description
Farningham Woods, Farningham	78ha	SSSI, LWS, LNR, AW	Countryside Site	Part owned by Farningham Parish Council, but managed in it's entirety by the District Council's Countryside team in accordance with an approved Forestry Commission Woodland Management Plan. Predominately consists of Sweet Chestnut coppice woodland, but with areas of grassland meadow, heathland and a pond.
Shoreham Woods, Shoreham	99ha	LWS, PAWs	Countryside Site	A complex of 5 separate high canopy woodlands. Managed in accordance with an approved Forestry Commission Woodland Management Plan with the primary aim to provide opportunity for visitors to enjoy and benefit from nature, whilst at the same time maintaining, restoring and enhancing the ancient woodland for biodiversity and so the woods are sustainable and resilient for the future.
Oxenhill Woods, Kemsing	24ha	LWS	Countryside Site	Former Agricultural land that is now a mix of early successional woodland and scrub with important grassland habitats. Managed in accordance with a Woodland Management Plan. The large population of Ash ( <i>Fraxinus excelsior</i> ) trees are being managed due to Ash Dieback.
Riverside/Town Fields, Edenbridge	4ha	LWS	Countryside Site	A flood meadow along the River Eden. The meadow is allowed to grow for biodiversity with a network of footpaths mown throughout. Annual hay cut conducted at the end of the year.
Hollybush Recreation, Sevenoaks	7.4ha		Park/Recreation	Situated near Sevenoaks Town. Consists of 3 main fields used for amenity, a playground, café, tennis courts, all weather hockey pitch and indoor and outdoor bowls. A small woodland and a good population of trees throughout.
Bradbourne Lakes, Sevenoaks	3ha	Locally Listed Asset: Public Garden	Park	Located in North Sevenoaks. Historic gardens with 5 ornamental lakes and waterfalls. A large tree population with notable veteran specimens
Bartholomew Park, Swanley	0.5ha		Park	A small site in the heart of Swanley. A short footpath around an amenity area surrounded by mature trees and shrubs.

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Site	Size	Designations	Type	Description
Mill Pond, Sevenoaks	0.1ha	Locally Listed Asset.	Pond	Small pond in the north of Sevenoaks, designated a main river with a small number of individual trees.
Hosey Common, Westerham	61.61ha	Registered Common Land, part SSSI and LWS	Common Land	Owned by the Squerryes Estate and managed by the Council through the Scheme of Regulations 1925. Consist primarily of semi-natural mixed broadleaf woodland with roads dissecting the site into 5 separate woodlands.
Crockhamhill Common, Westerham	85ha	Registered Common Land and LWS	Common Land	Owned by the Squerryes Estate and managed by the Council through the Scheme of Regulations 1925. Consists of a mosaic of semi natural woodland habitats dissected in two by the B2026.
Farley Common, Westerham	5ha	Registered Common Land and part LWS	Common Land	Owned by the Squerryes Estate and managed by the Council through the Scheme of Regulations 1925. Consists of a semi natural woodland and area of acidic grassland. Bisected by the Farley Lane.
Seal Chart Common, Seal (Including St Lawrence Sand Pit)	71ha	Registered Common Land and part SSSI and AW	Common Land	Owned by the Knole Estate and managed by the Council through the Scheme of Regulations 1925. Consists of a mixed semi-natural broadleaf woodland, with areas of acidic grassland and heathland. Seal Chart is bisected by the A25 Maidstone Road.
Bitchet Common, Seal	20.53ha	Registered Common Land and SSSI	Common Land	Owned by the Knole Estate and managed by the Council through the Scheme of Regulations 1925. Consists of a mixed semi-natural woodland, with areas of heathland. It is bisected by a unnamed road.
Fawke Common, Seal	25ha	Registered Common Land and SSSI	Common Land	Owned by the Knole Estate and managed by the Council through the Scheme of Regulations 1925. Consists of a mixed semi-natural woodland. It is split into 4 woods by a number of roads.
Godden Green Common, Seal	2.5ha	Registered Common Land	Common Land	Owned by the Knole Estate and managed by the Council through the Scheme of Regulations 1925. Consists of a mixed semi-natural woodland and grassland surrounded by road and residential property.
Sevenoaks Weald Common, Weald	5.24ha	Registered Common Land	Common Land	Owned by the Knole Estate and managed by the Council through the Scheme of Regulations 1925. The village green of the Common

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Site	Size	Designations	Type	Description
				is managed by Sevenoaks Weald Parish Council. The remaining common consists of a mixed semi-natural woodland surrounded by rural roads and residential property.
St John's Dunton Green	0.4ha		Closed Churchyard	Churchyards that have been closed by Order in Council and maintenance responsibilities have been passed on to the District Council through section 215 of the Local Government Act 1972. Church building has been converted into a vets.
St Mary's Riverhead	0.6ha		Closed Churchyard	Churchyards that have been closed by Order in Council and maintenance responsibilities have been passed on to the District Council through section 215 of the Local Government Act 1972. Surrounded by residential properties and the A25.
St Mary's Woodlands	0.1ha		Closed Churchyard	Churchyards that have been closed by Order in Council and maintenance responsibilities have been passed on to the District Council through section 215 of the Local Government Act 1972. Situated in a small village between Kemsing and West Kingsdown.
<p>Playground</p> <p>The District Council own and manages 9 playgrounds across the district, which vary in size and character. All bar one has trees located close to or in the playground. Informal visual checks on the trees are part of the operational playground inspection. List of locations</p> <p>Cherry Avenue playground - Cherry Avenue, Swanley  Hilda May playground - Hilda May Avenue, Swanley  Russett Way Slide - Russett Way, Swanley  Oliver Crescent playground - Oliver Crescent, Farningham  Hollybush playground - Hollybush Recreation ground, Sevenoaks  Lower Watercress Drive playground - Watercress, Drive, Sevenoaks  Upper Watercress Drive kick wall - Watercress Drive, Sevenoaks  Park Avenue playground, Park Avenue, Edenbridge  The Pen MUGA - Field Drive, Edenbridge</p>				

\* Site of Special Scientific Interest (SSSI), Local Wildlife Site (LWS), Local Nature Reserve (LNR), Ancient Woodland (AW), Re-Planted Ancient Woodland (PAWs)

### Objectives

To provide the Council with a management tool that clearly sets out agreed priorities for the long-term management of the Council's tree stock.

### Aims

- Provide a basis to perpetuate the character of towns and other areas and provide for a continuity of the local tree-scape by establishing a tree population with a balanced age structure and diverse species mix.
- Allow the identification, quantification and evaluation of the Council's tree resource.
- Enable the preparation and execution of maintenance regimes and the prioritising and programming of a periodic maintenance or conservation works appropriate to the nature of each site. The Council's legal obligations would also be met more effectively as would resistance to claims for damage or negligence.
- Improve the service to the general public. By increasing proactive maintenance and prudent replacement, trees would cause less danger, damage and nuisance thus reducing complaints, claims for damage and emergency situations.
- Enable the true cost of maintaining the Council's tree stock in a responsible manner to be established and allow realistic annual estimates to be compiled. Initial costs could increase significantly, but in the longer term as the health and condition of the tree stock improves, subsequent maintenance costs should reduce.
- Make the general public aware of the strategy by appropriate publicity thereby projecting the Council as an environmentally responsible body. Generally encourage and educate people not only to appreciate trees but also understand the reasons and need for tree renewal.
- Establish a more positive form of tree management which would allow both Council Members and its officers to deal with representations from the public, in a firm, fair and more orderly manner.

### Review

This strategy will be monitored to gauge its success upon implementation and reviewed every 5 years to ensure it is up to date with current best practice, legislation and still in line with Council objectives.

### Tree Description

The surveying of all trees under the Council's control is being currently undertaken across the district. This is a time consuming exercise as, with the exception of woods and other semi-natural sites, each tree has to be inspected and its details recorded. Woods and semi-natural sites are recorded as an area. Information on these sites relates to trees only and do not consider grass, low scrub or water courses.

### Strategy

It is intended that this strategy will provide information and guidance, which will help the Council and its Officers to base future decisions on agreed standards and procedures. The strategy is divided into three groups. These are General, Site Specific and Tree Specific.

### General

#### Tree Contractors

The Council will employ specialist, qualified arboricultural contractors to undertake tree works. These contractors will operate within the conditions and specifications contained in the Council's Contract Standing Orders. All tree works will be completed under the general direction and supervision of a suitably positioned Council Officer and be in line with current arboriculture best practice (BS3998:2010).

#### Prioritising Tree Works

The need and reasons for tree works are many and varied. Therefore, with limited resources in finance, staff and time, together with the constraints of weather and seasonable considerations, it is necessary to prioritise tree works. The following system of prioritising works shall be used:

- **EMERGENCY AND URGENT WORKS** - these works are where there is an immediate or imminent risk of danger or damage (emergency works) or where a situation requires action within a few days to avoid more serious danger or damage occurring (urgent works).
- **PRIORITY ONE WORKS** - this priority will normally be applied to dead, dying or hazardous trees where there is a significant risk of potential danger or damage.
- **PRIORITY TWO WORKS** - this priority will be given to essential or important maintenance.
- **PRIORITY THREE WORKS** - this priority will embrace general maintenance operations.
- **PRIORITY FOUR WORKS** - these will normally be low priority and non-essential works.

#### Trees and the Law

Statutory laws dictate how the Council must manage trees that are within areas of its responsibility. These laws can be summarised as follows:

- **Occupiers Liability Act 1957 and 1984** place a Duty of Care onto all tree owners to ensure that they act as a reasonable and prudent landowner. This requires the Council to ensure they avoid acts or omissions that could cause foreseeable risk or harm to persons or property.
- **Section 3 of the Health and Safety at Work Regulations 1974 and Section 3 of the Management of Health and Safety at Work Regulations 1999**, which state that employers are responsible for ensuring risk assessments are undertaken of its tree stock.
- **The Town and Country Planning Act 1990** places a duty upon the council to assess the impact of tree loss within the district and where tree removal

is likely to have a significant impact upon local and wider landscapes trees are to be protected through Tree Preservation Orders (TPOs).

- **The Highway Act 1980** empowers the Council under its Agency Agreement with the County Council to require landowners to deal with dangerous trees threatening the safety of users of the public highway.
- **The Local Government (Miscellaneous Provisions) Act 1976** gives powers to the Council to require landowners to render safe dangerous trees threatening persons or property on adjacent land.
- **High Hedges (Anti-Social Behaviour Act 2003, Part 8)** empowers the Council to require landowners to cut and maintain high, evergreen hedges where valid complaints from neighbouring residents are received.
- **Wildlife and Countryside Act 1981 and The Countryside Rights of Way Act 2000 (CRoW)** dictates how trees should be managed to protect wildlife and habitat species.

The Council will continue to delegate its powers to the appropriate officers where implementation of the above powers is required.

### [Information and Consultation to Residents](#)

It will not always be possible to inform residents generally in advance of smaller scale tree maintenance works or indeed emergency and urgent tree work situations. The Council will, however, endeavour to inform local residents of proposed or imminent tree works where such works are likely to cause concern, disruption or inconvenience. The information will normally be disseminated by letter but additional or alternative means may be used where appropriate, e.g. by house or telephone calling or press release.

Localised community consultation will generally be undertaken where a genuine choice exists between differing non-essential proposals which will affect the local treescape. Views and preferences will be sought from residents and other interested parties consulted or informed as necessary. The results of consultation will be considered along with other factors affecting the proposed works in order to achieve, as far as practicable, the most satisfactory solution or course of action.

### [Allegations of tree related damage or injury](#)

Where it is alleged that a Council tree is implicated in damage to property, with or without an accompanying claim for compensation, the Council will investigate the allegation and, if necessary, ask the property owner or their insurer for evidence in support of their claim. Subject to the circumstances and strength of evidence, the Council/its insurers may employ its own/external expertise to assess the extent and cause of the damage and collect evidence.

The Council may decide at this point to take non-prejudicial action to reduce the risk of further damage and/or invite the property owner to substantiate any losses for consideration by the Council/ its insurers. The Council/it's insurers will refute any claim if the evidence produced fails to substantiate the allegation.

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The Council will not pay for any preliminary survey or excavation costs incurred by a potential claimant but these may be included in any final settlement if the claim is successful. Claims will be passed to the Council's insurer for assessment and settlement but subject to the deduction of any policy excess which is paid by the Council.

Claims for alleged personal injury caused by trees owned or managed by the Council are relatively uncommon. Where such claims are made, the Council will follow a similar procedure to claims for damage. Where a serious injury has occurred, the Council will act with appropriate urgency to minimise any contriving risk of danger to people.

### Limited or seasonal nuisance

The presence of trees near dwellings, especially in urban areas, can cause a limited or seasonal nuisance leading to complaints from residents. Examples include the shedding of leaves, seeds, fruit, petals and other debris, honeydew secreted by aphids, bird droppings, squirrel activity, shading of sun or daylight, obstruction of views, minor rubbing of telephone lines, interference with television and satellite entertainment and also solar panels.

The Council does not consider these nuisances to be sufficiently serious and will only prioritise these in special circumstances. Where special circumstances have been found, work to the tree will be kept to a minimum so to preserve the trees aesthetics and its associated benefits to the surrounding community.

### Privately owned trees

The Council will not generally supply detailed advice or guidance on the maintenance or management of private trees. Officers may give some general verbal guidance or supply written guidance through the planning system where trees are protected or of some public value. The Council will not undertake works to privately owned trees. In exceptional circumstances, e.g. where there is an immediate or obvious risk of danger and the tree's owner cannot be traced or is not in a position to organise tree works, the Council may use its tree contractor to rectify the situation and recover any costs from the tree owner subsequently. Alternatively, contact Kent County Council to progress should the situation involve issues to the public highway.

### Sponsored tree works

Third parties will be allowed to sponsor the costs of tree works in appropriate circumstances. Offers of sponsorship usually relate to tree planting. In relation to sponsoring a tree to be planted, the provision of plaques etc. will only be permitted at the Councils discretion on certain sites.

The Council will not normally allow third parties to organise or carry out tree works on its land. Where an exception is made, the Council will require the sponsor to employ one of the Council's own tree contractors to execute the works in accordance with the Council's contract conditions.

#### Closed circuit television (CCTV)

The increased use of CCTV for surveillance purposes has led to annual requests for pruning where tree foliage obstructs the view of cameras. It is hoped that those responsible for siting such cameras will take account of the presence of trees and their effect on camera vision to minimise problems. However, some conflict is inevitable. The Council will carry out the pruning of trees to maintain and improve the vision of CCTV cameras in liaison with the CCTV operatives. This pruning will generally aim to maintain the aesthetic appearance of the trees. Excessive pruning or tree removal shall only be considered where serious circumstances justify such action.

#### Criminal damage

Acts of criminal damage includes unauthorised attempts by third parties to fell or destroy mature trees and acts of vandalism which can result in the loss semi-mature or young trees.

Where trees are damaged or lost as a result of criminal acts, the Council's Enforcement Officers will initially investigate the situation and involve the police if necessary. Where sufficient evidence can be obtained to identify the offenders, the Council may consider civil proceedings or support any action the police deem appropriate. In deciding the costs of criminal damage, the Council will include:

- The cost of all corrective, repair and reinstatement works.
- The cost of any replacement planting.
- The estimated loss of any amenity value.

#### Fly-posting

The Council will not allow posters of any kind to be fixed to its trees. Any illegal fly posters will be removed or defaced and reported to the Council's Enforcement teams for action if required.

#### Age class and monocultures

Tree populations need to contain a range of age groups to provide a continuity of trees and perpetuate particular features or character of an area. There also needs to be a mixture of different species of trees to reduce the effect of pests and diseases. This is especially important where particular tree species or families are susceptible to serious problems in this respect.

The council will manage its trees to ensure that there is an uneven age structure, i.e. A mixture of young, semi-mature, mature and over-mature trees relevant to the nature of the site and safety considerations. Similarly, a range of tree species shall be present in any given area and monocultures avoided. This strategy above must not conflict with features such as tree avenues where uniform rows of trees of a similar age and the same species are needed for the desired effect. Different

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avenues can, however, be at different ages and species to provide the required diversity.

### Wildlife

All proposed arboricultural works will take account of their effect on the local flora and fauna. Wildlife and their habitats are protected statutorily by The Wildlife and Countryside Act 1981 amended by the Countryside Rights of Way Act 2000. This means that many tree work operations, especially where the works are undertaken at semi-natural sites and to hedgerows, would need to be undertaken during the appropriate season. There are exemptions, however, where for instance the works have health and safety implications.

All Council appointed contractors are aware of their legal responsibilities when it comes to protecting wildlife and ensure all precautions are taken to avoid harm. This is particularly important for ensuring no active bird nests are disturbed and all potential bat habitats are inspected before work commences.

The nature and extent of the works may also affect the value and quality of the habitat for wildlife. All such works shall aim at conserving and improving the habitat for wildlife wherever practicable.

### Tree pests and Diseases including Ash Dieback

Over the last few decades the UK has experienced increasing threats to tree health as increased global trade acts as a pathway for the arrival of new organisms, with impacts potentially exacerbated by climate change. This has been highlighted by the increasing number of tree disease and pathogen outbreaks, most notably Ash Die-back (*Hymenoscyphus fraxineus*), Horse Chestnut bacterial canker (*Pseudomonas syringae* pv. *aesculi*), Oak Processionary Moth (*Thaumetopoea processionea*), with its associated threat to human health; and Oriental Chestnut Gall Wasp (*Dryocosmus kuriphilus*), which impacts the growth and health of Sweet Chestnut trees and was first recorded at Farningham Woods. The cumulative impact of climate-induced stress and of any associated changes in the impact of pests on the trees is uncertain in the medium-long-term, but new pests, diseases and pathogens are appearing. It is therefore vital that the Council remains abreast of developments and is able to adapt strategically to new challenges.

Ash Die-back poses one of the biggest threats to one of our commonest trees and poses a health and safety risk when heavily infected close to human occupation. The Council will follow advice and work in partnership with the Forestry Commission and Forest Research to take the following actions:

Continuing to monitor the condition of its Ash stock in both woodlands and on housing estate lands.

Due to how the disease affects the structural integrity of the wood, action to make areas safe are accelerated and trees which might look healthy will be removed due to the underlying weakened wood.

Where Ash trees are situated away from property and human occupation, these will be left to allow for natural genetic resistance to establish and for habitat value.

Trees in woodlands - These trees are more likely to become infected as there is a higher concentration of fungal spores. Mature trees next to paths, roads and property will be prioritised for surveys and remedial action.

Parks and Open Spaces - Leaves from parks and open spaces that are collected are composted at a facility in Kent. This reduces the amount of spores available to infect the tree and can help its survival against the disease. We will inspect any trees that are suspected of being infected and review this arrangement depending on the situation on a case by case basis.

### Common Ivy

Common Ivy is an indigenous evergreen climbing plant which, in its natural environment, uses trees as a means of support to gain increased exposure to light and air. Ivy provides cover and food for wildlife and often contributes to the character of woodlands and similar habitats. It is not a parasite and healthy trees will usually tolerate and control its spread. It is generally only when an ageing tree starts to decline, i.e. its vigour decreases and its canopy thins, that Ivy may take advantage of the situation by growing into its crown and in some circumstances, engulf the whole tree and hasten its demise. This is a natural process but it is often perceived that the Ivy is responsible for strangling and killing healthy trees. General observations over the past few years support the perception of some that the presence and growth of Ivy is on the increase but as far as is known, no scientific research has been carried out to support this perception. The control of Ivy in woodlands and commons by cutting and killing would prove an expensive and probably ill-founded conservation exercise.

The Council's general policy on Ivy shall be that measures to kill or control its growth will normally only be taken where it threatens important trees, may be obscuring defects, impairing inspections, or for other reasons of safety or nuisance. Ivy will not normally be controlled at semi-natural sites.

### Trees and Development

This strategy addresses only those tree related issues which may have a bearing on the future maintenance responsibilities of the Council. These general principles are:

- All trees identified for retention on development sites shall be properly surveyed and protected in accordance with British Standard BS5837:2012:
  - Building in Relation to Construction - Recommendations.
- The Council, through its Planning Services, shall seek agreement with the developers under Section 106 Agreements to secure, where appropriate, provision for new tree planting or works to maintain or conserve important trees and other arboricultural features.

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- Where there is no alternative but to remove trees on land managed by the Council, the developer will be required to replace two trees for each one lost.
- This strategy encourages all developers to plant the right type of trees, in the right location to ensure trees have the best opportunity to thrive and survive in that habitat.

Trees are legally protected in three ways:

- Through part 8 of the Town and Country Planning Act 1990 as amended in the Town and Country Planning (Tree Preservation)(England) Regulations 2012 by making Tree Preservation Orders (TPO). These TPO's are administered by the Local Planning Authority (LPA) and prohibit tree owners from felling, topping, lopping, uprooting, willful damage, willful destruction without written consent from the LPA. Enquiries about existing TPOs or if you wish to submit a request for a new TPO, please contact [trees@sevenoaks.gov.uk](mailto:trees@sevenoaks.gov.uk)
- Where a tree is situated within a designated Conservation Area. Under section 211 of the Town and Country Planning Act 1990 any tree works within a Conservation Area require 6 weeks' written notice to be given to the LPA. If you need to enquire about trees within a Conservation Area please contact [trees@sevenoaks.gov.uk](mailto:trees@sevenoaks.gov.uk)
- Through a Forestry Felling Licence. Under the Forestry Act 1967 any felling of living trees will require a Felling Licence, unless an exemption applies. These licences are administered and enforced by the Forestry Commission. For a full list of exemptions and for help understanding about felling licences, please visit the Forestry Commission website.

### [Site Specific](#)

The Council is responsible for a range of sites each with its particular nature or character. These sites may be owned by the Council, managed under an agency agreement or after adoption or by agreement with the site owner. The following general principles will be applied to the various categories of sites where trees are present.

#### [Recreation Grounds](#)

The management of trees in parks and playing fields must take account of the character and usage of the site. While trees often make a valuable contribution to such sites, they must be in balance with other features and facilities such as flower beds, shrub borders, open grass, sports and play areas, and buildings. Over-planting with trees will be avoided.

Where space permits, trees will generally be allowed to grow naturally with minimum maintenance but some features will require periodic maintenance. Additional inspections and maintenance will be needed for trees near play areas. Provision will be made for the gradual replacement of older trees to ensure the presence of mature trees in the future.

### Housing Estates

Most trees in modern housing estates are planted informally on grass amenity areas. Older estates may have both large and small trees on highway verges with only a few trees on amenity land. The trees will generally be managed as for trees in parks including additional maintenance where they are near buildings or play areas.

### Highway Trees

The management of highway trees is the responsibility of Kent County Council. We believe that these should be maintained on safety and the provision of amenity grounds. Trees may also perform other secondary functions of varying importance including the reduction of noise and air pollution, traffic calming, physical barriers, screening, shade and shelter.

The need for highway trees to be maintained in a safe condition is very important.

### Semi-Natural Sites

The trees at semi-natural sites may range from dense woodland through more sparsely treed areas with groups or single specimen trees to open common with a few scrubby or hedgerow trees. The trees and other woody vegetation at these sites shall be managed to conserve and enhance the value of the site which can include amenity, wildlife habitat and the management of public access. Where an agreed management plan exists, maintenance works should comply with or compliment the plan's aims.

### Miscellaneous Sites

These include trees in car parks, around public buildings and at allotment sites. Trees in car parks and around public buildings need to be in a safe and healthy condition and maintained similarly to trees alongside highways or near play areas.

## Tree Specific

### Tree Inspections

The Council will undertake periodic inspections of all trees and woodlands under its control. These inspections shall be carried out between one and five year intervals subject to available resources, location, age and condition of the trees but may be shorter or longer in some circumstances. Inspection intervals will, however, inevitably depend on available resources. A record of each inspection will be kept on the Council's GIS system and Action Manager (TAM) management database including details of any action required and its works priority rating. (Also see Tree Site Zoning)

Tree inspections will consist of 3 levels:

- Level 1 - an informal, visual, walk-over survey. This is to be carried out by a member of staff or contractor with a basic understanding of trees. Due to their site knowledge and experience they will be able to notice common

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defects and abnormal growth in trees and will report their concerns to more experienced personnel.

- Level 2 - Formal inspections. A competent officer or contractor for the sole purpose of performing an inspection. These inspections will be recorded and be aided by the use of probes, nylon-faced mallet and binoculars. Resulting recommendations may include the use of a Detailed Inspection to assess the extent of decay.
- Level 3 - Detailed Inspection. Required to provide assessment of decay or tree stability by using specialised equipment e.g. Resistograph or PiCUS. This level of inspection will be reserved for high value trees within high risk areas. Due to the financial costs of instructing qualified contractors to undertake these detailed inspections, it would be disproportionate to apply these inspections to all trees due the lack of benefit in overall risk reduction.

Qualifications and training of the surveyors for the different levels are:

- Level 1 - Informal Inspections: LANTRA Basic Tree Inspection certificate.
- Level 2 - Formal Inspections: Minimum of a Level 3 in Arboriculture qualification and/or a LANTRA Basic Tree Inspection certificate.
- Level 3 - Detailed Inspection: Minimum of a Level 6/BSc/Professional Diploma in Arboriculture and a LANTRA Professional Tree Inspection (PTI) certificate. Any external contractor or consultant that makes recommendations must hold a valid Professional Indemnity Insurance

It is important that appropriately qualified individuals undertake these inspections so to reduce the risk of misidentifying a potential hazard and compromising Health and Safety and also unnecessarily condemning a tree.

### Tree Felling & Removal

Trees will only be felled where a qualified arborist has concluded one or more of the following circumstances:

- The tree is dead, dying, damaged, diseased or dangerous, and its removal is the safest or the most prudent course of action.
- The tree is causing, or there is a significant risk of it causing, unacceptable damage to the surrounding area or an adjacent structure. Substantial evidence should be supplied to support any proposed removal.
- In some circumstances trees may be felled in conjunction with a tree replacement scheme.
- As part of good woodland management, for example of a thinning exercise to improve the growth of other adjacent trees or coppicing.
- Where the tree occupies the space required for an approved structure or construction and there is no satisfactory alternative to felling.
- There may occasionally be special or exceptional circumstances that warrant the removal of a tree.

Tree stumps will normally be removed wherever practicable for safety reasons and also to control disease, prevent unwanted regrowth and to allow proper reinstatement and replanting if required. Stumps may be left in situ especially at semi-natural site where regrowth is encouraged or wood is left to decay and provide a wild life habitat.

### Tree Pruning

Trees will normally be pruned for one or more of the following reasons:

- Where part of tree is dead, dying, damaged, diseased or dangerous to rectify the defect and maintain safety.
- To remove or alleviate an unreasonable source of nuisance or potential damage to people or property.
- To remove obstructing branches or foliage for safety reasons, clear over-ground services or improve the vision of CCTV cameras.
- To encourage the formation of a safe and balanced tree.
- To prune or sever roots to remove or reduce the risk of existing or future damage. This may include entering private land, with the owner's consent, to deal with roots originating from a Council maintained tree.

### Tree Replacement – Plant 2 tree for every one removed

The two main modes of tree replacement undertaken by the Council are tree planting and natural regeneration.

Tree planting will be the prime form of replacing trees in both formal and informal tree-scapes including parks and playing fields, highway verges, churchyards, and housing estates. New tree planting may be necessary on sites which are being improved, developed or adopted by the Council. Where tree planting is being considered, factors such as the aims and purpose of the planting, timescale and scope, tree species, size and siting, and need for protection, aftercare and long-term maintenance implications must all be considered. To maintain a healthy, resilient tree stock, Sevenoaks District Council will aspire to plant 2 trees for every tree removed.

Where the nature of the planting site allows, indigenous plant species and their varieties will generally take preference over exotic species. Great Britain does, however, have a rich and diverse population of exotic species and these will often prove more suitable for specific sites especially where size, habitat and ornamental value are prime considerations.

All tree planting will conform to BS8545:2014 and be in line with 'The Right Tree for the Right Place'.

Sites where natural regeneration is deemed appropriate, such as Council owned woodland sites, will be managed to encourage such regeneration by selective felling, thinning and protection as required.

All opportunities to plant the Right Tree for the Right Location will be taken to help the Council reach its Carbon Net Zero goal of 2030 in line the Council's

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‘Making the Best Use of Green Space’ objective. Preserving the Council’s trees and planting where appropriate make an important contribution in absorbing Carbon, providing cleaner air to our residents, essential habitats for wildlife and reducing the risk of flooding.

### Risk Management

#### Tree Risk

The Health & Safety Executive (HSE) has described the general level of risk as “broadly acceptable” within the Tolerability of Risk Framework. Risks falling in this region are generally regarded as insignificant and adequately controlled. The HSE would not usually require further action to reduce risks unless reasonably practicable measures are available. The levels of risk characterising this region are comparable to those that people regard as insignificant or trivial in their daily lives.

The risk of death caused by a falling tree or part of the tree is 1 in 10million per annum and the average number of Accidents and Emergency admissions per year due to tree related incidents is 55<sup>1</sup>. To put this into contexts, there are 2.9million leisure related A&E cases per year; even wheelie bins are reported to cause more admissions (2200) to A&E.

Despite the low levels of risk, tree failures resulting in death or serious injury often make headline news. As such the public perception of risk from trees is high. The cost of defending against claims can be high and there are pressures to carry out unnecessary tree work. It is important to ensure that work is not unnecessarily undertaken which will reduce the tree related benefits and put pressure on the council’s limited budgets.

Sevenoaks District Council recognise that the risk from falling trees is low, however as a large public landowner, it has a legal and moral responsibility to visitors, residents and the general public in general to ensure that risks are ‘as low as reasonably practicable’.

#### Risk Management – Scope and Objectives

This strategy covers the management of the risk from trees only on land owned by, or under the responsibility of Sevenoaks District Council. It does not provide guidance on the management of private trees or trees under responsibility of another authority.

The objectives of a tree risk strategy must strike a balance between the level of risk, the benefits and the resources available. This tree risk strategy has the following objectives:

- To identify and control risks
- To comply with relevant legal and regulatory requirements

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<sup>1</sup> National Tree Safety Group (2011) Common Sense Risk Management for trees

- To assure the public that the trees on public land are appropriately managed

In order to ensure objectives are being met, the risk strategy should be reviewed annually. Any weaknesses should be highlighted to inform where additional resources are necessary.

Tree Site Zoning

Due to the very large tree population (circa 100,000) under the council’s responsibility and the resources available, it is unrealistic to inspect all trees on an annual basis. Therefore, Sevenoaks District Council will prioritise its resources to trees located in high risk areas.

In order to establish which trees are to be prioritised, Sevenoaks District Council landholdings will be divided into three risk zones, which reflects how the area is used and how frequently it is occupied.

The frequency of inspections is shown in the summary below. The ideal situation would be to inspect the trees with leaves on and then the leaves off in alternate surveys. This would enable the inspector to note physiological issues with the tree e.g. chlorosis or die back in the summer while allow a clear view of the structural branches and fungal fruiting bodies in the autumn/winter. Undertaking inspections every 18 months or 30 months would enable this strategy. Special attention will be paid to mature/over mature trees as these present a larger risk than younger trees. Young trees will still be looked at for opportunities to undertake formative pruning, which will the tree to grow with less potential issues.

Risk Zone	Site Characteristics	Frequency of Inspections	Level of Inspections
<b>High</b>	Frequently occupied. Within falling distance of buildings, major roads, railways, playgrounds, and car parks.	Every 18months and reactively after extreme weather events (F9 or above)	Routine Level 2 inspection.
<b>Medium</b>	Adjacent to footpaths in parks, cemeteries and woodlands. Where trees are in falling distance of gardens. Where occupation is influenced by weather (amenity open spaces away from footpaths).	Every 30 months (2.5years)	Level 1 – Informal inspection.  Level 2 – Formal inspection once every 5 years.

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Risk Zone	Site Characteristics	Frequency of Inspections	Level of Inspections
Low	Areas with restricted public access and no property of value.	Every 5 years	Level 1 – Informal inspections

These inspections will need to be recorded and retained as evidence as it is the tree owner's responsibility to provide proof should an incident accident occur. Records will be digitalised and mapped.

It is not practical to undertake a full report on all trees within a level 1 & 2 inspection. Only when there are significant defects will a full report be conducted. Groups of trees that do not have any significant defects can be grouped together with general characteristics and labelled 'G'(1).

Where remedial work is recommended, this will be recorded and given a priority setting, stating time scales to undertake the work.

### Remedial Work

Trees that have been identified with significant defects and the level of risk is not 'As Low As Reasonably Practical', it will be necessary to undertake remedial work to mitigate the risk to an acceptable level. These works will be prioritised by the level of risk; higher risk trees (storm damaged tree overhanging a playground) will be prioritised over lower risk trees (small deadwood over a garden shed).

Remedial works can include:

- Tree surgery (dead-wooding, felling, crown reductions etc.),
- Soil improvements (mulching, aeration) or by
- Restricting and moving public features away from the risk (exclusion zones, re-routing footpaths and benches etc.)

### Enquiries & Timescales

Sevenoaks District Council has finite resources for managing its trees and the legal and moral responsibility to reduce risk. It is therefore accepted that this should be the focus of budgets and officer time. In order to advise what work will be carried out and when and Traffic Light system is proposed:

Traffic Light Colour	Priority	Timescale Targets	Type of work likely to fall within this category
Red	EMERGENCY AND URGENT WORKS &	Within 24hrs – 2 week	Immediate safety concerns, e.g. windblown/storm damaged trees by a target in a high or medium risk zone. Or dying/ hazardous trees where there is a

Traffic Light Colour	Priority	Timescale Targets	Type of work likely to fall within this category
	PRIORITY ONE WORKS		<b>significant risk of danger to person or property. Major obstructions to highways.</b>
Amber	PRIORITY TWO WORKS & PRIORITY THREE WORKS	3 - 6 Months	Essential safety works such as: <ul style="list-style-type: none"> <li>• Removing standing dead trees from public areas.</li> <li>• Removing fallen trees where they present a slight obstruction.</li> <li>• Removing significant deadwood overhanging a high usage area.</li> <li>• Remedial action to mitigate fungal decay.</li> <li>• Cutting back trees/branches that are physically touching buildings, but are not a significant risk of causing damage.</li> </ul>
Green	PRIORITY FOUR WORKS	6 -12 Months (where budget allows)	Where resources allow: <ul style="list-style-type: none"> <li>• Removing less significant deadwood.</li> <li>• Cutting back branches which are slightly touching buildings but not causing damage.</li> <li>• Formative pruning</li> </ul>
Black		N/A	Unless there are special circumstances, the Council <b>will not</b> fell or prune trees solely for the following reasons: <ul style="list-style-type: none"> <li>• Branches are overhanging a boundary property</li> <li>• Blocking of Light</li> <li>• Interference with television/satellite signals</li> <li>• Blocking a view</li> <li>• To alleviate problems caused by seasonal/natural phenomena (Leaves, seeds, nuts falling/pollen levels/attracting wildlife)</li> <li>• It's too big</li> </ul>

All relevant tree enquires and action taken will be recorded on The Action Manager (TAM). This will conform to General Data Protection Regulations (GDPR).

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The council uses external contractors who have their own workload and priorities to schedule. It is the aim to complete the priorities within the parameters set but a degree of flexibility is required.

### [Failure Log](#)

A record will be kept of all tree failures, regardless of whether it resulted in damage or harm. This will help inform officers of patterns or areas that require increased expenditure/resources. It will also help establish the real risk posed by trees.

### [Emergencies and out of hours' incidents](#)

Should an emergency occur out of hours/over the weekend, please call the Council on 01732 227000 where our 'out of hours' team will log the report.

An on-call member of staff from Direct Services will be called to assess the situation and fence/tape off the immediate area to warn the public of the danger. A relevant officer will then attend site on the next working day to arrange any works.

In the very rare event that the emergency requires urgent action to avoid immediate damage to private property or threat to public safety, the Senior Countryside Ranger or Clean and Green Team Manager will be contacted to try and arrange emergency contractors to undertake any required works to remove the risk or make as safe as possible until further works can be arranged on the next working day.

**Item 7 - Farmstead Drive, Spitals Cross, Edenbridge - Development Proposal**

The attached report was considered by the People & Places Advisory Committee on 6 October 2021, and Improvement and Innovation Advisory Committee on 7 October 2021. The relevant Minute extracts were not available prior to the printing of this agenda and will follow when available.

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**FARMSTEAD DRIVE, SPITALS CROSS, EDENBRIDGE - DEVELOPMENT PROPOSAL**

Cabinet - 14 October 2021

**Report of:** Strategic Head of Property and Commercial

**Status:** For Decision

**Also considered by:**

- People & Places Advisory Committee -6 October 2021
- Improvement & Innovation Advisory Committee - 7 October 2021
- Council - 17 November 2021

**Key Decision:** No

**Executive Summary:**

The proposed development site is located on Farmstead Road within the Spitals Cross housing estate in Edenbridge. The estate was built in the 1960's, and the proposed development site is occupied by the local community hall (Fircroft Hall), the Londis convenience store and open space. The site is circa 1 acre (0.42 hectares) and the proposal is to re-provide the community hall, a convenience store, public open space and provide 33 residential units (of which 30% will be affordable) and parking.

The community buildings currently occupying the site are at the end of their economic life/require substantial refurbishment. This presents an opportunity to redevelop the Hall and its facilities and to replace the shop with modern premises, and to provide new housing, including affordable homes. The sale of the residential accommodation would provide capital receipts to pay for these improvements.

Several development options have been prepared and high level development appraisals suggest the preferred option is financial viable and feasible from a planning perspective. This report seeks approval to undertake further feasibility and design work to facilitate the submission of a planning application and to deliver the scheme subject to receiving all the necessary statutory consents.

As this is a new capital project that is not yet accounted for in the Capital Programme 2020/21, and given the estimated project budget, Council approval is required.

**This report supports the Key Aim of:** improvements to public realm and infrastructure and meeting housing targets, including much needed affordable housing. The provision of new housing, both market and affordable, is a key priority and pressure for the District.

**Portfolio Holder:** Cllr. Peter Fleming

**Contact Officers:** Detlev Munster, Ext. 7099

Adrian Rowbotham, Ext. 7153

**Recommendation to People & Places Advisory Committee and Improvement and Innovation Advisory Committee:**

That the recommendations to Cabinet below are endorsed.

**Recommendation to Cabinet:**

- (a) it be recommended to Council that the provision of £7,609,620 in the 2021/22 Capital Programme to deliver the scheme which is to be funded as noted in the Financial Implications be approved;
- (b) subject to approval of the approval of the recommendation (a) by Council, authority be delegated to the Strategic Head of Property and Commercial and the Chief Officer Finance and Trading, in consultation with the Cabinet Member for Finance & Investments to proceed with the scheme subject to final scheme viability; and
- (c) subject to approval of the approval of the recommendation (a) by Council, authority be delegated to the Strategic Head of Property and Commercial following consultation with the Chief Officer Finance and Trading and the Head of Legal Services to submit a planning application and to enter into any necessary contracts to facilitate the development and construction of the proposed scheme in accordance with the Council's Contracts Procedure Rules and for the disposal of the residential and commercial units.

**Recommendation to Council:**

That the provision of £7,609,620 in the 2021/22 Capital Programme to deliver the scheme which is to be funded as noted in the Financial Implications be approved.

**Reason for recommendation:** To provide much needed affordable housing in the district particularly in Edenbridge.

## Introduction and Background

- 1 Edenbridge is the main urban settlement in the Western part of the Sevenoaks District. Spitals Cross is located on the east side of the B2026 (Main Road/Station Road), which bisects the town. Farmstead Road is accessed via Fircroft Way which runs through the Fircroft Way industrial estate. The development proposal involves a single site which includes the current community hall (Fircroft Hall), a community shop and playground, together with associated open space.
- 2 Spitals Cross was built in the 1950s/60s by the London County Council and was transferred to the ownership of Sevenoaks District Council in 1980. In 1989, the council housing was transferred to West Kent Housing Association with Sevenoaks District Council retaining the open spaces.
- 3 Spitals Cross' built form is predominantly two storey high residential units. However, to the north of the site, there are two six storey buildings. Accordingly, there is a sharp transition between the six and two storey residential buildings. Proposals under consideration address this imbalance with building heights in between. Larger industrial and commercial buildings lie to the west.
- 4 Community facilities on the site are c.60 years old and are looking tired and dated. The buildings are reaching the end of their economic life and require substantial refurbishment/expenditure. It would be preferable to replace the buildings with modern facilities and to make better use of the site by providing new housing (including affordable), which would not only contribute to meeting local housing need/numbers but also cover the financing of the project.
- 5 The proposed development aims to:
  - re-provide the community hall;
  - meet net-zero commitments resulting in an energy efficient and modern fit-for purpose community hall;
  - re-provide the play area and provide improved amenity space;
  - provide affordable housing;
  - re-provide the convenience store;
  - enhance the urban fabric;
  - provide new parking.

## The Proposed Development Scheme

- 6 Several design options were considered for the site and the preferred option (detailed in appendix A) proposes:
  - 33 residential units with 11 affordable housing units (33%)
  - 11 x 1-bed units (5 affordable)
  - 17 x 2-bed units (4)
  - 5 x 3-bed units (2)

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- Community Hall, Convenience Store, new Car parking spaces, Playground, trees, Private gardens, Soft landscaping and Hard landscaping
- 7 This option positions the community hall and store on axis to the towers to the north to address and face the undefined green buffer. The orientation allows for the community hall and store to face and dynamically connect multiple pathways and greenspaces. A new playground is provided adjacent to new family dwellings to allow children to access play-space without crossing roads and enabling passive parental and community supervision. While the scheme's layout is noted in appendix A, it may change slightly to reflect additional planning comments and viability issues that may arise from detailed design planning.
  - 8 The options appraisal suggests that the preferred option is viable from a planning and financial perspective, but further detailed analysis is required to refine the preferred option.
  - 9 Consequently, the next stage will involve the preparation of detailed designs for the site (to RIBA Stage 3) as this level of information is required to not only obtain a planning consent, but also to clarify viability and de-risk the project but to enhance confidence in deliverability.
  - 10 The next stage will undergo a further detailed investment appraisal to determine viability, and will only proceed if it meets the scheme's aims and is within the financial parameters set.
  - 11 Recognising the importance of the community hall for local residents, arrangements will be made to provide residents with a temporary community hall during the demolition and construction phases.

### Public Consultation

- 12 To is proposed that the local community and interested parties will be consulted as part of the detailed design process with two key stages:
  - To outline the proposed option and obtain preliminary feedback to inform further design work;
  - To outline the proposed detailed design and to refine the scheme where appropriate.
- 13 Following the pre-planning consultation, further consultation will take place as part of the statutory planning process.

### Procurement

- 14 Subject to scheme viability and obtaining the necessary statutory consents, it is envisaged that the scheme will need to be publically procured in accordance with the Public Contracts Regulations 2015.

- 15 The scheme will likely be procured using two or possibly a single stage Design & Build procurement route with a selection questionnaire and JCT Design and Build 2016 standard form of contract.
- 16 The demolition of the community buildings may be under a separate contract

**Delivery Programme**

- 17 The project’s indicative delivery programme, assuming planning consent is granted, is outlined in the table below, and is subject to change:

Stage	Date	
Corporate Programme Board	July 2021	Completed.
People & Places Advisory Committee	5 <sup>th</sup> October 2021	
Improvement & Innovation Advisory Committee	7 <sup>th</sup> October 2021	
Cabinet	14 <sup>th</sup> October 2021	
Full Council	17 <sup>th</sup> November	
Planning Submission	April 2022	
Contractor Specification and ITT issued	May 2022	
Planning Determination	August 2022	
Contractor Appointment/award	October 2022	
Start on site	January 2023	
Practical completion	April 2024	

**Project Costs and Funding**

- 18 An external cost consultant (Playle & Partners) was appointed to advise on the scheme’s costs. The total estimated development cost is expected to be circa £6.3m and the total project cost is £7,609,620. The table below provides a high-level outline of the projects costs.

Elemental Items	Amount
Total Building works including demolitions, abnormals, preliminaries	£4,753,000
Project/Design Team fees	£628,000
Risk & Inflation Allowance	To£1,420,000
Legal & Marketing Fees	£218,044
Financing Fees	£187,942
CIL/S.106	£302,634
Other costs	£100,000

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<b>Total</b>	<b>£7,609,620</b>
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- 19 An external property consultant (Pathfinder Development Consultants) was commissioned to determine the schemes viability and advise on residential sales. Pathfinder DC suggests that the scheme has a GDV of c.£9.315m which yields a residual land value of c. £658k. This land value correlates well with Strutt & Parkers suggested benchmark land value of circa £787k bearing in mind the need to replace the community uses on the site. The scheme delivers 30% affordable housing and the financial model assumes a profit margin of 6% on the affordable housing and a profit margin of 12% on market sales. Profit is estimated at c. £1.05m. It is also important to note that the Risk and Inflation allowance includes a robust contingency of £1.42m.
- 20 The capital requirement to cover construction and other development costs is to be funded from external borrowing before capital receipts from the sale of houses to recoup development funding.

### Project Governance

- 21 A Project Team has been set up within the Council and is being supported by external consultants. In particular, the Council has appointed a specialist cost consultancy firm to act as Employers Agent and QS.
- 22 The Project Team will be adapting PRINCE2 methodologies to manage the project.
- 23 The Project Team will be reporting to the Corporate Programme Board (CPB), which will have oversight of the project. Monitoring reports (including highlight reports/exception reports, budget monitors and the risk register) will be submitted monthly to the CPB. The CPB consists of senior officers within the Council and is chaired by the Chief Executive.

### Other Options Considered

- 24 Do nothing. This option requires the Council to undertake significant refurbishment works to the community hall. A condition Survey was undertaken to establish the nature of the works required and these are estimated at between £40k and £50k. However, this will not result in significant improvements to the building and further works would need to be undertaken to improve the environmental performance of the building and meet the Council's net-zero carbon aspirations. Additionally, landlord improvements would need to be undertaken to the retail unit and these have not been costed. The nature of the TRA's tenancy will mean that should refurbishment works be undertaken, these costs will not be recuperated and hence cannot be funded. The do nothing option also does not release land for much needed affordable housing. Most notably, the District's Strategic Housing Assessment (2017) suggests that this part of the District requires 78 homes a year. A better result will be achieved by

replacing the buildings with modern facilities, to provide some modern housing and to improve the landscaping.

- 25 Alternative design options were considered by our external consultant (LSI Architects) and the preferred option is considered to sit sensitively with the existing estates built context and preliminary views of the Planning Authority were obtained. Additionally, cost plans and feasibility assessments were prepared for the respective options, and the preferred option is considered to optimise site benefits and financial returns for the Council together with 30% affordable housing.
- 26 An alternative option would be to dispose of the site with planning permission. This option has been ruled out as affordable housing together with the re-provision of a community hall, convenience store and environmental improvements would not materialise as a private developer would seek to maximise profits. SDC is able to assess/consider community value not just financial viability.

**Risk Assessment**

- 27 A table outlining the key risks relating to this project are outlined in Appendix B.

**Financial Implications**

- 28 The scheme is intended to be funded (ultimately) from capital receipts from the sale of residential units in the scheme.
- 29 The Table below provides a summary of estimated scheme funding, based on feasibility work to date.

Scheme Funding (Est.)	2021/22	2022/23	2023/24	2024/25	Total
	£	£	£	£	£
Expenditure	706,914	2,169,623	4,349,432	383,651	7,609,620
<b>Funding:</b>					
External borrowing	(706,914)	(2,169,623)	(4,349,432)	(383,651)	(7,609,620)
Capital Receipts from sale of residential units				9,315,000	9,315,000
Net scheme (surplus)/cost					1,705,380

- 30 23 residential units will be disposed of in the open market and according to the Council’s property consultant, they are expected to generate a sales receipt of £8.143m. The Affordable housing units are expected to generate

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£1.172m and are discounted to reflect development cost and are in line with current market practice for affordable housing.

- 31 Until the receipts from the sales of the residential units are received, short-term external borrowing will be used to fund the scheme. The potential financing costs are shown within the table in section 18.
- 32 The new retail unit will be retained by the Council and will be let on market terms. The Community Hall will be leased to reflect community benefit, but also to ensure future on-going liabilities are recuperated.
- 33 Consideration will need to be given to the VAT implications of the project. Dependant on the use of some of the elements of the project it may require specific VAT treatment. Further VAT advice will be sought.

### Legal Implications

- 34 The Council has freehold title of the site.
- 35 The land is currently occupied by a commercial tenant in the retail premises and a Resident's Association at the community hall. These would each need to be terminated in accordance with the respective procedures prior to any redevelopment. New leases will need to be entered into prior to occupation within the new development.
- 36 The residential units are to be disposed of with 125 year leases on the open market and affordable units sold to a registered provider. As a result, the Council will need to establish a management company to hold the freehold and to manage the communal areas. The scheme will need to be registered with Homes England to qualify for "Help to Buy" which will be essential in this location. Changes to "Help to Buy" mean that it only applies to first time buyers and is due to expire completely in 2023, this may have implications for sales/timing of sales.
- 37 The Council will need to apply for planning consent and obtain all other necessary statutory approvals (e.g. building control approval) and these are known to the Project Team.
- 38 Due diligence assessments have identified that it would be suitable to appropriate the site for Planning purposes including to ensure proper planning. The Council is authorised to appropriate land that it owns under Section 122 of the Local Government Act where no longer required for the purpose for which it was previously held. The Council may not appropriate any land which consists of open space land unless it has published its intention in a local newspaper for at least two consecutive weeks and given due consideration to any responses received. It is intended that, if the development is approved, an appropriation would take place at a later stage.

- 39 The procurement of a design and build contractor, will need to be procured in accordance with the Public Contract Regulations 2015 thresholds, and will need to comply with the Council's Contract Procedure Rules. Legal advice will need to be sought in ensuring the final form of contract is appropriate and provides the Council with the necessary contractual safeguards.
- 40 There are no State Aid implications associated with the proposed scheme.

### **Equality Assessment**

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. A positive impact on end users is, however, anticipated. In particular, it is worth noting that appropriate "equalities requirements" will be specified in the various contracts to be entered into for the demolition and construction of the scheme. In addition, the scheme is designed to promote an inclusive environment.

### **Sustainability**

A sustainability checklist has been completed and a positive impact is anticipated. Please elaborate on net carbon design etc. and also densifying existing settlements.

### **Conclusion**

This dynamic scheme provides new community buildings and homes (including affordable homes) at Spitals Cross which has not seen investment since its inception 60 years ago. It presents a unique regeneration opportunity for Edenbridge that will set a new design and sustainability benchmark for future growth.

### **Appendices**

Appendix A - Appraisal Plans and Layouts  
Appendix B - Cost plan and appraisal  
Appendix C - Outline Risk Assessment

### **Background Papers**

- LSI (June 2021): Farmstead Drive Options Appraisal

The following background documents are exempt from publication. The applicable reason for this redaction is paragraph 3 of Schedule 12A of the Local Government Act 1972: Information relating to the financial or business affairs of any particular person (including the authority holding that information). This is because it could prejudice the returns of a commercial tender that the Council will be undertaking and provides commercially sensitive information.

## Agenda Item 7

- Playle & Partners (July 2021): Farmstead Drive Options and Feasibility Study Cost Plan
- Pathfinders Development Consultant (July 2021): Farmstead Drive Viability Appraisal
- SDC Legal Services (Mat 2021): Report on Title.

**Detlev Munster, Strategic Head of Property & Commercial**

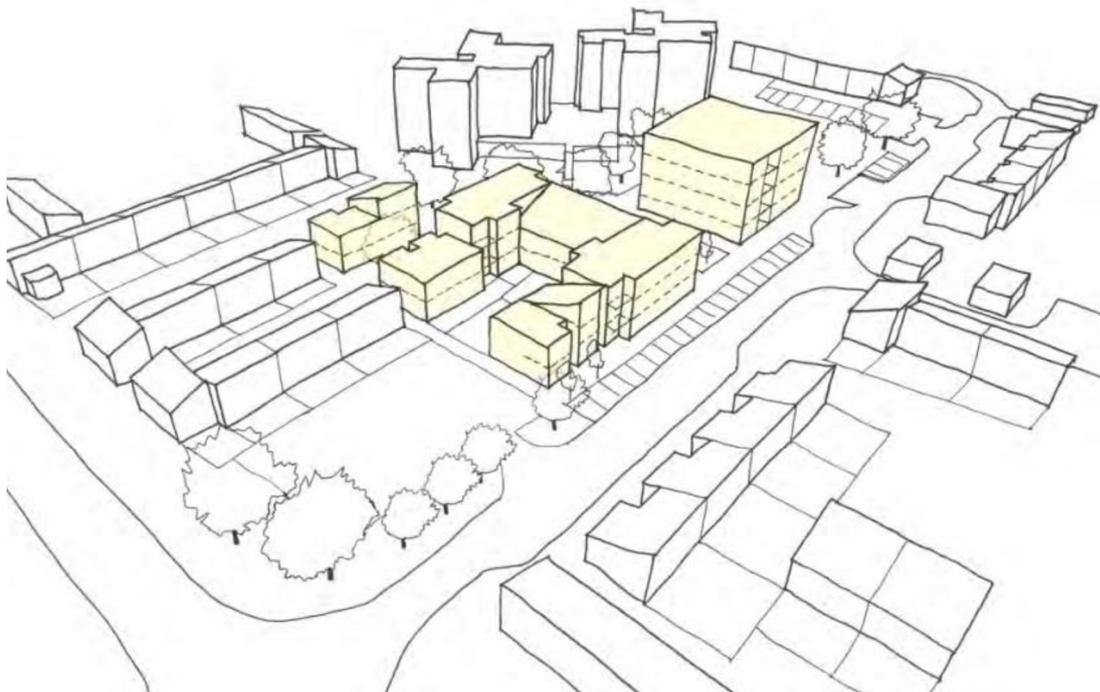
**Appendix A: Appraisal Plans and Layouts**

No. OF UNITS TOTAL: 30  
DENSITY ACROSS SITE A & B: 67 UNITS/ Ha.

Site A - West Kent Housing association  
Site B - Sevenoaks District Council  
Affordable Housing



INDICATIVE MASSING



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**APPENDIX B –Abridged Development Appraisal**

<b>Project Budget</b>		
<b>Elemental Items</b>		<b>Amount</b>
<b>Works</b>		
Building, Demolition and site works	4,100,000	
Contractors Prelims	492,000	
Contractors Overhead & Profit	161,000	
		<u>4,753,000</u>
<b>Project Design Fees</b>		
Consultants	380,000	
Main contractor designs	190,000	
Planning Allowance	21,000	
Building Control Allowance	12,000	
Site Investigation	25,000	
Client fees (PM, Comms, Other)	100,000	
		<u>728,000</u>
<b>Risk and Inflation Allowances</b>		
Design development	215,000	
Construction risk	215,000	
Contingencies	500,000	
Inflation	490,000	
		<u>1,420,000</u>
<b>Legal and Marketing</b>		
Marketing & Sales Costs (£500 legals per property	5,500	
Marketing & Sales Costs (£900 legals plus 2% GDV	183,557	
Site Acquisition Costs (SDLT, Agents Fees & Legal	28,988	
		<u>218,044</u>
<b>Finance Cost and Fees (6.5%)</b>		
	187,942	
		<u>187,942</u>
<b>CIL</b>		
	302,634	
		<u>302,634</u>
<b>Profit and Overhead</b>		
Overheads & Profit (say 6% on GDV for affordable	70,355	
Overheads & Profit (say 12% on GDV for private u	977,139	
		<u>1,047,494</u>
<b>TOTAL COST</b>		<u><b>8,657,114</b></u>

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**Item 8 - Stangrove Estate Regeneration Project**

The attached report was considered by the People & Places Advisory Committee on 6 October 2021, and Improvement and Innovation Advisory Committee on 7 October 2021. The relevant Minute extracts were not available prior to the printing of this agenda and will follow when available.

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**STANGROVE ESTATE REGENERATION PROJECT**

**Cabinet - 14 October 2021**

**Report of:** Strategic Head of Property and Commercial

**Status:** For Decision

**Also considered by:**

- Improvement & Innovation Advisory Committee - 6 October 2021
- People & Places Advisory Committee - 7 October 2021
- Cabinet - 14 October 2021
- Council - 17 November 2021

**Key Decision:** No

**Executive Summary:** The Council has identified the opportunity to deliver 13 new homes within the Stangrove Estate in Edenbridge. According to the 2016 Household Survey this part of the district has a requirement of 78 new homes per year. The Stangrove estate has several parcels of land which are poorly used, and by developing these sites, the Council will not only contribute to its housing targets, but will also significantly improve the Estate's public realm by providing additional car parking spaces and landscaping improvements to the public open spaces. A new community shop will also be provided in response to the local community's wishes.

Design and feasibility work and other due diligence studies have been undertaken and a planning application for the development was submitted in August 2021. Subject to planning consent being obtained and funding being finalised, it is envisaged that the new scheme will be delivered by Summer 2023. This report seeks Council approval for this new capital project to proceed and for provision to be made within the Capital Programme.

**This report supports the Key Aim of:** improvements to public realm and infrastructure and meeting housing targets, including much needed affordable housing. The provision of new housing, both market and affordable, is a key priority and pressure for the District.

**Portfolio Holder:** Cllr. Peter Fleming

**Contact Officers:** Detlev Munster, Ext. 7099; Adrian Rowbotham, Ext. 7153

**Recommendation to People & Places Advisory Committee and Improvement and Innovation Advisory Committee:**

That the recommendations to Cabinet below are endorsed.

**Recommendation to Cabinet:**

That

- (a) it be recommended to Council that the capital funding of the scheme as outlined at paragraph 15 (Project Costs & Funding) be agreed and it be noted that the scheme will only progress subject to the funding gap being eliminated and planning permission being obtained;
- (b) it be recommended to Council that, subject to approval of the approval of the recommendation (a), the development scheme for 7 sites within Stangrove Park, Edenbridge to provide 7 off-street, communal car parks, a new community shop, improvements to landscaping and 13 residential units at an estimated total project cost of £4,312,743, as set out in Table 1 be agreed; and
- (c) subject to approval of the approval of the recommendation (a) by Council, authority be delegated to the Strategic Head of Property and Commercial, following consultation with the Head of Legal Services and the Chief Officer Finance and Trading, to enter into necessary contracts for the funding of the scheme and the disposal of the residential and commercial units.

**Recommendation to Council that:**

- a) the capital funding of the scheme as outlined at paragraph 15 (Project Costs & Funding) be agreed and it be noted that the scheme will only progress subject to the funding gap being eliminated.
- b) the development scheme for 7 sites within Stangrove Park, Edenbridge to provide 7 off-street, communal car parks, a new community shop, improvements to landscaping and 13 residential units at an estimated total project cost of £4,312,743, as set out in Table 1 be agreed.

**Reason for recommendation:** To progress the scheme providing new infrastructure, public space improvements and new dwellings in Edenbridge.

## Introduction and Background

1. Edenbridge is the main urban settlement in the Western part of the Sevenoaks District. The Stangrove Estate is located on the West side of Edenbridge to the south of the railway line. It is accessed via Crouch House Road. Stanbridge Road and Pine Grove lead into the estate to Cedar Drive, Park View Close and Park Avenue. The estate is characterised by blocks of predominantly two storey terraced houses, which are interspersed with grassed open spaces.
2. The Stangrove Estate was built in the 1960's by the London County Council and was transferred to the ownership of Sevenoaks District Council in 1980. In 1989, the Council's housing stock was transferred to West Kent Housing Association with Sevenoaks District Council retaining the majority of the open spaces.
3. The estate has changed very little since inception when houses were built without dedicated parking spaces, at a time when car use was less prevalent. Cars are parked on estate roads giving an overall impression of congestion and residents and visitors have encroached onto open spaces to park their vehicles. This has significantly resulted in the deterioration of open spaces and reduced open spaces for resident enjoyment and impacted negatively on the area's biodiversity.
4. The development proposal involves six open spaces and the site of the estate's convenience store. Three of the seven sites are being developed for housing, and the remainder will have public realm improvements.
5. The lease for the existing convenience store expired in 01 November 2015 and the tenant has been holding over. New terms are currently being negotiated and consideration is being given to the provision of temporary store facilities while the existing store is being demolished and the new store is constructed.
6. Public consultation was undertaken in January 2018 with local residents and key stakeholders. In addition, the local town council was consulted and the Council's Community Consultation Officer at the time, liaised with local residents. Further discussions were held with the Chair of the Local Residents association in 2020.
7. Local residents expressed concern with the development of additional housing citing limited parking, increased traffic and loss of open space. Other issues raised included the need to re-provide a local convenience store, and potential overlooking and loss of privacy. Resident concerns were taken into account and designs were amended accordingly, including the reduction in the number of residential units, the provision of surplus parking and improvements to the open spaces.

## Update on Progress of the Development Scheme

## Agenda Item 8

8. The proposed scheme is designed to RIBA stage 3 and submitted to planning control in August (see Appendix A). The scheme comprises:
  - 7 community car parks, to provide 79 car parking bays (a further 23 private bays to be provided with the new dwellings).
  - A mixed use property with a total floor area of 183m<sup>2</sup>. Comprising community shop at ground floor (83m<sup>2</sup>) and 2 x 1 bed flats at first floor level. Green areas around the shop will be improved and cycle racks introduced. Separate access and outside amenity space to be provided for the flats, with separate servicing for the new shop.
  - 11 x 2/3 bed houses and associated landscape improvements on 2 sites (Park View Close and Cedar Drive). Park View close houses to be arranged as two terraces of 3 houses and at Cedar Drive three pairs of semi-detached houses.
9. The scheme is designed to national space standards, and the unit typologies reflect local need as per the Council's Strategic Housing Needs Study (2017).
10. It is proposed that the Council will retain the freehold of the car parking sites and the shop and the houses will be sold on the open market to generate capital receipts to cover the construction costs of the entire scheme. Some gap funding is likely to be necessary given the extent of the enabling infrastructure to be delivered at no charge.

### Procurement

11. The project quantity surveyor will report to officers on the options for procurement. Programme may need to be accelerated to meet Government funding timetables. A single stage Design & Build procurement route with a pre-qualification questionnaire may be the most favourable route. The JCT Design and Build 2016 standard form of contract is likely to be proposed. As the estimated construction works contract value is below the Public Contracts Regulations 2015 threshold, it will not fall within the requirements of PCR2015 tendering procedures. However, a competitive tendering exercise will be undertaken in accordance with the Council's Standing Orders.
12. Given the size of the contract the Council wishes to engage with local SME firms and will seek to engage with local market suppliers and advertise the opportunity accordingly.
13. The demolition of the shop may be under a separate contract with temporary shop provided, subject to detailed design and third party advice on procurement.

### Delivery Programme

14. The project's indicative delivery programme assuming planning is granted is outlined in the table below, and is subject to change:

Stage	Date	
Corporate Programme Board	July 2021	Completed.
Planning Application	August 2021	Submitted.
Submit business case to Homes England	September 2021	
People & Places Advisory Committee	5 <sup>th</sup> October 2021	
Improvement & Innovation Advisory Committee	7 <sup>th</sup> October 2021	
Cabinet	14 <sup>th</sup> October 2021	
Full Council	17 <sup>th</sup> November	
Planning Committee	November 2021	
Contractor Specification and procurement	November 2021	
Contractor Appointment/award	January 2022	
Start on site	March 2022	
House Sales/development completed	Summer 2023	

### Project Costs and Funding

15. External consultants were commissioned to advise on the scheme's cost plan, deliverability and market value. The table below provides a high-level outline of the projects costs.

Cost Element	Amount
Construction & demolition	£3,442,414
Professional & other fees	£454,450
CIL Fee	£103,875
Legal & financing fees	£95,000
Client contingency & inflation allowance	£217,004
<b>Total</b>	<b>£4,312,743</b>

16. The scheme has an estimated GDV of £4.09m which will be realised through the sale of the residential units. Our appraisals suggest that the project is not viable in market terms due to a deficit of circa £300k. The deficit is caused by the cost of infrastructure improvements and enabling works which are a net cost to the scheme. These costs cannot be eliminated as the enabling works are essential and it is believed that without these enabling works a planning consent is highly unlikely.
17. Grant funding is therefore required to ensure the scheme breaks even and discussions are ongoing with Homes England and MHCLG.
18. The majority of the capital requirement (c£4.1m) is to be funded from a mix of internal sources before capital receipts from the sale of houses are realised to recoup construction funding.

### Project Governance

## Agenda Item 8

19. A Project Team has been set up within the Council and is being supported by external consultants. In particular, the Council has appointed a specialist cost consultancy firm to act as Employers Agent and QS.
20. The Project Team will be adapting PRINCE2 methodologies to manage the project.
21. The Project Team will be reporting to the Corporate Programme Board (CPB), which will have oversight of the project. Monitoring reports (including highlight reports/exception reports, budget monitors and the risk register) will be submitted monthly to the CPB. The CPB consists of senior officers within the Council and is chaired by the Chief Executive.

### Key Implications

#### Other Options Considered and Rejected

22. Do nothing. The Council will not be able to contribute to the delivery of much needed affordable housing in the district and local area. There is a need for more housing in the district generally and at a lower price point compared to Sevenoaks Town, where prices are high not just locally but nationally. Additionally, there are too many cars parked on the Estate's roads with unapproved informal parking on open spaces. This has led to a deterioration of amenity, loss of biodiversity and play space, and an increase in maintenance costs and liabilities. Current congestion on the roads is also compromising access for service and emergency vehicles. Provision of formal parking which is spread throughout the estate, whilst retaining open spaces between the houses is long overdue. The shop is at the end of its economic life and needs to be replaced with a modern facility with a shopfront.
23. An alternative option would be to dispose of the site with planning permission. This option has been ruled out as the planning permission is only implementable with grant and the infrastructure improvements are only likely to be provided by the public sector able to assess/consider community value.
24. Consideration was given to increasing housing densities to increase value and reduce the deficit. Residents expressed resistance to any more additional housing units and discussions with the Planning Authority and the Highways Authority suggested that this would probably not be supported. Our assessments also suggested that an increase in density would also negate any net benefits created through the additional parking spaces created and would lead to further congestion in the area. It would also result in other planning issues, such as overlooking and reduction in open space, which were not considered acceptable.

Financial Implications

25. The scheme is intended to be funded from reserves/debt to be repaid by a combination of capital receipts from the sale of residential units in the scheme and grant.

26. The Table below provides a summary of the scheme funding.

Scheme Funding				
	2021/22	2022/23	2023/24	Total
	£000	£000	£000	£000
Revenue (sale of houses)			3,590	3,590
Retained Assets (shop & 2 x flats)			420	420
Total Revenue/Assets				4,010
Expenditure	(300)	(3,700)	(312)	(4,312)
Funded by:				
OPE Grant/Homes England	300			300
External borrowing		3,700	312	4,012
Total Funding				4,312

27. The 11 residential units will be disposed of in the open market and according to local estate agents, they are estimated to generate a sales receipt of £4,010,000 based on 2020 values. House prices may well be higher when the homes reach the market in 2023. To reduce the project’s cash-flow impact on the Council, off-plan sales will be sought.

28. The shop unit will be retained by SDC under a long lease and the two residential units above will be disposed of to Quercus Housing, the Council’s Housing Company. This will allow the Council to indirectly create and retain two much needed affordable housing units.

29. The funding for this scheme will need to come from external borrowing as cash projections show that there will not be sufficient resource available to fund this internally. The external borrowing will be repaid using the capital receipts from the sale of the houses and therefore short-term borrowing is the cheapest option available. Based on the current borrowing rates (21/09/21) the total cost of borrowing would be £24,000 over 2 years.

30. Gap funding has been applied for and discussions are on-going with Homes England and the One Public Estate Programme.

**Legal Implications and Risk Assessment Statement**

## Agenda Item 8

31. The Council has freehold title of the sites. Appropriate arrangements for the convenience store tenant will need to be made and notices will need to be issued.
32. A planning application has been submitted (21/02825/FUL). The Council will need to obtain further statutory approvals (e.g. building control approval) and these are known to the Project Team. The Council will also need to apply for a footpath diversion, and an application is currently being made.
33. The procurement of a design and build contractor, while below the Public Contract Regulations 2015 thresholds, will need to comply with the Council's Contract Procedure Rules. Legal advice will need to be sought in ensuring the final form of contract is appropriate and provides the Council with the necessary contractual safeguards.
34. The Council will need to comply with the conditions associated with any grants received. The Council is aware of the generality of HE and OPE grant conditions.
35. There are no State Aid implications associated with the proposed scheme.
36. Due diligence assessments have identified that it would be suitable to appropriate the site for Planning purposes including to ensure proper planning. The Council is authorised to appropriate land that it owns under Section 122 of the Local Government Act where no longer required for the purpose for which it was previously held. The Council may not appropriate any land which consists of open space land unless it has published its intention in a local newspaper for at least two consecutive weeks and given due consideration to any responses received. It is intended that, if the development is approved, an appropriation would take place at a later stage.

### Risk Assessment

37. A table outlining the key risks relating to this project are outlined in Appendix B.

### **Equality Assessment**

38. The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. A positive impact on end users is, however, anticipated. In particular, it is worth noting that appropriate "equalities requirements" will be specified in the various contracts to be entered into for the demolition and construction of the scheme. In addition, the scheme is designed to promote an inclusive environment, especially for users of the shop, formal car parks and landscaped areas.

## Sustainability

39. A sustainability checklist will be completed and a positive impact is anticipated. It is worth noting that the proposed landscaping plans will have a positive impact on biodiversity and by providing formal parking areas, amenity space can be safeguarded.

## Conclusion

40. The project will result in the optimisation of Council land for much needed affordable housing and environmental improvements. Stangrove Park has seen very little investment since its inception 60-70 years ago. This scheme brings substantial improvements in the form of communal parking areas within existing green areas, improvements to landscaping, a new community shop and new housing.

### Appendices

Appendix A - Plans and Visuals

Appendix B - Outline Risk Assessment

### Background Papers

- [Cabinet Report 3 December 2015](#)
- Cabinet Report 06 August 2020
- Project Sustainability Checklist
- [Sevenoaks District Council \(2019\): Emerging Local Plan](#) (as submitted with evidence base to Planning Inspectorate)
- [Planning Permission 19/03543/FUL](#)

The following background documents are exempt from publication. The applicable reason for this redaction is paragraph 3 of Schedule 12A of the Local Government Act 1972: Information relating to the financial or business affairs of any particular person (including the authority holding that information). This is because it could prejudice the returns of a commercial tender that the Council will be undertaking and provides commercially sensitive information.

- Savills (August 2021): Viability Assessment
- Development Appraisal July 2021
- Greenwood Projects (2021): Cost Plan May 2021
- Greenwood Projects (2021): Cost Plan July 2021
- Project Risk Register

Detlev Munster

Strategic Head of Property & Commercial

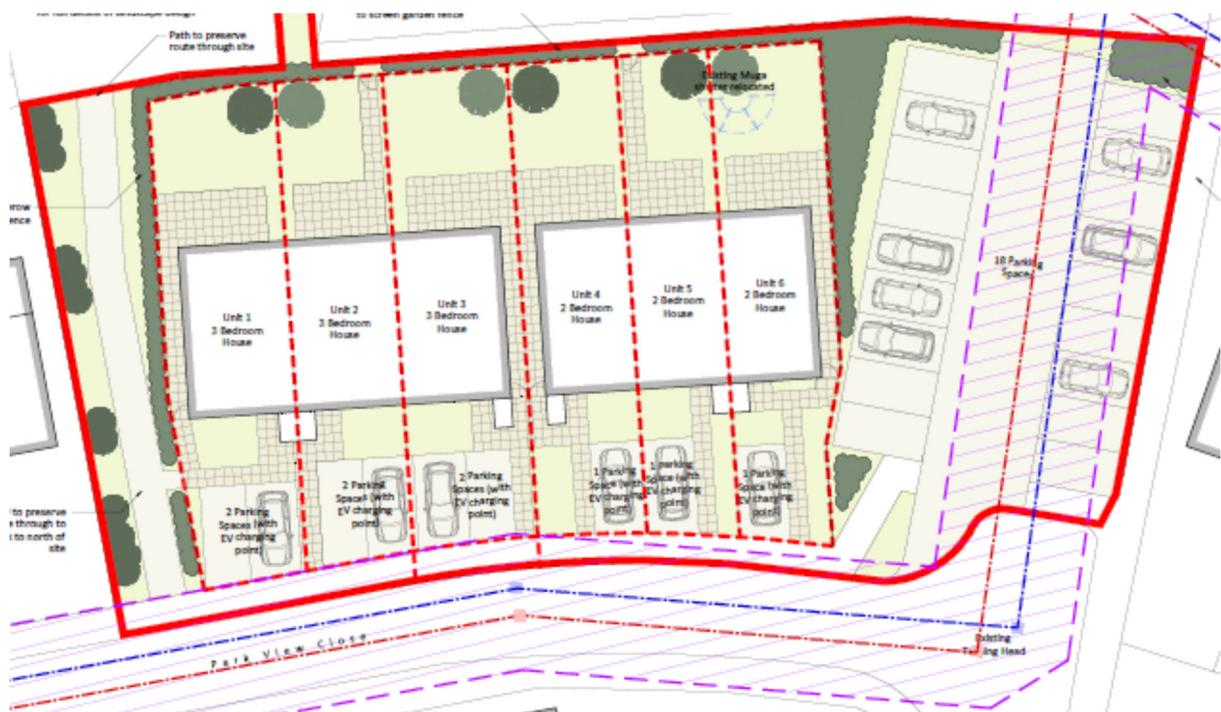
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**Appendix A - Proposed Plans and Visuals**

7 Sites – 2 x housing sites with communal car parks, 4 communal car parks and a new community shop with two flats at first floor and car parking.



**Residential & Parking Proposal (Site 6)**

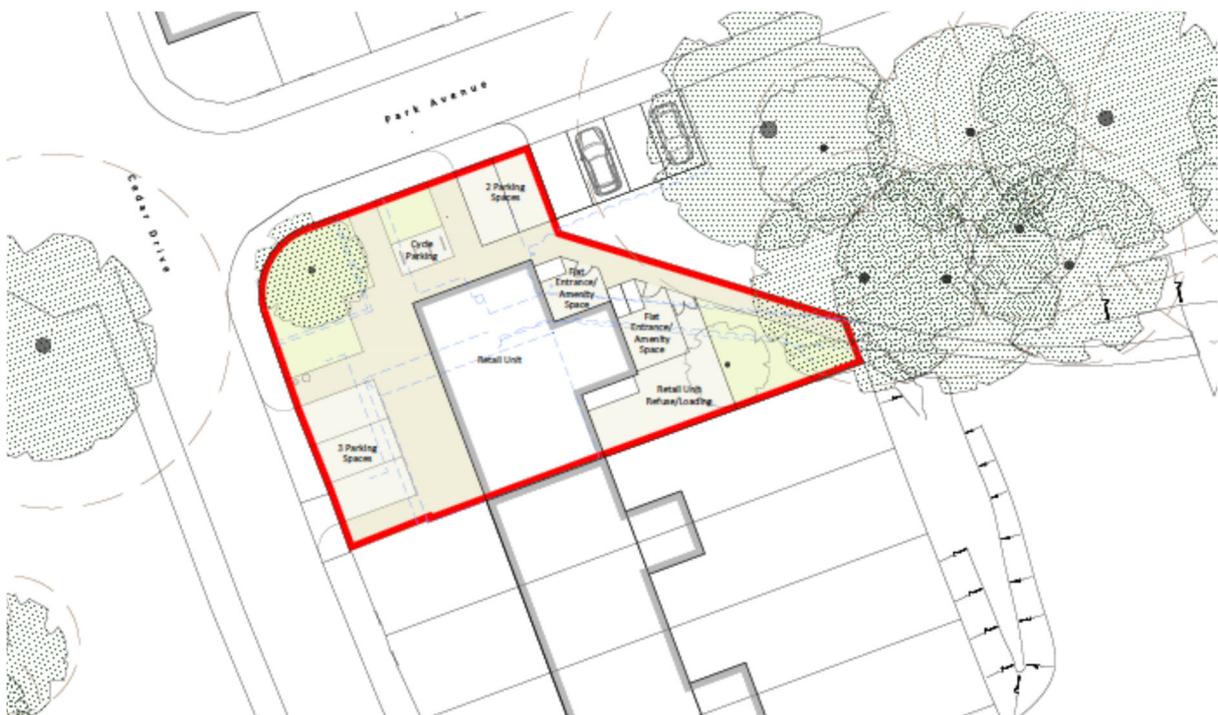


# Agenda Item 8

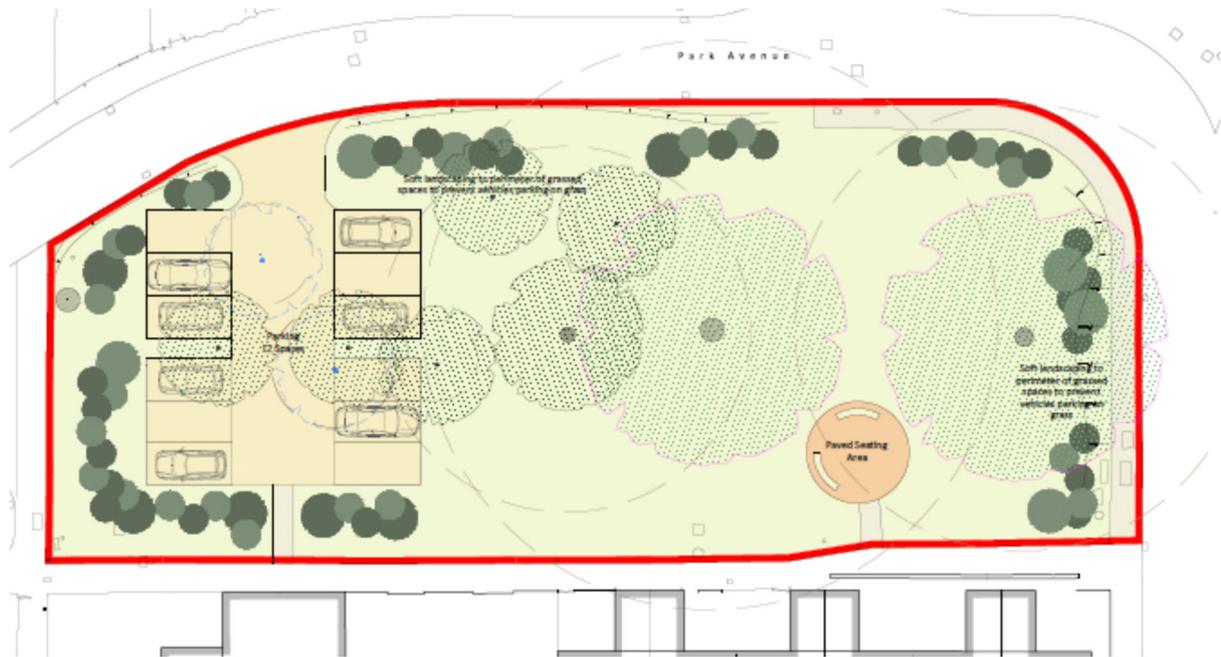
## Site 10 - Cedar Drive



Community shop & new parking



Typical Parking Area



Landscape Masterplan



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**Appendix B - Outline Risk Assessment**

The table below summarises the projects risk register and outlines the key project risks considered relevant for this report.

TYPE	DESCRIPTION	MITIGATION
Finance	Grant funding is not approved.	Early engagement with MHCLG/OPE and Homes England. Decision expected in November 2021. If grant funding is not available, Council may need to consider using Council capital to provide a further subsidy to the scheme or seek S106 and CIL contributions.
Finance	Capital receipts from the sale of the residential units are not achieved.	Residential units are appropriately designed and to be finished for the target market. Intention is to also commence marketing of units as soon as possible to receive achieve off-plan sales. This will allow us to gauge and track market interest. In unlikely event that sales are not achieved, Council will consider issuing AST (place on market for rent) through an appropriate vehicle and delay capital receipts.  Estimated capital receipts have also been baselined to 2020 prices. Hence the development appraisal has not indexed capital receipts which market data suggest is in excess of 5% p.a.
Finance	Change in interest rates resulting in a higher cost of capital	Interest rates are at an all-time low and market swap rates suggest that favourable terms can still be locked in.
Planning	Planning consent not obtained.	Pre-planning discussions have taken place with the planning and highways authority. Advice obtained has been incorporated in the scheme. A planning application was submitted in December 2020, and following the response from certain statutory consultees, it was decided to withdraw the application and resubmit a fresh application. This has allowed the Council to comprehensively address concerns and provide additional evidence. The refreshed planning application has significantly de-risked the submission.

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Developer	SDC acting as developer is exposed to development risk than in previous capital projects where it has transferred risk by procurement via frameworks and developers.	Ensure adequate resourcing, programming, contingencies and robust project management in place.
Economic/Health	Impact of Covid-19 pandemic, (tender pricing, risk pricing, programme fixing, contractual amendments, availability of labour, availability of materials, onerous sub-contractor conditions), causes additional cost and/or delay to the programme.	Include Covid19 question in PQQ. Provide detailed tender information to assist on risk assessment and mitigation. Close monitoring of Covid-19 as the situation develops.  Contingency and inflation allowance provided.
Construction	Capital costs exceed budget due to factors including: construction market tender disinterest, tender risk cover pricing, tender period over Christmas, covid-19 costs.	Given the accelerated procurement programme, a single stage design and build procurement route offers the best balance between cost certainty, programme certainty and quality.  Works will be tendered on a firm price basis.  Realistic client contingencies in place for unforeseen. Robust change control process in place. Contract includes administration by Employers Agent.
Construction	Delays in scheme approval lead to increased costs due to construction inflation.	Robust information submitted to allow SDC Committees/Cabinet/Council to make timely decisions. Project Contract sum based on programme.
Construction	Problems during ground works (contamination/obstructions/s oil type) exceed allowances causing delay and extra costs.	Detailed ground investigation surveys will be undertaken prior to a contractor being appointed. Realistic contractor and client contingencies in place for unforeseens.
Public opposition	Residents oppose the scheme and prove awkward during construction	Resident consultation to date, as well as residents observations to the withdrawn planning application, notes that the majority of residents remain opposed to the provision of additional housing citing parking/traffic congestion and loss of

		<p>amenity space. The Council has taken these concerns into account and has adjusted its scheme where appropriate.</p> <p>Should the scheme proceed, appropriate arrangements will be put in place to ensure residents are informed about the construction programme to ensure minimal temporary disruption to residents.</p>
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