

Council Offices
Argyle Road
Sevenoaks
Kent
TN13 1HG



Published: 13.04.22

I hereby summon you to attend the meeting of the Sevenoaks District Council to be held in the Council Chamber, Council Offices, Argyle Road, Sevenoaks commencing at 7.00 pm on 26 April 2022 to transact the under-mentioned business.

Chief Executive

This meeting will be livestreamed to YouTube here:

https://www.youtube.com/channel/UC1T1f_F5OfvTzxjZk6Zqn6g

Mask wearing and social distancing are at the Public's discretion. For health and safety reasons, access may be limited and will be on a first come first served basis

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.

Apologies for absence

1. To approve as a correct record the minutes of the meeting of the Council held on 22 February 2022 (Pages 1 - 14)
2. To receive any declarations of interest not included in the register of interest from Members in respect of items of business included on the agenda for this meeting.
3. Chairman's Announcements.
4. To receive any questions from members of the public under paragraph 17 of Part 2 (The Council and District Council Members) of the Constitution.
5. To receive any petitions submitted by members of the public under paragraph 18 of Part 2 (The Council and District Council Members) of the Constitution.
6. Matters considered by the Cabinet and/or Scrutiny Committee:
 - a) Safeguarding Children, Young People and Vulnerable Adults Policy 2022 - 2025 (Pages 15 - 64)

- b) Air Quality Action Plan (Pages 65 - 196)
 - c) Environmental Health Enforcement Policy (Pages 197 - 226)
7. Matters considered by other standing committees:
- a) Electric Vehicle Mileage (Pages 227 - 242)
 - b) Electronic Summons (Pages 243 - 250)
 - c) Monitoring Officer Annual Report 2022 (Pages 251 - 274)
8. To consider the following reports from the Chief Executive or other Chief Officers on matters requiring the attention of Council:
- a) Returning Officer Report (Pages 275 - 276)
 - b) LGA Peer Review (Pages 277 - 302)
9. To consider any questions by Members under paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution, notice of which have been duly given.
10. To consider any motions by Members under paragraph 20 of Part 2 (The Council and District Council Members) of the Constitution, notice of which have been duly given.
11. To receive the report of the Leader of the Council on the work of the Cabinet since the last Council meeting. (Pages 303 - 304)
12. To receive reports from the Chairmen of the Audit and Scrutiny Committees on the work of the Committees since the last Council meeting. (Pages 305 - 312)

EXEMPT ITEMS

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.

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

COUNCIL

Minutes of the meeting held on 22 February 2022 commencing at 7.00 pm

Present: Cllr. Esler (Chairman)

Cllr. Hunter (Vice Chairman)

Cllrs. Abraham, Ball, Bayley, Bonin, Dr. Canet, Carroll, Cheeseman, Clack, Penny Cole, Perry Cole, G. Darrington, P. Darrington, Dickins, Dyball, Edwards-Winsler, Eyre, Fleming, Griffiths, Grint, Hogarth, Hudson, Kitchener, Layland, Maskell, McArthur, McGarvey, McGregor, Morris, Nelson, Osborne-Jackson, Pender, Pett, Purves, Raikes, Reay, Roy, Thornton, Waterton and Williamson

Apologies for absence were received from Cllrs. Andrews, Barnes, Barnett, Brown, Clayton, Coleman, Collins, Fothergill, Harrison and London

36. To approve as a correct record the minutes of the meeting of the Council held on 16 November 2021.

Resolved: That the Minutes of the meeting of Council on 16 November 2021, be approved and signed as correct record.

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

No additional declarations of interest were made.

38. Chairman's Announcements.

The Chairman announced the loss of Councillor Faye Parkin, who had suddenly passed away on 27 January 2022. Faye Parkin was elected in 2003 and the Leader of the Council shared some of his memories and joined the Chairman in a moments silence as a mark of respect.

With immense pleasure the Chairman announced that the White Oak Leisure Centre opening, held on 12 February 2022, was a great success. She spent the day, along with many others invited to the opening, being given a tour of all the facilities. Invitees were able to sample all the equipment, and many did. She was delighted to meet Colin Jackson and other well-known sporting figures. The occasion had a wonderful buzz and she understood that more than 5000 booked to attend and participate in the free opening offer. The new White Oak Leisure Centre features a huge array of facilities designed for everyone in the local community to enjoy.

At the end of last week Storm Eunice caused some disruption to the District. Many trees were felled, a small number of homes were damaged and hundreds of people were left without power in their homes. The Chairman thanked Council Officers for their response to the storm, which focussed on seeking to keep residents safe.

Partner authorities in Kent also played their part. The clean-up and restoring power to homes continued into this week and she was am grateful for the continuing efforts of all those involved.

After two difficult years for many of our residents and local businesses; Government have set out their path for living with the Covid 19 virus. The Chairman was very grateful to Council Members and Officers, and colleagues in organisations across the District, that had provided support to those in need and kept services running. People would continue to need support moving into the next phase of the pandemic, but, she hoped for much of the year ahead, that leading more normal lives could begin again.

To date over 300 invitations had been received and 195 had been attended, with more invitations in the diary to attend. The 'Making it Happen' Voluntary and Community Awards event would be on Wednesday 9 March 2022 at St. Nicholas' Church, Sevenoaks, recognising residents and organisations in the District that had gone the extra mile. Finally, the Chairman advised of her next charity events and invited all Members to attend.

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

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

Question 1: Mr Green

On 25 February 2020 the Council resolved (resolution 41b)) 'That a definitive statement be sought from the owner of the former Farmers public house site, of their timelines to dispose of the site or to fully implement the planning permission'. What steps (other than the successful pursuit of payment of the Community Infrastructure Levy have been taken by the Council in the subsequent two year period to obtain such a definitive statement and with what result?

Response: Leader of the Council

'As Members know there is nothing written in legislation that gives us the authority to make or enforce them to make commence development of the site. We did seek out a statement from them as to the timescales and they responded verbally in June 2021 stating they intended to submit a new planning application, nothing has been received. They have been in contact regarding a future development of the site - a pre application for 69 units. The site has not been submitted as part of the call for sites. We have contacted them again in September 2021 as the site was getting untidy, and have had no response to that contact. However, we contacted

them again today following the storms and they have advised that they have contracted with a fencing company to reinstate the fencing on site. We have also undertaken successful legal action to the tune of nearly £500,000 of CIL (Community Infrastructure Levy) payments on that site.'

Question 2: Mr Green

Is there any reason (and is so what reason) to believe that works on the site will recommence during the next two year period?

Response: Leader of the Council

'Members, if you cast your mind back to the last time these questions were asked at Full Council, you will remember that the questioner stated that they were surprised that there weren't many developers lining up to develop the site. I can assure the speaker that that is just not the case. We have spoken to many developers about the site and the opportunities that the site affords and all have come back saying the value the current owners have placed on the site, it would not be viable to take forward either of the two planning permissions that were received on appeal. Including the planning permission that triggered the CIL payment when they commenced works on the site.

If I was to try and answer the question as to whether I believe, personally believed, they would be starting works on site in the next two years, I have to say that history would not be on the side of those that thought they would. However, with the successful legal action an extra £500,000 worth of costs on top of the costs that they have already incurred on the site. I am hoping that this will force them at some stage either to develop out a viable application for the site, which I'm sure the Sevenoaks Society will support, or sell the site for redevelopment by another party.'

Cllr Purves moved, and it was seconded by Cllr Dr Canet, that the question asked by David Green on behalf of the Sevenoaks Society be referred to Cabinet or Scrutiny.

The motion was put to the vote and it was lost.

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

No petitions had been received.

41. Matters considered by the Cabinet and/or Scrutiny Committee:

- a) **Air Quality Action Plan - Request to consult**

Cllr Fleming moved and Cllr McArthur seconded the recommendation from Cabinet, which sought the approval for Environmental Health Team to be authorised to

undertake public consultation on the draft Air Quality Action plan and the contents be noted.

Resolved: That the contents of the 'Draft Air Quality Action Plans be noted and the Environmental Health Team be authorised to undertake public consultation of the draft plan.

b) White Oak Leisure Centre

Cllr Fleming moved and Cllr Dickins seconded that the recommendation from Cabinet. The report set out progress made on the scheme despite difficult market conditions due to unforeseen circumstances that additional costs had been incurred. Approval was sought to increase the Capital Programme by up to £2,995,379 recognising that a significant proportion of the amount was a risk assessed contingency and may not materialise.

Cllr Fleming spoke to the motion advising that looking forward there was an exciting future in the north of the District for sport and health, and any project would look at providing Council Tax payers the best value for money. Undertaking a large scale project in a pandemic and with new trade arrangements had presented challenges which had since been overcome. There were some extra costs which could have been avoided and Officers were looking at how best to recover these costs. Members were advised that the amount was a risk assessed contingency and may not materialise.

In response to questions Members were advised that contingency payments were from lessons learned and the contingency was for the demolition of the old centre. There was a better idea of site conditions and going forward and so the Leader was confident that the risk assessment contingency would not fully materialise. He stated that there were a number of extra costs, which he believed were avoidable and it was being looked into for how to best recover that money on behalf of council tax payers. Specialist contractors must be used when it comes to the removal of asbestos in the safest possible way.

It was stated that a number of bore holes and ground penetrating radars were used on site. Conversations would be taking place to discuss why these had not picked up the voids found. The problem was exasperated by the lack of accurate maps held by the owners of the site.

Resolved: That

- a) progress made on the scheme despite difficult market conditions associated with the Covid-19 pandemic and abnormal site conditions encountered and the Council's ability to minimise disruptions to leisure services for the local community, be noted;
- b) due to unforeseen circumstances that additional costs associated with the construction of the scheme had to be incurred, be noted;

- c) an increase to the Capital Programme by up to £2,995,379, be approved, and it be recognised that a significant proportion of the amount was risk assessed contingency and may not materialise.

c) Bevan Place, Swanley Development Proposal

Cllr Fleming moved, and Cllr Dickins seconded the recommendation from Cabinet for the provision of £26,575,836 in the 2022/23 Capital Programme to deliver the scheme within the parameters as set out in section 57 and Appendix D, be approved and that Officers be authorised to acquire any outstanding legal interests that may not be in the Council's ownership.

Resolved: That

- a) the proposed development scheme and financial model be noted, and the provision of £26, 575,836 in the 2022/23 Capital Programme to deliver the scheme within the parameters set in Section 57 and detailed in Appendix D, be approved; and
- b) Officers, be authorised to acquire any outstanding legal interests that may not be in the Council's ownership, which may include using its statutory powers, such as the use of compulsory purchase orders and return to Cabinet or Council to resolve invoking such powers as needed.

d) Swanley White Oak Leisure Centre, Residential Quarter, Swanley, Development Proposal

Cllr Fleming moved and Cllr Dickins seconded the recommendation from Cabinet that the approval of the provision of £20,189,137 in the Capital Programme to deliver the scheme which was to be funded as noted in the financial implications of the report. The report sought approval to proceed with phase 3, the residential element of the scheme which would include up to 81 homes.

The Chairman gave Members the opportunity to ask factual questions on the report before formally moving into debate. It was confirmed by the Leader that the residential quarter had been agreed to provide part of the funding for the new White Oak Leisure Centre. The outline planning permission had previously been agreed and now the council was in a different position to when the application had been made. Once funding had been agreed, it would then enable the scheme to go through the planning process.

The Chairman welcomed any debate on the item and some Members took the opportunity to raise concerns regarding the mix of properties earmarked for the site, viability and affordable housing.

Resolved: That the provision of £20,189,137 in the Capital Programme to deliver the scheme which was to be funded as noted in the financial implications of the report, be approved.

e) Treasury Management Strategy 2022/23

Cllr Fleming moved and Cllr Dickins duly seconded the recommendation from Cabinet. The report sought approval for the Treasury Management Strategy 2022/23 in light of Cabinet's Comments.

Resolved: That the Treasury Management Strategy 2022/23 in light of Cabinet's Comments, be approved.

f) Property Investment Strategy Update Report

Cllr Fleming moved and Cllr Dickins duly seconded the recommendation from Cabinet, for the Property Investment Strategy Criteria as recommended by Cabinet be agreed.

Resolved: That the Property Investment Strategy Criteria as recommended by Cabinet be agreed.

g) Budget and Council Tax Setting 2022/23

Cllr Fleming proposed and Cllr Dickins seconded, the recommendation from Cabinet. The report sought approval of the proposed budget and required level of Council Tax for 2022/23, and proposed a net expenditure budget of £17.297m with the District Council Tax increasing by 2.2% resulting in Band D Council Tax being £229.86, an increase of £4.95.

The Leader spoke to the motion stating that Members had before them another balanced ten-year budget, now twelve years on from the first, an achievement that remained unique within Local Government and had laid the foundation for the budget tonight.

He stated that the independent Corporate Peer Challenge carried out late last year remarks that "The Council has consistently demonstrated good financial management, including through the effective delivery of savings and by making difficult decisions early." "The council also innovates. The organisation's ten-year budget, for instance, is an example to the sector and supports long-term proactive decision making." The report also went on to say that "This extended financial framework provides an excellent platform which has supported effective budget management and planned, long-term, decision making."

He stated that this meant that Members were looking at a below inflation increase in council tax, meaning residents kept more of their hard-earned money, the services that residents told Members that matter most to them, such as the weekly collection of waste and recycling were protected. It also meant that the Council was able to build and buy homes for those most in need within the communities. As well as, investing in the future of the district's environment, looking to protect and preserve what makes the district such an amazing place to live, work and visit.

The Leader advised that the council would continue to invest across the district, bringing communities modern facilities and protecting and growing our local

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economy with the largest capital programme for over 40 years. It also meant that again this year, building on a solid foundation, the hard yards had been done, made the savings, reduced bureaucracy, innovated and delivered.

Whilst Government funding to recompense for money spent supporting the district's residents and businesses during the pandemic exceeded the councils estimated in year covid pressures, the only partial compensation for lost income would mean, like other districts, the Council had been 'under-compensated' to an average of £12 per resident, £1 million pounds or if carried through to tonight's budget the equivalent of a 10% increase in council tax. Added to the historic reduction in direct government support that moved from £55.95 per resident received in 2010 to the nil funding of the last four years it shows just how significant the financial journey had been.

He stated that the council had lost £5m pounds through the removal of revenue support grant, £1m pounds Covid lost income, and over £3m pounds in inflationary and other pressures over the last decade. All of which were not passed on to the council taxpayers and all dealt with in the budget before members tonight.

Across the district, the council continued to show the levels of community leadership, support and investment that can only come on the back of financial responsibility and stability:

White Oak Leisure Centre - Delivered

27-37 Swanley High street (meeting Point) - in construction

White Oak Residential - agreed tonight

Affordable Housing - Delivered with more to come

Bevan Place - agreed tonight

Sevenoaks Town Centre Regeneration - pre masterplan

Farmstead Drive (Spitals Cross) - agreed by full council

Edenbridge Leisure centre - viability and feasibility

Stangrove Estate - work commenced

He continued, stating that Members had both protected and invested in those universal services that matter most to residents, retained in-house services such as refuse collection and street sweeping, and brought some back in-house, such as environmental health and building control. Self-sufficiency and a property portfolio were never the end of the story, they were always to give the opportunity to make decisions which best serve the communities they represented.

The Leader advised that Members would know that he strongly believe that they should always balance the make-up of the money to spend, the main three pillars that remain after the removal of government support were Council Tax, Savings and Investment income, over reliance on any one of the three he believed

destabilised as an authority and put at risk their ability to deliver the positive agenda they had set out.

In the last few months everyone would have seen rises in inflation, energy costs, food and other utilities affecting our household budgets, with this in mind it was important to look to see what they could do to support residents alongside dealing with the councils own challenging landscape of significant rises in inflation, costs and risks. Therefore, he proposed a significantly below inflation increase in Council Tax of just 2.2%, £4.95 per annum, or less than 10 pence a week. Taking the total Sevenoaks Council Tax figure to £229.86 for a Band D property for the year. Everything including services delivered, and refuse collected for less than five pounds a week. He commend this budget to members.”

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

| For | Against | Abstention |
|----------------------|---------|----------------|
| Cllr Abraham | | Cllr Dr. Canet |
| Cllr Ball | | Cllr Purves |
| Cllr Bayley | | |
| Cllr Bonin | | |
| Cllr Carroll | | |
| Cllr Cheeseman | | |
| Cllr Clack | | |
| Cllr Penny Cole | | |
| Cllr Perry Cole | | |
| Cllr G Darrington | | |
| Cllr P Darrington | | |
| Cllr Dickins | | |
| Cllr Dyball | | |
| Cllr Edwards-Winser | | |
| Cllr Esler | | |
| Cllr Eyre | | |
| Cllr Fleming | | |
| Cllr Grint | | |
| Cllr Griffiths | | |
| Cllr Hogarth | | |
| Cllr Hudson | | |
| Cllr Hunter | | |
| Cllr Kitchener | | |
| Cllr Layland | | |
| Cllr Maskell | | |
| Cllr McArthur | | |
| Cllr McGarvey | | |
| Cllr McGregor | | |
| Cllr Morris | | |
| Cllr Nelson | | |
| Cllr Osborne-Jackson | | |
| Cllr Pender | | |
| Cllr Pett | | |

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|---|---|---|
| Cllr Raikes Cllr Reay Cllr Roy Cllr Thornton Cllr Waterton Cllr Williamson | | |
| 39 | 0 | 2 |

Resolved: That

- (a) the Summary of Council Expenditure and Council Tax for 2022/23 set out in Appendix F, to the report, be approved;
- (b) the 10-year budget 2022/23 to 2031/32 which is the guiding framework for the detailed approval of future years' budgets set out in Appendix C to the report, be approved, including the growth and savings proposals set out in Appendix E to the report, and that where possible any variations during and between years be met from the Budget Stabilisation Reserve;
- (c) the Capital Programme 2022/25 and funding method set out in Appendix J(i) and Capital Strategy 2022/23 set out in Appendix J(iii), to the report, be approved;
- (d) the changes to reserves and provisions set out in Appendix K to the report, be approved;
- (e) the Local Council Tax Reduction Scheme 2021/22, be rolled forward to 2022/23, with effect from 1 April 2022 (Appendix M).
- (f) at the Cabinet meeting on 13 January 2022 the Council calculated as its council tax base for the year 2022/23, be noted:
 - (i) for the whole Council area as 51,514.27 being Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended, (the "Act"); and
 - (ii) for dwellings in those parts of its area to which a parish precept relates as in the attached Appendix P;
- (g) the council tax requirement for the Council's own purpose for 2022/23 (excluding Town and Parish precepts) be calculated as £229.86;
- (h) the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the Act:

- (i) £56,157,629 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Town and Parish Councils.
 - (ii) £39,339,510 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (iii) £16,818,119 being the amount by which the aggregate at (c)(i) above exceeds the aggregate at (c)(ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year (Item R in the formula in Section 31B of the Act).
 - (iv) £326.47 being the amount at (c)(iii) above (Item R), all divided by (a)(i) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (including Town and Parish precepts).
 - (v) £4,977,049 being the aggregate amount of all special items (Town and Parish precepts) referred to in Section 34 (1) of the Act (as per the attached Appendix P).
 - (vi) £229.86 being the amount at (c)(iv) above, less the result given by dividing the amount at (c)(v) above by the amount at (a)(i) above (Item T), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no Town or Parish precept relates.
- (i) for the year 2022/23 the Kent County Council, the Kent Police & Crime Commissioner and the Kent & Medway Towns Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below, be noted:-

| <u>Valuation Bands</u> | <u>Precepting Authority</u> | | | |
|------------------------|---------------------------------|--------------------------|-------------------------|---|
| | Sevenoaks District Council £ | Kent County Council £ | Kent Police & C.C. £ | Kent & Medway Towns Fire Authority £ |
| A | 153.24 | 974.16 | 152.10 | 54.90 |
| B | 178.78 | 1,136.52 | 177.45 | 64.05 |
| C | 204.32 | 1,298.88 | 202.80 | 73.20 |
| D | 229.86 | 1,461.24 | 228.15 | 82.35 |
| E | 280.94 | 1,785.96 | 278.85 | 100.65 |
| F | 332.02 | 2,110.68 | 329.55 | 118.95 |
| G | 383.10 | 2,435.40 | 380.25 | 137.25 |

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|---|--------|----------|--------|--------|
| H | 459.72 | 2,922.48 | 456.30 | 164.70 |
|---|--------|----------|--------|--------|

- (j) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Appendix R as the amounts of council tax for the year 2022/23 for each part of its area and for each of the categories of dwellings; and
- (k) the Council's basic amount of council tax for 2022/23, shown in (c)(vi) above, is not excessive in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992.

42. Matters considered by other standing committees:

a) Future Appointment of External Auditors

It was moved by Cllr McGarvey and seconded by Cllr Morris that the Council opt into the sector led option for the appointment of external auditors for five financial years. The report set out the request for full Council to make a decision to either opt into the national framework for the procurement of external audit or to run a separate procurement exercise.

Councillor Fleming declared a non-pecuniary interest that he was the Chair of the company that appoint PSAA to do the work on behalf of Local Government

Resolved: That Council accepts the public Sector Audit Appointment's invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

b) Audit Committee Independent Members

It was moved by Cllr McGarvey and seconded by Cllr Morris that the appointment of up to two additional co-opted non-voting members, with an allowance of £800 per annum, be agreed.

Cllr McGarvey spoke to the motion advising that the Constitution allowed for full to appoint up to two Independent Members to Audit Committee. This had been considered by the Audit Committee and it was agreed that by having up to two Independent Members this would allow only one appointment to be made should only one candidate be sufficient.

Members debated the item expressing pros and cons to the proposal.

Resolved: That the appointment of up to two additional co-opted non-voting members with an allowance of £800 per annum each, be agreed.

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

a) Pay Policy Statement

Cllr Fleming moved and Cllr Dickins seconded that the Pay Policy Statement was adopted and published on the Council's website. The report set out the Council's policies relating to the remuneration of each of its chief officers, the remuneration of its lowest paid employees and the relationship between the two. It was a requirement of the Localism Act that the Pay Policy Statement was approved annually by full Council.

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

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

No questions had been received.

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

No motions had been received.

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

The Leader of the Council reported on the work that he and the Cabinet had undertaken in the period from 1 November 2021 - 4 February 2022.

47. Quarterly report on Special Urgency decisions.

Members considered the quarterly report on special urgency decisions.

Resolved: That the report be noted.

48. To receive reports from the Chairmen of the Audit and Scrutiny Committees on the work of the Committees since the last Council meeting.

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

THE MEETING WAS CONCLUDED AT 8.29 PM

CHAIRMAN

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Item 6 (a) - Safeguarding Policy

The attached report was considered by the Cabinet, and the relevant minute extract is below:

Cabinet (13 March 2022, Minute 93)

93. Safeguarding Policy

The Portfolio Holder for People & Places presented the report which updated the Safeguarding Policy which reflected all changes in legislation and working practices. Members were advised that the People & Places Advisory Committee had considered and supported the same report and noted that under the Equality Assessment 'Young people' needed to be included under the second row, final column.

The Deputy Chief Executive and Chief Officer People & Places confirmed that there would be Member Safeguarding training and advised that the main aims of the policy were to:

- Raise awareness of the duties and responsibilities for children, young people and adults at risk of harm
- Encourage good practice among staff, elected members, volunteers and contractors, to safeguard children and adults at risk who receive Council services
- Provide clear guidance on procedures to be adopted if it is suspected that an adult, young person or child may be at risk of harm

The Committee discussed the report.

Public Sector Equality Duty

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

Resolved: That it be recommended to Council, to adopt the updated Safeguarding Children, Young People and Vulnerable Adults Policy.

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**SAFEGUARDING CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS POLICY
2022-2025**

Council - 26 April 2022

Report of: Deputy Chief Executive, Chief Officer- People and Places

Status: For Decision

Also considered by:

- People & Places Advisory Committee - 1 March 2022
- Cabinet - 17 March 2022

Key Decision: No

Executive Summary: To present the Council's updated Safeguarding Policy and to reflect all changes in legislation and working practices.

This report supports the Key Aim of: the Community Plan - (Safe Communities, Caring Communities, Healthy Environment)

Portfolio Holder: Cllr. Lesley Dyball

Contact Officer(s): Sarah Robson, Ext. 7219

Recommendation to People and Places Advisory Committee

To recommend to Cabinet to recommend to Council the adoption of the updated Safeguarding, Children, Young People and Vulnerable Adults Policy.

Recommendation to Cabinet:

To recommend to Council the adoption of the updated Safeguarding Children, Young People and Vulnerable Adults Policy.

Recommendation to Council:

To adopt the updated Safeguarding Children, Young People and Vulnerable Adults Policy.

Reason for recommendation: To enable the Council to meet its statutory responsibilities and to follow guidance published by the Department of Health and Kent County Council in relation to safeguarding children, young people and vulnerable adults. To ensure that all Council staff, Members, contractors and volunteers are aware of their professional and moral obligations for safeguarding.

Introduction and Background

- 1 Sevenoaks District Council has a statutory safeguarding role within the wider public sector. We have a responsibility to children, young people and vulnerable adults. The Council has the responsibility to provide and ensure all employees adhere to safeguarding policies and ensure easy pathways to Kent County Council (KCC) to report safeguarding concerns. By ensuring our staff uphold our own Safeguarding Policy, we will support KCC in their statutory role in making safeguarding personal and provide them with the relevant and timely information they need to investigate concerns.
- 2 The Council has an Officer Safeguarding Group which oversees safeguarding work and is responsible for updating and maintaining the Policy. The policy has been updated to take into account various changes in legislation and working practices.
- 3 A revised version of the Safeguarding Policy is attached as Appendix A.

Aims of the Safeguarding Policy

- 4 The policy aims to ensure that an overarching approach to safeguarding is embedded within all Council services and that staff, elected Members, those delivering services on behalf of the Council and volunteers have a good understanding of safeguarding guidelines and good practice.
- 5 The main aims of the policy are to:
 - Raise awareness of the duties and responsibilities for children, young people and adults at risk of harm
 - Encourage good practice among staff, elected members, volunteers and contractors, to safeguard children and adults at risk who receive Council services
 - Provide clear guidance on procedures to be adopted if it is suspected that an adult, young person or child may be at risk of harm

Updates to the Policy

- 6 There have been some changes since the Safeguarding Policy was last updated, which are detailed in this section of the report.
- 7 The Kent Safeguarding Children Board has changed to become the Kent Safeguarding Children Multi-Agency Partnership (KSCMP), with slightly different reporting arrangements and responsibilities. These revisions have been included in the updated version.
- 8 With regard to adult safeguarding, KCC no longer accept “Adult LADO” referrals (LADO - Local Authority Designated Officer). These referrals were specifically for people wishing to report concerns against any person who works with adults in a position of trust. It is now important that the Council has its own policy and procedures in place to respond to these concerns. This is reflected in the revised policy with clear pathways for raising these concerns, including links to the Councils Whistleblowing Procedure.

- 9 As with previous versions of the policy, there is advice and guidance provided to encourage everyone to respond to safeguarding issues and concerns. This has become particularly relevant in the current climate, as we know the effects of the Covid restrictions have increased difficulties for many, leaving some people more vulnerable, more susceptible to abuse and also increasing anxiety and mental health issues.
- 10 An updated section on safeguarding roles and responsibilities within the Council has been included.
- 11 The types of abuse have been further defined and explained.
- 12 The referrals process has been updated, to provide further information on whether a notification will trigger a Designated Safeguarding Officer consultation or not.
- 13 The referrals process has been updated to include discussing any potential referral with the individual, asking whether this has been done and if not, why not.

Other options Considered and/or rejected

- 14 None. Failure to keep children, young people or vulnerable adults safe represents not only a significant risk to residents, but also to the reputation of the Council.

Key Implications

Resources

Safeguarding training for staff is being met from within existing resources.

Financial

There are no financial implications arising from this report.

Legal Implications and Risk Assessment Statement

Failure to meeting statutory responsibilities to safeguard and promote the welfare of children under S11 of the Children Act 2004 could lead to litigation if children come to harm whilst the Council are carrying out services/undertaking duties or partner agencies carrying out services/undertaking duties on behalf of the Council.

Failure to follow guidance published by the Department of Health and KCC in relation to vulnerable adults could weaken the Councils' position if vulnerable adults come to harm as a result of failure to implement an effective system of controls and procedures at a local level.

Failure to keep children or vulnerable adults safe represents not only a significant risk to residents but also to the reputation of the Council.

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| Risk | Mitigation |
|--|--|
| Failure to keep children, young people or vulnerable adults safe or report appropriately anything which a member of staff suspects, alleges or is informed about may lead to children, young people and vulnerable adults coming to harm, injury or death. | All staff and Members to be aware of the revised Safeguarding Policy for the protection of children and vulnerable adults. In addition, training for front line staff, Chief Officers and Managers rolled out within the organisation. |
| Risk of significant harm to the Council's reputation. | Ensure that all staff are aware of their responsibilities. |
| Failure to ensure groups in receipt of funding also take their safeguarding responsibilities seriously. | Conditions attached to funding agreements should be monitored appropriately. |

Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and does not vary between groups of people. The results of this analysis are set out immediately below.

| 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 | This Policy is intended to ensure that the needs of children, young people and vulnerable adults are appropriately recognised and their welfare promoted, in all communities in the District. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | Yes | This Policy is intended to ensure that the needs of children and vulnerable adults are appropriately recognised and their welfare promoted. |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | This Policy is intended to ensure that the needs of children, young people and vulnerable adults are appropriately recognised and their welfare promoted. |

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

The policy and corporate safeguarding function within the District Council ensures that we are fulfilling our duty through a coordinated approach across all departments to ensure that we are aware of what safeguarding is, how to recognise it, how to discuss safeguarding concerns, where and how to report safeguarding, and lastly how to record all safeguarding concerns.

If approved, the policy will be made available to all staff, contractors and volunteers. The District Council Safeguarding Group will be responsible for reviewing and monitoring its implementation.

Appendices

Appendix A - Safeguarding Children, Young People and Vulnerable Adults Policy 2022-2025

Background Papers

None

Sarah Robson

Deputy Chief Executive and Chief Officer - People and Places

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Appendix A

Sevenoaks District Council

**Safeguarding Children, Young People and
Vulnerable Adults Policy 2022-2025**

If you see it, say it!



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1. Executive Summary

- 1.1 Sevenoaks District Council is committed to working in partnership with others to safeguard its residents from all forms of abuse, neglect or exploitation.
- The Council will raise awareness of safeguarding issues to ensure that the needs and interests of children, young people and adults with care and support needs are incumbent in decision making processes and through service provision.
- 1.2 This Policy aims to ensure that an overarching approach to safeguarding is embedded within all Council services and that staff, elected members, volunteers and those delivering contracts on behalf of the Council understand their role and responsibilities in supporting all residents to live a life free from abuse, exploitation and intimidation.
- 1.3 The Council will create an environment where staff, volunteers and elected members are adequately trained and encouraged to think of safeguarding as being their responsibility, understanding the need for them to play a full and active part in the delivery of the Council's response.

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External training

providers will be used to deliver training where necessary.

2. What is Safeguarding?

- 2.1 Safeguarding is about protecting people's health, wellbeing and right to live free from harm, abuse or neglect.
- 2.2 It is about people and organisations working together to prevent and stop the risk and experience of abuse or neglect.
- 2.3 Some services can play an important role in safeguarding and promoting the welfare of children as part of their day-to-day work - recognising child welfare issues, sharing information, making referrals and subsequently managing or reducing risks
- 2.4 Staff may come into contact with children and vulnerable adults in a variety of different situations and roles at the Council. This might be someone you see on the front desk in reception, a child in a family you see on a home or site visit, or a resident you speak to on the phone.
- 2.5 The Council's safeguarding policy sets out what the potential risks are to children and vulnerable adults, the ways you can report a concern, how you deal with concerns, or information/allegations of harm disclosed to you.
- 2.6 **"If you see it, say it"** is the key message in this policy. We want to give staff the confidence to know how recognise, report and get support in dealing with safeguarding concerns, along with good understanding of safeguarding guidelines and good and consistent practice.

3. Introduction

- 3.1 We believe that the action we take to promote the welfare of children, young people and vulnerable adults and protect them from harm is everyone's responsibility. Everyone who comes

into contact with children and vulnerable adults has a role to play.

- 3.2 The purpose of this policy is to protect and promote the welfare of children, young people and vulnerable adults using or receiving services who are provided or commissioned by Sevenoaks District Council. This policy supports the Council, its officers, elected members and volunteers in fulfilling their statutory responsibilities.
- 3.3 Sevenoaks District Council (from hereon referred to as ‘the Council’) is not a Children’s Services Authority and it is not the role of the Council to investigate allegations of abuse by third parties. However, all Elected Members, employees, volunteers and contracted services providers have a clear responsibility to take action when they suspect or recognise that a child, young person or adult at risk may be a victim of significant harm or abuse.
- 3.4 It is your responsibility to read this information carefully and if you are a manager, ensure it is distributed to all relevant individuals or groups before they have contact with children, young people and/or vulnerable adults.
- 3.5 Information sharing plays a critical role in safeguarding, in both prevention and detection. Serious case reviews consistently highlight information sharing as a key issue to be addressed by partners. We believe that robust interagency working and partnerships between local council services, health, the family justice system and the voluntary sector, encourages openness and learning from interventions and are used to inform and improve current and future practice and policies. The Council is committed to strengthening this working practice.
- 3.6 The following flowchart in section 4 gives an overview of the safeguarding procedure while section 5 provides staff with a

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practical list of Dos and Don'ts for dealing with safeguarding issues.

4. Referrals Process Flowchart

Sevenoaks District Council employee witnesses or has suspected concerns or receives a disclosure regarding abuse or neglect involving a child/young person or adult at risk

Is there an immediate risk of harm or is it an emergency?

Yes

No

If someone has threatened to commit suicide or intend to harm themselves, please call the Police on 101 for a welfare check. Ensure you complete our [Safeguarding Notification E-Form](#) (on InSite). Email it to

Call the Police on 999. Ensure you complete our [Safeguarding Notification E-Form](#) (on InSite). Email it to

If you have concerns about a vulnerable adult, child or young person, discuss the matter with your Line Manager in the first instance. If you have had the appropriate training, you might be able to make a direct referral to the relevant service. **Please always send a copy of any referral to the safeguarding address.** If you are unable to speak to your line manager, please speak to your Designated Safeguarding Officer and complete our [Safeguarding Notification E-Form](#) (on InSite). Email it to safeguarding@sevenoaks.gov.uk If your concern relates to a member of staff,

It may be necessary to call Kent County County's (KCC) Central Duty Team for guidance:
03000 41 11 11 for Children and Young People
03000 41 61 61 for Adults
 You can also e-mail them on social.services@kent.gov.uk for both Adults, Children and Young People.

If your concerns relate to children or young people, your Designated Safeguarding Officer will advise you if a [Single Request for Support](#) form needs to be made to Social Services. This replaces previous Inter-Agency referral and Early Help notification forms. This can only be done for intensive and specialist [support levels](#) and [full guidance](#) on support levels and the form is available on the Kent Safeguarding Children Multi-Agency Partnership website [here](#).

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4.1 Confirmation that the referral has been actively dealt with

- Reporting the matter should not be delayed by an attempt to obtain more information. A summary of any consultation with, or referral to, the Front Door Service/ Adults Central Duty Team should be recorded by the referring officer. This ought to be retained on file in case any follow-up is needed.
- The onus is on the referring officer, to ensure that Sevenoaks District Council fulfils its statutory obligation to receive confirmation from Kent County Council within 72 hours that they have actively considered the referral.
- Once confirmation is received with information on the outcome of the referral, the Designated Safeguarding Lead Officer should be updated so the record of concern entry can be updated
- If a response on the outcome of the referral is not received within 72 hours of making a referral, the referring officer should follow up with the Front Door Service/ Adults Central Duty Team or the relevant Case Management Team if it is an adult referral and the adult is already known to services, as outlined in the Referrals Process Flowchart. If a case has been referred to the Police due to an immediate risk of harm or emergency, the Police crime report number should be noted and placed on file.

4.2 Escalating a referral or concern

- If a member of staff feels that the course of action outlined by Kent County Council following a referral doesn't represent, in their opinion, the best course of action in relation to that case or about the action, or inaction, of another agency then there should be a professional challenge. The aim should be to resolve it at a practitioner level and then at a team manager level. But

if it can't be resolved, then concerns should be raised with the Executive Lead or Designated Safeguarding Leader Officer.

- The Executive Lead or Designated Safeguarding Leader Officer will make the final decision as to whether a case will be referred back to Kent County Council or other agency expressing Sevenoaks District Council's concerns in relation to the welfare of that individual. If at that stage it cannot be resolved then the case will be further escalated to the Chief Executive of both organisations.

5. Dos and Don'ts

5.1 The following list of Dos and Don'ts has been produced as a quick and practical guide to dealing with safeguarding issues.

Do

- If you see it, say it - report anything that you feel could be a safeguarding issue;
- Call the Police on 999 if you think someone is in immediate risk of harm or danger;
- Speak to your line manager about any concerns;
- Tell your client that you will need to inform people and write things down if they make a disclosure;
- Remember that once you have spoken to your line manager, you can speak to a Designated Officer for further guidance. You can call the Contact Centre on x7001 and they will put you through to an available officer. There is a list of Designated Officers on InSite and on posters throughout the building
- Complete our Safeguarding Notification Form on InSite which will trigger a discussion with a Designated Officer. The matter may then have to be reported to Social Services
- Remember that the Council's role is not to investigate but to report our concerns to Social Services;

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- Record all calls with your clients, whether from landlines or mobiles;
- Only provide the support specified within your role;
- Be self-aware - particularly of your body language and tone;
- Ensure you set your privacy settings on any personal social media accounts;
- Always remember to ask for help and support if you need it

Don't

- Promise to keep anything secret in the event of a safeguarding disclosure;
- Wait to report something if something feels wrong or makes you uncomfortable - trust your instincts;
- Undertake home visits if they have not been approved by your line manager - it is better to see clients in authorised Council meeting rooms;
- Be worried about asking for support from another colleague to sit in on a meeting with you if a client makes a disclosure;
- Arrange to meet a client outside work hours or in any circumstances that could be misconstrued by clients, e.g. coffee, lunch;
- Offer help which is not part of your role - it might be appropriate to signpost or clarify the boundaries of your support;
- Give out personal phone numbers or emails - only use work phones;
- Give out details of your personal life outside of work;
- Confide in your client;
- Give any personal opinions on questions/issue your client may ask Engage in discussions with your clients on any form of Social Media

6. How to contact the Kent Safeguarding Team

- Kent County Council have staff available 24 hours a day 7 days a week and can be contacted during the day and out of hours regarding safeguarding concerns.
- Remember that if someone is in immediate danger, please call 999.
- The [Kent Safeguarding Children Multi-Agency Partnership](#) also keep a list of other organisations safeguarding contacts
 - Details on making a referral about a child to Kent County Council are also available on KCC's website.
 - Details about adult protection and reporting abuse relating to adults are also contained on the KCC website.
 - A list of useful contact details can be found at Appendix B

7. Fulfilling the Council's Safeguarding Obligations

7.1 In order to fulfil its commitment to ensure good working practice in protecting children and vulnerable adults the Council will undertake the following:

- Senior Management Commitment: The Chief Executive and Chief Officers are committed to the importance of safeguarding and promote the Council's Safeguarding Policy. The Designated Safeguarding Officer/s will be member/s of the Strategic Management Team and the Strategic Management Team will receive regular updates on safeguarding matters.
- Endeavour to keep residents and service users safe from abuse. Suspicion of abuse will be responded to promptly and appropriately. We will always act in the best interests of the child, young person or adult at risk.
- Proactively seek to promote the welfare and protection of all children, young people and adults at risk living in the Sevenoaks District.

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- With regard to recruitment, ensure that unsuitable people are prevented from working with children, young people and vulnerable adults through robust recruitment procedures.
- Deal with any concern raised by a Member, employee, volunteer, contracted service provider, or member of the public appropriately and sensitively.
- Safeguarding referrals made by a Member, employee, volunteer or contracted service provider cannot be anonymous and should be made in the knowledge that, during the course of enquiries, the referrers may be required as witnesses.
- Not tolerate harassment of any person who raises concerns of abuse or neglect.
- Work in co-operation with KCC as required under the relevant legislation and make appropriate changes and amendments to improve the Council's safeguarding policies and procedure in light of changes to the legislative framework or as recommended by the relevant multi-agency Safeguarding Board.
- Prevent abuse by using good practice to create a safe and healthy environment and avoid situations where abuse or allegations of abuse could occur.
- Establish a working group of Officers, which engages with officers from appropriate teams across the Council to make necessary improvements around this agenda, led by the Designated Safeguarding Officer. Where appropriate, this work will be reported on regularly Strategic Management Team.
- Ensure that all new staff who have a safeguarding responsibility and who are likely to come into contact with children, young people or vulnerable adults have read and understood a copy of this Policy.

- Ensure that children, young people and vulnerable adults are involved with making decisions about policies and services that may affect them.

7.2 The key responsibility for safeguarding lies with the County Council, and it is important to note the following:

- It is **not** the responsibility of any District Council Member, employee, volunteer or contracted service provider to determine whether abuse is taking or has taken place.
- The role of the member, employee, volunteer or contracted service provider is to *inform*, not to *investigate* or *judge*.
- The District Council is not responsible for investigating any safeguarding incidents or allegations, involving a child, young person or vulnerable adult, except where allegations are made against a member of staff where usual HR policies will apply.
- If presented by a safeguarding concern, for *most* staff who do not engage with safeguarding on a regular basis, the priority is to record the details using the initial notification form as soon as possible, and liaise with the Designated Safeguarding Lead, a Safeguarding Lead Officer or their line manager in order to inform the relevant authority regarding the safeguarding incident.
- Where the District Council is engaged with partner agencies around cross-cutting issues such as domestic violence, tackling racism and hate crimes or troubled families, issues regarding safeguarding may also emerge and need to be considered by these agencies or partners.
- Where allegations are made against a member of staff, volunteer or contracted service provider, the matter will be referred to Human Resources in the first instance. If appropriate, they will liaise with the Local Authority Designated Officer (LADO). More information of the role of the Local Authority Designated Officer can be found on the

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Kent Safeguarding Children Multi-Agency Partnership website [here](#)

7.3 Shaping services: All consultations affecting children, young people or vulnerable adults will be undertaken using methods that are accessible and appropriate. The views of children, young people and vulnerable adults will be taken into account when shaping services that affect them.

8. Definition of abuse

8.1 The procedure for reporting a concern or allegation informs all Council Members, employees, volunteers and those contracted service providers, what actions they should take if they have concerns or suspicions, or encounter a case of abuse or neglect in any child, young person or vulnerable adults.

8.2 Even for those experienced in working with child or adult abuse it is not always easy to recognise a situation where abuse may occur or already has taken place. Whilst it is accepted that staff are not experts at such recognition all staff have a duty to act if they have any concerns and discuss with an appropriate Safeguarding representative within the Council.

8.3 Abuse is a form of maltreatment that can occur in several forms which are not mutually exclusive. It includes the following types of abuse:

- **Physical:** The non-accidental use of physical force that results (or could result) in bodily injury, pain or impairment including: assault, hitting, slapping, pushing, misuse of medication and restraint.
- **Psychological:** Acts or behaviour which impinges on the emotional health of, or which causes distress or anguish, to individuals.
- **Sexual:** Direct or indirect involvement in sexual activity without consent. Inappropriate behaviour from an adult.
- **Grooming:** This is when someone builds an emotional connection with an individual to gain their trust for the

purposes of sexual abuse, sexual exploitation or trafficking.

- **Child Sexual Exploitation:** Forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware what is happening.
- **Female Genital Mutilation:** A collective term used for illegal procedures, such as female circumcision, which include the partial or total removal of the external female genital organs, breast ironing or injury to the female genital organs for a cultural or non-therapeutic reason.
- **Online Abuse:** Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones, inappropriate sexting. Children and young people may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse.
- **Cyberbullying/Bullying:** is behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening or undermining someone. It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally. Bullying that happens online, using social networks, games and mobile phones, is often called cyberbullying. A child can feel like there's no escape because it can happen wherever they are, at any time of day or night.
- **Domestic abuse:** Incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family member regardless of gender or sexuality. Domestic abuse is not just about partners but all family relationships.
- **Self-neglect/Self-injurious:** This covers a wide range of behaviour neglecting to care for one's personal hygiene,

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health or surroundings and includes behaviour such as hoarding.

- **Forced Marriage:** In a forced marriage, victims are coerced into marrying someone against their will. They may be physically threatened or emotionally blackmailed to do so. It is an abuse of human rights and cannot be justified on any religious or cultural basis. It's not the same as an arranged marriage where people have a choice as to whether to accept the arrangement or not.
- **Extremism:** Extremism goes beyond terrorism and includes people who target the vulnerable - including the young - by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society.
- **Discrimination:** When values, beliefs or culture result in a misuse of power that denies mainstream opportunities to some groups or individuals.
- **Financial:** Unauthorised, fraudulent obtaining and improper use of funds, property or any resources of an adult at risk.
- **Organisational:** Where the culture of the organisations places the emphasis on the running of the establishment above the needs and care of the person.
- **Domestic Slavery:** Domestic servitude is a specific form of labour exploitation covering nannies, carers, housekeepers etc. Victims of domestic servitude can suffer imprisonment within the confines of the home as well as verbal, physical and sexual abuse.
- **Modern slavery/Human trafficking:** Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have

at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

- **Neglect and acts of Omission:** Ignoring or withholding physical or medical care needs which result in a situation or environment detrimental to individual(s).
- **Adverse Childhood Experiences (ACEs)** are stressful or traumatic events that happen in childhood and can affect people as adults. They include events that affect a child or young person directly, such as abuse or neglect. ACEs also include things that affect children indirectly through the environment they live in. This could be living with a parent or caregiver who has poor mental health, where there is domestic abuse, or where parents have divorced or separated. ACEs can be single events, long-term or repeated experiences.

8.4 It is important to understand that a vulnerable adult may be abused by another vulnerable adult, and equally, a child or young person may be abused by another child or young person.

8.5 Tools and guidance to help further define and identify abuse are set out at Appendix A.

9. Definitions and responsibilities

9.1 Safeguarding Children

9.1.1 Everyone has a responsibility to ensure that concerns about the abuse of children and vulnerable adults are addressed. The lead responsibility for managing child and adult protection lies with Kent County Council Social Services Agency although the Council works in partnership with them to identify and respond to suspected abuse.

9.1.2 For the purposes of the Safeguarding Policy the term ‘child’ or ‘children’ applies to children and young people under 18

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years of age and statemented (“vulnerable”) young people under the age of 25.

9.1.3 Under the Children Act 2004 and Working Together to Safeguard Children 2015 (statutory guidance on inter-agency working to safeguard and promote the welfare of children), the Council has a duty to co-operate with Kent County Council in discharging its duties as a Children’s Services Authority and to promote the well-being of children and young people.

9.1.4 The Children Act 1989 states that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under the Children Act 2004 as published in August 2005. The guidance came into force on 1 October 2005.

9.1.5 Statutory guidance on making arrangements to safeguard and promote the welfare of children under Sections 10, 11 and 13 of the Children Act 2004 specifies what is required of the Council, including:

- Senior management commitment to the importance of safeguarding and promoting the welfare of children and young people
- A clear statement of the Council’s responsibilities towards children and young people be available for staff, members, volunteers, contracted services and the public
- A clear line of accountability within the organisation for reporting safeguarding concerns
- Service development that takes account of the need to safeguard and promote welfare – and is informed by the views of children, young people, and their families
- Safe recruitment procedures
- Training on safeguarding and promoting the welfare of children and young people available for all members, staff and volunteers

- Clear protocols on safe working practice known to members, staff and volunteers
- All contracted services and grant funded organisations have appropriate safeguarding policies and procedures in place
- Safeguarding policies and procedures of contracted services and grant funded organisations are regularly monitored
- Effective inter-agency working to safeguard and promote the welfare of children and young people
- Effective information sharing
- The voice of children and young people is heard in service planning, decision-making and service delivery

9.2 Vulnerable Adults

9.2.1 A vulnerable adult is defined as any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

9.2.2 A person's need for additional support to protect them may be increased when complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

9.2.3 More recently, the Care Act 2014 added responsibility for adult safeguarding into legislation - codifying the principle of wellbeing and placing safeguarding adults duties on a statutory basis. The Council's policies and procedures are governed by this Care Act, which provides the legal framework for how local authorities (in this case Kent County Council) and other parts of the system such as relevant partners (which

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includes the Council as a district authority) should protect adults at risk of abuse or neglect.

9.2.4 The Council has a duty to co-operate with Kent County Council in the exercise of:

- their respective functions relating to adults with needs for care and support
- their respective functions relating to carers, and

9.2.5 The Care Act sets down a general duty on all local authorities to promote well-being in relation to how adults are treated - and the following must form part of that:

- personal dignity and respect
- physical and mental health and emotional well-being
- protection from abuse and neglect
- control by an adult over their day-to-day life (including care and support and how it is provided)
- participation in work, education, training or recreation
- social and economic well-being
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

9.2.6 In exercising this function the local authority must have regard to:

- the importance of beginning with the assumption that the adult is best-placed to judge their own well-being
- the adult's views, wishes, feelings and beliefs
- the importance of preventing or delaying the development of needs for care and or support and the importance of reducing needs that may already exist
- the need to ensure that decisions about an adult are made having regard to all of their circumstances and are not based only on age, appearance, condition or behaviour which might lead others to make unjustified assumptions about the adult's well-being

- the importance of the adult participating as fully as possible in decisions and being provided with the information and support to enable this to happen
- achieving a balance between the adult's well-being and that of their representative, involved in care
- the need to protect people from abuse and neglect
- the need to ensure that any restriction on the adult's rights or freedom is kept to the minimum

9.2.7 The Care Act places a requirement (Section 42) on a local authority, to make or cause safeguarding enquiries, if there is concern that an adult with care and support needs (met or unmet) is experiencing, or is at risk of abuse and or neglect. This applies regardless of mental incapacity or capacity and setting. The safeguarding duties need to establish the desired outcomes for the adult (or their representative) and their wishes regarding actions that may need to be taken to stop or prevent the abuse or neglect and if so by whom.

9.3 The Counter-Terrorism Act 2015

9.3.1 This dictates that local authorities are vital to the Prevent work which exists to reduce the risk of people being drawn into terrorism. Local authorities must use the existing counter-terrorism local profiles (CTLPs) provided by Kent Police, to assess the risk of individuals being drawn into terrorism. The Council incorporates this duty into existing policies and procedures to fulfil safeguarding responsibilities - ensuring there are clear and robust policies to identify and safeguard children, young people and adults at risk. Furthermore, the Council has developed a Prevent action plan should there be a risk identifying interventions to be actioned. The Council must also ensure that appropriate frontline staff, including those of its contractors, have a good understanding of Prevent and are trained to recognise vulnerability to being drawn into

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terrorism and are aware of available programmes to deal with the issue.

9.4 Modern Slavery Act 2015

9.4.1 Under the Modern Slavery Act 2015 the Council has a statutory duty to report and provide notification to the National Crime Agency about any potential victims of modern slavery or trafficking that staff encounter. Adult victims are able to remain anonymous should they wish to do so. The Council is under a duty to co-operate with the Commissioner.

9.4.2 Taken together, these pieces of legislation provide local authorities and their partners with strong responsibilities to the general safeguarding of both children and adults at risk.

9.5 Female Genital Mutilation - (FGM)

9.5.1 Female genital mutilation (FGM) is child abuse and a form of violence against women and girls, and therefore covered within the remit of the Council's Safeguarding Policy.

9.5.2 FGM is illegal in the UK and it is important that everyone is aware of the issues around FGM including identifying risk factors. Suspicions may arise in a number of ways that a child is being prepared for FGM to take place abroad. These include knowing both that the family belongs to a community in which FGM is practised and is making preparations for the child to take a holiday, arranging vaccinations or planning absence from school. The child may also talk about a special procedure/ceremony that is going to take place.

10. Reporting abuse

10.1 When a child, young person or adult at risk makes an allegation of abuse or bullying, you should:

- Remember that you may be the first person that a child, young person or adult at risk has trusted and it has

probably taken a great deal of courage to tell you that something is wrong

- Remember that it is rare for children, and particularly young children, to lie about abuse.
- Stay calm and try to get another witness if it does not compromise the situation
- **If you believe the person is 'at risk' of immediate significant harm**, which includes situations which any Member, employee or volunteer would reasonably believe requires the emergency services, **then** you must contact the relevant emergency service and notify the Designated Safeguarding Lead, a Safeguarding Lead Officer or your line manager
- Listen carefully to what is said and allow the person to talk at their own pace, being careful not to compromise potential evidence
- Find an appropriate opportunity to explain it is likely that information will need to be shared with other responsible people, **do not promise to keep secrets**
- Only ask questions for clarification, the use of open questions e.g. what, where, when, who? is advisable, do not ask leading questions (that suggest certain answers as this could compromise evidence)
- Do not interrogate or question other than to clarify your understanding. If the matter is to be investigated further, it will be done by trained professionals. No matter how well you know the person, spare them having to repeat themselves over and over. Apart from anything else, the person may begin to think you do not believe them.
- Be aware that the child or vulnerable adult may have been seriously threatened not to tell.
- Remain calm, no matter how difficult it is to listen to the person – think of how hard it must be to say it. You have been chosen because that person feels they can talk to you.

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If you show anger, disgust or disbelief then they may stop talking for fear of upsetting you further or feel that your negative feelings are being directed towards them.

- Let them know what you are going to do next and why it is necessary.
- As soon as practical, write down everything you have been told, using the Council's Safeguarding Notification Form on InSite
 - Note what was said, using the exact words and phrases spoken if possible.
 - Describe the circumstances in which the disclosure came about.
 - Note the setting and anyone else who was there at the time.
 - Separate out factual information from your own opinion.
 - Use a pen or biro with black ink, so that the report can be photocopied.
 - Be aware that your report may be required later as part of a legal action or disciplinary procedure.
 - Make every effort to preserve any evidence which may be relevant to a police investigation, however taking into account that the wellbeing of the person is your first priority.
- Consider your own feelings and seek support if it is needed by contacting the Human Resources Team to arrange for confidential counselling.
- Respect the confidentiality of the situation and do not share or discuss information with anyone except on a "need-to-know" basis, as outlined in this document.
- Immediately report to and inform the Designated Safeguarding Officer, Safeguarding Lead, Line Manager or Head of Service (as appropriate and where possible).

- Record all details you are aware of on the initial notification form (SN1) as soon as possible, which is available on the Intranet.
- The Designated Safeguarding Officer may have a consultation with Kent Contact and Assessment Service (KCAS) or may ask you to help complete a formal referral
- **A list of all Sevenoaks District Council Safeguarding Officers and Designated Officers is available on the Council's intranet site, InSite.**
- The outcome of the consultation/referral will be recorded on the Council's Safeguarding Register.
- A summary of reporting concerns can be found in section 6 of this policy.

10.2 Allegations or concerns about a Member, employee or contracted service provider:

- These procedures should be followed where it is alleged that a person who works with children or adults at risk
 - behaved in a way that harmed a child or adult at risk, or may have harmed a child or adult at risk
 - Possibly committed a criminal offence against or related to a child or adult at risk
 - Behaved towards a child or adult at risk in a way that indicates he or she may pose a risk to them.
- You should take the allegation or concern seriously.
- Record all details you are aware of on the initial notification form as soon as possible, which is available on the Council's Intranet.
- In these cases any allegation, concern or suspicion about a Sevenoaks District Council member of staff, member, volunteer or contractor should be reported immediately to your Line Manager, Head of Service and the Executive Lead or Designated Safeguarding Lead Officer for Safeguarding.

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Alternatively, you can also report any suspicion through the Sevenoaks District Council's Whistleblowing Policy.

- If the Line Manager, Head of Service, Executive Lead or Designated Safeguarding Lead Officer for Safeguarding is the subject of the allegation/suspicion the report must be made directly to the Chief Executive.
- The Designated Safeguarding Officer, alongside Human Resources will follow the Council's Safeguarding Policy and personnel procedures.
- The Council's Disciplinary Policy takes this into consideration.
- Staff are given confidence through a positive open culture to report any safeguarding (or other) concerns and the Council's whistle-blowing policy (available on the Council's intranet site, "InSite"), staff who have genuine cause for raising concerns in the workplace.
- The corporate Complaints Procedure sets out how we deal with customers who wish to complain; safeguarding complaints will be directed to the Lead Designated Safeguarding Officer/s in the first instance.
- Any employee accused of abuse will, if necessary, be suspended or redeployed pending further Police, Kent County Council and/or internal investigation.
- The Executive Lead or Designated Safeguarding Lead Officer will consider whether a referral needs to be made to the Disclosures & Barring Service using the guidance and consulting with the LADO (for children)
- A summary of reporting concerns can be found in section 6 of this policy.

10.3 When allegations or concerns are expressed about any other person (e.g. parent, carer, other service user), you should:

- Take the allegation or concern seriously

- If you believe the child, young person or adult is ‘at risk’ of immediate significant harm, which includes situations which you would reasonably believe requires the emergency services, then you should contact the relevant emergency service and then notify the Designated Safeguarding Lead, the Deputy Chief Executive, a Safeguarding Lead Officer or your line manager
- Record details on the initial notification form, which can be found through the Council intranet.
- The Designated Safeguarding Officer may have a consultation with Kent Contact and Assessment Service (KCAS) or may ask you to help complete a formal referral
- Outcome of the consultation/referral to be recorded on the Safeguarding Notification Form on InSite.

10.4 A short list of safeguarding Dos and Don'ts for staff is included in section 4 of this document This covers dealing with a disclosure and how staff can protect themselves through professional boundaries.

11. Appropriate training for employees

11.1 Safeguarding is everyone's business. While Members, employees, volunteers and contracted services providers have varied levels of contact with children, young people and vulnerable adults as part of their duties and responsibilities for the Council, everyone should be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns.

11.2 This general policy therefore applies to all staff. All staff are responsible for ensuring that the activities in which they are involved during the course of their work are carried out in accordance with this general policy and related procedures.

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Safeguarding is included within the Conditions of Service of all staff.

- 11.3 Appendix A to this policy sets out further guidance, information and advice on spotting the signs of abuse and neglect.
- 11.4 Employees must accept and be able to recognise their responsibilities with regard to their own good practice and the reporting of signs of suspected abuse or neglect according to the arrangements set out in this policy.
- 11.5 Training needs and opportunities relating to child and vulnerable adult safeguarding and protection issues will be identified and addressed through the Council's Induction and Appraisal Procedures, and in response to any changes in legislation. Training may include internal courses/workshops, externally accredited courses/seminars or workshops organised by relevant agencies. The Council Human Resources Team will organise and keep a record of all staff and volunteers who have received training.
- 11.6 Training Guidance will be produced for Human Resources (HR) to take forward all safeguarding training needs of Sevenoaks District Council staff and contractors.

12. Safe recruitment practices

- 12.1 The Council will adopt safe recruitment practices to reduce the likelihood of recruiting unsuitable staff or volunteers. This includes ensuring that a statement about the organisation's commitment to safeguarding is included in all recruitment and selection materials including reference to regular DBS checks. Satisfactory explanations for any gaps in employment will be sought. References will always be obtained direct from the referee, never through the applicant. Appropriate levels of Disclosure and Barring Service checks will be obtained.

13. Disclosure and Barring Service (DBS) Criminal Records Check Policy

- 13.1 The Council requires staff to have an enhanced DBS check if they have unsupervised contact with children, young people and vulnerable adults. Chief Officers and Heads of Service, in consultation with Human Resources, are responsible for deciding which of their staff require a DBS check, the level of check required and for ensuring that DBS checks are kept up to date.
- 13.2 Organisations or contractors undertaking work on behalf of the Council should confirm that they have appropriate DBS checks in place.
- 13.3 More information is available on the Government's Disclosure and Barring Service website.

14. Procurement, third party service providers and tenants

- 14.1 Where the Council works with, commissions or grant-funds other organisations which come into contact with those groups covered by this policy, they will be required to have safeguarding arrangements in place or subscribe to the policies and procedures set out in this policy.
- 14.2 There is an obligation on the council to ensure that any third party service providers, whose services are commissioned, procured or grant funded by the Council, discharge their duties under the relevant legislation. As noted above, this general policy statement on safeguarding covers all employees of the authority - including contracted service providers.
- 14.3 All contracts and Service Level Agreements will also take account of the need of those Service Providers in contact with children, young people and adults at risk to be responsible for discharging their duties for safeguarding children, young people and adults at risk.

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- 14.4 Grant application forms will also include a requirement for the organisation to supply evidence of their safeguarding policy if responsible for children, young people or adults at risk.
- 14.5 Where organisations are delivering services affecting children or vulnerable adults on behalf of the Council:-
- They will be expected to have robust safeguarding procedures in place.
 - Contracts, Service Level Agreements or grant approval letters will set out the safeguarding arrangements required. As a minimum, this will be that where adults work or volunteer with children or vulnerable adults they should be subject to a Disclosure and Barring Services (DBS) check or be supervised by a person with a DBS check. More information on DBS can be obtained from the Council's Human Resources department and from the government's webpage for the disclosure and barring service, which can be found [here](#).

15. Sevenoaks District Council's approach to implementing the Policy

- 15.1 Whilst other partnerships and organisations have roles in co-ordinating and ensuring the effectiveness of the Council's work to safeguard and promote the welfare of children and adults with care and support needs, they are not accountable for the Council's operational work. The Council retains its own lines of accountability for safeguarding and promoting the welfare of children and adults with care and support needs through its own service delivery and provision.
- 15.2 All staff, volunteers and elected members are to ensure they familiarise themselves and comply with the Council's Safeguarding Policy

and
associated procedural documents.

- 15.3 All staff, volunteers and elected members must participate in relevant training to recognise the varying forms of abuse and report any concerns, incidents or allegations to the Council’s Designated Safeguarding Officers in line with the relevant procedures.
- 15.4 It is the responsibility of staff and elected members to consider safeguarding implications in their decision making processes, including the procurement of services.
- 15.5 All external organisations and contractors providing services to the Council are required to comply with the Council’s Safeguarding Policy as a minimum standard. Where relevant they should have their own safeguarding policy and procedures in place.
- 15.6 Whilst safeguarding is the responsibility of all Council staff, volunteers, elected members and contractors, there are a number of safeguarding roles within the Council with specific responsibilities briefly set out below:

| Role | Responsibilities |
|----------------|---|
| Executive Lead | <ul style="list-style-type: none"> • Raise the profile, support the Policy and promote the development of initiatives to ensure the protection of residents within the district. • Allocate resources to enable the Council to meet its responsibilities. |

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| | <ul style="list-style-type: none"> • Chair the Officer Safeguarding Group, submitting updates to SMT. |
| Designated Safeguarding Lead | <ul style="list-style-type: none"> • Review Policy every year issuing operational guidance and promoting good practice and making policy recommendations to SMT and relevant Committees. • Make referrals to KCC safeguarding referral channels as appropriate. • Ensure that action taken is coordinated and monitored. • Coordinate audits and assessments for submission to the Kent Safeguarding Children and Adult Boards. • Development of an annual safeguarding action plan, working with the HR team who will lead on the delivery and monitoring of training, DBS checks and retain a log of all staff training. |
| Designated Safeguarding Officers | <ul style="list-style-type: none"> • Support the implementation of the annual safeguarding action plan. • Support the co-ordination of audits and assessments for submission to the Kent Safeguarding Children and Adult Boards. • Ensure that action taken is coordinated and monitored. • Support and advise the Council's contractors, leaseholders and grant recipients on the development of safeguarding policies, where necessary. |
| Elected Members | <ul style="list-style-type: none"> • Scrutinise the Council's Safeguarding Policy and safeguarding reports to relevant Committees. • Portfolio Holder with responsibility for safeguarding has responsibility for approving any policy amendments. |

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| | <ul style="list-style-type: none"> • Portfolio Holder with responsibility for safeguarding will act as the Council’s safeguarding champion. • Training to be undertaken as necessary. |
| <p>Heads of Service/Managers</p> | <ul style="list-style-type: none"> • Make staff aware of their duty to report any allegations or suspicions of abuse to a Designated Safeguarding Officer and the procedure for doing so. • Operate safe recruitment practices and routinely take up and check references. • Adhere to and operate within the Council’s Whistleblowing Policy and support staff who raise concerns. • Ensure all staff receive training in safeguarding consistent with their job roles and responsibilities. • Monitor compliance with Council’s Safeguarding Policy with contractors, leaseholders and grant recipients as appropriate. |

15.7 See Appendix C for the current staff contacts.

16. The Sevenoaks District Safeguarding Group

16.1 The Sevenoaks District Council Safeguarding Group brings together members of staff who are practitioners most likely to encounter safeguarding issues in their day-to-day work. It meets every 2 months to help ensure that the Council is taking its safeguarding responsibility seriously and complying with legal requirements. It provides a forum for practitioners to discuss issues and concerns relating to safeguarding. This Policy will be monitored through the Council’s Safeguarding Group.

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17. Partnership arrangements

Organisations receiving funding from the District Council will be required to provide evidence that they have a suitable child and vulnerable adult protection policy and practice in place.

- 17.1 The Council will take part in any County or District-wide forum to which they are invited that exists to co-ordinate multi-agency arrangements relating to safeguarding matters.

18. Record Keeping

In order to ensure that all the details of the allegation are maintained accurately for use in possible future Court proceedings, the Lead Safeguarding Officer shall ensure that the following documentation is collated:

- The written report
- Any notes, memoranda, telephone transcripts or other correspondence dealing with the matter and copies of completed forms
- Any other relevant materials

These copies will be kept locked at all times and kept for a period of six years.

- 18.1 Documents associated with allegations against a member of staff should be kept according to usual HR practices.
- 18.2 Where there are concerns about the length of time for which individual records should be kept, the advice of the Council's Data Protection Officer will be sought.

19. Updating the Policy

- 19.1 The Sevenoaks District Council Safeguarding Group will review this Policy every four years or as appropriate in light of significant legislative changes.

Reviewed: December 2021

By: Sarah Robson and Kelly Webb

Next Review date: December 2025

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Annex A: Further guidance and information

Children and young people

Further guidance including definitions of abuse is available on the Government's website and includes:

- Preventing neglect, abuse and exploitation (This includes <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>)
- Keeping children safe in education and other settings
- Safeguarding disabled children
- Runaway and homeless children
- Gang activity
- Cross-border child protection

Guidance is available on the following on the Kent Safeguarding Children Multi Agency Partnership website:

- Single Request for Support form and guidance (replaces Inter-agency referral and Early Help Notification) Please speak to a Designated Safeguarding Officer for help and guidance.
- Kent Support Levels Guidance
- Physical and Emotional Wellbeing
- Domestic Abuse
- Trafficking
- Online Safety
- Child Protection Conferences
- Family and Relationships
- Bullying
- Prevent.
- Child Sexual Exploitation (CSE)
- Faith Communities
- National legislation - GOV.UK

[The Kent Safeguarding Children Multi-Agency Partnership](#) website useful guidance and details of other safeguarding organisations.

Adults

Kent County Council's website contains details of [adult protection legislation and guidance](#) and details useful national legislation and guidance. It includes:

- [Self-neglect Policy and Procedures](#)
- [Joint Police, Social Services and Health Protocol for dealing with cases of domestic abuse where adults at risk are involved](#)
- [Mental capacity act](#)
- [Protocols for Kent and Medway to safeguard adults who are at risk of sexual exploitation, modern slavery and human trafficking](#)
- [Human trafficking and National Referral Mechanism guidance](#)
- [Safeguarding Adults Checklist for Practitioners in Kent \(only\)](#)
- [Adults at risk of abuse guidance](#)
- [Financial abuse toolkit](#)
- [Government guidance - controlling or coercive behaviour in an intimate or family relationship](#)

Information Sharing

- [Kent and Medway Information Sharing Agreement](#)

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Annex B: Useful contact numbers

If someone is in immediate danger of risk of harm call 999

During the day in office hours

- If you are concerned about a child? Call 03000 41 61 61
- If you are concerned about an adult? Call 03000 41 61 61
- Out of hours an in an emergency

If you need to contact the Kent Safeguarding Team outside normal office hours, call 03000 41 91 91

Education Safeguarding Team

The Education Safeguarding Team (EST) provide support, guidance and challenge to schools, services and Early Years settings and services

- Headquarters: 03000 41 57 88
- West Kent: 03000 41 22 84
- Child Protection/ e-safety: 03000 41 57 97

Local Authority Designated Officer: 03000 41 08 88 or email

GCSXsafeguardingunit@kent.gcsx.gov.uk

Early Help

- If you would like to make a referral to the Early Help and Preventative Services, they can be contacted using 03000 41 92 22 or email earlyhelp@kent.gov.uk.
- Further information and the notification form is available [here](#)

Child Sexual Exploitation

- Kent has recently launched a campaign to raise awareness of child sexual exploitation called Operation Willow. If you have concerns about a child or young person whom you

believe is at risk of sexual exploitation. Call Kent Police on 101 quoting Operation Willow.

- National Child Sexual Exploitation Helpline: 11 60 00

Child Exploitation and Online Protection

- You can make a make a report by visiting the CEOP website [here](#) or by calling Childline 0800 1111
- Other contact information for NHS and other organisations can be found at www.kscb.org.uk/about-kscb/contact-us

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Annex C: Designated Safeguarding Officers

| Role | Officer | Contact details |
|--------------------------------------|--|--|
| Executive Lead | Sarah Robson, Chief Officer, People and Places | Tel: 7129 Mobile: 07922 388299 Email: sarah.robson@sevenoaks.gov.uk |
| Designated Safeguarding Lead Officer | Kelly Webb, Health and Communities Manager | Tel: 7474 Mobile: 07718 120870 Email: Kelly.webb@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Jim Carrington-West, Chief Officer, Customer & Resources | Tel: 7286 Mobile: 07811 113780 Email: jim.carrington-west@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Margaret Carr, Policy Officer, | Tel: 7341 Email: Margaret.carr@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Graeme Taylor, Head of HR & Organisational Development | Tel: 7169 Email: Graeme.taylor@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Abigail Agba, Interim Head of Housing | Tel: 7272 Mobile: 07718 120871 Email: Abigail.agba@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Rav Kensrey, Homelessness Prevention Manager | Tel: 7241 Mobile: 07874 637212 Email: Rav.kensrey@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Dorota Pajsert, Human Resources Project Manager | Tel: 7092 Email: Dorota.pajsert@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Miranda Forrest, PA to Sarah Robson | Tel: 7430 Email: Miranda.forrest@sevenoaks.gov.uk |

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|---------------------------------|---|--|
| Designated Safeguarding Officer | Jessica Foley, Senior Licensing Officer | Tel: 7480 Email: Jessica.foley@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Daniel Shaw, Private Sector Housing Team Leader | Tel: 7155 Email: Daniel.shaw@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Evelyn Gilder, Planning Improvements & Standards Manager | Tel: 7306 Email: Evelyn.gilder@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Chloe Myrie, Private Sector Housing Officer | Tel: 7295 Email: Chloe.myrie@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Sharon Burchell, Customer Solutions Team Leader | Tel: 7211 Mobile: 07432 134556 Email: Sharon.Burchell@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Jenny Weston, Accommodation Team Leader | Tel: 7431 Email: Jenny.weston@sevenoaks.gov.uk |
| Designated Safeguarding Officer | Sue Cressall, Revenues Manager | Tel: 7041 Mobile: 07793 204263 Email: sue.cressall@sevenoaks.gov.uk |

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Item 6 (b) - Air Quality Action Plan - Consultation Summary and Request to Adopt

The attached report will be considered by the Cabinet on 21 April 2022, and the relevant minute extract is therefore not available prior to printing of these papers and will follow when available.

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**AIR QUALITY ACTION PLAN- CONSULTATION SUMMARY AND REQUEST TO ADOPT
Council - 26 April 2022**

Report of: Deputy Chief Executive and Chief Officer Planning and Regulatory Services

Status: For Decision

Also considered by:

- Cleaner & Greener Advisory Committee - 19 April 2022
- Cabinet - 21 April 2022

Key Decision: No

This report supports the Key Aim of: Green Environment -Priority to maintain a clean local environment

Executive Summary: This report summarises the outcome of the public consultation of the Air Quality Action Plan 2022-2027. As a result of the consultation, a number of changes to the draft AQAP are proposed (summarised within this report).

Portfolio Holder: Cllr. Margot McArthur

Contact Officer: Nick Chapman, Ext. 7167

Recommendation to Cleaner & Greener Advisory Committee

- To note the results of the statutory consultation
- To note the proposed changes made to the draft Air Quality Action Plan following consultation.
- The decisions set out in paragraphs (a) - (c) below be recommended to Cabinet

Recommendation to Cabinet

- To note the results of the statutory consultation
- To note the proposed changes made to the draft Air Quality Action Plan following consultation.
- To recommend to Council to support the adoption of the Air Quality Action Plan

Recommendation to Council

- (a) To note the results of the statutory consultation
- (b) To note the proposed changes made to the draft Air Quality Action Plan following consultation.
- (c) To support the adoption of the Air Quality Action Plan and its publication
- (d) To provide delegated authority to the Environmental Health Manager to agree future amendments and changes to the Air Quality Action Plan in conjunction with the Portfolio Holder to ensure it remains relevant and effective for its stated duration.

Reason for recommendation: The District Council has undertaken an appropriate consultation on the proposals within its Draft Air Quality Action Plan and has made appropriate amendments to reflect comments made by stakeholders. The District Council is required to formally adopt an Air Quality Action Plan and it is considered beneficially for this to be done as soon as practicably possible. The AQAP is a working document and consequently it is anticipated that amendments, changes and updates will be required throughout its duration to ensure it remains relevant and up to date. It is considered appropriate for these technical changes to be made by the Environmental Health Manager in conjunction with the relevant portfolio holder.

Introduction and Background

- 1 Sevenoaks District Council is required to produce an Air Quality Action Plan (AQAP) which details measures it intends to take to mitigate air pollution within its designated Air Quality Management Areas (AQMA) over the next 5 years
- 2 A draft version of the Air Quality Action Plan was brought before Cleaner & Greener Advisory Committee, Cabinet and Council in January and February 2022.
- 3 Between 24 February and 24 March 2022, the District Council undertook a public consultation of the draft action plan. This consultation was hosted on the District Council's website and stakeholders were encouraged to complete an online survey, which collected their views. Offline responses were also accepted.
- 4 The District Council wrote out to following partners and stakeholders requesting that they comment on the AQAP:
 - DEFRA
 - Kent County Council
 - Environment Agency

- District Councillors
 - Parish Councils
 - Neighbouring Authorities
 - Highways England
 - Local Chambers of Commerce
- 5 Three virtual 'drop-in' sessions were held for interested stakeholders on Friday 11th March 2021:
- 10:00 to 11:00- Businesses
 - 11:30 to 12:30- Parish Councils
 - 13:00 to 14:00- Members of the public
- 6 Throughout the consultation period, social media (Twitter, Facebook and LinkedIn) was used to promote the consultation including the use of paid promotion.
- Press release issued on 24/02/2022 to all media contacts (91 total)
 - Facebook post on 24/02/2022 reached 2261 people and achieved 62 engagements
 - Twitter post on 24/02/2022 reached 433 people and achieved 9 engagements
 - LinkedIn post on 08/03/2022 reached 297 people
 - Twitter post on 10/03/2022 reached 345 people and achieved 9 engagements
 - Facebook post on 19/03/2022 reached 78 people and achieved 7 engagements (comments likes and shares)
 - Twitter post on 19/03/2022 reached 338 people and achieved 2 engagements
 - LinkedIn post by EHM on 19/03/2022 reached 515 people and achieved 14 engagements
 - Instagram post on 21/03/2022 reached 187 people
 - Facebook post on 22/03/2022 reached 436 people and achieved 4 engagements
 - Twitter post on 22/03/2022 reached 301 people and achieved 3 engagements
- 7 The District Council received 27 responses to its consultation including responses from Kent County Council, Sevenoaks Town Council, Swanley Town Council and Sevenoaks Bicycle Users Group.

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- 8 A response was received from DEFRA on 18 March 2022 (Appendix D of the report) and the AQAP has been amended to reflect these comments.

Outcome of consultation and finalisation of the Air Quality Action Plan

- 9 As a result of the consultation, and after consideration of the responses, a number of amendments are proposed to the measures within the draft Air Quality Action Plan. The updated AQAP is in Appendix 1.

- 10 Section 4.2 has been updated with the Consultation Outcome.

- 11 Section 4.3 has been updated in accordance with the comments received from DEFRA and includes more detail about the meetings that have taken place in preparation of the AQAP.

- 12 Table 5.1 has been amended to reflect comments received through the consultation process. Several additional measures have been added to the draft document. These are:

- Measure 25- To provide information and education in respect of personal emissions and how they may be reduced.-
- Measure 26- To work with businesses to identify ways to reduce emissions from their activities.
- Measure 27- To discourage the use of bonfires as a means of waste disposal.
- Measure 28- To reduce emissions from activities with Environmental Permits
- Measure 29- To work with Highways England to identify measures which will reduce the need for HGV and LGV vehicles to use the A25
- Measure 30- To review the effectiveness of introducing 20mph zones within areas where AQS objective levels are highest (Sevenoaks High Street, A25 Seal, Bat & Ball Junction, Riverhead, Westerham)
- Measure 31- To work with business operators to increase the % composition of LEV within private fleets
- Measure 32- To increase the number of Taxi operators using LEV and EV vehicles

- 13 For convenience the table below lists all of the measures now proposed within the AQAP.

| No. | Measure |
|-----|----------------------------------|
| 1 | Local Plan policy and guidance - |

| | |
|----|---|
| | <p>Ensure that developers take account of onsite and offsite air quality when assessing the environmental impact of their proposals.</p> <p>That suitable onsite and offsite air quality mitigation measures are included (including financial contributions to strategic air quality improvement measures) as part of a proposal such that future air quality is either improved or sustained at a level that would be achieved without the development.</p> |
| 2 | Junction improvements at Bat & Ball Junction (A25/ A225 Junction) |
| 3 | Junction improvements at A224/A25 in Riverhead |
| 4 | Road/ Junction improvements along A225 Sevenoaks High Street |
| 5 | Road improvements along the A25 in Seal, and the A25 in Brasted |
| 6 | Bike rental schemes |
| 7 | Promotion of active travel schemes |
| 8 | Development of new walking and cycle routes |
| 9 | District wide promotion of active travel |
| 10 | Behavioural change campaigns to reduce single use occupancy car journeys |
| 11 | Reducing vehicle idling |
| 12 | Educational campaigns for schools |
| 13 | Collaboration with bus operators to introduce ultra-low emission vehicles into the fleets |
| 14 | Transitioning the Council's fleet to low emission vehicles |

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| 15 | Improving and developing the EV infrastructure within the district |
| 16 | Installing EV charging points within all Council owned carparks |
| 17 | Improving public transport infrastructure |
| 18 | Promote the use of public transport |
| 19 | On and off-street parking charges linked to vehicle emissions standards |
| 20 | Car Club / Sharing schemes |
| 21 | Exploring flexible working and home working |
| 22 | Walking to school incentives/ encouragement |
| 23 | Complete a detailed modelling assessment of the Swanley Area to quantify the local air quality |
| 24 | Hire an Air Quality Promotions Officer |
| 25 | To provide information and education in respect of personal emissions and how they may be reduced |
| 26 | To work with businesses to identify ways to reduce emissions from their activities |
| 27 | To discourage the use of bonfires as a means of waste disposal. |
| 28 | To reduce emissions from activities with Environmental Permits |
| 29 | To work with National Highways to identify measures which will reduce the need for HGV and LGV vehicles to use the A25 |
| 30 | To review the effectiveness of introducing 20mph zones within areas where AQS objective levels are highest (Sevenoaks High Street, A25 |

| | |
|----|--|
| | Seal, Bat & Ball Junction, Riverhead, Westerham) |
| 31 | To work with business operators to increase the % composition of LEV within private fleets |
| 32 | To increase the number of Taxi operators using LEV and EV vehicles |

- 14 Appendix A of the AQAP has been populated with comments received through the consultation process.
- 15 Appendix C of the AQAP - Provides details of the questions asked during the consultation.
- 16 Appendix D of the AQAP - Is the response received from DEFRA.
- 17 Appendix E of the AQAP - Is the response received from Kent County Council.

Recommendations

- 18 Councillors are asked to review the proposed changes and agree to their inclusion within the final published version of the Air Quality Action Plan.
- 19 Councillors are to note that the Air Quality Action Plan is a working document and that it will be subject to regular revision and update.
- 20 Councillors are asked to agree for delegated authority to be provided to the Environmental Health Manager in conjunction with the Portfolio Holder to sign off future updates, amendments and revisions of the Air Quality Action Plan to ensure it remains relevant and effective.

Key Implications

Financial

The costs of implementing the measures within the Air Quality Action Plan vary significantly. The costs associated with investigating measures will be from existing budgets within Environmental Health however the implementation of measures is in some cases dependent on as yet unidentified funding. The AQAP provides potential leavers and mechanisms to allow the District Council access to additional funding streams and grants.

Legal Implications and Risk Assessment Statement.

It is a legal requirement for the District Council to adopt an Air Quality Action Plan where it has declared Air Quality Management Areas (4 within Sevenoaks District).

Agenda Item 6b

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

Net Zero Implications

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be a decrease in carbon emissions produced in the District as a result of this decision.

Appendices

Appendix 1- Final Version of the Air Quality Action Plan

Background Papers

Richard Morris

Deputy Chief Executive and Chief Officer - Planning and Regulatory Services

APPENDIX 1



Sevenoaks District Council Air Quality Action Plan

In fulfilment of Part IV of the
Environment Act 1995 (As Amended)
Local Air Quality Management

April 2022

| Information | Contacts |
|-------------------------|--|
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| Date | April 2022 |

Executive Summary

This Air Quality Action Plan (AQAP) has been produced as part of our statutory duties required by the Local Air Quality Management framework. It outlines the action we will take to improve air quality in Sevenoaks District Council (SDC) between 2022 and 2027.

Where an exceedance of the Air Quality objective is recorded, local authorities are required to declare an Air Quality Management Area (AQMA) to focus efforts into reducing pollutant concentrations. This action plan is for the existing AQMAs as detailed below:

- AQMA No.8 (Swanley Town Centre) - An area encompassing Swanley Town Centre, High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;
- AQMA No.10 (Sevenoaks High Street) - An area encompassing Sevenoaks High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;
- AQMA No.13 (A25) - The entire length of the A25 from the border with Tonbridge and Malling in the East to the border with Tandridge on the West. Declared for exceedances of the NO₂ annual mean objective; and
- AQMA No.14 (Junction of Birchwood and London Roads, Swanley) - Junction of Birchwood Road and London Road, Swanley. Declared for exceedances of the NO₂ annual mean objective.

This action plan replaces the previous “Air Quality Action Plan 2009”, which has been in place since 2009. The measures detailed within this updated action plan are largely to be considered as district-wide measures, therefore relevant to all AQMAs listed above. A detailed modelling assessment to support this action plan has been carried out for all AQMAs with the exception of AQMA No.8 and AQMA No.14, due to a lack of available traffic data at the time of assessment, and the COVID-19 pandemic preventing any representative traffic data to be collected.

Projects delivered through the past action plan include:

- Setting up an internal working group to identify, implement and monitor air quality mitigation measures;
- Introducing 2 electric cars, 2 electric bicycles and 1 electric road sweeper into the Council's fleet;
- Installing 10 EV charging points in public car parks;
- Retrofitting boilers in the housing stock to low carbon alternatives, whilst encouraging switch and save; and

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas^{1,2}.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion³. Sevenoaks District Council is committed to reducing the exposure of people in Sevenoaks District to poor air quality in order to improve health.

This Action Plan aims to tackle the main causes of poor air quality within Sevenoaks District, namely emissions from combustion engines, particularly diesel vehicles, and emissions from domestic combustion sources. We have developed actions that can be considered under 8 EU Measure Categories:

- Alternatives to private vehicle use
- Policy guidance and development
- Promoting low emission transport
- Promoting travel alternatives
- Public information

¹ Environmental equity, air quality, socioeconomic status and respiratory health, 2010

² Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

³ Defra. Abatement cost guidance for valuing changes in air quality, May 2013

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- Transport planning and infrastructure
- Traffic management
- Vehicle fleet efficiency

The Council have identified a number of priorities to help achieve this aim:

- **Promoting Public Health and Wellbeing** – Providing information of the impacts associated with poor air quality alongside providing information and guidance to residents on how they can help bring about improvements to air quality.
- **Reducing the Need to Travel** – Supporting sustainable development and initiatives that support the local economy, services and facilities.
- **Active Travel, Public Transport and Low Emission Vehicles** – Encouraging the uptake of alternatives to the car through improving cycling and walking opportunities, supporting sustainable public transport, car clubs and travel plans, encouraging the uptake of electric vehicles, improving the electric vehicle charging infrastructure and other initiatives.
- **Public Information and Behavioural Change** – Providing information on the causes and implications of poor air quality. Encouraging changing travel patterns and lower emission alternatives for domestic heating.
- **Local Planning Policy and Development Management** – Ensuring new development does not exacerbate any existing poor air quality issues and provides appropriate mitigation measures where this is unavoidable. The Local Plan will also support active travel, sustainable transport modes and electric vehicle charging infrastructure.
- **SDC Vehicle Fleet** – SDC will look at its own vehicle fleet and operations to reduce harmful emissions and increase efficiency.
- **Transport Planning and Traffic Management** – We will work with partners to mitigate existing areas of traffic and transport

issues as well as seeking opportunities for alternatives and improvement.

In this AQAP we outline how we plan to effectively tackle air quality issues within our control. However, we recognise that there are a large number of air quality policy areas that are outside of our influence (such as vehicle emissions standards agreed in Europe), but for which we may have useful evidence, and so we will continue to work with regional and central government on policies and issues beyond Sevenoaks District Council's direct influence.

Responsibilities and Commitment

This AQAP was prepared by Bureau Veritas and the Environmental Health Department of Sevenoaks District Council with the support and agreement of the following officers and departments:

- Deputy Chief Executive and Chief Officer Planning and Regulatory Services
- Environmental Health Manager
- Strategic Planning Team
- Head of Direct Services
- Net Zero Working Group
- Transformation and Strategy Team
- Communications Manager
- Economic Development and Property

This AQAP has been approved by:

- Sevenoaks District Council Senior Management Team
- Cleaner & Greener Advisory Committee
- Cabinet
- Full Council at Sevenoaks District Council

Sevenoaks District Council

This AQAP will be subject to an annual review, appraisal of progress and reporting to the Cleaner and Greener Advisory Committee Progress each year will be reported in the Annual Status Reports (ASRs) produced by Sevenoaks District Council as part of our statutory Local Air Quality Management duties.

If you have any comments on this AQAP please send them to Nick Chapman, Environmental Health Manager at:

Sevenoaks District Council, Council Offices, Argyle Road,
Sevenoaks, Kent, TN13 1HG

Telephone: 01732 227000

Email: environmental.health@sevenoaks.gov.uk

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1 Introduction

This report outlines the actions that Sevenoaks will deliver between 2022 - 2027 in order to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the district.

It has been developed in recognition of the legal requirement on the local authority to work towards Air Quality Strategy (AQS) objectives under Part IV of the Environment Act 1995 (as amended) and relevant regulations made under that part and to meet the requirements of the Local Air Quality Management (LAQM) statutory process.

This Plan will be reviewed every five years at the latest and progress on measures set out within this Plan will be reported on annually within the SDC air quality ASR.

This Plan focuses on actions to improve air quality across the entire district, with a specific focus on four AQMAs declared by Sevenoaks District Council. Five AQMAs are planned for revocation following the acquisition of supporting monitoring data to verify modelled predictions and have therefore not been included within this action plan. AQMA No.8 (Swanley Town Centre) and AQMA No.14 (Junction of Birchwood and London Roads, Swanley) have not had a detailed assessment carried out due to a lack of traffic data available to undertake the dispersion modelling. Additionally, as a result of the COVID-19 pandemic, no ANPR surveys were able to be undertaken. Nonetheless, AQMA No.8 and AQMA No.14 are still discussed in relation to the monitoring carried out within these areas.

This AQAP considers measures that can be applied to the entire district and will therefore also improve air quality within these AQMAs.

The AQMAs are presented in Figure 1.1, and are as follows:

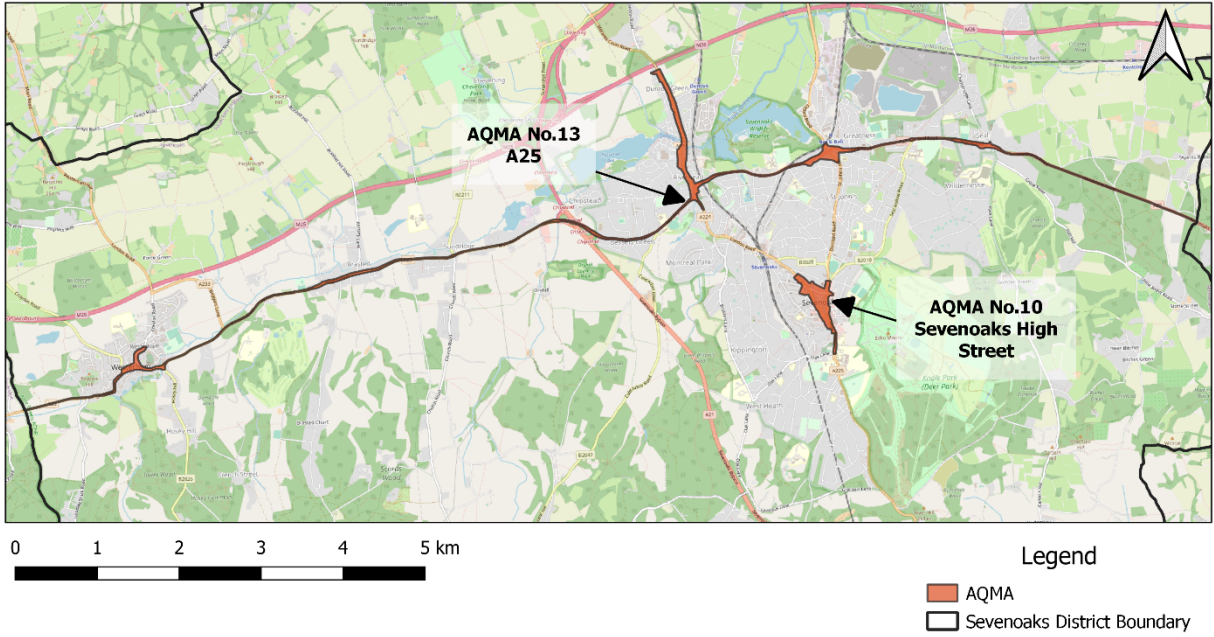
- AQMA No.8 (Swanley Town Centre) - An area encompassing Swanley Town Centre, High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;
- AQMA No.10 (Sevenoaks High Street) - An area encompassing Sevenoaks High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;

- AQMA No.13 (A25) - The entire length of the A25 from the border with Tonbridge and Malling in the East to the border with Tandridge on the West. Declared for exceedances of the NO₂ annual mean objective; and
- AQMA No.14 (Junction of Birchwood and London Roads, Swanley) - Junction of Birchwood Road and London Road, Swanley. Declared for exceedances of the NO₂ annual mean objective.

Figure 1.1 - Overview Map of AQMAs within Sevenoaks District



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2 Summary of Current Air Quality in Sevenoaks District

Sevenoaks District is located within Kent, just south-east of London, and is home to approximately 120,750 residents⁴. The main source of air pollution within the district originates from vehicular emissions of nitrogen dioxide (NO₂) and particulate matter. The major roads passing through the district include the M25, M26, A21 and A25, linking many parts of London to the Dover port and the Channel Tunnel. As a result, there is a significant amount of continental traffic that passes through the District, including HGVs, as well as the presence of local traffic and commuters passing through into London from other areas within Kent. This creates several air pollution hotspots, chiefly in the towns of Sevenoaks, Swanley and Westerham.

Air quality monitoring is carried out across the district via a network of 51 diffusion tube sites and 2 automatic monitoring locations. Monitoring data for the past 5 years is presented in the following sections so that the trends and the frequency of any exceedances can be considered. It should be noted that there is a degree of uncertainty with regard to the 2020 monitoring data following the COVID-19 pandemic and its impacts on traffic volumes and air quality.

Detailed dispersion modelling was undertaken at relevant sensitive receptors across the district for the year 2018. A summary of the results of this are also discussed in the following sections where applicable.

There have been no exceedances of any of the AQS objectives outside any AQMA in the last 5 years once considered at the nearest relevant exposure.

⁴ Office for National Statistics: Mid-2019 Estimates of the population for the UK, England, Wales, Scotland and Northern Ireland. Available at: <https://www.ons.gov.uk/>

AQMA No.8 Swanley Town Centre

AQMA No.8 was designated in 2006 for exceedances of the annual mean NO₂ objective. The current boundary covers Swanley Town Centre and along the B2173 London Road up to the M20. Figure 2.1 shows the extent of this AQMA.

There are 3 existing monitoring locations within the boundary of AQMA No.8. The annual mean NO₂ concentration over the past 5 years are presented in Table 2.1.

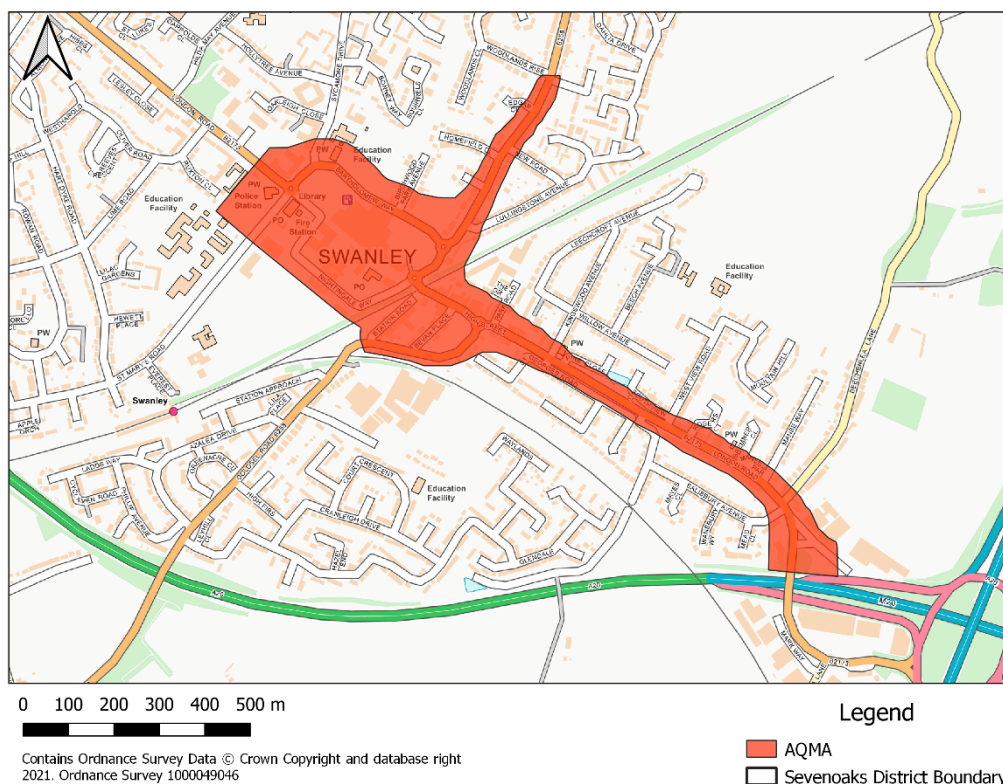
- Concentrations have largely been decreasing since 2016.
- Following distance correction, the predicted annual mean NO₂ concentrations are below the AQS objective in all years reported.

This AQMA was not included within the detailed modelling assessment due to a lack of available traffic data.

Table 2.1 – AQMA No.8 Annual Mean NO₂ Concentrations

| Site ID | X OS Grid Ref. | Y OS Grid Ref. | Site Type | Annual mean NO ₂ concentration (µg/m ³) | | | | |
|---|----------------|----------------|-----------|--|-------------|-------------|------|------|
| | | | | 2016 | 2017 | 2018 | 2019 | 2020 |
| DT39 | 551492 | 168695 | Roadside | 40.9 | 34.5 | 36.4 | 34.8 | 28.1 |
| DT40 | 551575 | 168508 | Kerbside | 51.5 | 40.9 | 45.6 | 37.5 | 28.4 |
| DT41 | 552174 | 168162 | Roadside | 42.7 | 40.1 | 38.6 | 32.6 | 27.2 |
| Note: Exceedances of the NO ₂ annual mean AQS objective are in bold | | | | | | | | |

Figure 2.1 – Map of AQMA No.8 Swanley Town Centre



AQMA No.10 Sevenoaks High Street

AQMA No.10 was designated in 2006 for exceedances of the annual mean NO₂ objective. The current boundary covers Sevenoaks High Street from the junction of the A225 Oak Lane to where the A225 splits from the B2019. It also incorporates London Road up to just south of The Drive, Pembroke Road and parts of Suffolk Way, Eardley Road and Argyll Road. The extent of this AQMA is shown in Figure 2.2.

There are 7 existing monitoring locations within the current boundary of AQMA No.10. The annual mean NO₂ concentrations reported at these sites over the past 5 years are presented in Table 2.2.

- DT02, DT28, DT48 and DT51 have all reported at least one exceedance of the annual mean NO₂ AQS objective within the past 5 years. None of these are located at relevant exposure.
- Overall, concentrations have been decreasing since 2016.

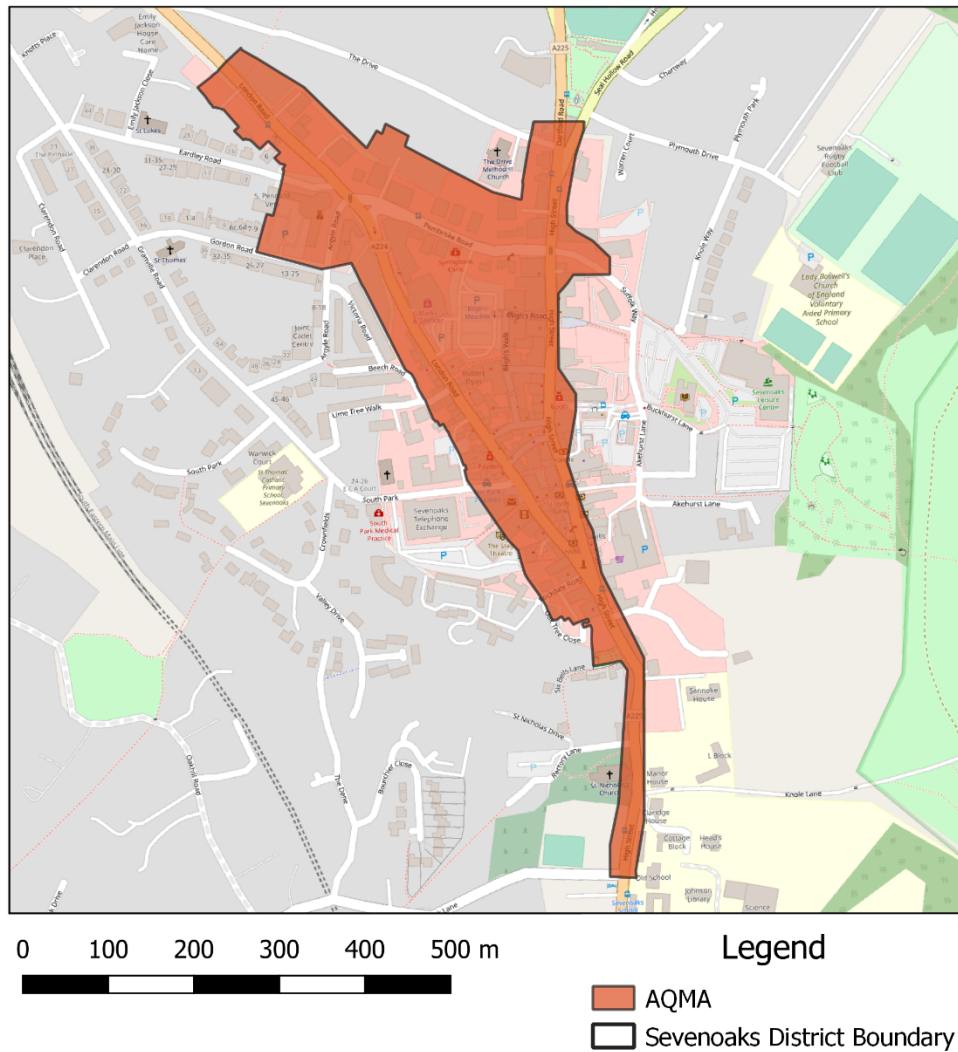
Table 2.2 – AQMA No.10 Annual Mean NO₂ Concentrations

| Site ID | X OS Grid Ref. | Y OS Grid Ref. | Site Type | Annual mean NO ₂ concentration (µg/m ³) | | | | |
|---|----------------|----------------|-----------|--|-------------|-------------|-------------|------|
| | | | | 2016 | 2017 | 2018 | 2019 | 2020 |
| DT02 | 553157 | 154415 | Roadside | 54.7 | 48.1 | 49.9 | 40.4 | 29.6 |
| DT27 | 553139 | 154259 | Roadside | 39.8 | 38.2 | 37.7 | 33.2 | 21.6 |
| DT28 | 553043 | 154890 | Kerbside | 44.1 | 36.7 | 36.8 | 31.5 | 23.5 |
| DT29 | 553073 | 155026 | Roadside | 31.5 | 28.0 | 28.2 | 23.7 | 17.6 |
| DT48 | 552863 | 154873 | Roadside | 27.7 | 40.7 | 23.9 | 20.0 | 13.6 |
| DT49 | 553018 | 154654 | Roadside | 33.7 | 28.2 | 29.1 | 25.1 | 17.2 |
| DT51 | 552662 | 155153 | Kerbside | 40.4 | 35.1 | 39.0 | 30.2 | 22.3 |
| Note: Exceedances of the NO ₂ annual mean AQS objective are in bold | | | | | | | | |

Modelled receptors were positioned at numerous existing residential receptor locations throughout the AQMA, both within and in close proximity to the AQMA boundary, inclusive of receptors at Sevenoaks School.

- Exceedances of the annual mean objective were predicted in two areas of the High Street. Northwards of Rectory Lane, a narrow bend near Six Bells Lane and at the High Street where it splits off from the A224 up until the junction to Pembroke Road/Suffolk Way.
- Additional exceedances were predicted along the A224 London Road/Tubs Hill in Sevenoaks.
- There was a predicted concentration greater than 60µg/m³ in a narrow section of the High Street between Dorset Street and Locks Yard. This indicates a potential exceedance of the hourly-average AQS objective, as per LAQM.TG(16) guidance.
- The receptors modelled at Sevenoaks School are predicted to have concentrations less than 40µg/m³.

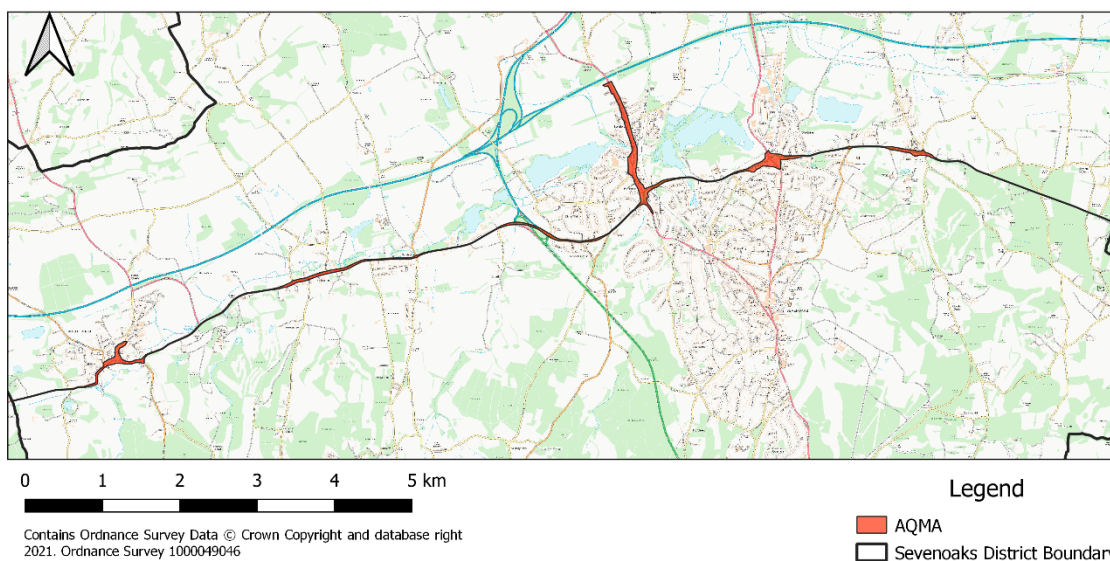
Figure 2.2 – Map of AQMA No.10 Sevenoaks High Street



AQMA No.13 A25

AQMA No.13 has been declared since 2014 for exceedances of the annual mean NO₂ AQS objective. The AQMA covers the entire stretch of the A25, from the border of Tonbridge and Malling in the east to the border of Tandridge in the west. It also covers the A224 London Road heading northwards from Riverhead until it meets the M26, a section of the A224 Amherst Hill heading south from Riverhead until the junction to Montreal Road, and a section of London Road heading northwards from Market Square in Westerham until it reaches the junction to Quebec Avenue. Figure 2.3 shows the full extent of this AQMA.

Figure 2.3 – Map of AQMA No.13 A25



There are 26 monitoring locations within or in close proximity to the AQMA boundary. Table 2.3 displays the annual mean NO₂ concentrations reported over the past 5 years at these monitoring locations. 12 monitoring locations have reported at least one exceedance of the annual mean NO₂ objective in the past 5 years (2016-2020). Overall, concentrations have been gradually decreasing over the past 5 years.

- Of these 12 sites, only 3 continue to report exceedances in 2019 (DT31, DT32 DT87). These 3 sites have continuously reported exceedances in previous monitoring years. The other 9 sites no longer report exceedances in 2019 following the gradual decrease of concentrations.
- Following distance correction where monitoring is not conducted at relevant exposure, no sites have reported a concentration to be exceeding the AQS objective in 2019. DT32 does however report a concentration to be within 10% of the AQS objective (39.8µg/m³).
- DT31 and DT32 are located on the southern and eastern arms of the A25 Seal Road to A225 junction respectively. This junction experiences heavy congestion, and the southern and eastern

sections leading up to the junction are narrow, further amplifying this congestion.

- DT87 is located along the A25 Bradbourne Vale Road approaching the Riverhead junction.

Table 2.3 – AQMA No.13 Annual Mean NO₂ Concentrations

| Site ID | X OS Grid Ref. | Y OS Grid Ref. | Site Type | Annual mean NO ₂ concentration (µg/m ³) | | | | |
|---------|----------------|----------------|-----------|--|------|------|------|------|
| | | | | 2016 | 2017 | 2018 | 2019 | 2020 |
| CM2 | 553044 | 156690 | Roadside | 31.0 | 28.0 | 25.0 | 23.0 | 18.0 |
| DT05 | 551414 | 156197 | Kerbside | 47.0 | 42.7 | 39.3 | 34.4 | 30.3 |
| DT06 | 551440 | 156165 | Roadside | 47.1 | 40.2 | 41.7 | 34.8 | 27.3 |
| DT07 | 555092 | 156694 | Roadside | 46.8 | 42.7 | 41.3 | 36.6 | 26.2 |
| DT08 | 554991 | 156726 | Roadside | 35.2 | 26.9 | 28.3 | 23.7 | 19.2 |
| DT23 | 553059 | 156624 | Roadside | 40.5 | 34.3 | 39.2 | 33.0 | 26.6 |
| DT24 | 544415 | 153914 | Roadside | 35.3 | 30.4 | 35.8 | 28.2 | 23.0 |
| DT25 | 544770 | 154000 | Roadside | 29.8 | 25.9 | 26.1 | 23.5 | 18.4 |
| DT31 | 553165 | 156685 | Roadside | 57.9 | 51.2 | 51.1 | 43.6 | 35.0 |
| DT32 | 553151 | 156558 | Roadside | 56.3 | 47.6 | 51.9 | 40.7 | 32.5 |

Sevenoaks District Council

| Site ID | X OS Grid Ref. | Y OS Grid Ref. | Site Type | Annual mean NO ₂ concentration (µg/m ³) | | | | |
|---------|----------------|----------------|-----------|--|-------------|-------------|------|------|
| | | | | 2016 | 2017 | 2018 | 2019 | 2020 |
| DT33 | 555068 | 156711 | Roadside | 48.1 | 40.5 | 40.5 | 34.6 | 26.3 |
| DT34 | 549427 | 155691 | Roadside | 31.7 | 27.5 | 26.1 | 23.5 | 18.3 |
| DT35 | 554093 | 156798 | Roadside | 39.6 | 32.5 | 33.7 | 30.0 | 24.3 |
| DT36 | 544594 | 154025 | Kerbside | 45.1 | 39.6 | 40.1 | 33.5 | 28.2 |
| DT42 | 551318 | 156373 | Roadside | 39.3 | 35.5 | 34.5 | 27.4 | 23.6 |
| DT43 | 551281 | 156860 | Roadside | 34.1 | 29.5 | 28.5 | 26.5 | 19.3 |
| DT54 | 551216 | 157007 | Roadside | 36.0 | 33.8 | 32.7 | 28.8 | 24.8 |
| DT71 | 548239 | 155353 | Roadside | 33.5 | 30.0 | 31.3 | 25.6 | 22.5 |
| DT74 | 550768 | 155584 | Roadside | 37.1 | 35.4 | 35.9 | 30.7 | 22.2 |
| DT76 | 551026 | 155710 | Roadside | 40.0 | 33.9 | 37.9 | 33.3 | 27.4 |
| DT77 | 551529 | 155967 | Roadside | 40.0 | 38.8 | 38.7 | 31.6 | 25.0 |
| DT84 | 546802 | 155000 | Roadside | 35.4 | 31.2 | 32.5 | 26.5 | 23.0 |
| DT85 | 547097 | 155099 | Roadside | 51.1 | 43.9 | 43.7 | 35.7 | 31.5 |

| Site ID | X OS Grid Ref. | Y OS Grid Ref. | Site Type | Annual mean NO ₂ concentration (µg/m ³) | | | | |
|---------|----------------|----------------|-----------|--|-------------|-------------|-------------|------|
| | | | | 2016 | 2017 | 2018 | 2019 | 2020 |
| DT86 | 550308 | 155593 | Roadside | 40.8 | 36.0 | 34.7 | 30.7 | 21.1 |
| DT87 | 551640 | 156335 | Roadside | 51.7 | 45.7 | 47.0 | 42.3 | 35.7 |
| DT88 | 552963 | 156583 | Roadside | 32.9 | 28.7 | 30.3 | 28.1 | 20.7 |

Note:
Exceedances of the NO₂ annual mean AQS objective are in **bold**

Discrete modelled receptors within this AQMA have predicted 5 areas of exceedances within this AQMA. These are:

- Westerham, along the A25 between the junction to the B2024 and Mill Lane, and where London Road joins the A25;
- Brasted along the High Street, in particular near to junctions to Church Road and Chart Lane, as well as an additional predicted exceedance near the junction to Rectory Lane;
- The junctions of the A25 and A224 in Riverhead, with the majority of exceedances predicted along the eastern stretch of the A25;
- The junction between the A225 and A25 in Bat & Ball, in particular the southern and eastern stretches where there have been monitored exceedances; and
- The eastern section of the A25 leaving Seal.

AQMA No.14 Junction of Birchwood and London Roads, Swanley

AQMA No.14 was designated in 2014 for exceedances of the annual mean NO₂ objective. The current boundary covers the junction of Birchwood Road and London Road in Swanley, as shown in Figure 2.4.

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There are 3 existing monitoring locations within or near to the boundary of AQMA No.14. The annual mean NO₂ concentrations monitored at these sites over the past 5 years are presented in Table 2.4.

- Exceedances have been reported at DT83 within the past 5 years. This is not located at a site of relevant exposure.
- Concentrations have been decreasing since 2016.
- Following distance correction at DT83, the predicted annual mean NO₂ concentrations continue to be exceeding in 2016, 2017 and 2018.

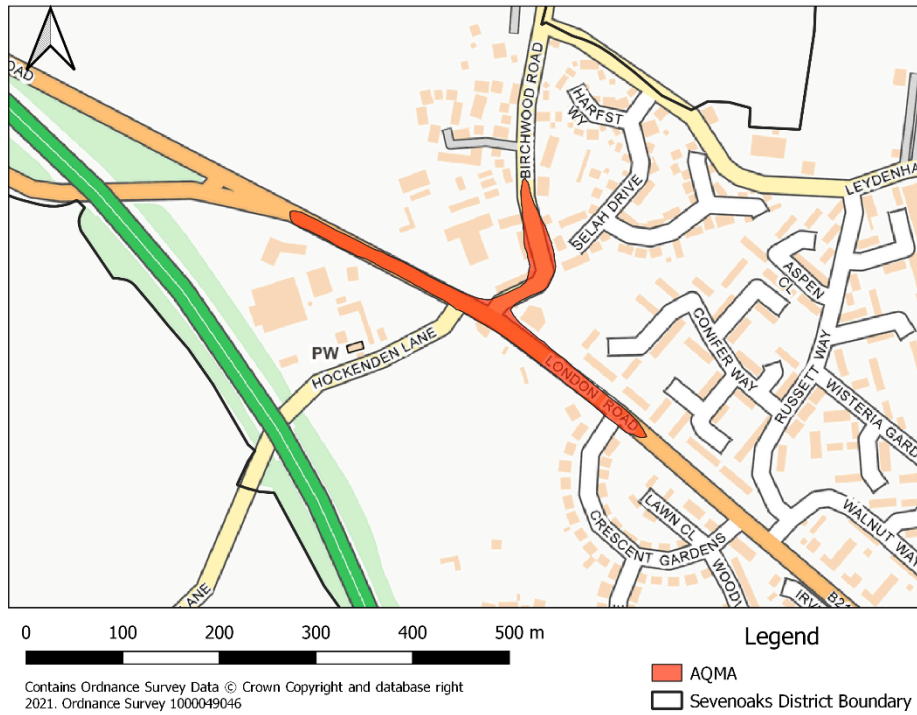
Table 2.4 – AQMA No.14 Annual Mean NO₂ Concentrations

| Site ID | X OS Grid Ref. | Y OS Grid Ref. | Site Type | Annual mean NO ₂ concentration (µg/m ³) | | | | |
|---------|----------------|----------------|-----------|--|-------------|-------------|-------------|-------------|
| | | | | 2016 | 2017 | 2018 | 2019 | 2020 |
| DT83 | 550297 | 169682 | Roadside | 60.5 | 49.8 | 46.7 | 42.4 | 33.3 |
| DT94 | 550258 | 169575 | Roadside | 36.9 | 32.2 | 33.8 | 28.6 | 22.8 |
| DT95 | 550351 | 169499 | Roadside | 38.0 | 33.6 | 33.0 | 30.2 | 25.0 |

Note:
Exceedances of the NO₂ annual mean AQS objective are in **bold**

This AQMA was not included within the detailed modelling assessment due to a lack of available traffic data.

Figure 2.4 - AQMA No.14 Junction of Birchwood and London Roads, Swanley



3 Sevenoaks District Council's Air Quality Context and Priorities

This chapter presents the main drivers and the approach taken by Sevenoaks District Council for the development and subsequent selection of measures that have been included within this AQAP. Included within this section of the AQAP are descriptions of the existing strategies and policies that relate to air quality within the district.

A source apportionment study has been completed across the district, focusing on the seven AQMAs whereby a detailed assessment was completed (AQMAs 1, 2, 3, 4, 6, 10 and 13). The source apportionment study, based on 2018 monitoring data (and therefore considered worst case) has allowed the most significant sources of oxides of Nitrogen (NO_x) vehicle contributors to be identified. NO_x are predominantly emitted into the atmosphere in the form of nitric oxide (NO) which is then converted to nitrogen dioxide (NO₂) through chemical processes in the atmosphere. Under most atmospheric conditions, the dominant pathway for NO₂ formation is via the reaction of NO with ozone (O₃). Further information on the source apportionment exercise is contained within supporting document: "Sevenoaks District Council; Detailed Assessment of Existing AQMAs- September 2020.

In conjunction, with the strategies and policies that are currently in place, the conclusions of this apportionment exercise have been used to identify and prioritise the action measures presented within Section 5.

3.1 Public Health Context

There is increasing scientific evidence that poor ambient air quality has a significant negative impact on health. Research shows that the most common air pollutants of concern, NO₂, PM₁₀ and PM_{2.5} (particulate matter in the fractions of less than 10 microns and 2.5 microns in diameter), are linked to various health complications,

impacting the cardiovascular and respiratory systems and is associated with heart disease, strokes and lung cancer. Exposure to these pollutants can bring about symptoms such as nose and throat irritation, followed by bronchoconstriction and dyspnoea, alongside increasing reactivity to natural allergens, increasing the risk of respiratory infections through the pollutants interaction with the immune system⁵, and may lead to reduced lung function. Alongside this, there is increasing interest and pressure from members of public for Local Authorities to actively tackle and reduce air pollution in their areas. Previously, there had been no deaths officially linked to air pollution, however in 2020 the first person in the UK had 'air pollution' listed as a cause of death. Although currently there are no legislative outcomes as a result of this, this further increases the pressure and duty of care that Local Authorities have in order to protect their residents. Poor air quality is considered to be a significant contributory factor to the loss of life, shortening lives by an average of 5 months. In 2010, the Department of Health's Committee on the Medical Effects of Air Pollutants (COMEAP) reported that long-term exposure to outdoor air pollution contributes to the equivalent of 29,000 deaths in 2008 in the UK, and an associated loss to the population of 340,000 life-years. A further report by the Royal College of Physicians reported in 2016 that it contributed to the equivalent of 40,000 deaths in 2015.

Local authorities have a range of powers which can effectively help to improve air quality. However, the involvement of public health officials is crucial in playing a role to assess the public health impacts and providing advice and guidance on taking appropriate action to reduce exposure and improve the health of everyone within Sevenoaks District Council.

The Air Quality Indicator in the Public Health Outcomes Framework (England) provides further impetus to join up action between the

⁵ <https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution/>

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various local authority departments which impact on the delivery of air quality improvements. The “Air Quality – A Briefing for Directions of Public Health” document published in March 2017 provides a one-stop guide to the latest evidence on air pollution, guiding local authorities to use existing tools to appraise the scale of the air pollution issue in its area. It also advises local authorities how to appropriately prioritise air quality alongside other public health priorities to ensure it is on the local agenda.

The document comprises the following key guides:

- Getting to grips with air pollution – the latest evidence and techniques
- Understanding air pollution in your area
- Engaging local decision-makers about air pollution
- Communicating with the public during air pollution episodes
- Communicating with the public on the long-term impacts of air pollution
- Air Pollution: an emerging public health issue: Briefing for elected members

Besides NO₂, there is an increasing focus on fine particulate matter. PM_{2.5} is a pollutant of concern meaning particulate matter which is 2.5 microns or less in diameter. The AQMA has not been declared for PM_{2.5} and the modelling as part of the detailed assessment has shown predicted levels below the annual mean objective of 25µg/m³.

The Public Health Outcomes Framework data tool compiled by Public Health England quantifies the mortality burden of PM_{2.5} within England on a county and local authority scale. The 2019 fraction of mortality attributable to PM_{2.5} pollution in Sevenoaks is 5.3%, which is above the national average of 5.1%, and the regional average (South East) 5.2%. It should be noted that this figure only accounts for one pollutant (PM_{2.5}) for which stronger scientific evidence on

links with mortality exist, and not NO₂, for which the AQMA is declared, so the true figure is possibly even higher.

Furthermore, following on from a review of research into the death burden associated with the air pollution mixture rather than single pollutants acting independently, the Committee on the Medical Effects of Air Pollutants (COMEAP) are currently reviewing the ability to link deaths to one specific pollutant.

With regards to health impacts as a result of air pollution within Sevenoaks, this is largely associated to concentrations of NO₂ exceeding the annual mean objectives, as well as the hourly-mean objective in some areas. Levels of PM₁₀ are currently shown to comply with the AQS objectives. Evidence continues to show that there is no real safe threshold for PM_{2.5} and the UK government should achieve reductions in levels of PM_{2.5} as low as reasonably practicable below the current air quality standard. Monitoring of PM_{2.5} shows that concentrations reported are considerably well below the recommended AQS objective. It is expected that some of the measures implemented within this action plan for the achievement of reductions in NO₂ will have co-benefits in additionally reducing concentrations of PM₁₀ and PM_{2.5}.

3.2 Planning and Policy Context

This Air Quality Action Plan outlines the Sevenoaks District Council's plan to effectively tackle air quality issues within its control. There are numerous existing and impending policies and strategies adopted at all levels (local, regional and national) that can exert significant effects, both positive and negative, on air quality across Sevenoaks. It is important to identify and consider these plans and strategies at an early stage of the development of the plan, as these will aid the establishment of the context in which specific options for improving air quality can be implemented.

Whilst certain policies and / or strategies may be outside of the influence of Sevenoaks District Council, there are a number of

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related policies and strategies at local and regional levels that can be tied directly with the aims of this AQAP. Some of these have a focus on air quality improvements within the district, whilst others relate to transportation issues and therefore have the added benefit of contributing to overall improvements in air quality across Sevenoaks.

The review of these strategies and policies also assists in preventing duplication of work within the AQAP but can instead work in concordance for mutual benefit whilst also focusing on direct measures outside those considered within the already developed strategies and policies. This section outlines the strategies and policies that have the most significant potential to impact on pollutant concentrations within Sevenoaks District. Given their importance, the majority of measures listed below have been included as action measures within this Action Plan.

The most relevant policies and strategic documents are detailed below.

3.2.1 Clean Air Strategy 2019

The Clean Air Strategy⁶ has been published to set out the case for action at a national level, identifying a number of sources of air pollution within the UK including road transportation (relevant in terms of the AQMAs currently present within Sevenoaks) and sets out the actions required to reduce the impact upon air quality from these sources. It has been developed in conjunction with three other UK Government Strategies; the Industrial Strategy, the Clean Growth Strategy, and the 25 Year Environment Plan.

Key actions that are detailed within the strategy aimed at reducing emissions from transportation sources include the following:

- The publication of the Road to Zero strategy, which sets out plans to end the sale of new conventional petrol and diesel cars and

⁶ Department for Environment, Food and Rural Affairs (2019), Clean Air Strategy

vans by 2030 with all new cars and vans being fully zero emission from 2035. ;

- New legislation to compel vehicle manufacturers to recall vehicles and non-road mobile machinery for any failures in emission control systems, and to take effective action against tampering with vehicle emissions control systems;
- Develop new standards for tyres and brakes to reduce toxic non-exhaust particulate emissions from vehicles. This action would not necessarily target reductions in NO₂ for which the majority of AQMAs within Sevenoaks has been declared;
- The encouragement of the cleanest modes of transport for freight and passengers; and
- Permitting approaches for the reduction of emissions from non-road mobile machinery, especially in urban areas.

3.2.2 UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations

Published in July 2017, the UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (Detailed Plan)⁷ is the UK governments plan for bringing concentrations of NO₂ within statutory limits within the shortest possible time. It is identified that the most immediate air quality challenge within the UK is tackling the issue of NO₂ concentrations close to roads, especially within towns and cities. The plan identifies a number of local authorities that were required to complete feasibility studies to define NO₂ concentrations on road links identified by the national Pollutant Climate Mapping (PCM) model as being in exceedance of the NO₂ annual mean AQS objective.

Sevenoaks District Council were not one of the authorities identified, regardless, the UK Plan provides a high level of detail on possible solutions, and their implementation, to reduce NO_x emissions from vehicles, and therefore lower NO₂ concentrations. The

⁷ Department for Environment, Food and Rural Affairs, Department for Transport (2017), UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (Detailed Plan)

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actions detailed within the UK Plan include the following:

- Implementation of Clean Air Zones (CAZs);
- New real world driving emissions requirements for light passenger and commercial vehicles;
- Additional funding to accelerate the uptake of low emissions buses and also for the retrofitting of older buses;
- Additional funding to accelerate the uptake of hydrogen vehicles and associated infrastructure;
- New mandatory emissions standards for non-road mobile machinery; and
- Local cycling and walking investment plans.

3.2.3 Sevenoaks District Council Plan

The Council Plan⁸ was adopted in April 2019 and focuses on 5 themes, two of which are the Environment and Health. There is a strong focus on “protecting the very special environment of the district” whilst also delivering “first class health prevention”. Through reducing air pollution and improving air quality within the district, this will help preserve the high quality environment that exists within Sevenoaks. This in turn is strongly linked to improving the overall health of the residents, by helping promote a more active lifestyle but also reducing the burden on the existing health service and infrastructure. Another one of the 5 themes is the Economy. By improving the environmental conditions and overall quality of life in the district, it will become a more attractive place for both new residents and businesses and aid in strengthening the District’s economy.

⁸ [The Council Plan](#)

3.2.4 Sevenoaks District Council Local Plan

Sevenoaks District Council's Core Strategy⁹ (adopted in February 2011) and the Allocations and Development Management Plan (ADMP) form the adopted Local Plan for Sevenoaks District, however, this is currently being updated. The Core Strategy sets out the long-term vision and objectives of the District together with strategic policies for shaping new development up until 2026. Specific development management policies and site specific allocations are set out in the ADMP. Strategic objectives are set out for both the urban population centres within the district, which includes the towns of Sevenoaks, Swanley, Edenbridge and Westerham, but also in rural areas and across the district as a whole. There is a significant focus on maintaining and enhancing the quality of environment across the district in a sustainable manner, reducing the need to travel, encouraging sustainable transport modes and to mitigate and adapt to climate change.

In direct relation to air quality, the Core Strategy states that:

“Poor air quality is an issue in certain parts of the District alongside main roads. Eleven Air Quality Management Areas have been declared and the Council has an Air Quality Action Plan (2009) that includes measures to improve air quality.

Road traffic is the main contributor to poor air quality and the level of traffic, particularly through traffic is largely outside the control of the District. Policies in the LDF will have some impact on traffic levels though they can only be part of the solution. Locating new development where it is accessible to services and facilities will have a beneficial impact in reducing the need to travel, while applying policies to retain services and facilities that meet a local need together with promoting alternatives to car travel should also reduce the need to travel by car to reach essential services.

⁹ [Core Strategy](#)

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Future development should avoid adverse impact on air quality, particularly in Air Quality Management Areas where there is a need to improve air quality. In areas of poor air quality careful design of new development will be needed to ensure an acceptable environment for future occupiers.”

In addition, Policy SP 2 is relevant to air quality and transport:

Transport

The Council will support and promote measures to reduce reliance on travel by car both in providing for new development and in supporting measures promoted through the Transport Strategy. Specifically it will:

- 1. Support improvements to enhance the safety and convenience of public and community transport.*
- 2. Seek improved facilities for cyclists and pedestrians*
- 3. Require the inclusion of Travel Plans and other appropriate measures in new developments that generate significant traffic volumes*

Air Quality

The design and location of new development will take account of the need to improve air quality in accordance with the District’s Air Quality Action Plan. Development in areas of poor air quality or development that may have an adverse impact on air quality will be required to incorporate mitigation measures to reduce impact to an acceptable level. New development in areas of poor air quality will be required to incorporate measures in the design and orientation that demonstrate an acceptable environment will be created for future occupiers. Permission will be refused where unacceptable impacts cannot be overcome by mitigation.

3.2.1 Sevenoaks District Strategy for Transport

The Sevenoaks District Strategy for Transport 2010 – 2016¹⁰ was adopted in July 2010 and prepared in parallel with the Core Strategy. The strategy identifies four priority objectives:

- Improving accessibility;
- Tackling congestion;
- Providing safer roads; and
- Improving air quality

It recognises that air pollution is a key challenge with a significant impact on local communities. There are a range of initiatives that link into the air quality action plan, such as developing a traffic management control system to reduce congestion, designating lorry routes and developing a freight quality partnership, and promoting alternative forms of transport. The priority objectives and initiatives have been used to identify priorities in different parts of the district. In direct relation to air quality, these are as follows:

Sevenoaks Urban Area

- Improve public transport interchange facilities, in particular at the main bus and train stations in Sevenoaks District;
- Bring forward measures to alleviate congestion and tackle air quality issues at Riverhead, Bat and Ball and Sevenoaks Town Centre; and
- Improve facilities for walking and cycling.

Swanley

¹⁰ [Strategy for Transport](#)

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- Improve accessibility to Swanley Station by walking and cycling;
- Ensure that development in Swanley does not have a significant negative impact on traffic on the Strategic Road Network;
- Improve bus interchange facilities in Swanley;
- Improve facilities for walking and cycling; and
- Bring forward measures to alleviate congestion and tackle air quality issues near Swanley town centre.

Edenbridge

- Increasing the number of destinations that can be accessed via train services from Edenbridge, including services to Gatwick Airport / improved services to Redhill; and
- Improve facilities for walking and cycling.

Villages and Rural Areas

- Maintain and improve accessibility to jobs, shops and services by non-car means, including walking, cycling, public transport and community transport; and
- Bring forward measures to alleviate congestion and tackle air quality issues, including those along the A25 corridor, at Seal and Westerham, and on the Strategic Road Network.

Sevenoaks District Transport Assessment

A transport study¹¹ for Sevenoaks District was conducted in December 2018 as part of the evidence base for the emerging Local Plan. This identifies existing transport issues and opportunities from the delivery of the emerging Local Plan in addition to mitigation measures.

¹¹ [Sevenoaks District Transport Assessment](#)

In relation to air quality, the study identifies Sevenoaks District being situated within a network of strategic roads including the M25, M20, A21 and A25. Traffic on the motorway and strategic road network, particularly during peak hours, causes congestion and air quality problems exacerbating this on local roads and in town centres. The study's analysis has indicated that where new development is proposed, it will need to be focused in sustainable locations that enable trips to be made by foot, cycle and public transport. To mitigate further exacerbating the district's congestion and air quality issues, the study identifies active travel as an emerging transport mitigation measure. It is considered that encouraging active travel is not only a way to promote healthy living but can also be an important intermediary function of the public transport network. The following infrastructure measures are suggested to encourage active travel:

- Ensure all existing pedestrian crossing facilities and bus stops comply with current DDA requirements.
- Enhance pedestrian footways and crossings throughout the District to provide a connected, permeable and safe pedestrian environment that will help encourage modal shift away from the car.
- Ensure that the current and future cycle route network conforms with currently applicable Cycle Design Standards upgrading where necessary and appropriate.
- Enhance connectivity through the provision of new cycle routes
- Ensure safer cycling is developed across all wards using a systematic approach to ensure consistency in standard of provision.
- Support the implementation of Quietways throughout the District to reduce any network gaps.

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- Ensure sufficient off-road cycle parking is provided at key destinations
- Use the planning process to ensure sufficient active travel infrastructure is provided through developer funding.

3.2.2 Sevenoaks District Cycling Strategy

The Sevenoaks District Cycling Strategy¹² was developed in partnership with Kent County Council and adopted in 2012. This aims to enable the residents of the district to cycle more safely and to encourage a shift towards more sustainable transport choices. A number of priority areas for action have been identified to achieve this:

- 1. Creating New Routes and Linkages** – seeking opportunities to develop new routes and linkages which 1) connect population centres to key services such as local schools, employment areas and transport interchanges in the main urban areas of Sevenoaks, Swanley and Edenbridge; and 2) promote leisure cycling through the identification of attractive longer leisure routes which connect to the main urban centres
- 2. Safer Cycling** – ensuring infrastructure is well designed, prioritising routes on quiet residential streets away from busy main roads and junctions and providing road safety education
- 3. Improvements to Cycle Parking** – identifying locations for additional cycle parking facilities and positioning them to maximise security
- 4. Promotion and Encouragement** – raising awareness of cycling and its benefits amongst the community

¹² [Cycling Strategy](#)

5. **Maintenance** – ensuring existing and any future facilities are well maintained

3.2.3 Net Zero 2030

The Council have committed to working towards achieving Net Zero emissions by 2030 on Council assets and services.

Kent has committed to becoming Net Zero by 2050 as per the Kent & Medway Energy and Low Emissions Strategy

It has also been agreed that the Council will be a “community leader” and encourage low carbon measures across the District through education, best practice, incentives, policy and opportunities. This includes working collaboratively with Kent County Council, Parish and Town Councils, Local Interest Group and the Local Government Association.

Reducing carbon emissions goes hand in hand with improving air quality. Transport remains the largest carbon emitting sector in the UK and accounts for 63% of total carbon emissions in Sevenoaks District. By reducing vehicle emissions, we will improve air quality and also reduce carbon emissions from transport.

3.2.4 Low Emission and Electric Vehicle Strategy

The Low Emission and Electric Vehicle Strategy for Sevenoaks District Council¹³ was adopted in September 2021. This intends to assist the Council in achieving net zero carbon emissions by 2030, which also has benefits to improving air quality. The focus of this strategy is on promoting low carbon travel, improving the electric vehicle charging network across the district, and continuing the transition to a zero-carbon emissions vehicle fleet. This strategy identifies that ownership of electric vehicles has rapidly increased over the past decade and has the highest level of electric vehicle

¹³ [Low Emission and Electric Vehicle Strategy](#)

ownership in Kent. However, the south of the District remains under served by EV infrastructure.

3.3 Source Apportionment

The AQAP measures presented in this report are intended to be targeted towards the predominant sources of emissions within the district. Vehicular activity has been identified as the principal source of emissions, therefore the relative contributions from different vehicle types (cars, HGVs, LGVs, Buses) have been determined to identify whether a particular vehicle type represents the most significant source of pollution within each AQMA.

A source apportionment exercise was carried out using ADMS-Roads air dispersion modelling to assess the overall emission profiles of the vehicles present within each AQMA. It should be noted that emission sources of NO₂ are dominated by a combination of direct NO₂ (f-NO₂) and oxides of nitrogen (NO_x), the latter of which is chemically unstable and rapidly oxidised upon release to form NO₂. Reducing levels of NO_x emissions therefore reduces levels of NO₂. As a consequence, the source apportionment study has considered the emissions of NO_x which are assumed to be representative of the main sources of NO₂.

The following sections describe the source apportionment results in each of the AQMAs. A breakdown of NO_x is given according to vehicle class within the AQMAs and based on the following criteria:

- Contributions based on average NO_x levels across all monitored locations;
- Contributions based on NO_x levels across all modelled locations where NO₂ concentrations exceed 40µg/m³ (where applicable); and
- Contributions based on NO_x levels at the highest NO₂ concentration receptor in the AQMA.

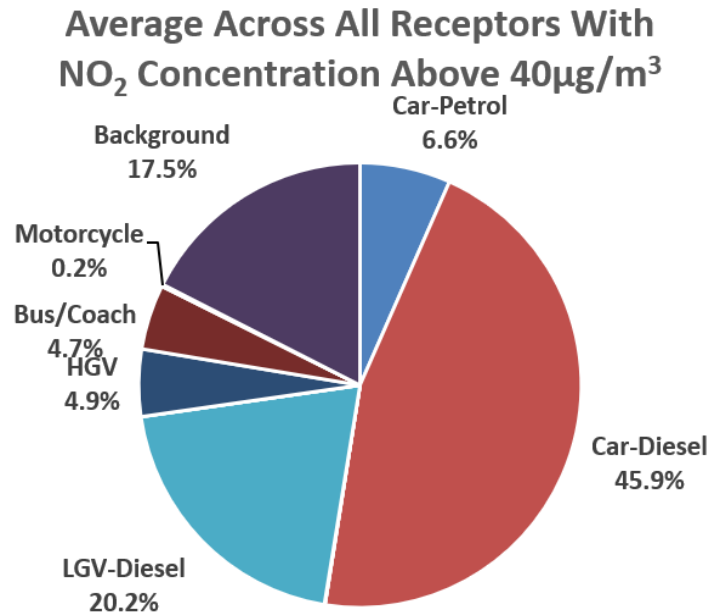
3.3.1 AQMA No.10 Sevenoaks High Street

Table 3.1 provides a breakdown in NO_x emissions according to vehicle class within AQMA No.10, and Figure 3.1 displays the average NO_x emissions at across all modelled receptors within AQMA No.10 where the modelled annual mean NO₂ concentration was greater than 40µg/m³. At modelled locations where the annual mean NO₂ concentration exceeds 40µg/m³, the average NO_x emissions are predominantly associated with diesel cars whereby they contribute 55.7% of the total road NO_x concentration. This is followed by diesel LGVs at 24.4%, and petrol cars at 8.0% closely followed by HGVs (5.9%) and Buses/Coaches (5.7%). This is consistent with both the average across all modelled receptors and the worst-case receptor, located along the A225 High Street in between Dorset Street and Locks Yard. This indicates that measures to reduce emissions from diesel cars and LGVs are considered to be most important as they have the most significant influence on emissions within this AQMA.

Table 3.1 – NO_x Source Apportionment Results: AQMA No.10

| Results | All Vehicles | Car | | | LGV | | | HGV | Bus and Coach | Motorcycle | Background |
|---|--------------|--------|--------|--------|--------|--------|--------|------|---------------|------------|------------|
| | | Petrol | Diesel | EV/LPG | Petrol | Diesel | EV/LPG | | | | |
| Average across all modelled receptors | | | | | | | | | | | |
| NO _x Concentration (µg/m ³) | 54.6 | 4.4 | 30.3 | 0.0 | 0.0 | 13.4 | 0.0 | 3.2 | 3.1 | 0.1 | 16.7 |
| Percentage of Total NO _x | 76.6% | 6.1% | 42.5% | 0.0% | 0.0% | 18.9% | 0.0% | 4.6% | 4.3% | 0.1% | 23.4% |
| Percentage Contribution to Road NO _x | 100.0% | 8.0% | 55.5% | 0.0% | 0.1% | 24.6% | 0.0% | 5.9% | 5.7% | 0.2% | - |
| Average Across All Receptors With NO₂ Concentration exceeding the AQS Annual Mean Objective | | | | | | | | | | | |
| NO _x Concentration (µg/m ³) | 78.6 | 6.3 | 43.8 | 0.0 | 0.0 | 19.2 | 0.0 | 4.6 | 4.5 | 0.1 | 16.7 |
| Percentage of Total NO _x | 82.5% | 6.6% | 45.9% | 0.0% | 0.0% | 20.2% | 0.0% | 4.9% | 4.7% | 0.2% | 17.5% |
| Percentage Contribution to Road NO _x | 100.0% | 8.0% | 55.7% | 0.0% | 0.1% | 24.4% | 0.0% | 5.9% | 5.7% | 0.2% | - |
| At the Receptor With the Maximum Road NO_x Concentration (ID 32) | | | | | | | | | | | |
| NO _x Concentration (µg/m ³) | 121.9 | 10.2 | 71.1 | 0.0 | 0.1 | 26.6 | 0.0 | 5.9 | 7.8 | 0.2 | 16.7 |
| Percentage of Total NO _x | 88.0% | 7.3% | 51.3% | 0.0% | 0.0% | 19.2% | 0.0% | 4.2% | 5.7% | 0.2% | 12.0% |
| Percentage Contribution to Road NO _x | 100.0% | 8.3% | 58.4% | 0.0% | 0.0% | 21.8% | 0.0% | 4.8% | 6.4% | 0.2% | - |

Figure 3.1 – Average NO_x Contribution by Vehicle Class, where Modelled Annual NO₂ Concentrations are >40µg/m³ within AQMA No.10



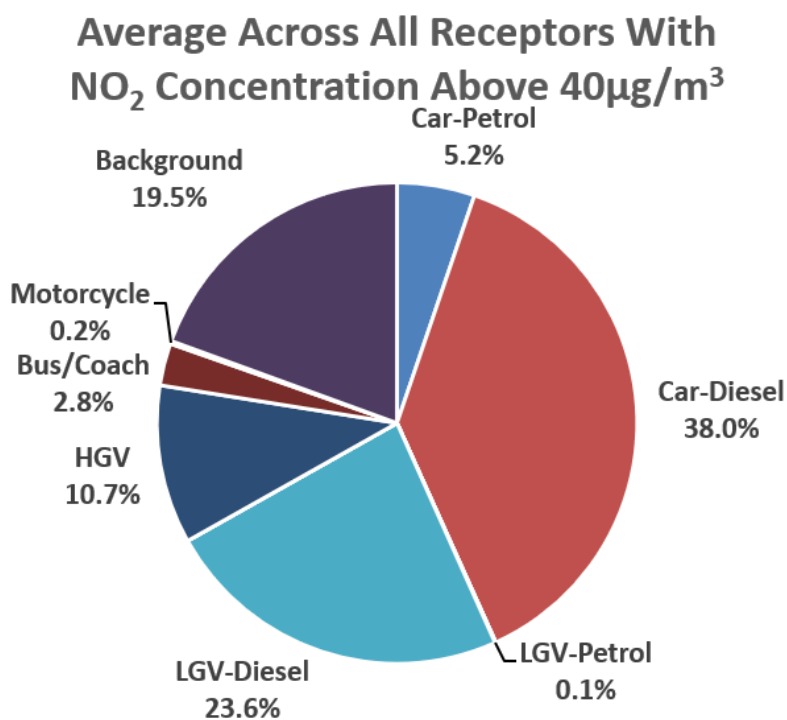
3.3.2 AQMA No.13 A25

Table 3.2 provides a breakdown in NO_x emissions according to vehicle class within AQMA No.13 and Figure 3.2 displays the average NO_x emissions at across all modelled receptors within AQMA No.13 where the modelled annual mean NO₂ concentration was greater than 40µg/m³. The majority of NO_x emissions at locations where annual average NO₂ concentrations were exceeding the AQS objective, and the worst-case location (along London Road off of the A25 in Westerham) results from vehicles (80.5% and 87.6% of the total, respectively). At the locations where the AQS objective was exceeded, the majority of the road emissions come from diesel cars (47.2%), followed by diesel LGVs (29.2%). Additionally, HGVs also have a significant proportion, being 13.2%. This indicates that measures to reduce emissions in this AQMA should largely be focused on diesel cars and LGVs, however some consideration should also be taken to reducing emissions from HGVs as well.

Table 3.2 – NO_x Source Apportionment Results: AQMA No.13

| Results | All Vehicles | Car | | | LGV | | | HGV | Bus and Coach | Motorcycle | Background |
|---|--------------|--------|--------|--------|--------|--------|--------|-------|---------------|------------|------------|
| | | Petrol | Diesel | EV/LPG | Petrol | Diesel | EV/LPG | | | | |
| Average across all modelled receptors | | | | | | | | | | | |
| NO _x Concentration (µg/m ³) | 42.3 | 2.7 | 19.8 | 0.0 | 0.0 | 13.0 | 0.0 | 5.3 | 1.4 | 0.1 | 18.5 |
| Percentage of Total NO _x | 69.6% | 4.4% | 32.6% | 0.0% | 0.0% | 21.4% | 0.0% | 8.8% | 2.3% | 0.2% | 30.4% |
| Percentage Contribution to Road NO _x | 100.0% | 6.3% | 46.8% | 0.0% | 0.1% | 30.7% | 0.0% | 12.6% | 3.3% | 0.2% | - |
| Average Across All Receptors With NO ₂ Concentration exceeding the AQS Annual Mean Objective | | | | | | | | | | | |
| NO _x Concentration (µg/m ³) | 76.2 | 4.9 | 36.0 | 0.0 | 0.0 | 22.3 | 0.0 | 10.1 | 2.7 | 0.2 | 18.4 |
| Percentage of Total NO _x | 80.5% | 5.2% | 38.0% | 0.0% | 0.1% | 23.6% | 0.0% | 10.7% | 2.8% | 0.2% | 19.5% |
| Percentage Contribution to Road NO _x | 100.0% | 6.5% | 47.2% | 0.0% | 0.1% | 29.2% | 0.0% | 13.2% | 3.5% | 0.2% | - |
| At the Receptor With the Maximum Road NO _x Concentration (ID 268) | | | | | | | | | | | |
| NO _x Concentration (µg/m ³) | 111.1 | 7.8 | 55.9 | 0.0 | 0.1 | 32.1 | 0.0 | 13.2 | 1.8 | 0.2 | 15.7 |
| Percentage of Total NO _x | 87.6% | 6.2% | 44.0% | 0.0% | 0.1% | 25.3% | 0.0% | 10.4% | 1.4% | 0.2% | 12.4% |
| Percentage Contribution to Road NO _x | 100.0% | 7.0% | 50.3% | 0.0% | 0.1% | 28.9% | 0.0% | 11.9% | 1.6% | 0.2% | - |

Figure 3.2 – Average NO_x Contribution by Vehicle Class, where Modelled Annual NO₂ Concentrations are >40µg/m³ within AQMA No.13



3.4 Required Reduction in Emissions

In line with the methodology presented in Box 7.6 of LAQM.TG(16), calculations have been carried out to determine the necessary reduction in road NO_x required to bring AQMA No.10 and No.13 to compliance. These focus largely on the reductions required at the worst-case scenarios, however the reductions at all exceeding locations within the AQMAs have been considered. It is important to understand that although reducing NO_x emissions from vehicles will in turn reduce NO₂ concentrations, there is a non-linear relationship between NO_x and NO₂ concentrations and therefore a greater relative reduction in NO_x may be required.

3.4.1 AQMA No.10 Sevenoaks High Street

The worst-case receptor within AQMA No.10 is located along the High Street between Dorset Street and Locks Yard. The reduction in NO_x required to achieve compliance with the annual mean NO₂ objective of 40µg/m³ at this location is **59.0%**. Across all modelled receptors where an annual average NO₂ concentration of 40µg/m³ or greater was reported, a reduction of **25.0%** NO_x is required, which would lead to general improvements overall throughout the AQMA but it will not achieve compliance at the worst-case location. This therefore suggests that a target NO_x reduction of between 25% and 59% will have improvements on NO₂ concentrations throughout this AQMA.

3.4.2 AQMA No.13 A25

The worst-case receptor within AQMA No.13 is located along London Road, just off of the A25 in Westerham. The reduction in NO_x required to achieve compliance with the annual mean NO₂ objective at this location is **49.2%**. Across all modelled receptors where the annual average NO₂ objective was exceeded, a reduction of **25.8%** in NO_x emissions is required, however similarly as noted in Section 3.4.1, this will not achieve compliance at the worst-case location. A target NO_x reduction of between 26% and 49% is therefore required to have improvements on NO₂ concentrations throughout this AQMA.

3.5 Key Priorities

- **Priority 1 - Compliance with AQS Objectives**
 - The Council recognises that it has a legal duty to achieve compliance with AQS objectives.
 - We will seek to identify measures that will achieve compliance with AQS Objectives as quickly as possible

- **Priority 2.-Public Health and Wellbeing** (Behaviour change/modal shift, Health Promotion)
 - Air pollution has a significant impact on public health and is therefore a major reason why the Council wishes to improve air quality. This will largely be driven by a change in attitude and travel behaviours, and as a Council, we have strong role in encouraging and facilitating this change.
 - We will seek to show the health impacts associated with poor air quality and provide information and guidance to our residents as to how they can help to bring about improvements. This will include changing travel patterns and providing information about lower emission alternatives for domestic heating.
 - We will seek to promote the health benefits associated with ‘greener travel’ and will develop policies to remove perceived barriers.

- **Priority 3 - Transport** (Licensing, Parking, Public Transport, Procurement)
 - Road traffic and transport is the major contributor for emissions within the district. The Council therefore wishes to control these via measures contained within this AQAP as a priority.
 - The Council is able to influence this via areas of direct control, such as taxi licensing, the composition of its own fleet, encouraging the use of, and facilitating

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electric charging points to encourage electric vehicle uptake.

- The Council will work with its wider strategic partners, such as Kent County Council, on matters of traffic management and public transport that extend beyond the SDC's direct control. This will help mitigate existing areas of traffic and transport issues, whilst also allowing us to seek opportunities for alternatives and improvements.
- We will lead by example by looking to improve our own vehicle fleet and operations in order to reduce harmful emissions whilst increasing efficiency.
- We will look to reduce the need to travel by supporting sustainable development and initiative that help support the local economy, services and facilities. Additionally, where travelling is required, we will encourage the uptake of alternatives to private and single occupancy vehicles. There will be a focus on active travel, but also supporting sustainable multi-occupancy modes of travel and encouraging the uptake of electric vehicles.
- **Priority 4 - Planning and Infrastructure**
 - As the local planning authority our objectives are:
 - To strengthen and broaden the local economy;
 - To provide sufficient housing to meet local housing need and support economic growth;
 - To protect the built and natural environment; and
 - To develop sustainable communities, and seek to ensure adapt community facilities are provided
 - We believe that applicants should be aware of the air quality impact of their development and that they consider appropriate mitigation as part of the design process.

- We will ensure that new developments do not exacerbate any areas of existing poor air quality and provide appropriate mitigation measures where this is unavoidable.
- **Priority 5 - Policy Guidance**
 - A number of relevant and related policy documents are already in place within the Council. It is therefore considered a priority to utilise these and introduce measures that share benefits with other policies and strategies as key mechanisms to reduce emissions from road transport. For example, the Council's Cycling Strategy and Low Emission and Electric Vehicle Strategy identifies that uptake of electric vehicles within Sevenoaks' has increased rapidly over the past decade, already focuses on continuing to encourage this shift to low emission vehicles alongside encouraging the update of alternative modes of transport.

4 Development and Implementation of Sevenoaks District Council AQAP

4.1 Consultation and Stakeholder Engagement

In developing this AQAP, we have worked with other local authorities, agencies, businesses and the local community to improve local air quality. Schedule 11 of the Environment Act 2021 requires local authorities to consult the bodies listed in Table 4.1.

The response to our consultation stakeholder engagement is given in Appendix A.

Table 4.1 – Consultation Undertaken

| Yes/No | Consultee |
|--------|---|
| Yes | the Secretary of State |
| Yes | the Environment Agency |
| Yes | the highways authority |
| Yes | all neighbouring local authorities |
| No | other public authorities as appropriate, such as Public Health officials |
| Yes | bodies representing local business interests and other organisations as appropriate |

In addition we have consulted the following bodies:

- All Sevenoaks District Council Departments
- Kent County Council
- Kent Health Protection Team
- Local Clinical Commissioning Groups
- Local Chambers of Commerce
- Federation of Small Businesses
- Logistics UK

- Friends of the Earth
- Green Peace
- Natural England
- Places for People
- Greater London Authority
- Surrey County Council
- East Sussex County Council
- West Kent Housing Association

The public consultation completed on the draft AQAP was undertaken in Spring 2022.

4.2 Consultation Outcomes

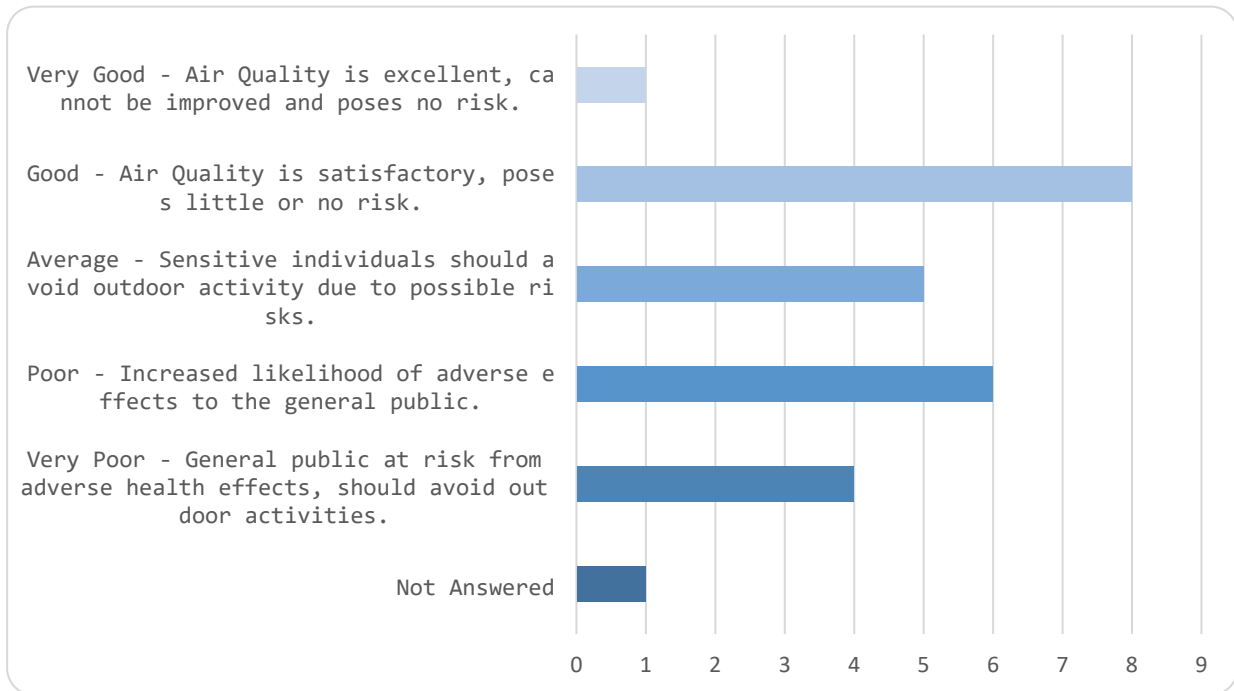
A consultation of the Air Quality Action Plan took place between 24 February 2022 and 24 March 2022. We received 25 responses through our engagement portal <https://engagement.sevenoaks.gov.uk/net-zero/aqap> a summary is shown below

What is your current view on Air Quality in Sevenoaks District?

There were 24 responses to this part of the question.

Air Quality within Sevenoaks is predominately viewed as good (32%) however responses have varied quite significantly based on location within the district, which highlights the need to prioritise specific areas with AQMA's.

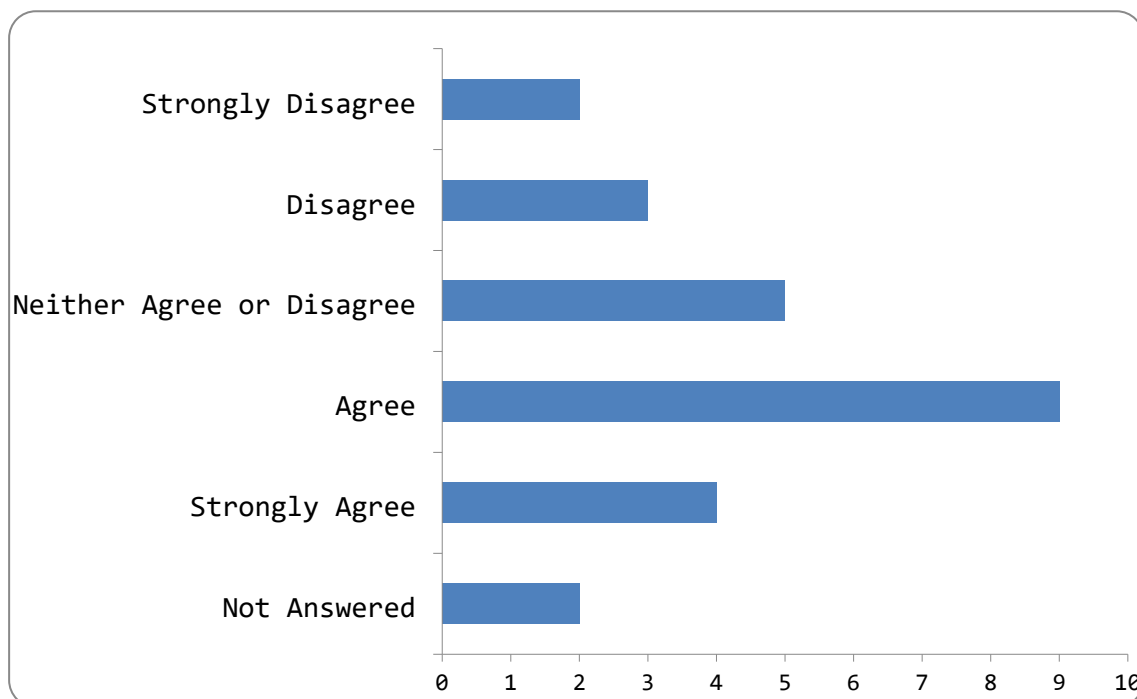
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| Option | Total | Percent |
|---|-------|---------|
| Very Good - Air Quality is excellent, cannot be improved and poses no risk. | 1 | 4.00% |
| Good - Air Quality is satisfactory, poses little or no risk. | 8 | 32.00% |
| Average - Sensitive individuals should avoid outdoor activity due to possible risks. | 5 | 20.00% |
| Poor - Increased likelihood of adverse effects to the general public. | 6 | 24.00% |
| Very Poor - General public at risk from adverse health effects, should avoid outdoor activities. | 4 | 16.00% |
| Not Answered | 1 | 4.00% |

The Sevenoaks Air Quality Action Plan has identified the areas of work needed to improve Air Quality in the District.

To what extent do you agree?

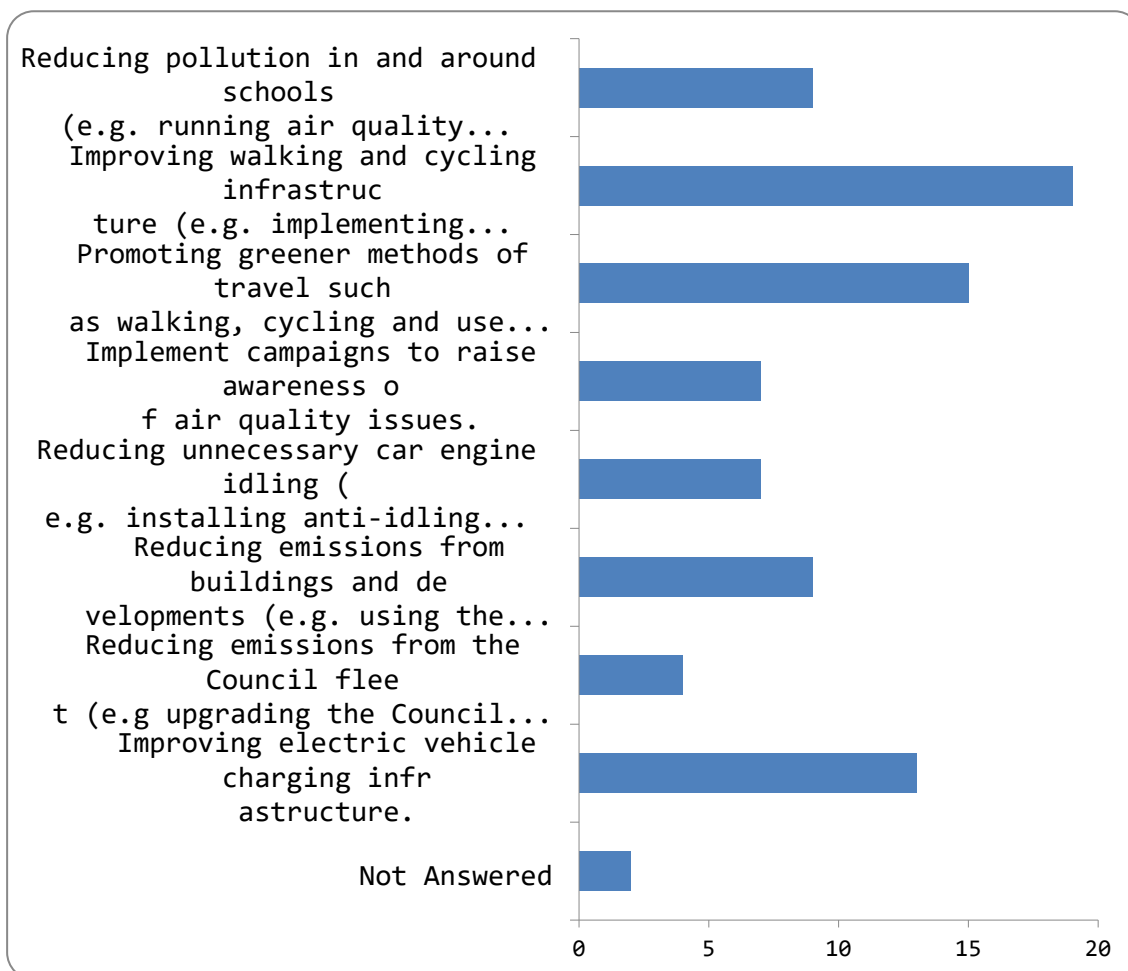


| Option | Total | Percent |
|---------------------------|-------|---------|
| Strongly Disagree | 2 | 8.00% |
| Disagree | 3 | 12.00% |
| Neither Agree or Disagree | 5 | 20.00% |
| Agree | 9 | 36.00% |
| Strongly Agree | 4 | 16.00% |
| Not Answered | 2 | 8.00% |

There were 23 responses to this part of the question.

Based on responses, the largest proportion of respondents (52%) believe the AQAP has identified the areas of work needed to improve air quality within the district. However, responses did vary on this answer depending on location and personal preferences.

Which of the following areas do you think should be prioritised in the 2022-27 Air Quality Plan?



| Option | Total | Percent |
|--|-------|---------|
| Reducing pollution in and around schools (e.g. running air quality projects at schools; air quality communication campaigns; finding local solutions to protect schools from air pollution). | 9 | 36.00% |
| Improving walking and cycling infrastructure (e.g. implementing cycling lanes, increasing pedestrian walking areas and routes). | 19 | 76.00% |
| Promoting greener methods of travel such as walking, cycling and use of public transport. | 15 | 60.00% |
| Implement campaigns to raise awareness of air quality issues. | 7 | 28.00% |
| Reducing unnecessary car engine idling (e.g. installing anti-idling signage, patrolling streets). | 7 | 28.00% |

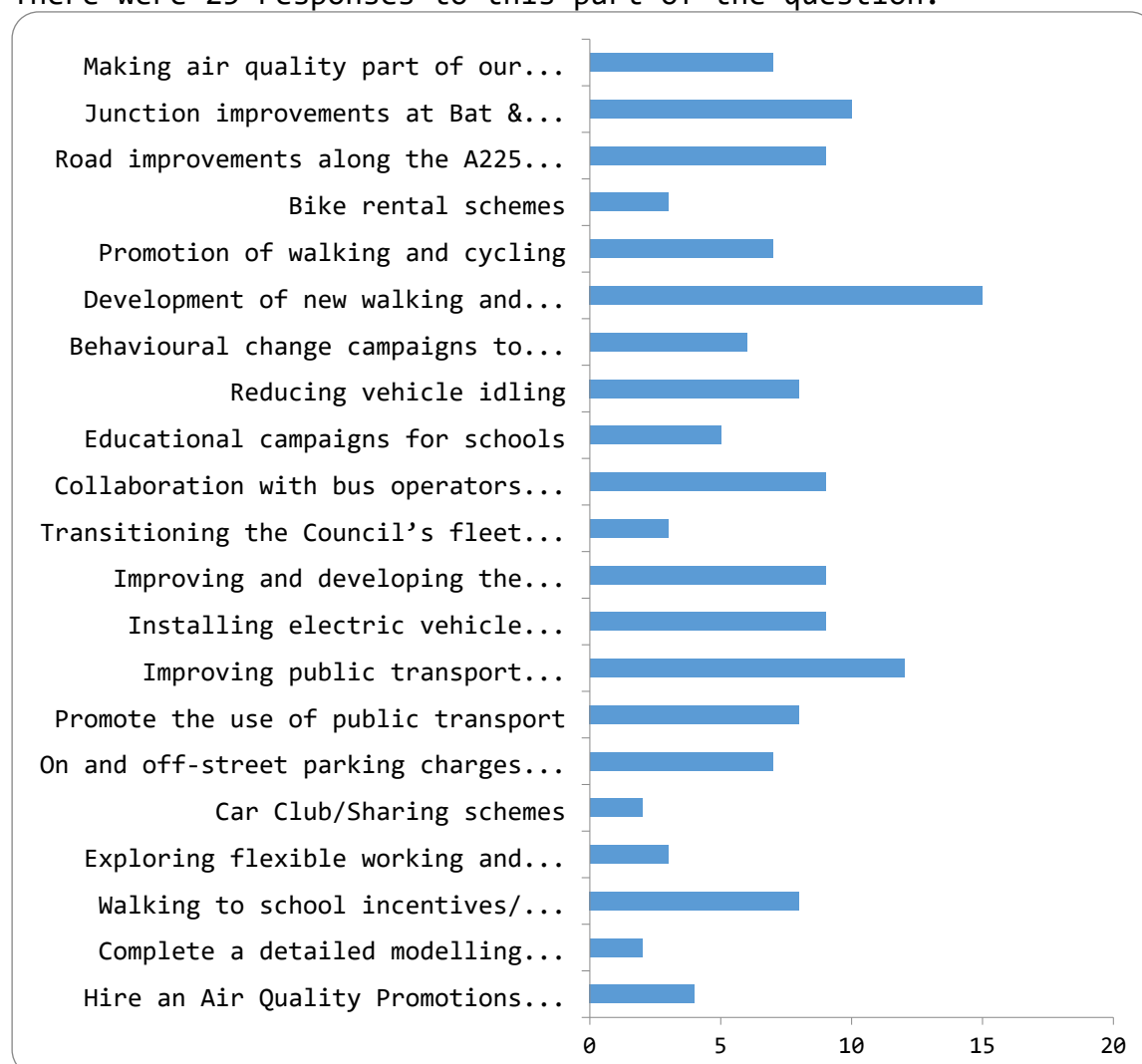
| Option | Total | Percent |
|---|-------|---------|
| Reducing emissions from buildings and developments (e.g. using the planning system to ensure new developments reduce pollution levels; dust inspections on construction sites). | 9 | 36.00% |
| Reducing emissions from the Council fleet (e.g upgrading the Council fleet to Euro 6 vehicles and electric vehicles). | 4 | 16.00% |
| Improving electric vehicle charging infrastructure. | 13 | 52.00% |
| Not Answered | 2 | 8.00% |

There were 23 responses to this part of the question.

Responses to this question were wide-ranging, although two were the most evident. These were improving walking and cycling infrastructure (76%) and promoting greener methods of travel (60%). These areas were also both commonly commented on throughout the consultation showing a clear demand for a focus on active travel and these areas in particular. There is also a strong desire amongst responses to see improvements in electric vehicle charging infrastructure (52%) which again has been highlighted throughout the consultation. The lowest responses were given to reducing emissions from council fleet vehicles (16%) showing this is not seen as a significant priority amongst respondents.

Which specific measures do you feel should be prioritised? (Tick all that apply)

There were 25 responses to this part of the question.



| Option | Total | Percent |
|---|-------|---------|
| Making air quality part of our Local Plan policy and guidance | 7 | 28.00% |
| Junction improvements at Bat & Ball and the A224/A25 in Riverhead | 10 | 40.00% |
| Road improvements along the A225 in Sevenoaks High Street, A25 in Seal, and the A25 in Brasted | 9 | 36.00% |
| Bike rental schemes | 3 | 12.00% |
| Promotion of walking and cycling | 7 | 28.00% |
| Development of new walking and cycle routes | 15 | 60.00% |
| Behavioural change campaigns to reduce single use occupancy car journeys | 6 | 24.00% |
| Reducing vehicle idling | 8 | 32.00% |
| Educational campaigns for schools | 5 | 20.00% |

| Option | Total | Percent |
|--|-------|---------|
| Collaboration with bus operators to introduce ultra-low emission vehicles into the fleets | 9 | 36.00% |
| Transitioning the Council's fleet to low emission vehicles | 3 | 12.00% |
| Improving and developing the electric vehicle infrastructure within the District | 9 | 36.00% |
| Installing electric vehicle charging points within Council owned car parks | 9 | 36.00% |
| Improving public transport infrastructure | 12 | 48.00% |
| Promote the use of public transport | 8 | 32.00% |
| On and off-street parking charges linked to vehicle emissions standards | 7 | 28.00% |
| Car Club/Sharing schemes | 2 | 8.00% |
| Exploring flexible working and home working | 3 | 12.00% |
| Walking to school incentives/ encouragement | 8 | 32.00% |
| Complete a detailed modelling assessment of the Swanley Area to quantify the local air quality | 2 | 8.00% |
| Hire an Air Quality Promotions Officer | 4 | 16.00% |
| Not Answered | 0 | 0.00% |

As highlighted previously, the largest responses are focused on prioritising active travel and the development of new walking and cycle routes (60%) throughout the district.

More than one response could be recorded for this question so we had a number of other measures also indicating a preference for priority. These included:

- Junction improvements at Bat & Ball and the A224/A25 in Riverhead (40%),
- Road improvements along the A225 in Sevenoaks High Street, A25 in Seal, and the A25 in Brasted (36%),
- Reducing vehicle idling (32%),
- Collaboration with bus operators to introduce ultra-low emission vehicles into the fleets (36%),
- Installing electric vehicle charging points within Council owned car parks (36.36%)
- Improving public transport infrastructure (48%).

Car Club/Sharing schemes received the lowest response (8%) suggesting this method is not highly prioritised amongst respondents along with a complete a detailed modelling assessment of the Swanley Area to quantify the local air quality (8%).

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Additional questions asked for comments on the AQAP. These are summarised in Appendix A.

4.3 Steering Group

A steering group was established at the start of the update process to drive forward the development of the new AQAP. The core aim of the steering group was to identify measures for inclusion within the AQAP that would be effective both in terms of reducing NO₂ concentrations and also feasible in terms of implementation and delivery.

Sevenoaks District Council set up a steering group in summer 2021, chaired by the Environmental Health Manager. Membership of the group includes representatives from: Environmental Health, Development Control, Strategic Planning, Net Zero Working Group, Parking Services, Direct Services, Economic Development, Communications Team and the Transformation and Strategy Team.

This group meets regularly alongside the Net Zero Working Group and is supervised by the Deputy Chief Executive and Chief Officer for Planning and Regulatory Services. The group reports progress via the Cleaner and Greener Advisory Committee.

Meetings of the steering group were held on the following dates:

- 14th July 2021
- 05 January 2022

In addition, the AQAP was included in discussions with key stakeholders including Kent County Council, Public Transport Providers, Town and Parish Councils, and Highways Authorities regarding the Council's Movement Strategy. These were held throughout 2021.

4.3.1 Committee Meetings

Reports relating to the development of the AQAP were brought to the Cleaner & Greener Advisory Committee on the following dates:

- 29th June 2021
- 18 January 2022
- 19 April 2022

Reports relating to the development of the AQAP were brought to Cabinet on the following dates:

- 08 July 2021
- 10 February 2022
- 21 April 2022

Minutes from these meetings are available at

<https://cds.sevenoaks.gov.uk/mgCalendarMonthView.aspx>

4.3.2 Meetings with Councillors

A meeting with councillors took on 01 September 2021. Prior to the meeting, information was provided to all Councillors on the air quality issues within their wards including the latest data from diffusion tubes. At the meeting, the Environmental Health Manager discussed possible measures being considered by the Council, the process of developing the Air Quality Action Plan, and the work being undertaken by Bureau Veritas to verify our existing Air Quality Management Areas.. Councillors expressed support for the process and encouraged the EHM to identify measures that would be effective and help the Council achieve compliance as quickly as possible. They encouraged the EHM to work with the appointed consultant and rely uponm their expertise.

A meeting was held with representatives of Swanley Town Council on 18 August 2021 to discuss the development of the Air Quality Action Plan. Air Quality Issues relating to Swanley were discussed. Concerns were raised regarding the traffic attending Swanley Park and if localised measures to address this may be appropriate. The possibility of 'living roofs' on bus shelters was discussed. The EHM explained the processes for developing the AQAP and that further assessment would be required within Swanley. The EHM explained the consultation process that would take place once a draft plan had been produced..

5 Indicative AQAP Measures

Table 5.1 shows the Sevenoaks District Council indicative AQAP measures to be considered. It contains:

- a list of the actions that form part of the plan
- the responsible individual and departments/organisations who will deliver this action
- estimated cost of implementing each action (overall cost and cost to the local authority)
- expected benefit in terms of pollutant emission and/or concentration reduction
- the timescale for implementation
- how progress will be monitored

NB: Please see future ASRs for regular annual updates on implementation of these measures

Table 5.1 – Air Quality Action Plan Measures

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|--|---|--|---|------------------------------------|------------------------|--------------------|------------------------|----------------|---------------------------|----------------|---|---------------------------|--------------------------------|--|
| 1 | Local Plan policy and guidance – Ensure that developers take account of onsite and offsite air quality when assessing the environmental impact of their proposals. That suitable onsite and offsite air quality mitigation measures are included (including financial contributions to strategic air quality improvement measures) as part of a proposal such that future air quality is either improved or sustained at a level that would be achieved without the development. | Policy Guidance and Development Control | Air Quality Planning and Policy Guidance | 2022 | Ongoing | SDC/ KCC | Internal/ Existing | No | Fully Funded | Low | Planning | NO ₂ Whilst guidance already exists, it is important to keep these up-to-date as policies and strategies evolve. | Implementation of policy | Draft policies and allocations | Considering a Supplementary Planning Document on Air Quality to set out how air quality will be assessed and the implementation of existing policy The emerging Local Plan will include a more detailed policy on Air Quality. Air Quality will be considered in the site selection for allocations. |

| No | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|----|---|--------------------|---|---|------------------------------------|------------------------|--------------------------|------------------------|----------------|---------------------------|----------------|--|---|---------------------|--|
| 2 | Junction improvements at Bat & Ball Junction (A25/ A225 Junction) | Traffic Management | UTC, Congestion management, traffic reduction | 2025 | 2030 | SDC/ KCC/ STC | CIL / KCC / S106 Funding | No | Not Funded | Very High | Planning | NO ₂ To be confirmed by further assessment once appropriate scheme is determined by partners. | Reduction in NO ₂ concentrations (amount to be determined by scenario testing once suitable scheme is identified) / Reduced congestion and journey times | Initial discussions | The Local Plan will consider the impact of development on these junctions and potential improvements . Cost of works likely to be significant and to cause significant disruption during implementation phase. Funding not secured. |
| 3 | Junction improvements at A224/A25 in Riverhead | Traffic Management | UTC, Congestion management, traffic reduction | 2025 | 2030 | SDC/ KCC/ STC | CIL / KCC / S106 Funding | No | Not Funded | Very High | Planning | NO ₂ To be confirmed by further assessment once appropriate scheme is determined by partners. | Reduction in NO ₂ concentrations (amount to be determined by scenario testing once suitable scheme is identified) / Reduced congestion and journey times | Initial discussions | The Local Plan will consider the impact of development on these junctions and potential improvements . Cost of works likely to be significant and to cause significant disruption during implementation phase. Funding not secured. |
| 4 | Road/ Junction improvements along | Traffic Management | UTC, Congestion management, | 2025 | 2030 | SDC/ KCC/ STC | CIL / KCC /S106 Funding | No | Not Funded | Medium to high | Planning | NO ₂ To be confirmed by further | Reduction in NO ₂ concentrations (amount | Initial discussions | Sevenoaks Town centre was previously |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|---|--------------------|---|---|------------------------------------|------------------------------|-------------------------|------------------------|----------------|---------------------------|----------------|--|---|---------------------|---|
| | A225 Sevenoaks High Street | | traffic reduction | | | | | | | | | assessment once appropriate scheme is determined by partners. | to be determined by scenario testing once suitable scheme is identified) / Reduced congestion and journey times | | considered to be made one way however was later discounted. Councillors raised concerns about traffic entering and exiting Knole Park. Possible junction works at entrance to Knole Park + A224/ A225 Junction Possible introduction of 20mph speed limit in Sevenoaks High Street. / Consideration of removing loading/ parking bays. |
| 5 | Road improvements along the A25 in Seal, and the A25 in Brasted | Traffic Management | UTC, Congestion management, traffic reduction | 2025 | 2030 | SDC/ KCC/ STC/ SPC/ WTC/ BPC | CIL / KCC /S106 Funding | No | Not Funded | Medium to high | Planning | NO ₂ To be confirmed by further assessment once appropriate scheme is determined by partners. | Reduction in NO ₂ concentrations (amount to be determined by scenario testing once suitable scheme is identified) / Reduced congestion and journey times | Initial discussions | No Scheme currently being considered however 20mph zones have been suggested by Town and Parish Councils. Impact to be scenario tested. |

| No | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|----|---|---------------------------------------|---|---|------------------------------------|------------------------|---|------------------------|------------------|---------------------------|--------------------------|---|---|--|---|
| | | | | | | | | | | | | | | | Costs likely to be significant depending on nature of changes |
| 6 | Bike rental schemes | Promoting Travel Alternatives | Promotion of cycling | 2022 | Ongoing | SDC | CIL/ Grant/ Commercial Income | No | Not Funded | Medium | Planning and feasibility | NO2 Small impact upon NO2 concentrations from measure individually, estimated to be less than 1µg/m3 based upon a low to medium uptake. | Number of bikes available and rentals | Currently being considered for feasibility | Linked to Net Zero 2030 Ambitions. Focus on replacing private vehicle movements (38.1% NO2 emissions) with sustainable alternatives |
| 7 | Promotion of active travel schemes | Promoting Travel Alternatives | Intensive active travel campaign & infrastructure | 2022 | Ongoing | SDC/KCC | Internal/ Existing | No | Funded | Low | Planning | NO2 Measure is more an awareness raising tool to encourage uptake and use of existing schemes | Movement Strategy to be adopted Spring 2022 Recruitment of an Air Quality Promotions Officer | Movement strategy is in development for adoption Spring 2022 | Promotion of measures to wider audience using dedicated AQPO resource Focus on replacing private vehicle movements (38.1% NO2 emissions) with sustainable alternatives |
| 8 | Development of new walking and cycle routes | Transport Planning and Infrastructure | Cycle Network | 2022 | 2027 | SDC/ KCC | Internal/ Existing to develop plan + CIL/ Grant to develop infrastructure | No | Partially Funded | Medium/High | Planning | NO2 Small impact upon NO2 concentrations from measure individually, estimated | Development of the Local Cycling and Walking Strategy Completion of cycle routes | The first Local Cycling and Walking Infrastructure Plan for Sevenoaks Urban Area | LCWIPs will be prepared for other parts of the District. Focus on replacing private vehicle |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|--|-------------------------------------|---|---|------------------------------------|------------------------|--------------------|------------------------|----------------|---------------------------|----------------|---|----------------------------|--|---|
| | | | | | | | | | | | | to be less than 1µg/m ³ based upon a low to medium uptake. | | in early stages. Expected to be completed during 2022 | movements (38.1% NO ₂ emissions) with sustainable alternatives Some options include adoption of the Liftshare platform, use of Betterpoints behaviour change service, gamification etc. Paid for social medial campaigns also help with targeted reach. Also focus on schools and parents |
| 9 | District wide promotion of active travel | Promoting Travel Alternatives | Intensive active travel campaign & infrastructure | 2022 | 2027 | SDC | Internal/ Existing | No | Funded | Low | Planning | NO ₂ Measure to increase public awareness | Number of promotion events | Part of the Movement Strategy and the Net Zero 2030 work | Focus on replacing private vehicle movements (38.1% NO ₂ emissions) with sustainable alternatives |
| 10 | Behavioural change campaigns to reduce single use occupancy car journeys | Alternatives to private vehicle use | Other | 2023 | 2027 | SDC | Internal/ Existing | No | Funded | Low | Planning | NO ₂ Measure to increase public awareness | Number of campaigns | Recruitment of the AQPO to lead on this area | Part of the Net Zero 2030 work Would need to consider how best to reach audiences |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|---|--------------------------|---|---|------------------------------------|-----------------------------|---|------------------------|------------------|---------------------------|----------------|--|---|---|---|
| | | | | | | | | | | | | | | | Focus on reducing the number of private vehicle movements within the AQMAs (38.1% NO ₂ emissions) |
| 11 | Reducing vehicle idling | Traffic Management | Anti-idling enforcement | 2022 | 2025 | SDC | Internal/ Existing | No | Funded | Low | Planning | NO ₂ Measure largely to increase public awareness, but will help reduce pollutant levels in key hotspot areas | Reduction in NO ₂ concentrations Quantitative assessments undertaken before and after initiatives | Recruitment of the AQPO to lead on this area | Development of program under development. To be primarily used as an educational program around primary schools etc |
| 12 | Educational campaigns for schools | Public Information | Other | 2022 | 2027 | SDC | Internal/ Existing | Yes | Funded | Low | Planning | NO ₂ Measure to increase public awareness | Number of campaigns | Recruitment of the AQPO to lead on this area | DEFRA grant has been received in Kent for the production of educational resources Educate on the alternatives for private vehicle use within AQMAs (38.1% NO ₂ emissions) |
| 13 | Collaboration with bus operators to introduce ultra-low emission vehicles into the fleets | Vehicle Fleet Efficiency | Promoting Low Emission Public Transport | 2022 | 2027 | SDC/ KCC/ Private operators | Internal/ Existing + CIL/Grant as necessary | No | Partially Funded | High | Planning | NO ₂ Value to be confirmed by scenario testing | Fleet Composition (% using LEV) | Initial discussions with KCC following the national bus strategy. Proposal for | Working with KCC to consider how we can work together to bring forward low emission schemes. |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|--|----------------------------------|---|---|------------------------------------|------------------------|---|------------------------|---|---|--------------------------------|---|---|---|---|
| | | | | | | | | | | | | | | scenario testing being developed | Cost likely to be significant for bus operators. SDC unlikely to be able to fund initiatives without CIL/ developer contributions or grants. AQPO to promote benefits to bus operators of sustainable technologies Reduce emissions of Busses 4.7% within AQMAs |
| 14 | Transitioning the Council's fleet to low emission vehicles | Promoting Low Emission Transport | Public Vehicle Procurement - Prioritising uptake of low emission vehicles Company Vehicle Procurement - Prioritising uptake of low emission vehicles | 2021 | 2030 | SDC | Internal | No | Partially Secured | High - To be identified through the forthcoming Carbon Reduction Plan | Feasibility and Implementation | NO ₂ Scenario Testing to be undertaken to assess the impact of the measure on NO ₂ depending on fleet composition | Change in fleet composition to less polluting vehicles. | Fleet composition considered by SDC Low Emission and Electric Vehicle Strategy. | Vehicle Replacement Plan to be considered by Members in 2022 Reduce emissions of HGVs 4.9% within AQMAs |
| 15 | Improving and developing the EV infrastructure | Promoting Low Emission Transport | Procuring alternative Refuelling infrastructure to | 2022 | 2030 | SDC/KCC | Internal/ Existing to initiate study of probable EV | No | Secured for study / Funding for EV sites to | Medium / Very High | Planning | NO ₂ Small impact upon NO ₂ concentration | Undertake a study to identify suitable locations | EV Technical Study to be undertaken in 2022 and | Part of the recently published Low Emission and Electric |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|---|---------------------------------------|--|---|------------------------------------|--------------------------|--|------------------------|-------------------------------------|---------------------------|----------------|---|--|---|---|
| | ure within the district | | promote Low Emission Vehicles, EV recharging, Gas fuel recharging | | | | Charging locations. External funding to be identified for installation/ working with district partners | | be identified | | | ons from measure individually, estimated to be less than 1µg/m³ based upon a low to medium uptake. | (demand and infrastructure) for the installation of EV Charging Points Number of EV charging points | funded from appropriate s106 money (already held by SDC) | Vehicle Strategy. Reduce % NO ₂ emissions from private vehicles (38%) |
| 16 | Installing EV charging points within all Council owned carparks | Promoting Low Emission Transport | Procuring alternative Refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging | 2022 | 2027 | SDC/KCC | Internal | No | Study of suitable locations ongoing | High | Planning | NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m³ based upon a low to medium uptake. | Number of EV charging points within District Area | Part of the recently published Low Emission and Electric Vehicle Strategy | Future use of land assets. Issues with Network Power Infrastructure Reduce % NO ₂ emissions from private vehicles (38%) |
| 17 | Improving public transport infrastructure | Transport Planning and Infrastructure | Public transport improvements- interchange stations and services | 2022 | 2027 | SDC/KCC | External | No | Not funded | Very High | Planning | NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m³ based upon a low to medium uptake. | Increased use of Public transport. Additional routes public transport facilities. | Movement Strategy to be adopted Spring 2022 | Additional routes for public transport are unlikely to be viable unless commercially sustainable. Reduce % NO ₂ emissions from private vehicles (38%) |
| 18 | Promote the use of public transport | Promoting Travel Alternatives | Promote use of rail and inland waterways | 2022 | 2027 | SDC/ KCC/ Rail Operators | Internal/ External | No | Partially Funded | Medium | Implementation | NO ₂ Measure is more an awareness raising tool to encourage | Number of promotional events. Number of passengers | Rail Projects Community Officer has been employed-funded from | Public transport within SDC is fragmented, but initiatives |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|---|-------------------------------------|--------------------------------------|---|------------------------------------|------------------------|-----------------------|------------------------|-------------------------------|---------------------------|----------------|---|--|---|---|
| | | | | | | | | | | | | uptake and use of available infrastructure | on public transport | existing budgets Work to improve signage around rural stations. | are currently underway to encourage use of rail Reduce % NO ₂ emissions from private vehicles (38%) |
| 19 | On and off-street parking charges linked to vehicle emissions standards | Promoting Low Emission Transport | Priority parking for LEV's | 2021 | Ongoing | SDC | Internal/ Existing | No | Funded | Low | Implementation | NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake. | Number of discounted permits | Residential on-street permits are already discounted for hybrid vehicles. Review of the impact if changed to EV only. | Part of the Net Zero 2030 work Reduce % NO ₂ emissions from private vehicles (38%) by encouraging LEV |
| 20 | Car Club / Sharing schemes | Alternatives to private vehicle use | Car Clubs | 2022 | 2027 | SDC | External Funding/ CIL | No | Not funded/ feasibility study | Medium | Planning | NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake | Number of car sharing individuals | Car Club schemes to be encouraged in new development through the Local Plan. Included within the Movement Strategy | Cost of implementation/ May not be commercially viable within Sevenoaks Reduce % NO ₂ emissions from private vehicles (38%) by reducing number within AQMAs |
| 21 | Exploring flexible working and home working | Promoting Travel Alternatives | Facilitate flexible and home-working | 2022 | Ongoing | SDC | Internal | No | Funded | Low | Implementation | NO ₂ Measure to increase public awareness | Levels of home working/ number of vehicle journeys | Local Plan to facilitate flexible working options. | Reduce % NO ₂ emissions from private vehicles (38%) by reducing |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|--|-------------------------------|---------------------|---|------------------------------------|------------------------|---|------------------------|------------------|---------------------------|----------------|---|--|--|--|
| | | | | | | | | | | | | | removed from road network | Working with businesses to explore how flexible working can contribute to reducing emissions Policy developed for SDC staff | number within AQMAs |
| 22 | Walking to school incentives/encouragement | Promoting Travel Alternatives | School Travel Plans | 2022 | 2027 | SDC/ KCC | Internal/ Existing Budgets + External funding | No | Partially Funded | Low | Planning | NO ₂ Measure to increase public awareness | Reduction in school vehicle drop-offs / pick-ups. Reduced congestion around school opening and closing times | Employed an AQPO to develop and undertake initiatives | Could have a big impact and is supported by Councillors Reduce % NO ₂ emissions from private vehicles (38%) by reducing number within AQMAs |
| 23 | Complete a detailed modelling assessment of the Swanley Area to quantify the local air quality | Traffic Management | Other | 2022 | 2027 | SDC | Internal/ Existing Budgets | No | Funded | Low | Planning | TBC | Completion of the report | Quote recived/ scoping exercise commenced | A number of developments are due to take place in and near to Swanley, therefore understanding the existing air quality will help inform planning decision making. Survey to be funded from existing budgets within Environmental Health |

| No | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|----|---|--------------------|--|---|------------------------------------|------------------------|----------------------------|------------------------|----------------|---------------------------|----------------|---|---|--|---|
| 24 | Hire an Air Quality Promotions Officer | Public Information | Other | 2022 | ongoing | SDC | Internal/ Existing Budgets | No | Funded | Medium | Implementation | N/A | Recruitment of AQPO | Suitable candidate identified and employed | This role will be specific to focusing efforts on achieving the measures as set out within this action plan |
| 25 | To provide information and education in respect of personal emissions and how they may be reduced | Public Information | Other | 2022 | 2027 | SDC | Internal/ Existing Budgets | No | Funded | Low | Planning | PM2.5 / NO ₂ | Number of educational campaigns | | Action to form part of the AQPO duties and role. Initiatives may include reducing emissions from home heating etc |
| 26 | To work with businesses to identify ways to reduce emissions from their activities | Public Information | Other | 2022 | 2027 | SDC | Internal/ Existing Budgets | No | Funded | Low | Planning | N/A | Number of educational campaigns | | Action to form part of the AQPO duties and role. Part of the Net Zero 2030 work. Promote LoCASE funding and training to businesses in SDC which will enable businesses in SDC to move to lower carbon and low pollution activities. |
| 27 | To discourage the use of bonfires as a means of | Public Information | Regulatory activities / statutory duties r | 2022 | Ongoing | SDC | Internal/ Existing Budgets | No | Funded | Low | Implementation | PM10/ PM2.5 | Number of interventions to provide advice and | Forms part of current statutory duties | Environmental Health have an enforcement role for |

| No | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|----|---|-----------------------|--|---|------------------------------------|----------------------------|----------------------------|------------------------|----------------|---------------------------|----------------|---|--|--|---|
| | waste disposal. | | | | | | | | | | | | information to residents. Total number of enforcement actions undertaken | | bonfires that constitute a statutory nuisance and offences under s2 Clean Air Act |
| 28 | To reduce emissions from activities with Environmental Permits | Environmental Permits | Measures to reduce pollution through IPPC Permits going beyond BAT | 2022 | Ongoing | SDC | Internal/ Existing Budgets | No | Funded | Low | Implementation | NO ₂ PM10/ PM2.5 | Increased compliance with Environmental Permitting Regulations. Number of premises identified as 'low risk; (%) | All relevant activities hold relevant permits. | EH regulate activities that pollute to air. Risk based regime. |
| 29 | To work with National Highways to identify measures which will reduce the need for HGV and LGV vehicles to use the A25 | Traffic Management | UTC, Congestion management, traffic reduction | 2024 | Ongoing | SDC/KCC/ National Highways | External | No | Not-Funded | Very High | Planning | NO ₂ PM10/ PM2.5 | Identification of schemes that may have AQ benefit along the A25 (AQMA 13) | Previous discussions held | Focus on reducing emissions from LGV/ HGV along A25 |
| 30 | To review the effectiveness of introducing 20mph zones within areas where AQS objective levels are highest (Sevenoaks High Street, A25 Seal, Bat & Ball Junction, Riverhead, Westerham) | Traffic Management | Reduction of speed limits, 20mph zones | 2023 | 2025 | SDC/KCC | Internal | No | Funded | Low | Planning | NO ₂ PM10/ PM2.5 | Undertake scenario testing to assess impact of measure | Parish and Town Councils independently seeking 20mph zones | Focus on reducing emissions of all sources within AQMA's. |

| No . | Measure | Category | Classification | Estimated Year Measure to be Introduced | Estimated / Actual Completion Year | Organisations Involved | Funding Source | Defra AQ Grant Funding | Funding Status | Estimated Cost of Measure | Measure Status | Target Reduction in Pollutant / Emission from Measure | Key Performance Indicator | Progress to Date | Comments / Potential Barriers to Implementation |
|------|--|----------------------------------|---|---|------------------------------------|------------------------|--------------------|------------------------|----------------|---------------------------|----------------|---|---|---|--|
| 31 | To work with business operators to increase the % composition of LEV within private fleets | Promoting Low Emission Transport | Company Vehicle Procurement - Prioritising uptake of low emission vehicles | 2023 | 2027 | SDC/ KCC | Internal | No | Funded | Low | Planning | NO ₂ | Number of businesses approached by AQPO. Uptake of LEVs by businesses | | Reduction of emissions from HGV and LGV within AQMA 13 Promotion of the Kent REVs scheme and the buying of the Kent REVs electric vehicles. |
| 32 | To increase the number of Taxi operators using LEV and EV vehicles | Promoting Low Emission Transport | Company Vehicle Procurement - Prioritising uptake of low emission vehicles Taxi emission incentives Taxi Licensing conditions | 2023 | 2027 | SDC | Internal/ External | No | TBC | Low | Planning | NO ₂ | Number of vehicles within the taxi fleet changing to LEV/ EV alternatives | Promotion of energy saving trust Electric vehicle (EV) training courses for taxi and private hire drivers | Reduction in emissions of Private diesel and petrol vehicles within AQMAS |

Appendix A: Response to Consultation

Table A.1 – Summary of Responses to Consultation and Stakeholder Engagement on the AQAP

| Consultee | Category | Response | Officer response |
|------------------------|---------------------|--|--|
| DEFRA | Statutory Consultee | Comments received are shown in Appendix D | Comments have been integrated into AQAP |
| Kent County Council | Statutory Conultee | Comments receive are shown in Appendix E | Comments have been integrated into AQAP as appropriate |
| Sevenoaks Town Council | Town Council | Sevenoaks Town Council would like to see Sevenoaks District Council and Kent County Council install more pollution sensors near major roads and at every urban school within 400 metres of an A road. STC would also like to see both Councils publicise local air quality issues including publishing live pollution levels from their pollution sensors, stating specific levels of pollutants using globally recognised units of measurement. | The monitoring standard for AQ Objectives is an annual mean. SDC are therefore only able to accurately report results annually. Real time (live monitoring) analysers are prohibitively expensive and cannot be installed at multiple locations. Air Quality data is currently published annually on SDCs website. |
| Sevenoaks Town Council | Town Council | It is also important that SDC and KCC take into account likely differential air pollution changes in different roads when designing traffic schemes, and assessing significant developments, so that routes to major developments are evaluated if additional traffic is likely to be generated (this was not done for some of | Considered by Measure 1 |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|--|------------------|
| | | our town centre car parks). Most important of all is that steps to reduce vehicle traffic, especially HGVs, are pursued in the busy roads where air quality measures are close to or above WHO safe levels | Agenda Item 6b |
| Member of the Public | Resident | There is ever increasing traffic. Lots of building projects are in planning/progress, further increasing traffic. | |
| Member of the Public | Resident | Swanley is also impacted by the traffic on the M25 which is often at a standstill at Swanley interchange | |
| Member of the Public | Resident | School buses are increasingly unaffordable and public buses are being scaled back. These actions lead to more car journeys. | |
| Member of the Public | Resident | There needs to be less cars. Many people can't afford electric cars so there needs to be regular, reliable, affordable, public transport. | |
| Member of the Public | Resident | Improve the Dartford crossing to reduce accidents and holdups to prevent traffic backing up to junction 3 or 4 of M25. | |

| Consultee | Category | Response | Officer response |
|----------------------|--------------|--|---|
| Member of the Public | Non-resident | I live [REDACTED] where we have congestion at busy times but the rest of the day is fine | Comments Noted |
| Member of the Public | Non-resident | More buses at useable times eg from Eynsford a bus that goes to sevenoaks and one that comes back a few hours later! | Comment Noted |
| Member of the Public | Resident | By and large air quality is good because we have a substantial area of open space that suffers little in the way of pollution. The exceptions being the arterial roadways which suffer much diesel particulate pollution. The A25 carries heavy traffic from Wrotham to Westerham because there is no exit from the M26 at Sevenoaks; Otford High Street has a builders merchant with a fleet of high emitting vehicles and they have been brought to an idle by the ridiculous chicane and traffic management scheme recently implemented in Otford High St. There are similar traffic disruptions in Swanley. It seems recent traffic management proposals have concentrated in disrupting traffic flows in order to discourage vehicle use rather than to optimise traffic flow in order to minimise pollution. | Comments Noted- We will seek to explore options to work with National Highways to identify schemes which benefit air quality measure 29 |
| Member of the Public | Resident | The demographics and public transport infrastructure of our region mean that | Comments Noted |

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| Consultee | Category | Response | Officer response | |
|----------------------|----------|---|------------------|---|
| | | significant numbers of children cannot walk to school and the family car of choice for many people is a diesel 4x4 SUV - a perfect storm. | Agenda Item 6b | |
| Member of the Public | Resident | Improving traffic flow, rather than strangling it, will undoubtedly improve air quality further. | | See Measures 2, 3, 4 & 5 |
| Member of the Public | Resident | We cannot have a war on motorists because it will hit old people particularly, and we are a rural community where it is simply not practical to have a distributed public transport system. | | Comments Noted |
| Member of the Public | Resident | You are, as is frequently common, focusing on woke things rather than practical or correct things. | | Comments Noted |
| Member of the Public | Resident | Reorganising entry and exit of the M25 and moving businesses that use diesel truck in high residential areas would have a massive impact, as would banning heavy lorries from High Streets. | | We will seek to explore options to work with National Highways to identify schemes which benefit air quality Measure 29 |
| Member of the Public | Resident | Walking to school is just not practical for many people, we are a collection of villages and not everyone goes to school in their village school. | | Comments Noted |

Sevenoaks District Council

| Consultee | Category | Response | Officer response |
|----------------------|----------|---|---|
| Member of the Public | Resident | Discourage people from buying diesel and 4x4 cars | Although we are not specifically targeting diesel and 4x4 we consider this covered by measures 15, 16, 19 |
| Member of the Public | Resident | Ban the use of bonfires across the region, add the cost of garden refuse collection into council tax, | The District Council considers that it is not appropriate to ban bonfires but will commit to discouraging the use of them as a means of waste disposal- New Measure 27 |
| Member of the Public | Resident | Set up / liaise with a log distribution business that sells logs that meet emission standards for water content. Licence log sellers in the region so they meet standards. | See https://www.gov.uk/guidance/selling-wood-for-domestic-use-in-england enforced by KCC Trading Standards |
| Member of the Public | Resident | Bike rental is contingent on safe bike routes, but I'd have thought most people who want to ride a bike will buy one. | Comments noted |
| Member of the Public | Resident | Car clubs/sharing has an adverse impact on car insurance and could easily render insurance invalid. | Comments noted |
| Member of the Public | Resident | Parking linked to emission is unlikely to be cost effective and is a war on motorists. If also negatively affects classic car usage - unless the intention is to remove all fun/leisure activities in cars. | Comments noted |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|---|---|
| Member of the Public | Resident | There is little more I can do until EVs become practical for the types of journey I need to make. | Comments Noted |
| Member of the Public | Resident | I'm looking at solar power for home, but the biggest issue I face is gas usage. Heat pumps are probably not efficient enough yet. | Comments Noted |
| Member of the Public | Resident | Most of the changes you are proposing are not necessarily the right ones. There. Is too much emphasis on EV which is neither cost effective in the short term nor sustainable in the long term due to the high use of scarce resources in batteries and the relatively short, but very expensive, life of the batteries. It looks like EVs are today's Betamax. | Comments Noted |
| Member of the Public | Resident | Car idling is a problem especially around schools and nurseries. | See Measure 11- we consider this comment in our planning for implementation of this measure. |
| Member of the Public | Resident | The amount of bonfires hadn't been mentioned and yet they are the reason we can't open our windows to ventilate at all. The VOCs build up [REDACTED]. Local residents often have them. Leaflets explaining the dangers to health and pollution would be a good idea as for some | Agreed- New Measure 27- to educate around the use of bonfires as a method for disposing of waste. |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|--|--|
| | | reason they are not illegal despite the impact on air quality. | |
| Member of the Public | Resident | Could an air quality promotions officer visit schools are pick up and drop offs occasionally to explain the dangers of car idling to parents and that it's illegal?[REDACTED] from the station it's not safe to walk to the school due to the lack of safe places to cross the road so many parents will drive. Improving paths may help but speed cameras/ crossings would make it possible | Agreed. |
| Member of the Public | Resident | Safer road crossing in villages [REDACTED]so that parents can walk children to school. I won't walk mine to school because it's so dangerous and neither will other parents for that reason. Would lesson car idling and traffic | Comments noted- Measure 22 |
| Member of the Public | Resident | Bonfire notices explaining the dangers to health and encourage people not to have them at all. I'd like to think that one day they'll be banned and might encourage more greenery, safer levels of PM and allow people to ventilate their homes while cooking etc and keep radon levels down. | New Measure 27 to educate around the use of bonfires as a method for disposing of waste. |
| Member of the Public | Resident | I think educating people especially on the impact on children's health and making | Measure 9 |

Sevenoaks District Council

| Consultee | Category | Response | Officer response |
|----------------------|----------|--|---|
| | | cycling and walking safe options is important. | |
| Member of the Public | Resident | We live [REDACTED] where the impacts of poor air quality are very tangible. | Comments Noted |
| Member of the Public | Resident | Because the vast majority of Sevenoaks district is rural and those living in AQMAs are disproportionately affected by poor air quality. | Agreed |
| Member of the Public | Resident | There is no mention of the impacts of log burners/open fires on air quality and yet these are one of the biggest contributors to poor air quality. How can you list a number of recommendations for improving local air quality through 'home use' and include things like use energy efficient appliances but not recommend avoiding using log burners or having bonfires which are linked to poor air quality. DEFRA's own guidance is relevant and should be referred to: https://uk-air.defra.gov.uk/assets/documents/reports/cat09/1901291307_Ready_to_Burn_Web.pdf | New Measure 25 will be used to educate on the impacts of log burners provide advice on best practice when in use |
| Member of the Public | Resident | I would also like to see a Sevenoaks Council commitment to support the campaign to introduce east facing slip roads at J5 of the M26. As noted on the established and long running campaign website (http://www.j5-slips.org/) Dr Yasmin Vawda | We will seek to explore options to work with National Highways to identify schemes which benefit air quality Measure 29 |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|--|--|
| | | is a locally based expert in Air Pollution. "East Facing Slips at Junction 5 would decrease traffic flow and the number of HGVs on the A25, and speed up vehicles – by how much can only be determined by a traffic impact study. If the Slips were put in I would expect all the AQMAs along the A25 to disappear". | |
| Member of the Public | Resident | Subside bus travel so it is cheaper than town centre car parking! | Comments Noted |
| Member of the Public | Resident | Provide cycling infrastructure rather than useless 'beware cyclists on the carriageway' signs in the vicinity of Trinity/Weald of Kent schools. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | Publicise the impacts of bonfires and urge residents not to have them. | New Measure 27 to educate around the use of bonfires as a method for disposing of waste. |
| Member of the Public | Resident | We are fortunate to live in the green belt. | Comments Noted |
| Member of the Public | Resident | Active travel, not only promotes clean air but has health benefits and reduces congestion. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | Campaign to have vat removed from ebikes. Implement and improve the existing cycle strategy. | |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|---|--|
| Member of the Public | Resident | Heavy traffic and large number of lorries, especially around the bat and ball area. | Measures 1, 2, +31 will seek to address this |
| Member of the Public | Resident | Not safe for cyclists or pedestrians, therefore many additional car journeys adding to the problem. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8 |
| Member of the Public | Resident | Campaigns are pointless without improving the infrastructure to enable and encourage people to do what you would like them to do. Improve safe, clean routes for pedestrians and cyclists, make road crossings safe and accessible so that children can walk or take public transport to school SAFELY. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | Create a cycle network so that people can get from one place to another safely, without having to share the same bit of road as enormous lorries. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | Priority for measures facilitating walking and cycling within our small town. Not wasting money on posters and campaigns if there are no actual improvements to help people to make changes. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | They are pointless unless there are actual changes that make walking and cycling safer. Put the money and effort into making our town safer and more appealing to walk | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |

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| Consultee | Category | Response | Officer response |
|----------------------|--------------|--|--|
| | | and cycle round - safer road crossings, especially near the stations, bus stops and schools. | |
| Member of the Public | Resident | Improve the infrastructure. Create safe cycle routes and road crossings. Minimise heavily polluting traffic (HGVs) | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | Cycling if cycle paths/electric bike hire available [REDACTED] so needs to work between sevenoaks and wider villages | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | Because you can do all the promotion you want but if the route people need to take isn't easy, they won't take it. | Comments Noted |
| Member of the Public | Non-Resident | There is a clear trend of improving air quality in Sevenoaks (even prior to the COVID pandemic). Many of the diffusion tube sites are now indicating NO2 levels below the annual mean objective | Comments Noted |
| Member of the Public | Non-Resident | I think that improvements to the bus fleet could be relatively easy to achieve - this may just be a case of ensuring that only the cleanest buses operate in the AQMAs, and this could potentially bring about a measurable reduction in NO2 levels in some cases. Therefore I think this should be a priority action. | Measure 13 |

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| Consultee | Category | Response | Officer response |
|----------------------|--------------|---|---|
| Member of the Public | Non-Resident | Education of school children about air pollution offers the potential to encourage 'green' habits from an early age, and may therefore bring about improvements in air quality around schools | Measure 12 |
| Member of the Public | Resident | For the most part, congestion is minimal so there isn't so much idling going on. Also lots of through traffic can take the bypass so avoiding built up areas. | Comments Noted |
| Member of the Public | Resident | We are a well off district and so I feel strongly that parking charges could be variable based on emissions/vehicle type, where a SUV would be charged more than a city car and an electric vehicle could be even cheaper. | Comments Noted |
| Member of the Public | Resident | Easing congestion is surely a big factor so perhaps in addition to the road improvements, we could have a better drop off/pick up infrastructure around schools as the current situation around several schools is not only anti social but also results in excessive idling. | Measures 7, 11, 12 |
| Member of the Public | Resident | Just a thought but could the district invest or create a scheme in renewable energy programmes. Whereby the council, the residents or both could generate clean | It is not considered appropriate for the District Council to develop such a scheme at this time however it may be considered in the future. |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|--|---|
| | | electricity. This would support the infrastructure for electric car charging but could also offset energy bills or subsidise future council spending. | |
| Member of the Public | Resident | I think cycling is a good means of travel however realistically the district has busy narrow roads combined with some steep inclines. Cycle lanes would not be suitable on the trunk roads. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | There has been an uptake in the use of wood burners and the use of wood fires for heating in the town. I have seen some homes burning coal. This will only get worse as fuel and energy prices keep on going up. | New Measure 25 will be used to educate on the impacts of log burners and other sources of emissions within the home and provide advice on best practice when in use |
| Member of the Public | Resident | In the Summer, we are plagued daily by bonfires in gardens. My family have been prisoners in our homes, having to close all the windows, unable to enjoy our gardens, go for a walk or put out our washing. | New Measure 27 to educate around the use of bonfires as a method for disposing of waste. |
| Member of the Public | Resident | I don't see any serious attempt by the council to address pollution caused by anything else other than by vehicles. Yet wood burners are an order of magnitude worse than HGVs: | New Measure 25 will be used to educate on the impacts of log burners and other sources of emissions within the home and provide advice on best practice when in use |

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| Consultee | Category | Response | Officer response |
|-----------------------------|-----------------|--|--|
| | | <p>https://www.theguardian.com/environment/2021/oct/09/eco-wood-stoves-emit-pollution-hgv-ecodesign</p> | |
| <p>Member of the Public</p> | <p>Resident</p> | <p>Why were the following not considered?</p> <ul style="list-style-type: none"> - A complete ban on the use of wood-burning stoves and wood fires in urban areas. - A complete ban on burning garden waste in urban areas. <p>Fires are far worse with respect to particulates than even HGV emissions.</p> <p>You also did not consider:</p> <p>A pledge to ensure no more building or population growth in Sevenoaks. More people, more congestion and more pollution.</p> <p>20 mph limits in all urban areas to discourage car journeys and make the roads safer for cyclists.</p> <p>Signage along roads used by children to walk to school telling drivers commuting to work to avoid those roads during certain hours. For example, Bradbourne Park Road</p> | <p>We have amended the AQAP to reflect these comments.</p> <p>Measures 10, 22, 25, 27, 30,</p> <p>We are unable to stop all development but will ensure that Air Quality is a key consideration- Measure 1.</p> <p>We do not consider that a ‘Low Emission Zone’ would be effective or appropriate in Sevenoaks.</p> |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|--|--|
| | | <p>and Westerham Road, Mount Harry Road and London Road.</p> <p>Charge a fee to drive unleaded/diesel cars into central Sevenoaks. It has worked for several years in Central London.</p> <p>Make Bradbourne Park Road a car-free zone from 7.45 to 9.00 to protect children walking to school.</p> <p>Stop allowing the location of nurseries and schools next to busy roads.</p> | |
| Member of the Public | Resident | <p>A waste of time and money short term.</p> <p>You are not going to get people walking more or cycling more with the current congestion pollution and speed levels.</p> | Comments Noted |
| Member of the Public | Resident | <p>More signage on busy roads</p> <p>Enforcement of clean air standards</p> <p>Charge to pollute</p> <p>Use schools to raise awareness with parents of the harm caused by driving to school</p> <p>Use local employers to raise awareness with employees regarding harm caused by commuting during school hours.</p> | <p>Will we utilise our new Air Quality Promotions Officer to carry out educational work with schools and businesses.</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Agenda Item 6b</p> |

| Consultee | Category | Response | Officer response |
|----------------------|----------|---|---|
| Member of the Public | Resident | You are just looking at another way to get the hard working people of Sevenoaks to part with more money unnecessarily, life is extremely expensive enough at the moment leave us alone | Comment Noted |
| Member of the Public | Resident | the public transport in Sevenoaks is beyond dreadful, all this "green and EV" is not going to work if you want to help try for once to save the people of Sevenoaks money not increase tax | Comments Noted |
| Member of the Public | Resident | I have a fungal growth on my tree that apparently only grows in good air areas, you are just looking at ways of getting more money out of us, grow a pair and get off the band wagon of green, leave Sevenoaks alone, you charge way to much money for parking hence why sales are massively reduced in the town you carry on with this stupid idea and that will be Sevenoaks town centre done with, | Comments Noted |
| Member of the Public | Resident | Reduce business rates and parking charges as you are way to greedy | Comments Noted |
| Member of the Public | Resident | Safe cycling routes are critical. Electric bikes can effectively remove the obstacle to bicycle use that was presented by the hills, but people will avoid using bikes if they don't feel safe. | We are developing a new Local Cycling and Walking Infrastructure Plan (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|---|---|
| Member of the Public | Resident | On-street EV charging points (maybe connected to lamp posts) are needed so that people who don't have off street parking can also use EVs. | We will seek to address this where appropriate via Measure 16 |
| Member of the Public | Resident | Cheaper parking for EVs should be easy - why should a permit be required? | Comments noted and will be considered as part of Measure 19 |
| Member of the Public | Resident | I think some serious though is needed re unnecessary journey. My view is its the trips out to the shops and parks that are necessary from a point of view of wellbeing. I have found that as anti car measure have increase I have stopped traveling and simply do not go out. My car mileage was next to nothing until I was forced into a school run. | Comments Noted |
| Member of the Public | Resident | I think everyone that can will get flexible working where there job allows it. Flexible working and flexible start times perhaps co-ordination to reduce congestion. | Comments Noted |
| Member of the Public | Resident | Some un-traffic calming to reduce congestion. I suspect the Hextable traffic calming impacts on the Birchwood road traffic lights and Otford's 20mph affects Bat and Ball lights. | Comments Noted |
| Member of the Public | Resident | School buses more generous provided would be just great. I am suppose to get a taxi. from KCC but cannot. The Antony Roper | Measure 17 |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|---|------------------|
| | | school run is an issue for the whole village. I'd be happy to pay my share | Agenda Item 6b |
| Member of the Public | Resident | I don't think people should be penalized for more polluting cars. I don't drive much so I have ended up with an older more polluting car ! | |
| Member of the Public | Resident | More time and lower parking costs to encourage longer enjoyment of town centers and parks and off set the risk everyone's lives will go online ! I think this is a real issue and something to fight against. Unnecessary journey should be better understood. My view is well being should be maximized. | |
| Member of the Public | Resident | Anything that makes commuting easier, more flexible, quicker and less polluting | |
| Member of the Public | Resident | Encourage virtual meetings for business. | |
| Member of the Public | Resident | Penalizing more polluting cars, its divicine. Forcing pope to stay in. Its is bad for wellbeing and bad for local shops. | |
| Member of the Public | Resident | I think to a certain degree cars pedestrians and walking needs to be kept separate. Could some roads be prioritized car and others bike. I am not in favor of 20mph I do cycle and at 20mph it puts you | |
| | | | |

| Consultee | Category | Response | Officer response |
|-----------------------------|-----------------|--|---|
| | | <p>the same speed as the cars and lorry's. I prefer the car/ lorries to pass and go rather than sit behind. I worry they will forget about me especially lorry's where you might fall into their blind spot.</p> | |
| <p>Member of the Public</p> | <p>Resident</p> | <p>Encourage flexible start and stop times. Encourage virtual meetings. Make parking easier and don't set limits. Encourage shops parking to be flexible. [REDACTED] in Eynsford and it would be nice to have a better range of local shops.</p> | <p>Covered by Measure 21</p> |
| <p>Member of the Public</p> | <p>Resident</p> | <p>Whilst the air quality plan cites improvements in air quality it is important to understand the context of the UK's national limits for nitrogen dioxide and particulate matter being set at four times the level of the World Health Organisation guidelines'. Urgent action is required to accelerate improvement., especially given the huge new planned housing developments.</p> | <p>Comments Noted</p> |
| <p>Member of the Public</p> | <p>Resident</p> | <p>The principle source of nitrogen dioxide and particulate matter are vehicle emissions. There is huge latent demand for active travel in the community but there are not enough SAFE SEGREGATED cycle and walking routes to provide alternatives to private car travel.</p> | <p>We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9</p> |

| Consultee | Category | Response | Officer response |
|----------------------|----------|---|--|
| Member of the Public | Resident | Major investment in active travel and public transport will help to provide an alternative to the private car, whilst an improvement in EV charging infrastructure will reduce pollution from the remaining vehicles. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | It will be better to focus resources on a few key areas and to do these well than to widen the scope too much. Active travel is the real key as current provision is woeful from years of under investment. | Comments Noted |
| Member of the Public | Resident | It will be most effective to focus resources on a few key areas and to do these well. All the measures identified are worthwhile but 80% of the investment needs to go on active travel provision and EV charging (including on street charging provision for residents). | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 |
| Member of the Public | Resident | The council published a cycling strategy in 2012. So far NOTHING has been done to realise this. Active travel and the provision of alternatives to private car travel are the keys to solving the air quality issues in the district. | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure.- Measure 8, 9 The Movement Strategy prioritises active travel and alternatives to the private car. |
| Member of the Public | Resident | I reckon the huge majority of emissions in Sevenoaks will be coming from privately owned cars. The actions I selected are the | Comments Noted |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|--|---|
| | | ones I believe would have the biggest impact discouraging car use and encouraging other transport | |
| Member of the Public | Resident | Look into policy about wood burning and bonfires https://www.theguardian.com/environment/2021/dec/17/wood-burners-urban-air-pollution-cancer-risk-study | New Measure 25 will be used to educate on the impacts of log burners provide advice on best practice when in use New Measure 27 to educate around the use of bonfires as a method for disposing of waste. |
| Member of the Public | Resident | More speed bumps or other traffic discouragement devices on streets in town | Comment Noted |
| Member of the Public | Resident | Clearer information about public transport choices | Comments Noted |
| Member of the Public | Resident | Air pollution is frequently visible, and has a direct physical effect especially on people with asthma | Comments Noted |
| Member of the Public | Resident | The key point is switching away from private cars, especially single-occupancy cars. Alternatives include public transport and cycling, but they need real change, not just "promotion" or "encouragement". That means reducing the cost of public transport, increasing the cost of parking, and building proper, safe, physically separated cycleways. Of this reduced the | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure and other active travel.- Measure 8, 9 We will seek to identify initiatives to improve public transport- Measure |

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| Consultee | Category | Response | Officer response |
|----------------------|----------|---|--|
| | | convenience of driving that's a good thing - to reduce pollution we need to make driving less convenient. | 17 and encourage behavioural change Measure 10. |
| Member of the Public | Resident | Measures involving "encouragement" or "promotion" should be avoided. They are not action - they just give the impression that something is being done when it is not. | Comments Noted |
| Member of the Public | Resident | There is also too much emphasis on electric vehicles. EVs still release a great deal of particulate pollution from tyre and brake pad wear, and they further embed driving at the expense of active travel (even more so than conventional motor vehicles - because the up-front cost of an EV is higher, while the running costs are lower, users have an incentive to use their EVs even more). | Comments Noted |
| Member of the Public | Resident | Build separated cycleways. Subsidise ebikes. Progressively remove town centre parking, as is often done on the continent. Make public transport cheaper (or free). | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling infrastructure and other active travel.- Measure 8, 9 |
| Member of the Public | Resident | I feel very strongly that making air quality part of Local Plan policy and guidance is key. Everything else follows on from that. The problem seems to be at present that although vehicle emissions, the need for | Comments noted. The AQAP provides a framework of ambitions to improve Air Quality and does require us to work closely with partners (such as KCC) to deliver many of the identified measures |

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| Consultee | Category | Response | Officer response |
|-----------------------------|-----------------|---|---|
| | | <p>junction improvements, the need for improving public transport etc are all important in improving air quality, the District Council has little or no scope for action in these areas. And partner bodies, such as Kent Highways, seem to be pre-occupied with maintaining traffic movement with relatively little interest in the impact on air quality. If air quality could be clearly established as a material consideration in considering planning applications and related issues, the District Council would be much better placed in taking a stand against actions and activities which have a detrimental impact on air quality and in promoting action for the improvement of air quality.</p> | |
| <p>Member of the Public</p> | <p>Resident</p> | <p>I feel the Action Plan needs to go very much further.</p> <p>The Local Plan is currently being reformulated. That should provide an opportunity for the Council to be much more ambitious in its plans for addressing the climate emergency, building on the Air Quality Action Plan. Core policies and regulations could be introduced with a requirement for all new housing developments to meet low or zero carbon</p> | <p>The Air Quality Action Plan is specifically focussed on improving concentrations of pollutants specified by National Air Quality Objectives. We do however recognise that many of the measures proposed have co-benefits for Net Zero.</p> <p>Sevenoaks District Council has stated its ambition to be Net Zero by 2030 and we are pursuing this through a</p> |

Agenda Item 6b

| Consultee | Category | Response | Officer response |
|-----------|----------|---|---|
| | | <p>standards. My understanding is that the national planning framework would allow for this if the local planning authority chooses to put the necessary policies in place. It is clearly unacceptable if local policies permit the construction of new housing that will subsequently need to be retro- fitted to meet the necessary standards.</p> | <p>variety of strategies and measures outside of the AQAP.</p> |
| | | <p>More generally, local planning regulations could be formulated to ensure a full carbon audit of any major project. The difficulties that currently exist are illustrated by the Chevening Estate 'Parkland Enhancement' scheme on which the District Council is facing a major challenge. A great volume of documentation has been submitted - but there is no evidence at all that any serious assessment of the climate impact of the proposals has been carried out. Such an assessment should be a core policy requirement. Any such assessment, in this case, would include not only the impact of vehicle movement and construction activity but also the likely impact of the release of carbon from soil movement. Policies arising from the Air Quality Management Plan should be a</p> | <p>We have revised the wording within Measure 1 to reflect comments received.</p> |

Agenda Item 6b

| Consultee | Category | Response | Officer response |
|----------------------|----------|---|---|
| | | key element underpinning the District Council's consideration of this and other schemes. | |
| Member of the Public | Resident | The measures all seem helpful up to a point - and useful in addressing long-standing problems that have built up over a number of years. But as noted above I feel much more fundamental action is needed to address the issues that face us for the future. | Comments noted |
| Member of the Public | Resident | <p>Ensure it is possible to cross busy roads on foot. An example would be the A25 Bradbourne Vale Road which has no safe crossing place for pedestrians for the entire length west from the Bat&Ball junction to the junction of the A25/A224 at Riverhead. Children and families cannot reasonably be expected to walk if it is not safe for them to do so - yet use of vehicles as an alternative to walking adds to emissions creating dangers of a different kind.</p> <p>Work with other bodies to provide regular and reliable bus services</p> | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider infrastructure to encourage active travel.- Measure 8, 9 |
| Member of the Public | Resident | The policy is otherwise rather passive. Far more aggressive measures are needed. | |

Sevenoaks District Council

| Consultee | Category | Response | Officer response | |
|-------------------------------|-----------------|--|------------------|--|
| Member of the Public | Resident | Reduced periods of access to through routes by large vehicles Significantly increased parking charges for large vehicles Transformation of Sevenoaks town centre (eg day-time closure; one-way systems) to give priority to pedestrian and non-vehicular traffic | Agenda Item 6b | |
| Sevenoaks Bicycle Users Group | Community Group | Educating District and Town councillors of the merit of active travel and improving infrastructure to promote it. | | We believe that this can be part of the role of our Air Quality Promotions Officer- Measure 24 |
| | | Intro an eBike hire-to-buy scheme to promote their use and broaden the user base of bicycle users. | | We are considering this as part of Measure 6. |
| | | Apply 20mph across Sevenoaks Town (and other towns) to make the roads safer and more cycling/walking friendly. | | New Measure 30 To review the effectiveness of introducing 20mph zones |
| | | Prohibit non-essential HGV access to Sevenoaks Town (esp the A225/High Str). | | |
| | | Improve cycle parking provision in Sevenoaks Town and other towns. | | We are developing new Local Cycling and Walking Infrastructure Plans (LCWIP) which will consider cycling |

| Consultee | Category | Response | Officer response |
|-----------|----------|--|--|
| | | <p>Implement the Sevenoaks to Otford cycle route (also to reduce the impact of the new housing development by Tarmac at the quarry.</p> <p>Creation of a cycle route along the A25 to link Dunton Green, through Bat&Ball to Seal (Trinity School campus).</p> | <p>infrastructure and other active travel.- Measure 8, 9</p> |
| | | <p>Clear, consistent and regular messaging across all channels.</p> <p>Many short local trips are made by car. We need behavioural change to reduce these. Engage with all schools in the District to promote active travel to school. Engage "cycling/active travel ambassadors" to promote active travel (they can be volunteers).</p> | <p>Measures 10, 12, 18, 20, 21, 22, 25</p> |

Appendix B: Reasons for Not Pursuing Action Plan Measures

Table B.1 – Action Plan Measures Not Pursued and the Reasons for that Decision

| Action category | Action description | Reason action is not being pursued (including Stakeholder views) |
|------------------------------------|---|---|
| Active Travel Campaigns | Permanent or temporary lane closures | Not considered to be appropriate unless supported by evidence of health and AQ benefit |
| Behavioural Change Campaigns | Provision of high quality, bespoke and accessible information on sustainable travel, e.g. on a dedicated travel website with route/mode options | SDC are not the highways authority and therefore have limited resources for a dedicated resource. However, SDC will work with KCC to deliver the priorities in the AQAP and the Movement Strategy which include encouraging behaviour change. |
| Behavioural Change Campaigns | District wide Clean Air Days | Would need a very light touch and alternative transport would be necessary. The Net Zero 2030 communications plan includes promotion of sustainable transport events including Car Free Day. |
| Low Emission Vehicle Encouragement | HGV/LGV recognition schemes, ECO Stars | SDC do not have the expertise or resources to run this scheme independently, however we will work with KCC to reduce emissions from transport and increase the uptake of low emission vehicles. |
| Low Emission Vehicle Encouragement | Detection and prosecution of vehicles removing diesel particle filter | SDC do not have the resources or expertise to run this scheme |
| Public Transport Encouragement | Council funding to provide free buses for all schools | KCC Controlled- SDC does not have funding available. |

| Action category | Action description | Reason action is not being pursued (including Stakeholder views) |
|--------------------------------------|--|--|
| | | We will work with schools and KCC to encourage sustainable transport and active travel. |
| Public Transport Encouragement | Park and Ride Schemes | Park and Ride schemes have previously been explored and have not been feasible. No such schemes have been included in the Local Plan at this stage. |
| General Travel Planning Improvements | Business delivery time variations away from peak hours | Unaware of any specific issues that result from delivery times. However, the Local Plan may require mitigation measures for new commercial development if necessary and appropriate. |

Appendix C: Questions Asked within the AQAP Consultation

INSTRUCTIONS

The Council should add additional supporting appendices as required.

For example, where the selection of AQAP measures has been supported by further studies, e.g. quantitative appraisal of action plan measures through dispersion modelling, or other feasibility studies, this work should be included here.

Page 1: Initial Questions

1. What is your current view on Air Quality in Sevenoaks District?

- Very Good - Air Quality is excellent, cannot be improved and poses no risk.
- Good - Air Quality is satisfactory, poses little or no risk.
- Average - Sensitive individuals should avoid outdoor activity due to possible risks.
- Poor - Increased likelihood of adverse effects to the general public.
- Very Poor - General public at risk from adverse health effects, should avoid outdoor activities.

2. The Sevenoaks Air Quality Action Plan has identified the areas of work needed to improve Air Quality in the District. To what extent do you agree?

- Strongly Disagree
- Disagree
- Neither Agree or Disagree
- Agree
- Strongly Agree

3. Which of the following areas do you think should be prioritised in the 2022-27 Air Quality Plan?

- Reducing pollution in and around schools (e.g. running air quality projects at schools; air quality communication campaigns; finding local solutions to protect schools from air pollution).
- Improving walking and cycling infrastructure (e.g. implementing cycling lanes, increasing pedestrian walking areas and routes).
- Promoting greener methods of travel such as walking, cycling and use of public transport.
- Implement campaigns to raise awareness of air quality issues.
- Reducing unnecessary car engine idling (e.g. installing anti-idling signage, patrolling streets).
- Reducing emissions from buildings and developments (e.g. using the planning system to ensure new developments reduce pollution levels; dust inspections on construction sites).
- Reducing emissions from the Council fleet (e.g upgrading the Council fleet to Euro 6 vehicles and electric vehicles).
- Improving electric vehicle charging infrastructure.

Page 2: The Air Quality Action Plan

4. Which specific measures do you feel should be prioritised? (Tick all that apply)

- Making air quality part of our Local Plan policy and guidance
- Junction improvements at Bat & Ball and the A224/A25 in Riverhead
- Road improvements along the A225 in Sevenoaks High Street, A25 in Seal, and the A25 in Brasted
- Bike rental schemes
- Promotion of walking and cycling

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- Development of new walking and cycle routes
- Behavioural change campaigns to reduce single use occupancy car journeys
- Reducing vehicle idling
- Educational campaigns for schools
- Collaboration with bus operators to introduce ultra-low emission vehicles into the fleets
- Transitioning the Council's fleet to low emission vehicles
- Improving and developing the electric vehicle infrastructure within the District
- Installing electric vehicle charging points within Council owned car parks
- Improving public transport infrastructure
- Promote the use of public transport
- On and off-street parking charges linked to vehicle emissions standards
- Car Club/Sharing schemes
- Exploring flexible working and home working
- Walking to school incentives/ encouragement
- Complete a detailed modelling assessment of the Swanley Area to quantify the local air quality
- Hire an Air Quality Promotions Officer

5. Are there any additional measures that you would like to see included in our Air Quality Action Plan?

Please write your answer in the box below

6. Are there any measures in the Air Quality Action Plan that you feel we should not include?

Please write your answer in the box below

Please detail why you think this action(s) should not be included?

7. If you live or work in the District, what lifestyle and behaviour changes would you be willing to make to improve Air Quality?

- Walk to school or place of work
- Use public transport
- Cycling
- Switch to an electric vehicle
- Other (please specify below)

8. What could the Council do to support residents and businesses within the District to make these changes?

Please write your answer here

Page 3: Communication

9. How would you like to see Air Quality and related issues communicated in the future (i.e. social media, magazine articles etc...)?

Page 4: About You

Comments will be attributed by name/organisation only. Contact details will not be published but will be used to keep you informed of the progress of the Air Quality Action Plan.

Privacy Statement Inserted Here

10. What is your name?

11. What is your email address?

12. Which of the following best describes you?

- General Member of the Public
- Business
- Organisation
- Local Interest Group
- Other (please specify)

13. Do you live or work within the District?

- Yes
- No

Equalities Questions

The Council has a requirement under the Public Sector Equality Duty to ensure it treats all people fairly and provide them with equality of opportunity.

To help us to both understand and demonstrate how the Council performs under the Equality Duty we ask that you answer the following questions.

You do not have to answer, but it would be helpful if you could do so.

14. Gender

- Male
- Female
- Prefer not to say

15. Age

- 18-34
- 35-54
- 55-74
- 75 +

16. Race

- English/Scottish/Welsh/N.Irish/British
- Prefer not to say
- Other (Please specify)
- If you ticked other, please specify here

17. Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

- Yes
- No
- Prefer not to say

18. If you clicked yes on the previous question, please tell us which of the following applies to you?

- A physical impairment
- A sensory impairment
- A long standing illness or health condition
- A mental health condition
- A learning disability
- Prefer not to say

Appendix D: Response from DEFRA to consultation

| | |
|------------------|-----------------------------------|
| Local Authority: | Sevenoaks District Council |
| Reference: | AQAP22-1164 |
| Date of issue | March 2022 |

Air Quality Action Plan Appraisal

The Action Plan sets out information on air quality obtained by the Council as part of the Local Air Quality Management process required under the Environment Act 1995 (as amended by the Environment Act 2021) and subsequent Regulations.

This Appraisal Report covers the Air Quality Action Plan (AQAP) for 2022 - 2027 submitted by Sevenoaks District Council (SDC), which covers the whole district, and specifically four AQMAs, all declared for exceedances of the annual mean NO₂ objective, within the borough. Five AQMAs are listed for revocation due to continual compliance, and are therefore not included within the AQAP. The AQMAs of relevance are:

- *AQMA No.8 (Swanley Town Centre) - An area encompassing Swanley Town Centre, High Street and London Road;*
- *AQMA No.10 (Sevenoaks High Street) - An area encompassing Sevenoaks High Street and London Road;*
- *AQMA No.13 (A25) - The entire length of the A25 from the border with Tonbridge and Malling in the East to the border with Tandridge on the West; and*
- *AQMA No.14 (Junction of Birchwood and London Roads, Swanley) - Junction of Birchwood Road and London Road, Swanley.*

The AQAP has been adapted from the Defra report template, but follows the general content of the template well, and is concise, well-presented and formatted.

The Council presents monitored concentrations within the AQMAs in detail in the AQAP. This indicates that there were no exceedances of the AQS objective for annual mean NO₂ in any of the AQMAs in 2020, though this is likely to be attributed at least in part to the COVID-19 pandemic, as concentrations were far more elevated in 2019, with multiple exceedances within AQMAs in that year. AQMA 8 is the only one with consecutive years of compliance monitored. All AQMAs exhibit a decreasing trend in monitored concentrations.

National and regional scale policy documents, such as the Clean Air Plan 2019, are referenced in the Plan, showing the AQAP is cognisant of complementary policies and will look to build upon these to ensure effective implementation. The public health context to the AQAP has also been laid out, with the report by the Royal College of physicians referenced, which estimated air pollution contributed to 40,000 excess deaths in 2015. The 2019 fraction of mortality attributable to PM_{2.5} pollution in Sevenoaks is 5.3%, which is above the national average of 5.1%, and the regional average (South East) 5.2%.

Alongside this, the Local Plan, Transport Strategy, Cycling Strategy and Low Emission Vehicle Strategy are referenced. Also stated is the Council Net Zero by 2030 pledge. The Local Plan, adopted in 2011, is currently being updated. The current Core Strategy states that:

“Poor air quality is an issue in certain parts of the District alongside main roads. Eleven Air Quality Management Areas have been declared and the Council has an Air Quality Action Plan (2009) that includes measures to improve air quality...Future development should avoid adverse impact on air quality, particularly in Air Quality Management Areas where there is a need to improve air quality. In areas of poor air quality careful design of new development will be needed to ensure an acceptable environment for future occupiers.”

It is assumed that the references to the active AQMAs and AQAP year will be updated within the Local Plan update, but that the ambition to restrict the impact of development on air quality would remain. A further specific policy, SP2, covers both transport and air quality, and states that development consent can be refused on air quality grounds without suitable mitigation. It would be interesting to know whether this has ever been enacted by the Council.

Source apportionment was carried out using ADMS-Roads dispersion modelling for two of the AQMAs, 10 and 13. Cars were, as expected, the dominant vehicle types and emissions sources within the local fleet, particularly diesels cars, which were by far the most dominant source of emissions in both AQMAs at 45.9% and 38% respectively. The sources were similar in both AQMAs, with slightly higher bus contributions in AQMA 10, and higher LGV and HGV contributions in AQMA 13.

Calculations of the required reduction in road NO_x emissions have been provided, listed as being undertaken per the methodology prescribed in LAQM.TG(16) Box 7.6, though no supporting calculations have been provided. In 2019, there was calculated to be a 59% and 49% reduction in road NO_x required to achieve compliance in AQMAs 10 and 13 respectively. This is now likely an overly conservative estimate of the reductions required, since monitored concentrations have reduced since that time, but does represent a significant challenge.

The Council have developed 22 actions that have been considered under four key delivery topics:

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- Priority 1 – Public Health and Wellbeing (Behaviour change/modal shift, Health Promotion);
- Priority 2 – Transport (Licensing, Parking, Public Transport, Procurement);
- Priority 3 – Planning and Infrastructure; and
- Priority 4 – Policy Guidance.

On an individual measure basis, these are generally focused on the transport topic, with several measures focussed on improving vehicular emissions (e.g. bus fleet upgrades) and traffic management at specific junctions. There is generally a strong focus on information provision aimed at affecting behavioural change. An additional measure to complete a detailed modelling assessment of the Swanley Area to quantify the local air quality has been included. It is assumed the outcomes of this study will be incorporated into the AQAP over the course of implementation, at which point the impacts should be appraised.

The target pollutant reductions for each measure are not clearly defined for any of the measures. It is currently unclear within the AQAP what information is supporting the qualitative impact appraisal.

The composition of the AQAP steering group has been presented, which consists of senior members of Council staff within the relevant stakeholder groups, though little detail is provided on their actions, and outcomes of the meetings.

Overall, the AQAP appears well considered and the measures are commensurate with the monitored concentrations, so the AQAP is therefore accepted. As the AQAP is considered to be in a draft form, improvements therefore can and should be made before accepting as final. Specific commentary to inform the final version, and future updates, is provided overleaf.

Given the stated timeframe of the AQAP, it is recommended that these actions are undertaken as soon as possible as an update to the Plan.

The Council should take on board the following considerations when finalising and publishing the AQAP, and in any future updates.

Commentary

- Some of the policy text, for example around the Environment Act, which was amended in 2021, is now outdated and so could be updated.
- More information on the data supporting the source apportionment exercise should be provided, for example the year from which the assessment has been derived, and details of the build and verification of the dispersion model.
- Source apportionment should also be more explicitly referenced in the measures themselves, to ensure that the most significant sources are being effectively targeted. There is little reference within the measures, for example, of the different sources within the different AQMAs.
- Source apportionment can also include both local and regional background contributions, for a clearer understanding of the make-up of total ambient concentrations. The addition of source apportionment across a range of different points of interest is a good addition, however.
- The calculations supporting the estimated road NO_x reductions required to achieve compliance should be provided to ensure these have been robustly calculated.
- In respect of priorities, the first priority within any AQAP should be to bring about compliance with the AQS objectives.
- The AQAP determines qualitatively that the actions are likely to be effective, but doesn't accurately quantify any of the specific measures' impacts, which would help the reader to understand the relative merits of particular interventions. As per paragraph 2.71 of LAQM.TG(16), an AQAP should contain quantification of the impacts of measures as a minimum. This could be aided by updated dispersion modelling.
- It is not very clear how the qualitative target pollution reductions listed for each measure have been determined.
- With the exception of measures 2 & 3, which focus on junction and road improvements, the measures are generally more strategic / policy led in nature, with the potential exception of the park and ride measure. Some more specific, hyper local measures may also be beneficial. As discussed, this could also include the source

Sevenoaks District Council

apportionment data which could be better utilised to develop specific, targeted measures, such as looking at LGVs and HGVs in AQMA 13.

- The measures would also benefit from a more detailed cost/benefit analysis, as it is currently unclear to the lay person which of the measures will be most cost effective, and which will achieve the greater pollutant reductions.
- Expected costs of the measures are often vague. Details of funding sources could also be more clearly determined, as at present this throws some doubt on the likelihood of the implementation of the measures.
- It is assumed that Appendix A will be populated with the responses to consultation once undertaken. This should include responses which signpost within the document where the comments have been enacted.
- Whilst the composition of the Steering Group has been discussed, more detail could be provided. Minuted actions, number of meetings, and how these affected the outcomes of the AQAP, could all be included. The Steering Group will be maintained through implementation, to ensure the AQAP remains relevant and is enacted. Details of the outcomes of future meetings could also therefore be provided within future updates.
- If in the interim period compliance with the AQS objective has been achieved, as is indicated by 2020 concentrations, the Council could consider retaining an updated version of this Plan to form the basis of a local air quality strategy for the AQMAs (or the wider district) as per paragraph 4.11 of LAQM.PG(16).

This commentary is not designed to deal with every aspect of the Action Plan. It highlights a number of issues that should help the local authority in maintaining the objectives of its Action Plan, namely the improvement of air quality within the AQMA.

Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Government, Scottish Government or DOE, as appropriate

For any other queries please contact the Local Air Quality Management Helpdesk:

Telephone: 0800 0327 953

Email: LAQMHelpdesk@bureauveritas.com

Appraisal Response Comment Form

| | |
|---------------------------|----------------------------|
| Contact Name: | |
| Contact Telephone number: | |
| Contact email address: | UKLAQMAppraisals@aecom.com |

Appendix E: Response from Kent County Council to consultation

Para 3.1 Public Health Context

There are lots of other problems that pollutants can bring that are far more damaging than just nose and throat irritation eg heart disease, strokes, lung cancer, There is even evidence of mental health problems. See link below.

<https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>

“An understanding of the health vulnerabilities of the local population in and around the AQMAs should be considered, this can be done using the Local Health Tools (Local Health - Public Health England; Local Health - Data - OHID (phe.org.uk)) or the SHAPE Tool (Kent SHAPE atlas - Kent County Council). Key vulnerabilities to look out for in regards to air quality include; older people, children, individuals with existing cardiovascular disease and/or respiratory disease, pregnant women, low income communities. Consideration should also be made with regards to facilities where there may be a higher percentage of these vulnerable groups gathered e.g. schools, hospitals, care homes etc.”

“Perhaps need to include something on health inequalities and vulnerable groups most likely to be affected by poor air quality.”

3.2 Planning and Policy Context

Sevenoaks are developing a Local Walking and Cycling Infrastructure Plan, it would be good to see the AQMAs prioritised within this

3.2.1 Clean Air Strategy

I dont think this target date is right?

That is why the Prime Minister, as part of his ‘Ten point plan for a green industrial revolution’, has announced we will end the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035.

<https://www.gov.uk/government/consultations/consulting-on-ending-the-sale-of-new-petrol-diesel-and-hybrid-cars-and-vans/outcome/ending-the-sale-of-new-petrol-diesel-and-hybrid-cars-and-vans-government-response#:~:text=That%20is%20why%20the%20Prime,fully%20zero%20emission%20from%202035.>

Sevenoaks District Transport Assessment

‘Ensure that the current and future cycle route network conforms with currently applicable Cycle Design Standards upgrading where necessary’ - be aware that highway space limitations will not allow for all current cycle lanes to be upgraded to LTN120 specification.

3.2.3 Net Zero 2030

Also can add that district wide commitment is net zero 2050 as per the Kent & Medway Energy and Low Emissions Strategy

3.2.5 Low Emission and Electric Vehicle Strategy

Although Sevenoaks is the highest Kent District in terms of EV ownership, the south of the District is particularly under served by public EV charge point infrastructure. It would be good to see priority given to the Edenbridge area in terms of delivery. This may be picked up in the EV Strategy though.

Table 5.1

Care needs to be taken around the communication of risk in terms to individuals health and wellbeing as this is one of their priorities. There is a danger that communicating risks around air quality to health can have an adverse affect so consideration should be made to how this is done, guidance from the following document from page 78 onwards would be useful to incorporate into their plans Air quality: a briefing for directors of public health | Local Government Association.

Measure 8- Some options include adoption of the Liftshare platform, use of Betterpoints behaviour change service, gamification etc. Paid for social medial campaigns also help with targeted reach. Also focus on schools and parents

Measure 17- Could there be greater incentives for fully electric as opposed to hybrids?

Measure 20- Could include a ‘school streets’ scheme - to close road on which school is accessed, to motorised traffic during drop off/pick up times. KCC has established these in Margate and T Wells already.

Could include promotion of the Kent REVs scheme and the buying of the Kent REVs electric vehicles for SDC own fleet.

Could also include action on promoting LoCASE funding and training to businesses in SDC which will enable businesses in SDC to move to lower carbon and low pollution activities.

Could investigate LEZ in Sevenoaks/Swanley?

What about an action on Green Infrastructure to 'absorb' pollution on worst affected routes?

What about offering some eco-driver training?

Given the issue of emissions from LGV, it would be good to have an action specifically targeted to this: perhaps offer LOCASE funding and support to local LGV owners?

Some of the actions above are rather vague e.g. improve public transport infrastructure- what does this mean? new bus routes? rail services? I would like the actions to be smarter.

Could the actions be prioritised (see Action Plan by Fife for an example)?

Could you include the Potential environmental co benefits in your table? (for example GHG and noise)

Glossary of Terms

| Abbreviation | Description |
|-------------------|---|
| AQAP | Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values' |
| AQMA | Air Quality Management Area - An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives |
| AQS | Air Quality Strategy |
| ASR | Air quality Annual Status Report |
| Defra | Department for Environment, Food and Rural Affairs |
| EU | European Union |
| LAQM | Local Air Quality Management |
| NO ₂ | Nitrogen Dioxide |
| NO _x | Nitrogen Oxides |
| PM ₁₀ | Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less |
| PM _{2.5} | Airborne particulate matter with an aerodynamic diameter of 2.5µm or less |
| SDC | Sevenoaks District Council |
| KCC | Kent County Council |
| | |
| AQS | Air Quality Strategy |

References

- Local Air Quality Management Technical Guidance LAQM.TG16. April 2021. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.
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- Sevenoaks District Council, Strategy for Transport 2010 – 2026, Adopted May 2010. Available at: https://www.sevenoaks.gov.uk/downloads/file/11/strategy_for_transport
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https://www.sevenoaks.gov.uk/downloads/file/233/air_quality_action_plan_2009

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Item 6 (c) - Environmental Health Enforcement Policy

The attached report will be considered by the Cabinet on 21 April 2022, and the relevant minute extract is therefore not available prior to printing of these papers and will follow when available.

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ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

Council - 26 April 2022

Report of: Deputy Chief Executive and Chief Officer Planning and Regulatory Services

Status: For Decision

Also considered by:

- Cleaner & Greener Advisory Committee - 19 April 2022
- Cabinet - 21 April 2022

Key Decision: No

This report supports the Key Aim of: Safe Communities, Green Environment, Healthy Environment & Dynamic Economy

Portfolio Holder: Cllr. Margot McArthur

Contact Officer: Nick Chapman, Ext. 7167

Recommendation to Cleaner & Greener Advisory Committee

To recommend to Cabinet to recommend to Council to note the contents of the 'Environmental Health Enforcement Policy' and support the adoption of this document

Recommendation to Cabinet

To recommend to Council to note the contents of the 'Environmental Health Enforcement Policy' and support the adoption of this document

Recommendation to Council

To note the contents of the 'Environmental Health Enforcement Policy' and authorise its adoption.

Reason for recommendation: The existing Environmental Health enforcement Policy is out of date and requires updating to reflect the dissolution of the Environmental Health Partnership with Dartford Borough Council. The proposed new Enforcement Policy reflects changes in legislation/ practice and provides clarity for residents and business around the enforcement activities undertaken by the new in-house Environmental Health Team.

Introduction and Background

- 1 The Environmental Health Enforcement Policy is a key document which outlines how the statutory and non-statutory duties of the EH Team will be carried out. The policy is designed to provide assurance to stakeholders, customers and other regulators, ensure consistency and transparency and helps the EH Team manage its priorities and expectations.
- 2 In April 2012, Sevenoaks District Council's Environmental Health Team (EH Team) began to deliver services in partnership with Dartford Borough Council. As part of this new relationship, a joint enforcement policy was agreed and adopted.
- 3 This policy remained unchanged throughout the life of the Environmental Health Partnership but following the dissolution of the shared arrangement and the return of Environmental Health to Sevenoaks as an 'in house' service in July 2021, it is now out of date.
- 4 A proposed new enforcement policy has now been developed and is included as appendix 1 within this report for consideration by councillors.
- 5 The new policy has been thoroughly reviewed and updated to ensure that it now reflects changes to legislation, procedures and practice, which have taken place in the past 10 years.

Summary of changes within the proposed Environmental Health Enforcement Policy

- 6 Within the 10 year period since the Environmental Health Enforcement Policy was last updated, there have been several changes to legislation, procedures and practice that have now be reflected in the policy.
- 7 We have reflected changes in legislation, such as those brought about by the Anti-Social Crime and Policing Act 2014, the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and the Data Protection Act 2020.
- 8 The previous enforcement policy had a significant focus on the enforcement and regulation of businesses. Whilst this remains a key element of the new policy, we have expanded upon our duties and powers in relation to domestic/ householder issues. As a result, we believe that the new policy is more relatable to the public who are significant customers and stakeholders.

- 9 We have provided greater clarity around our decision process when determining the appropriate enforcement actions in response to an issue (Para 17, 31 & 32) and expanded on and provided more detail around the enforcement powers that are available including context about when these powers may be used.

Key Implications

Financial

None

Legal Implications and Risk Assessment Statement.

Environmental Health is a statutory service and discharges a number of legal duties on behalf of Sevenoaks District Council. It is considered good practice for a regulator to publish an adopted enforcement policy.

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

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices

Appendix A - Draft Environmental Health Enforcement Policy 2022

Background Papers

Richard Morris

Deputy Chief Executive and Chief Officer - Planning and Regulatory Services

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Environmental Health Enforcement Policy 2022

1. Introduction

This Enforcement Policy will be applied by the Sevenoaks District Council's (the District Council) Environmental Health Team in relation to the services and duties it provides/undertakes within the District of Sevenoaks. It is distinct from any general Enforcement Policy of the District Council, which may apply to any other service provided by them.

In the event of any conflict between policies, this policy will take precedence.

2. Statement of Intent

The primary aim of the Environmental Health Team (EH Team) is to ensure compliance with the legislative framework within which the Environmental Health functions operate so that, residents, consumers, businesses, employees, individuals and the environment are protected.

Fair, proportionate, targeted and effective enforcement is essential to protecting the health, safety, wellbeing and economic interests of all concerned, and there is a range of tools available to the Environmental Health Team to achieve this.

Generally we will provide advice and support those seeking to comply and, at the same time, deal with those who choose not to comply, using proportionate action. The detail on how and when action may be taken is outlined in the body of this policy.

The EH Team must also have regard to the various general duties imposed on the partner authorities e.g. section 17 of the Crime and Disorder Act 1998. We are obliged to comply with the Human Rights Act 1998, so we will take its provisions into account when taking decisions relating to enforcement action.

This enforcement policy is a statement of how the EH Team will carry out its enforcement duties and what business and citizens in Sevenoaks can expect from our enforcement staff. Enforcement staff shall have regard to this policy and demonstrate how they have complied with it. This policy will be reviewed every two years.

3. Policy Scope

The relevant legislation must always be adhered to by an officer whilst carrying out all Environmental Health related enforcement and investigation work, such as:

- Human Rights Act 1998
- Regulatory Enforcement and Sanctions Act 2008
- Legislative and Regulatory Reform Act 2006
- Police and Criminal Evidence Act 1984
- Regulation of Investigatory Powers Act 2000
- Criminal Justice Act 2003
- Criminal Procedure and Investigation Act 1996
- Criminal Justice and Police Act 2001
- Equalities Act 2010
- Data Protection Act 2018

We are committed to providing an effective service with officers carrying out their duties in an equitable, proportional, practical and consistent manner. To achieve this we have adopted the principles of the following:

- The Department for Business, Innovation and Skills' (BIS's) Regulators Compliance Code.
- The Enforcement Concordat.
- Local Better Regulation's Priority Regulatory Outcomes.
- BIS's Code of Practice on Guidance on Regulation.
- Health and Safety Executive/Local Authorities Enforcement Liaison Committee's (HELA's) Guidance to Local Authorities on Priority Planning.
- HELA's Incident Selection Criteria Guidance.
- Local Government Regulation's Home Authority Principle.
- Local Better Regulation Office's Primary Authority Principle and Guidance.
- The Crown Prosecution Service Code for Crown Prosecutors (as amended.)
- The Food Law Code of Practice.
- Health and Safety Executive Enforcement Management Model (EMM).
- The Health and Safety Commission's Enforcement Policy Statement
- European Convention on Human Rights.

We will also comply with any statutory requirement placed upon us and seek to align our procedures with best practice, including any codes introduced subsequent to the adoption of this Policy.

The Policy applies to actions in relation to all of the legislation enforced by the EH Team. Enforcement action includes any action taken by officers aimed at ensuring that individuals or businesses comply with the law and goes beyond formal enforcement action such as prosecution.

4. Departure from the Enforcement Policy

All authorised officers in the Environmental Health will take this Policy into account when making enforcement decisions.

Any departure from the Policy will only occur in exceptional circumstances and then will be subject to justification after full consideration and authorisation by an officer with delegated power unless there is a demonstrable, significant and imminent risk to the public or environment in delaying enforcement.

Instances of non-compliance with this Policy will be recorded and reported directly to the Environmental Health Manager as soon as is practicable.

5. General Principles

Prevention is better than cure. Therefore, our role involves actively working with businesses and the public to advise on and assist with compliance. Where we consider that formal action is necessary, each case will be considered on its own merits. However, there are general principles that apply to the way each case must be approached. These are set out in this Policy.

The majority of cases involving regulatory matters will relate to businesses, however, there will be some cases put before the Courts that relate to individuals, particularly those involving statutory nuisance. These cases will be treated in the same way as those involving businesses and the general principles outlined around proportionality of action, for example where appropriate trying informal approaches, before resorting to formal action and the Courts, will be followed.

Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender or gender identity, religion or belief, political views, disability, age or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source. Where applicable, we will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision whether to take formal action.

This enforcement policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. We recognise the positive impact that the Environmental Health can have on economic progress and growth in the local economy and see it as part of our role to encourage and support the growth of legitimate business activity within the legal framework provided by central government.

6. Enforcement Principles

The principles of good enforcement are set out within the Enforcement Concordat. The Environmental Health Team will seek to adhere to these principles at all times

Agenda Item 6c

a. Transparency/ Openness

We will provide information and advice in plain language on the rules that we apply and will disseminate this as widely as possible. We will be open about how we set about our work, including any charges that we set, consulting business, voluntary organisations, charities, consumers and workforce representatives. We will discuss general issues, specific compliance failures or problems with anyone experiencing difficulties.

b. Helpfulness

We believe that prevention is better than cure and that our role therefore involves actively working with residents and business, (especially small and medium sized businesses), to advise on and assist with compliance.

We will provide a courteous and efficient service and our staff will identify themselves by name. We will provide a contact point and telephone number for further dealings with us and we will encourage business to seek advice /information from us.

Applications for approval of establishments, licenses, registrations, etc, will be dealt with efficiently and promptly. We will ensure that, wherever practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays.

c. Accountability

We will provide well publicised, effective and timely complaints procedures easily accessible to business, the public, employees and consumer groups. In cases where disputes cannot be resolved, any right of complaint or appeal will be explained, with details of the process and the likely time-scales involved.

d. Proportionality

We will minimise the costs of compliance for business by ensuring that any action we require is proportionate to the risks. As far as the law allows, we will take account of the circumstances of the case and the attitude of the operator when considering action.

We will take particular care to work with small businesses and voluntary and community organisations so that they can meet their legal obligations without unnecessary expense, where practicable.

e. Consistency

We will carry out our duties in a fair, equitable and consistent manner. While inspectors are expected to exercise judgement in individual cases, we will have arrangements in place to promote consistency, including effective arrangements

for liaison with other authorities and enforcement bodies through schemes such as those operated by the . Local Authority National Type Approval Confederation (LANTAC).

f. Targeting

We will adopt an intelligence led approach to our interventions and enforcement actions, using systems, procedures and techniques that provide us with such intelligence. We will keep apprised of matters that are relevant to the sectors we regulate at a national, regional and local level and will closely work with our internal partners, other LAs and national enforcement agencies to share information and intelligence on important regulatory issues and enforcement matters.

7. Confidentiality of Complaints

It is recognised that some customers may have concerns about reprisals from the subject of a complaint when providing information to the EH Team.

The EH Team will therefore seek to maintain the anonymity of a complainant wherever possible. In practice this means that a complainant's details will not be released to the subject of a complaint or other third party without the permission of a complainant or where there is a clear legally defined reason to do so.

When responding to requests for information about a case, care will be taken to redact or remove any personal information relating to a complainant.

The EH Team may share details of a complainant with other teams within the authority, subject to our published data sharing policy and appropriate controls contained within.

Data sharing policies are available at:

https://www.sevenoaks.gov.uk/info/20044/transparency_and_freedom_of_information/383/privacy_notice_and_general_data_protection_policy/13

8. Officer Delegations

Officers within the EH Team are delegated appropriate powers to undertake a wide range of statutory duties. Officers will only be delegated powers commensurate with their experience and role. Officers will be expected to undertake regular training in the application of legislation they enforce and to understand and adopt current good practice within the field.

9. Types of Intervention and Enforcement Carried Out by Environmental Health

Food Hygiene Inspections

- Inspection of food premises, risk assessment, and rating
- Provision of informal advice and guidance
- Legal requirement of improvements

Agenda Item 6c

- Seizure of food and equipment
- Sampling
- Closure of businesses (where appropriate and necessary)
- Prosecution
- Undertaking works in default

Health and Safety

- Investigation of complaints
- Investigation of serious accidents/ H&S incidents
- Proactive inspection of activities identified by HSE as being of concern
- Licensing of skin piercing, tattooing etc
- Provision of Advice
- Safety Advisory Groups
- Legal requirement of improvements
- Prohibition of activities/ equipment (where necessary)

Nuisance Complaints (including noise, odour, accumulations of waste, rats etc)

- Inspection of premises (including residential)
- Noise or other types of monitoring (including the installation of equipment)
- Provision of advice
- Issuing of legal warnings/ notices
- Seizure of equipment
- Issuing of Fixed Penalty Notices
- Prosecution

Environmental Permitting

- Issuing of Environmental Permits including regular Inspection and risk assessment.
- Administration and collection of statutory charges/ fees
- Issuing of legal notices to require improvements
- Prosecution
- Revocation of permits

Private Water Supplies

- Risk assessment of Private Water Supplies
- Sampling of Private Water Supplies
- Issuing of notices to protect the safety of users
- Prosecution

Animal Welfare and Control

- Collection and administration of stray dogs
- Investigation of animal welfare complaints and anti-social behaviour involving animals.
- Licensing of animal activities including inspection, risk assessment and star rating.
- Licensing of Zoos and Dangerous Wild Animals

10. Advice and Guidance

We will provide general information, advice and guidance to make it easier for businesses and residents to understand and meet their obligations.

This will be provided promptly, in clear, concise and accessible language, using a range of appropriate formats and media. Information will cover all legal requirements relating to our regulatory activities, as well as changes to legal requirements. Where changes are of great significance, we will look at the best ways of informing businesses of the changes e.g. through newsletters, mail-shots or seminars.

We will provide targeted and practical advice through personal visits, telephone and promote self service via our website. We will try to maximise the accessibility and effectiveness of advice to ensure efficient use of resources and we will involve businesses in developing both the content and style of regulatory guidance to help ensure that it meets their needs.

When offering advice, we will clearly distinguish between statutory requirements and advice or guidance aimed at improvements above minimum legal standards. We seek to provide proportionate advice, the content of which will help achieve compliance but impose the minimum burden required on the business concerned. Advice will be confirmed in writing, a full typed report can be provided if requested.

Where a business or resident identifies a problem and seeks advice to remedy the situation, it will not normally trigger enforcement action. Where appropriate we will seek to support the remedial action to prevent future problems, however, we reserve the right to take enforcement action where applicable.

Generally, we will provide our advisory services free of charge however we reserve the right to charge a reasonable fee for services beyond the basic advice and guidance necessary to help ensure compliance. We would take account of the needs and circumstances of smaller businesses and others in need of help and support in deciding whether or not to charge. Charging will be in line with any guidance issued by the Local Better Regulation Office in relation to the Primary Authority principle and will be set out in the Fees and Charges schedule published annually by each Council on their website.

11. Inspection of Businesses

We will ensure inspections and other visits to businesses only occur in accordance with a risk assessment methodology, except;

- where visits are requested by businesses
- following receipt of complaints
- where and when we have received relevant intelligence.

We will focus our efforts on businesses where intelligence and risk assessment shows there is a higher likelihood of non-compliance or which pose a more serious risk to regulatory outcomes. Some processes by their nature present a greater risk to health or the environment, or due to their complexity, may make it more difficult to ensure compliance. These are the areas where we will focus our inspection resources.

Agenda Item 6c

When we visit or carry out inspections, we will give feedback to businesses to encourage and reinforce good practice. We will also share information about good practice amongst businesses, and with other regulators.

Where we and another regulator have a shared interest in a business we will work together to rationalise our activities to minimise the burden on the business, providing this is of benefit to the business and does not harm the standard of enforcement for either regulator.

We will also take account of the circumstances of small businesses, including any difficulties they may have in achieving compliance.

12. Primary Authority Partnership Scheme

The EH Team recognises that where a business has entered into a Primary Authority Partnership, the primary authority may provide compliance advice and support and the EH Team will take such advice into account when considering the most appropriate enforcement action for it to take. It may discuss any need for compliance advice and support with the primary authority.

13. Investigations involving Residential Properties

We will ensure inspections and other visits to residential premises only occur in accordance with a risk assessment methodology, except;

- where visits are requested by a resident themselves
- following receipt of complaints
- where and when we have received relevant intelligence to indicate a problem.
- At the request of other agencies
- As part of our legal duty to survey the district for statutory nuisances

When we visit or carry out inspections, we will give feedback to both complainants and alleged offenders to encourage and reinforce good practice. We will also share information about good practice with residents whenever possible.

Where we and another regulator have a shared interest in a residential property we will work together to rationalise our activities to minimise the burden on the individual, providing this is of benefit of that individual and does not harm the standard of enforcement for either regulator.

We will take account of an individual's circumstances, including any difficulties they may have in achieving compliance.

14. Information Requirements

The EH Team does not routinely require large quantities of information from businesses or residents.

When determining what data we may require, we will consider the costs and benefits of data requests and

- Limit the data that we request to that which is either appropriate, or required by statute e.g. food registration, licensing applications etc.
- Minimise the frequency of collection and seek the information from other sources where relevant and possible

We will work with our fellow local regulators to minimise the information we request from businesses and residents, and we will seek to maximise our data sharing within the provisions of the Data Protection Act and General Data Protection Regulations. We will seek to use compatible collection methods to give consistency.

We will involve businesses and residents in vetting data requirements and form design for clarity and simplification. We will also ensure that, where possible, data can be returned electronically.

15. Powers of Entry

Some legislation provides specific rights of entry to investigating officers.

The EH Team will ensure that all relevant officers are correctly authorised to carry out the functions of legislation they are empowered to enforce, that they are aware of their rights and limitations to enter land or premises, and can justify their decisions to enter land or premises.

Where an officer is unclear if they have a right to enter a premises they will not attempt entry until such time as their legal rights are established and clarified.

Officers will have regard to the impact of undertaking such rights of entry on an individual's human rights and will ensure that any entry is proportionate and justified.

Where legislation allows an authorised officer to bring other persons onto land or into a premises, they will only do so when there is justification to do so.

Officers will avoid whenever possible making multiple entries to the same property without clear and documented justification.

16. Enforcement Action

Our experience shows that most businesses and people that we encounter will aim to comply with the laws that we enforce. We wish to assist this majority to comply and will seek to help them to do so wherever possible. However, in the interests of justice, it will be necessary for us to take legal action in response to in some cases of non-compliance. There are a number of options available to us in response to past non-compliance or in anticipation of potential future non-compliance.

17. Deciding What Enforcement Action is Appropriate

In deciding what action to take in response to non-compliance or in anticipation of potential future non-compliance, consideration will be given to, among other criteria:

- The seriousness and effect of the offence;
- The previous history of the party concerned;
- Whether the offence was intentional, accidental or otherwise;
- The offender's attitude to the offence and whether he or she has shown remorse;
- The willingness of the alleged offender to prevent a recurrence;
- The consequences or potential consequences of non-compliance;
- The deterrent effect of a prosecution on offenders and others;
- Whether there is sufficient evidence to prove the offence,
- Whether it is in public interest, and
- The age, capacity or vulnerability of the offender.

In the main, a process of escalation will be used until compliance is reached. Exceptions may occur where there is a serious risk to public safety or the environment or the offences have been committed deliberately or negligently or involve deception, or where there is significant economic detriment.

18. No Action

There will be circumstances where a contravention of legislation or law may not warrant action, or it may be inappropriate.

This may include minor technical breaches or non-compliance which have no material effect on public health or wellbeing and which are rectified immediately or where reasonable excuse/ justification is provided.

Details of any non-compliance (even when no action has been taken) shall be recorded and may be used to inform judgement on future enforcement action.

19. Informal Verbal or Written Advice

We may give a business or resident an opportunity to rectify minor breaches of the law and/or less serious issues without the need for formal action.

We will, whenever possible clearly identify the nature of the breach or contravention, give advice on how to put this right (accepting that specialist expertise may sometimes be required) and specify a timescale in which this must be done. The time we allow will be reasonable and will take into account the seriousness of the contravention and the implication of the non-compliance.

Where the advice required is detailed, or there are potentially serious implications from the failure, the advice will normally be provided in writing. Failure to comply with informal advice could result in an escalation of enforcement action.

Whenever possible we will also provide advice on 'good practice'. Where this is the case we will ensure that we clearly distinguish between what must be done to comply with the law and what is recommended best practice.

20. Statutory Notices

We may serve statutory notices and orders under various acts that:

- Prohibit the sale or distribution of food where relevant provisions may have been breached
- Require a business or resident to take specific actions to remedy an identified problem
- Require a business or resident to desist from particular activities that may not comply with legal requirements
- Require any person to take action to ameliorate or stop nuisances being caused by their actions.

Notices may require immediate action where, for example, there are risks to public health or safety, an immediate risk of environmental damage or a serious nuisance. In other circumstances, a reasonable amount of time will be given, depending on the circumstances, to rectify the problem.

Certain notices allow works to be carried out in default (see XXXX)

In certain limited circumstances, for example under the provisions of food safety legislation, where an authorised officer is satisfied that there is an imminent risk of injury to health from the condition of the premises, the officer may serve notice to close a premises. This would be immediately followed by an application to a Magistrates court to confirm closure.

Failing to comply with a statutory notice can be a criminal offence.

Notices issued in respect of a premises may be affixed to the premises and/ or registered as local land charges,

All notices issued will contain details of any relevant 'Appeals' process that may be available to the recipient.

21. Fixed Penalty Notices (FPNs)

Some legislation allows Officers to use Fixed Penalty Notices as an alternative to taking an offender to court. They are normally appropriate for lower level/ minor offences and avoid the defendant gaining a criminal record.

Where legislation permits an offence to be dealt with by FPN we may (subject to evidential and public interest tests) choose to issue one on a first occasion, without issuing a warning.

They will be used in appropriate circumstances to give a fast and measured response to a situation. However a FPN will not normally be appropriate for a repeat offence.

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Payment of a FPN does not provide immunity from prosecution in respect of similar or recurrent breaches. If a FPN is not paid the Environmental Health Team may commence criminal proceedings or take other enforcement action in respect of the breach.

FPNs will not be issued to persons under the age of 16 years.

Written notice may be given, withdrawing a penalty notice if it is considered that the FPN ought not to have been given.

22. Works in Default

Where a person of business upon whom we have served a statutory notice fails to undertake the works required by that notice, we may act to complete the works ourselves. In determining whether to carry out works in default we will consider:

- The effects of not carrying out the work on the health safety and welfare of relevant persons (including those affected)
- The reason for the work both being carried out previously by the person responsible; and
- Whether the benefits justify the costs and the action poses the minimum burden necessary to achieve the objective

Where we undertake works in default we will seek to recover all reasonable costs that we have incurred by any means legally available to us. This may include placing a charge on a property or following other debt recovery procedures.

Works in default can be carried out either instead of a prosecution or in addition to a prosecution.

23. Seizure, Detention or Destruction

Where legislation permits our officers may seize goods, equipment or documents. Our powers of entry search and seizure will be fully justified before use and Officers will consider if the necessary objectives can be met by less intrusive means.

In all cases authorised officers will

- Exercise their powers courteously and with respect for persons and property, and
- In circumstances where a warrant has been obtained and is appropriate only use reasonable force when it is considered necessary and proportionate to the circumstances.

24. Forfeiture Proceedings

This procedure may be used where there is a need to dispose of goods in order to prevent them re-entering the market place or being used to commit offences in the future. An application for forfeiture may be made to a Court following a prosecution or separately, as appropriate.

25. Refusal, Suspension, Review or Revocation of Licence or Approval

The EH Team issues a number of licences and permits. We also have a role to play in ensuring that appropriate standards are met in relation to licences issued by other agencies. Most licences and permits include conditions which require the licence holder to take steps to ensure that they minimise their impact upon the community or environment and/ or protect public or animal health.

We may refuse, revoke, vary or suspend a licence or permit where we consider it necessary.

A 'licence' or 'permit' refers in this policy to all permissions or authorisations granted or potentially granted by the Environmental Health Team.

In all cases a decision to refuse, revoke vary or suspend a licence or permit will be made with consideration to:

- The legislative requirements and controls required to maintain the relevant licence or permit
- Statutory duties placed upon the Environmental Health Team to refuse, revoke, vary or suspend a licence or permit.
- The compliance history of the business/ operation
- The need to maintain a 'level playing field' for businesses
- The payment of licence or permit fees
- The public health risk of allowing the operation to continue

26. Court Orders

In some circumstances the EH Team may seek a direction from the court (in the form of an order or an injunction) that a breach is rectified and/ or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/ or safeguards have been put in place to prevent further breaches.

Failure to comply with a court order constitutes contempt of court, a serious offence which may lead to imprisonment.

The EH Team is required to seek confirmation of some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by a notice. Otherwise the EH Team will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice.

27. Informal Interviews

As part of our evidence gathering process, an authorised officer may invite a complainant or alleged offender to attend an interview. Normally these will be held at Sevenoaks District Council.

Interviews may take place for the following reasons:

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- To clarify an aspect of the case or for an authorised officer to share/ present evidence that has been collected.
- For the collection of witness statements (civil and criminal cases)
- As part of the evidence collection process.
- To allow an alleged offender to respond to an allegation (civil or criminal)

Where an interview is not in respect of a suspected criminal offence the requirements of PACE do not apply. However, for the benefit of clarity (for both the District Council and those being interviewed) we may seek to record the conversation. In these cases we shall provide a copy to the interviewee for their records.

28. Interviews under Caution

Where an interview is to be conducted under caution we will make this clear to the interviewee in advance of the meeting.

There is no express legal requirement that a person suspected of having committed an offence must be interviewed under caution before any decision as to whether to prosecute is taken. However, we do have a duty to allow a suspect the opportunity to answer the allegations against them and give their own account before a decision on prosecution is made.

We will invite someone to an interview under caution if we believe there are grounds to suspect that they may have committed a criminal offence. This does not mean that we believe they are guilty or that we are intending to initiate a prosecution but instead that evidence we have obtained indicates that that person may be involved in the offence and able to assist with enquiries.

The purpose of the interview will give you the opportunity to provide an explanation of the events. However, if we find any evidence during the interview that you have committed an offence, you may be prosecuted.

Those who are requested to attend an interview are not obliged to attend, however this will not prevent use from taking further action as appropriate. If a interview is not attended we will consider the evidence we have and make a decision on further action without the benefit of the requested interviewee's own account.

If the offence is imprisonable, and the requested interviewee does not attend an interview voluntarily, they may be arrested by the police and the interview conducted by our officers at a police station.

Throughout the interview the attendee has rights and entitlements, including the right to silence, which will be explained at the start of the interview.

29. Simple/ Formal Caution

Where public interest justifies, we will consider offering a Formal (Simple) Caution (or reprimand/ final written warning if the offender is under 18).

In offering a Formal Caution, we will take account of Home Office Guidelines in relation to the cautioning of offenders, and the Code for Crown Prosecutors.

Where an offender is under 18 and a formal approach is being considered, appropriate bodies such as the Youth Offending Team will be consulted.

A Formal Caution requires an admission of guilt on behalf of the offender, however there is no sentence and there is no recorded conviction. A Formal Caution will remain on record for a period of 2 years and may be cited in Court should a further offence be committed and prosecuted during that time.

30. Prosecution

The commencement of a prosecution is the most serious response to an apparent incidence of non-compliance with the law.

Once an officer has completed his/ her enquiries, a case report will be submitted to a manager authorised to institute legal proceedings and who is independent to the investigation. This manager will decide, using the criteria below the most appropriate course of action.

The manager considering whether to authorise legal proceedings will take into consideration the requirements of the Code for Crown Prosecutors and other relevant codes or guidance before deciding whether or not to institute legal proceedings.

31. The Evidence Test

The Authorising Manager will need to be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each defendant on each charge (i.e. that a jury or bench of magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged). In order to progress beyond the evidence test the authorising manager will consider the following:

- Have the legal 'points to prove' been considered and has evidence been submitted to address them?
 - Is the nature of the offence being prosecuted clear?
 - Is there clear evidence that legal notices were correctly served (if required)?
 - Is the case officer correctly authorised to prosecute the offence?
 - Is there evidence to demonstrate a breach of the offence being prosecuted?
- The volume/ nature of evidence available
 - Is the evidence presented in line with reasonable expectation of what with what could can be practicably obtained?- consideration should be given to the nature of the offence including any constraints which have been faced gathering evidence.
 - Are there corroborating evidence sources. - multiple evidence sources are
- The quality of the evidence available
 - Physical evidence (photographs, noise recordings, seized materials) are likely to carry greater weight
 - The reliability of witnesses- how compelling are the provided witness statements
 - Was the matter witnessed directly by an officer of the Environmental Health Team

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- Has mitigation been provided by the alleged offender?
 - Was the alleged offender invited to interview? -did they attend?
 - Is the defence presented believable or considered a reasonable excuse.

Only when this evidential test has been satisfied will the public interest to proceed with the prosecution be considered.

32. The Public Interest Test

In addition to being satisfied that there is a realistic prospect of conviction, the authorising manager must be satisfied that there is a public interest to initiate a prosecution.

In deciding whether to commence a prosecution we will have regard to the Code for Crown Prosecutors and any other appropriate guidance contained within Codes of Practice or internal policies/ procedures. In general terms, this means that we may bring a prosecution when consideration of the evidence suggests that there is a realistic prospect of conviction and that it is in the public interest to do so. In making a determination we will have consideration of the following factors:

- The seriousness of the alleged offence.
 - The harm or potential harm caused
 - The environmental consequence of the offence
 - The financial gain from committing the offence
- The culpability of the offender
 - Did the offence result from a deliberate action or was it inadvertent.
 - Level of control that could reasonably be exercised to prevent the alleged offence from occurring.
- The previous history of the party concerned
 - We may have regard to information from partner agencies or other departments within either authority.
 - Have similar offences been committed in the past.
 - Have there been continued and persistent failures in the past.
- The likelihood of the defendant being able to establish a defence
- The reliability of important witnesses and their willingness to co-operate
- The willingness of the party being considered for prosecution to prevent a recurrence of the problem.
- The probable public benefit of a prosecution and the importance of the case
- Whether alternate action may achieve the same effect (i.e. simple caution etc)
- Any excuse or explanation provided by the alleged offender.
- The ability of the individual to comprehend the seriousness of the prosecution against them, for example due to their age or vulnerability.
- The desired outcome of a prosecution
 - Some actions and enforcement options are only available following prosecution (i.e. application for a Criminal Behaviour Order)

33. Referral to Legal Services

Once a decision to instigate a prosecution has been taken, the matter shall be referred without undue delay to the relevant authorities Legal Services, ensuring it is presented in

the appropriate format with the correct authorising signatures in accordance with the internal legal procedure.

34. Sharing of Intelligence Regarding Enforcement

Where appropriate, enforcement activities within the Environmental Health or Licensing activities will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

The Council will respect advice that has been provided by other regulators and enforcement agencies.

Where an enforcement matter affects a wide geographical area beyond the District Council's boundaries, or involves enforcement by one or more other local authorities or organisations, where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible, and all enforcement activity coordinated with them

35. Data Protection Act 2020

The Environmental Health Team may process personal data necessary to its statutory duties or otherwise in its public tasks. Data will be retained in accordance with the 'Environmental Health Information Asset Register' but ordinarily will be retained for 7 years from last use unless exceptional circumstances apply.

After use data will be securely disposed.

For further details about how personal data is processed and your rights, please see our Privacy Notice at www.sevenoaks.gov.uk/privacy.

36. Proceeds of Crime Applications

Where we consider that assets belonging to an individual may have been obtained through criminal activities **and** the individual has financially benefitted from committing an offence, we will consider the use of powers given to us by the Proceeds of Crime Act 2002.

Upon conviction of an offender, an application may be made to recover the financial benefit that an offender has obtained from any criminal conduct.

37. Regulation and Investigatory Powers Act 2000 (RIPA)

Many of the activities undertaken by the Environmental Health Team do not fall within the scope of RIPA. Nevertheless, we shall abide by the principles of the District Council's surveillance policies and ensure that whenever possible our monitoring activities are undertaken overtly. In practice, we will notify alleged offenders that they may be monitored (including using technical equipment) at the start of our investigation and then at appropriate intervals (normally every **Page 219**).

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Occasionally, it may be necessary to undertake monitoring without prior notification to the alleged offender. For example:

- Where violence has been threatened against a complainant
- Where prior notification may compromise the ability to collect evidence
- Where monitoring is undertaken reactively
- Where there is insufficient time to notify an alleged offender

We will comply with RIPA in all occasions where it applies.

38. Protection of Human Rights

The EH Team will apply the principles of the European Convention on Human Rights in accordance with the Human Rights Act 1998

Authorised offices will, accordingly, ensure that respect for human rights is at the core of their day-to-day work. This covers all aspects of the District Council's activities including: -

- drafting Rules and Regulations;
- internal staff and personnel issues;
- administrative procedures;
- decision making;
- policy implementation;
- interaction with members of the public.

39. Equalities, Vulnerable Persons and Minority Groups

The Environmental Health Team will adhere to the public sector equality duty (the equality duty). Specifically we will:

- Seek to ensure everyone is able to access our service. Where necessary make adjustments to the way we deliver our service so that it is accessible for all.
- Seek to provide information and advice in clear and suitable ways
- Regularly review our processes and procedures to ensure that meet our customers needs
- Seek to understand the needs of all our customers by listening and responding to their views
- Seek to make good decisions by taking into account a range of views, information, evidence and up to date case law. We will be accountable for the decisions we make.

For further information about the District Council's Equality Policy and Statement can be found at: [Policies, strategies and plans - Equality policy statement and objectives | Sevenoaks District Council](#)

40. Enforcement in SDC Premises and Contracted Services/ Enforcement on Council Premises, or at Events Organised by the Council

The EH Team cannot legally enforce against matters resulting from the actions of Sevenoaks District Council. Where infringements on premises owned by, or at events organised by the Council are identified, the matter will be formally notified to the appropriate Chief Officer.

If the matter relates to health and safety matters then the Health and Safety Executive will be notified. If the potential breaches of the law are the responsibility of contractors employed by the Council, enforcement action will be taken against the contractor in the same way as in other cases not involving the Councils

41. Standards and Accountability

We will, in consultation with businesses and other interested parties, set and publish on the District Council's website; clear standards and targets for our service and performance. These will include:

- Regulatory outcomes (e.g. proportions of businesses that comply);
- Performance standards for contact with residents, visitors and businesses;
- A commitment to ensuring costs to businesses of regulatory interventions are proportionate; and
- A commitment to dealing with any negative perceptions of businesses and other interested parties relating to these issues.

We will create effective consultation and feedback opportunities to ensure we have continuing cooperative relationships with businesses and other interested parties. We will ensure our officers provide courteous and efficient services to businesses. We will provide a courteous and efficient service and our staff will identify themselves by name. We will provide a contact point and telephone number for further dealings with us and we will encourage business to seek advice/information from us. We will enable our officers to interpret and apply relevant legal requirements and ensure that they enforce requirements fairly and consistently between like-businesses in similar situations. We will take account of comments from businesses and other interested parties regarding the behaviour and activity of our staff.

42. Working with External Agencies and Other Regulators

We will work with other agencies to support their regulatory activities and may share information with them as necessary to support their work.

Sharing will be subject to information sharing agreements published by Sevenoaks District Council.

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43. Local Land Charge Register

We may provide details of legal notices, charges or other relevant information to our land charges team (particularly where an issue relates to an ongoing issue/ defect associated with a premises).

This information may be declarable on a property search.

44. Complaints

Anyone wishing to complain about enforcement action should initially contact the Environmental Health Manager by telephone on 01732 227000, by email at environmental.health@sevenoaks.gov.uk or in writing to the following address:

The Environmental Health Manager
Sevenoaks District Council
Council Offices
Argyle Road
Sevenoaks
Kent
TN13 1HG

Please note that a complaint to the Environmental Health Manager does not supersede any appeal mechanisms contained within statutory legislation and a complainant should ensure that where they wish to do so they separately lodge an appeal with the appropriate body as specified in the documentation provided by Environmental Health.

If you are unclear how you lodge an appeal please contact the investigating officer who will explain how to do this.

45. Publicity

We will normally publicise details of any convictions, which could act as a deterrent to others, or where there is reasonable expectation of public interest.

Where appropriate the media will be provide with factual information about the charges which have been laid before the courts, any pending formal action and any enforcement action already taken. We may disclose details of sentences imposed.

We also maintain a number of statutory registers which detail the enforcement action we have undertaken.

46. Review of the Enforcement Policy

This policy will be reviewed every two years

47. Appendix A- Map of the Sevenoaks District Council Area

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Item 7 (a) - Electric Vehicle Mileage

The attached report was considered by the Governance Committee on 13 April 2022, and the relevant minute extract was not available prior to printing of these papers and will follow when available.

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ELECTRIC VEHICLE MILEAGE

Council - 26 April 2022

Report of: Monitoring Officer

Status: For consideration

Also considered by:

- Governance Committee 13 April 2022

Key Decision: No

Executive Summary: This report seeks approval to amend the Constitution to reflect HMRC rates for mileage payments in respect of electric vehicles.

Contact Officer: Martin Goodman, Ext. 7245

Recommendation to Governance Committee: That it be recommended to Council that the Monitoring Officer be authorised to amend the Members' Allowance Scheme so as to reflect the HMRC rates for mileage payments in respect of electric vehicles.

Recommendation to Council: That the Monitoring Officer be authorised to amend the Members' Allowance Scheme so as to reflect the HMRC rates for mileage payments in respect of electric vehicles.

Reason for recommendation: To update the Constitution in the light of the growth in the availability of electric vehicles.

Introduction

- 1 The Members' Allowance Scheme will be reviewed by the Joint Independent Remuneration Panel in due course. Adjustments to the Scheme were last implemented in 2019.
- 2 In view of the Council's Net Zero ambitions, an increasing number of Officers and Members are considering electric vehicles for their transport.
- 3 In reaction to this, Council Officers will be paid at a mileage rate (where claimable) which reflects the HMRC level, currently set at 5p per mile.

Constitutional Provisions

- 4 The current mileage rates are set out in the Constitution at Appendix G (attached). This does not contain specific reference to electric vehicle mileage and so payments have been historically made at the 45p per mile

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rate which is applicable to the more expensive to run petrol or diesel vehicles. This is not justified when taking into account the considerably cheaper cost of running an electric vehicle.

Other options Considered and/or rejected

The other option available is to make no change from the present arrangement.

Key Implications

Financial

At present there are few Members with electric vehicles. This is likely to increase over time, however the savings will not require in-year adjustments to the budget.

Legal Implications and Risk Assessment Statement.

None.

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.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the Council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

However, it should be noted that the Council must be able to react successfully working towards its Net Zero ambitions.

Conclusions

It is recommended that proposed adjustment to the Constitution be made.

Appendices

Appendix G of the Constitution.

Background Papers

None.

Martin Goodman

Monitoring Officer

APPENDIX G: Members' Allowances Scheme (2020/21)

1. INTRODUCTION

The Members' Allowances Scheme is made under the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the 2003 Regulations) and other Regulations which may come into force from time to time.

In making this Scheme, the Council must have regard to the recommendations made by the Joint Independent Remuneration Panel.

This Scheme has effect for the financial year appertaining to the year it is introduced and continues until amended or revised.

This Scheme may be amended at any time having regard to the recommendations of the Joint Independent Remuneration Panel.

For the avoidance of doubt, where the only change to this Scheme is effected by annual updating of allowances, this Scheme shall be deemed not to have been amended.

2. STATUTORY MEMBERS' ALLOWANCES SCHEME

2.1 Basic Allowance

Every District Council Member shall be paid an annual basic allowance as set out in Schedule 1 below. It will be paid in instalments of one-twelfth on the 15th of each month, with minor adjustments where necessary to ensure that the total annual sum is correct. The allowance is subject to annual updating - see paragraph 2.8 below.

The basic allowance covers time incurred by a District Council Member in carrying out his/her ordinary duties for the Council. However, it excludes travel and subsistence allowances for approved duties which are referred to separately below. Furthermore, the Council makes available to Members a certain amount of equipment over and above the basic allowance. Again, this is referred to separately below.

2.2 Special Responsibility Allowances

An annual special responsibility allowance (SRA) will be paid to certain Members. SRAs will be paid in monthly instalments. They are not payable when a Member temporarily steps into another's role (say, when the Vice-Chairman chairs a meeting). The special responsibility allowances are set out in Schedule 1 below.

2.3 Child and Dependant Carer's Allowance

Members may claim an allowance in respect of expenses necessarily incurred in relation to the provision of care for their children and other dependants while

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carrying out approved duties. Approved duties are listed in a separate section below. Claims should be made monthly in arrears, by attaching the receipt(s) to the submitted Member's claim form and entering the amount claimed on the form. Claims will not be paid without documented receipts.

The allowance to be paid per dependent child per hour during normal daytime working hours (8am to 6pm on Mondays to Fridays) and a single maximum payment per hour as set in Schedule 1 for child care arranged outside normal working hours, accompanied by an official receipt.

The dependent adults carer's allowance will be paid up to the figure in Schedule 1 per hour for the employment of a replacement carer for whom the Member is normally a full time carer. This will also apply where the Member has to arrange care for a disabled dependent child. In either case, the definition of dependant being as set out in the Employment Rights Act 1996 (s.57A), such claims to be supported by a doctor's letter confirming that the dependant is in need of constant or specialist care/supervision; (NB Carer's allowance and the allowance payable in respect of a disabled dependent child, is not payable in respect of the same child for the same period.).

2.4 Pensionable Allowances

Statutory regulations allow local authorities to make certain allowances pensionable, but only if so recommended by their independent remuneration panel. At Sevenoaks it has been agreed that the option to allow Members to participate in the Local Government Pension Scheme should not be introduced at this time.

2.5 Renunciation of Allowances

A Member may choose to forego all or part of his/her entitlement to basic or special responsibility allowances under this scheme. If this is the case, he/she should give notice of this in writing to the Chief Executive or Monitoring Officer, stating what element of his/her allowance entitlement he/she does not wish to claim. The notice should also state whether this is for the current municipal year or the remainder of the Member's term of office - if the notice does not specify a time period then it will be assumed to mean the remainder of the term of office.

A Member not wishing to claim the expenses described in section 3 below need not give notice in writing - he/she simply does not submit any expenses claim forms.

2.6 Publicising Allowances and Expenses Paid

As soon as reasonably practicable after determining a Scheme of Allowances, a copy of the Scheme will be made available for inspection and publication will take place in accordance with the 2003 Regulations.

As soon as practicable after 1st April each year arrangements will be made for the publication of the total paid to each Member in each category of allowance specified in this Scheme, in the preceding year.

2.7 Suspension of Allowances

Any Member/Co-optee who is suspended or partially suspended from his/her responsibilities or duties as a Member of the Council in accordance with legislation or regulations that may come into force from time to time may have his/her allowances withdrawn for the period of any suspension.

Where any payment allowance under this Scheme has already been made in respect of any period during which a Member/Co-optee is suspended or partially suspended or ceases to be a Member or Co-optee of the Council or is in any other way not entitled to receive the allowance in respect of that period the Council may require that such allowance or part of as relates to any such period be repaid to the Council.

2.8 Annual Updating

Members' allowances except for travelling expenses are updated annually in line with the National Joint Council for Local Government Services pay award.

3. **PAYMENT OF EXPENSES**

3.1 Approved Duties

Members/Co-optee members may claim reimbursement of travel, subsistence, Child and Dependent Carer's Allowance and conference expenses incurred whilst undertaking an approved duty. No expenses claimed more than three months after they were incurred will be paid.

Attendance at any of the following is an approved duty:

- (a) The attendance at a meeting of the District Council or of any committee or sub-committee or Working Group of the District Council, or of any body to which the Council make appointments or nominations, or any committee or sub-committee of such a body (If the outside organisation will pay travel and/or subsistence costs, then the Member should claim against that organisation and cannot claim from the District Council.);
- (b) The attendance at any meeting, the holding of which is authorised by the District Council, or a committee or sub-committee of the District Council, or a joint committee of the District Council and one or more local authority within the meaning of section 279(1) of the 1972 Act, or a sub-committee of such a joint committee provided that: -
 - (i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two groups have been invited, or
 - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the District Council is a member

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- (d) the attendance at a meeting of the executive (Cabinet) or a meeting of any of its committees;
- (e) the attendance at pre-meeting briefings by Chairmen and Vice-Chairmen of Committees;
- (f) the performance of any duty in pursuance of any standing order made under section 135 of the 1972 Act requiring a Member or Members to be present while tender documents are being opened;
- (g) the performance of any duty in connection with the discharge of any function of the District Council by or under any enactment and empowering or requiring the District Council to inspect or authorise the inspection of premises (including site visits for planning matters); and
- (h) the attendance of any pre-arranged meetings with Officers relating to issues within the Members' responsibilities. This would encompass Portfolio Holder briefings etc. In the event of any question of interpretation, the Chief Executive, or, in his absence, the Monitoring Officer, will decide.
- (i) The attendance at meetings, training or other events where the Member is an official Council representative or requested to attend by the Leader, relevant Cabinet Member or Chief Officer.

Further Clarification of Approved Duties:

In-house training and development seminars including Members' Induction, Staff Induction and service-specific seminars

Conferences or seminars arranged by a Chief Officer.

Expenses will not be paid for attendance at national and regional bodies if the Member was not appointed to the organisation or event by the District Council.

Travel and subsistence allowances for co-opted and lay/expert members of committees and panels will be paid, at the same level as for elected Members.

Schedule 2 sets out tables of examples of what are approved duties. In specific cases not covered by this schedule Members should contact the Democratic Services Team. A decision will be made by the Chief Executive or the Monitoring Officer and the table updated accordingly

3.2 Travelling, Subsistence and other Expenses

Travelling Allowances

Travelling allowances are payable in accordance with the HMRC maximum tax free allowance from time to time:

| | |
|---|----------|
| Per mile up to and including 10,000 miles | 45 pence |
| Over 10,000 miles | 25 pence |

Bicycles:

20 pence per mile tax free as per HMRC’s maximum tax free allowance for claims.

Motorcycles:

24 pence per mile tax free as per HMRC’s tax free allowance for claims.

Public Transport:

Authorised journeys taken using public transport should be reimbursed at the cost of standard travel.

Travelling allowances may be claimed by Members for attendance at meetings of the bodies or for the purposes listed in 3.1 above.

Car sharing is encouraged by the Council for duties involving more than one Member. Any claim should be made by the vehicle driver only.

Travel by taxi should only be used in exceptional circumstances and, if it is necessary, should involve more than one Member if possible.

3.3 Subsistence Expenses and Council Refreshments

- A Member may claim reimbursement of subsistence costs incurred personally while on approved duties. The latter are described at a separate section below. In order to qualify for reimbursement:
- the Member must be away from his/her usual residence for a minimum of four hours (this time period applying only to the time spent in travel to and from, and attendance at, the approved duty outside the District)
- there must be no meal provided at the approved duty, either by the Council or any other organiser for the event
- claims will only be reimbursed for subsistence purchased in the close vicinity of a local event, or in the vicinity of, or whilst travelling to or from, an event more distant.
- the Member should attach a receipt to his/her expenses claim form to show that a meal was purchased (and the amount paid will be the amount incurred and shown on the receipt up to the maximum limit shown below).

The rates payable are set annually when the annual pay award is agreed. They are currently as set out in the table below.

| Subsistence type | Details | Payment amount |
|------------------|--|----------------|
| Lunch allowance | Covers the period from 12 noon to 2 p.m. | £9.86 |

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| | | |
|------------------------|--|---|
| Evening meal allowance | For a period of absence ending after 7 p.m. | £12.21 |
| Absence overnight | To cover hotel and associated expenses - but note that, in these cases, the Council will book and pay for hotel accommodation directly (see 'conferences' at separate section below) | £79.82 (increased to a maximum of £91.04 in certain circumstances, e.g. for meetings in London and for LGA meetings) |

If a meal is taken on a train, this is taken to relate to the subsistence allowance which it most closely equates to (i.e. lunch or evening). The above conditions still apply.

The Council may provide refreshments for 'approved duty' meetings which last over the lunchtime period or which start between 4.30 p.m. and 6 p.m.

The District Council requires that Members ensure that any overnight stay bookings for approved duties and conferences are made by Council Officers. The Council will then pay for the cost of the accommodation and breakfast. Lunch and evening meal costs up to the subsistence amounts shown above and travel will be claimable.

3.6 Child and dependant carer's allowances

Members may claim an allowance (set out in Schedule 1 below) for the use of childminders, babysitters or other sitters for dependants while carrying out approved duties. See section 2.3 above for details. Claims must be supported by receipts for payments made.

3.7 ICT and other equipment

Members are securely able to access all Council information and communications from any internet access point, including a home computer, through the Members' Electronic Portal. In order to recognise that part of the cost of provision of such equipment is for the performance of Members' duties, Members may make claim for the following financial support:

- (a) In exceptional circumstances where a Member is unable to afford the purchase cost of a suitable computer the Council would consider assisting the Member by advancing a lump sum which would then be recovered via repayments from this allowance;
- (b) where a Member has been provided with a Council funded computer, no allowance will be paid; and
- (c) all such allowances are subject to tax along with Basic and Special Responsibility Allowances in the normal way.

3.8 Claims procedure

Claims for travel, subsistence and dependant carer's allowances must be made each month using the Members' claim form. Members can either submit a claim in writing or on-line. If any Member wishes to submit claims on-line, he/she is required to sign a 'request to submit forms via e-mail' and return it to the Head of Legal & Democratic Services or Democratic Services Team Leader so that a members' claim form can be sent electronically for completion. All claims must be received by the Democratic Services Team by the twentieth day of the month. This is essential as they must be verified and approved by the twenty third day of the month in time for the monthly payroll run on the fifteenth of the following month. Any claims received after these dates will be paid on the subsequent pay run.

Members should ensure that they submit claims each month as claims stretching back over several months may be delayed owing to the increased difficulty of verifying them. Claims over 3 months old will not be paid. All claims to be finalised within one month of the start of the financial year.

The claim form must include receipts for all expenses claimed other than car mileage, and must be signed by the Member to declare that he/she is entitled to all amounts claimed and has not already been reimbursed for these amounts by the Council or any other organisation. For those claims submitted electronically, all relevant receipts must also be submitted to support the claim.

If a Member wishes to reclaim tax paid on subsistence allowances, he/she must provide relevant receipts to HMRC. If a Member applies for benefit, he/she must declare any allowances and expenses received from the Council on his/her application form.

Should it ever arise that the Council incurs expenditure on behalf of a Member's spouse or partner, then a debtor's account will be sent to the Member to recover all additional costs and a copy of the accounts will be placed with the file of payments to Members.

4. GUIDANCE FOR OFFICERS IN RESPECT OF PAYMENT TO MEMBERS

All Officers must adhere to the above scheme when verifying and making payments to Members. The Head of Legal & Democratic Services or Democratic Services Team Leader must verify all Member claims prior to passing them for payment taking particular note of Schedule 2. The Finance Team will maintain a file of payments to Members. For all payments under the Members' Allowances Scheme, this must show the name of the recipient, together with the amount and nature of each payment. It is open for inspection free of charge by electors in the area, who may copy any part of it.

The scheme also applies to Officers incurring expenditure on a Member's behalf - if an Officer spends more than the prescribed limits shown above for a Member's travel and/or subsistence then *the Officer cannot claim the excess, but must bear the cost personally*. If an Officer wishes to make a claim for Member travel and/or subsistence, he/she must complete an employee travel and subsistence expenses claim form in the usual way, but stating clearly which Member(s) were paid for,

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and the details of the payment (cost, time of day incurred) which will allow it to be checked against the prescribed subsistence scheme. A copy must be sent immediately to the Finance Team for recording in the file of payments to Members.

If any other issue of payment to a Member arises, other than one covered by the above Members' allowance scheme or a normal service issue, then prior written approval should be obtained from the Chief Executive or Monitoring Officer.

When a department arranges any seminar, conference, course or visit which will incur costs on behalf of a Member, the lead officer must liaise with the Chief Finance Officer to ensure that only permitted expenditure is incurred. The lead Officer of the event should keep a list of Members attending an approved event, and forward it immediately afterwards to the Head of Legal and Democratic Services or Democratic Services Team Leader and the Finance Team to ensure that any subsequent Member claims for travelling and/or subsistence can be verified.

Tours outside the Sevenoaks District may be arranged by the relevant department. They will still require formal committee/cabinet approval and adequate budgetary provision. Any overnight stop, unless paid for directly by the Council, and any lunch or evening meals purchased for the Members involved must adhere to the subsistence rates shown above. If air tickets are reserved, the cheapest rate of public air travel must always be used.

Any proposed payment or commitment of civic funds must be referred to the Chief Executive or Monitoring Officer for prior approval. These Officers must ensure all payments so made remain within budgeted levels of expenditure, and that any payments to or on behalf of Members are recorded in the file of payments to Members.

Schedule 1

Members Allowances 2020/21

With effect from the commencement of the municipal year 2020/21

| Description of Allowance | 2020/21 Allowance per Member £ | |
|--|---|-----------|
| Basic Allowance (all Members) | 5,617 | |
| <u>Special Responsibility Allowances:</u> | | |
| Cabinet Chairman (Council Leader) | 20,550 | |
| Deputy Leader | 12,330 | |
| Cabinet members | 7,193 | |
| Deputy Cabinet Members | 1,644 | |
| Opposition Group Leaders: | 277 | per Group |
| Liberal Democrats (3 Members) | 831 | |
| Independents (3 Members) | 831 | |
| <u>Chairmen</u> | | |
| Advisory Committees (x7) | 2,569 | |
| Audit | 2,569 | |
| Community Infrastructure Levy (CIL) Spending Board | 2,569 | |
| Development Control | 5,138 | |
| Governance | 2,569 | |
| Health Liaison Board | 2,569 | |
| Licensing | 2,569 | |
| Scrutiny | 2,569 | |
| Sevenoaks Joint Transportation Board | 2,055 | |
| Standards | 1,644 | |
| <u>Vice-Chairmen</u> | | |
| Advisory Committees (x7) | 0 | |
| Audit | 0 | |
| Community Infrastructure Levy (CIL) Spending Board | 0 | |
| Development Control | 1,028 | |
| Governance | 0 | |
| Health Liaison Board | 0 | |
| Licensing | 0 | |
| Scrutiny | 0 | |
| Sevenoaks Joint Transportation Board | 0 | |

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| | |
|------------------------------|-------|
| Standards | 0 |
| <u>Committee Members</u> | |
| Development Control members | 514 |
| Licensing Committee members | 139 |
| <u>Other</u> | |
| Standards co-optees | 493 |
| Child Care (p/h/p/child max) | 7.40 |
| Dependent Carers (p/h max) | 16.44 |

Schedule 2

Members' Allowance Scheme - Approved Duties Specific Examples

- Attendance at a meeting of Council

- Attendance at a meeting of Cabinet (all Members)
- Attendance at a meeting of any Committee/Sub-Committee/Working Group/Board/Hearing of which you are a Member (attendance at Committee meetings as an observer is not considered an approved duty, the only exception to this being meetings of the Cabinet).
- Attendance at a meeting of any outside organisation that you are appointed to by the Executive or the Council
- Attendance at any Development Control Meeting and Development Control Site Meeting as agreed by the Chairman or Vice-Chairman of Development Control, if you are a member of Development Control or a local member for the ward concerned
- Attendance of any other site visit approved by Council, the Executive or any Committee/Sub-Committee/Working Group/Board/Hearing, if you are a member of the relevant body
- Attendance by a member of the Executive at any Committee/Sub-Committee/Working Group/Board/Hearing that is discussing matters within that member's Portfolio
- Attendance at any meeting organised by Officers of the Council to which at least two political groups have been invited
- Attendance at any training session organised by Officers of the Council to which the Member has been invited
- Attendance at any service-specific seminar organised by Officers of the Council to which the Member has been invited
- Attendance at any Conference or Seminar where prior agreement has been made by a Chief Officer of the Council
- Attendance at pre-meeting briefings by Chairman/Vice-Chairman of Committees/Sub-Committees/Working Groups/Boards/Hearings
- Attendance of members of the Executive at Briefing meetings
- Attendance of a member of the Executive that is required to attend a tender opening
- Attendance at any meeting pre-arranged by Officers of the Council relating to issues within the Member's responsibilities

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Item 7 (b) - Notice Of And Summons To Meetings

The attached report was considered by the Governance Committee on 13 April 2022, and the relevant minute extract was not available prior to printing of these papers and will follow when available.

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NOTICE OF AND SUMMONS TO MEETINGS

Council - 26 April 2022

Report of: Monitoring Officer

Status: For consideration

Also considered by:

- Governance Committee - 13 April 2022

Key Decision: No

Executive Summary: This report seeks to update the Constitution to reflect the current legislative position as relates to giving notice of meetings. It paves the way to a reduction in courier movements in favour of formal legal service of meeting documents by email. Nothing in this report will prevent a Member from receiving a paper copy of an agenda or reports before a meeting.

Contact Officer: Martin Goodman, Ext. 7245

Recommendation to Governance Committee: It be recommended to Council that

- Members approve the revisions to Part 2 of the Constitution set out in the report;
- pursuant to the Council's Net Zero 2030 ambitions, Members agree to accept formal legal service of meeting documents by email;
- Members note that paper copies of meeting agendas and reports will continue to be available in advance of meetings notwithstanding electronic service.

Recommendation to Council: That

- Members approve the revisions to Part 2 of the Constitution set out in the report;
- pursuant to the Council's Net Zero 2030 ambitions, Members agree to accept formal legal service of meeting documents by email;
- Members note that paper copies of meeting agendas and reports will continue to be available in advance of meetings notwithstanding electronic service.

Reason for recommendation: To update the Constitution in the light of the current legislative framework and permit a reduction in urgent courier movements.

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Introduction

- 1 This report is concerned with bringing the Constitution into line with the position at law, as relates to the notice of and summons to meetings.
- 2 It also relates to the manner by which the formal legal service of meeting documents is deemed to be effected on time. It does not relate to the provisions as to openness and transparency. There is no proposal in this report to cease the provision of paper agenda packs in advance to Members.

Background

- 3 The Local Government Act 1972 provides no statutory obligation to summon Members to attend meetings of Cabinet or Committees. However, a summons to attend a Council meeting must be sent in accordance with Schedule 12.
- 4 The relevant provisions of Schedule 12 set out that *a summons to attend the meeting, specifying the business proposed to be transacted at the meeting, and authenticated by the proper officer of the council, shall be sent to every member of the council by an appropriate method.*
- 5 For the purposes of the Act, ‘an appropriate method’ is described as ... *leaving it at, or sending it by post, to the member's usual place of residence, or ... where the member has specified an address other than the member's usual place of residence, leaving it at, or sending it by post, to that different address, or ... where the member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), sending it in electronic form to that address.*
- 6 The relevant summons is contained within the front sheet of every Annual or Full Council agenda pack. Such summonses and agenda packs are currently sent by courier to Members. In practice, this means that Officers from Facilities Maintenance drive around the entirety of the District on a specific day, in order to meet the deadline of delivering the papers at least five working days in advance of every Council meeting.
- 7 The Local Government Act 1972 provisions as to a summonses only relate to Council meetings. There is no equivalent legal requirement as relates to other types of formal meeting. However, the current Sevenoaks District Council Constitution does not match the legal position exactly and in effect requires that the same rules be applied to Cabinet and Committee papers. Again, in practice, this means that deliveries must regularly be made across the District by Officers from Facilities Maintenance, under a strict requirement to complete all deliveries on a specific day.
- 8 To bring the constitution into line with the position at law and to allow a more environmentally friendly approach with fewer car journeys, it is recommended that changes be made.
- 9 Members will of course note that during the Covid-19 pandemic, all courier deliveries were suspended in furtherance of safe working practices. This

permitted Facilities Maintenance colleagues additional time to dedicate to their office-based duties and naturally resulted in a drop in traffic movements.

Constitutional Change

- 10 Accordingly, it is proposed that the Part 2, para 13.1 of the Constitution be amended so as to read:

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules (Appendix A - Access to Information Procedure Rules). At least five clear working days before a Council meeting, a summons to attend the meeting, specifying the business proposed to be transacted at the meeting, and authenticated by the Chief Executive, shall be sent to every Member of the Council. He will do this by leaving it at, or sending it by post to, the Member's usual place of residence, or where the Member has specified an address other than the Member's usual place of residence, leaving it at, or sending it by post to, that different address, or where the Member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), sending it in electronic form to that address.

- 11 The proposed provision will bring the Constitution into close parallel with the position at law. By this means it will be clarified that there is no requirement to issue a summons in respect of non-Council meetings (such as meetings of Cabinet, Advisory Committees or Committees).

Formal Service

- 12 Furthermore, in view of the Council's full commitment to being 'Net Zero' by 2030, it is proposed that Members adopt the policy of agreeing to accept the formal legal service of meeting documents by email. This would offer considerable advantages, such as a reduction in carbon footprint by means of the reduction in the number of urgent courier runs, business efficiency as Officers of Facilities Maintenance are freed from some courier obligations and an ability to provide reports less constrained by the print timetable.

Paper Agenda Packs

- 13 Members should note that there is no proposal to cease the provision of paper agenda packs for use by Members at Council, Cabinet and Committees. The proposal is however to bring the Constitution into line with the Local Government Act 1972, paving the way to a reduction in the number of time-sensitive courier runs as it will be an email, rather than an in-person delivery of papers, which will be deemed formal service of the required notice.
- 14 There is no apparent advantage in retaining a provision which defaults to the need to provide a courier service on a specific day, in all cases. However, as anticipated by the Local Government Act 1972, Members may 'opt out' of electronic delivery if they wish to withdraw their consent.

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- 15 It is envisaged that the courier run may still be made, alongside postal deliveries, when hard copy documents are to be sent to Members, but that this will not be time-constrained (other than by being well in advance of any meeting) or the default practice.

Other options Considered and/or rejected

The other option available is to make no change from the present arrangement.

Key Implications

Financial

The proposal by reduces, but does not eliminate, the need for a courier service. For that reason, this is likely to realise an unspecified saving.

Legal Implications and Risk Assessment Statement.

The relevant legal provisions are found in Schedule 12 of the Local Government Act 1972 (para 4. 1A and 1B). The relevant Constitutional provisions are found in Part 2, paragraph 13.1 of the Constitution which currently reads as follows:

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules (Appendix A - Access to Information Procedure Rules). At least five clear working days before a meeting, the Chief Executive will send a summons signed by him or her by post to every Member, leaving it at their usual place of residence or, with their agreement, to another address or to an electronic address. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

Equality Assessment (Compulsory heading - do not delete)

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.

Net Zero Implications

The proposal by nature reduces the need for a courier service. For that reason, this will support a reduction in carbon footprint in line with the Council's Net Zero 2030 objectives.

The changes proposed in this report will promote the Council's key objectives by again reducing traffic movements and allowing staff to dedicate time to other duties. Transport is the biggest contributor of carbon emissions in the districts (source: BEIS local authority carbon emissions data 2021).

Conclusions

It is recommended that that Members approve the amendments to the Constitution set out in the report. Furthermore, in order to learn the lessons of the Covid-19 pandemic and replicate some of the incidental gains from the then-enforced changes in working practices, it is recommended that Members fully endorse a request to the Head of Legal and Democratic Services to adopt a policy of electronic delivery of meeting papers where legally and Constitutionally permissible.

Appendices

None.

Background Papers

None.

Martin Goodman

Monitoring Officer

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Item 7 (c) - Monitoring Officer's Annual Report

The attached report was considered by the Standards Committee on 5 April 2022, and the relevant minute extract was not available prior to printing of these papers and will follow when available.

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MONITORING OFFICER'S ANNUAL REPORT

Council - 26 April 2022

Report of: Monitoring Officer

Status: For Consideration

Also considered by: Standards Committee - 5 April 2022

Key Decision: No

This reports support the Key Aim of: The effective management of Council resources

Contact Officer: Martin Goodman, ext. 7242

Recommendation to Standards Committee: That the Monitoring Officer's report be noted.

Recommendation to Council: That the Monitoring Officer's report be noted.

Reason for recommendation: This report sets out the work of the Monitoring Officer and Standards Committee. It also reports upon the governance arrangements monitored by other committees and as such provides information on the ethical standards set by the Council. It is intended to promote Member and public confidence in the Council's governance framework and standards regime.

Introduction and Background

- 1 The seventeenth Annual Report of the Monitoring Officer is attached as an Appendix to this report.
- 2 The purpose of the Monitoring Officer's Report is to provide an annual overview of the work of the Monitoring Officer, the work of the Standards Committee and the general governance arrangements of the Council.
- 3 Reporting provides an opportunity to review and learn from experience. The Report also gives Members of the Standards Committee background information to facilitate the carrying out of their functions.
- 4 The Monitoring Officer's Report sets out the Monitoring Officer's statutory responsibilities and summarises how these duties were discharged during 2021 in accordance with legislation and the Council's Constitution. Where necessary the Report draws attention to those issues requiring attention in the coming year.

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Key Implications

Financial

The Monitoring Officer's Report has not identified any financial implications for this Council over and above normal requirements.

Legal Implications and Risk Assessment Statement

The Monitoring Officer's Report has not uncovered any illegality.

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.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the Council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

The Monitoring Officer's report sets out the elements of good governance and demonstrates that robust procedures are in place to raise ethical standards, identify problems and ensure that Members, Officers and the Public are aware of appropriate channels to raise concerns.

Appendices

Monitoring Officer's Report

Members' Code of Conduct

Background Papers

Martin Goodman
Monitoring Officer

**ANNUAL REPORT OF THE
MONITORING OFFICER
CALENDAR YEAR 2021**

Introduction

This is the seventeenth Annual Report of the Monitoring Officer, for the period January 2021 to December 2021. The purpose of the Monitoring Officer’s Report is to provide an annual overview of the work of the Monitoring Officer, the work of the Standards Committee and the general governance arrangements of the Council. Reporting provides an opportunity to review and learn from experience.

The Report also gives Members of the Standards Committee background information to facilitate the carrying out of their functions. The Report sets out the Monitoring Officer’s statutory responsibilities and summarises how those duties were discharged during 2021 in accordance with legislation and the Council’s Constitution. Where necessary the Report draws attention to those issues requiring attention in the coming year.

1. Recommendations

That the Standards Committee notes the Monitoring Officer’s Annual Report.

That Full Council notes the Monitoring Officer’s Annual Report.

2. The Role of the Monitoring Officer

The role of the Monitoring Officer derives from the Local Government and Housing Act 1989. The Act requires local authorities to appoint a Monitoring Officer.

The Monitoring Officer has a broad role in ensuring the lawfulness and fairness of Council decision making, ensuring compliance with Codes and Protocols and promoting good governance and high ethical standards.

A Summary of the Monitoring Officer’s Functions is as follows:

| Description | Source |
|---|---|
| Report on contraventions or likely contraventions of any enactment or rule of law | Local Government and Housing Act 1989 |
| Report on any maladministration or injustice where the Ombudsman has carried out an investigation | Local Government and Housing Act 1989 |
| Appoint a Deputy | Local Government and Housing Act 1989 |
| Establish and maintain the Register of Members’ interests. | The Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 The Localism Act 2011 The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 |

| Description | Source |
|---|---|
| Report on sufficiency of resources. | Local Government and Housing Act 1989 |
| Maintain the Constitution | The Constitution |
| Promote and maintain high standards of conduct. | The Localism Act 2011 |
| Grant Dispensations | The Localism Act 2011 and delegation from Council |
| Consulting with, supporting and advising the Head of Paid Service and s.151 Officer on issues of lawfulness and probity. | The Constitution |
| Appointing an Investigating Officer in relation to Member Complaints | The Localism Act 2011 and the Constitution |
| Advising the Standards Hearings Sub Committee in relation to allegations of breaches of the Code of Conduct and advising when matters are determined following an investigation | The Localism Act 2011 and the Constitution |
| Advise on whether executive decisions are within the Budget & Policy Framework. | The Constitution |
| Provide advice on vires issues, maladministration, financial impropriety, probity, Budget and Policy Framework issues to all members. | The Constitution and s.5 of Local Government and Housing Act 1989 |
| Legal Advice and Support to the authority | The Constitution |
| Considering whether certain Information is exempt from disclosure under the Freedom of Information Act. | Freedom of Information Act 2000 |

3. The Constitution

The Constitution sets out how the Council operates and how decisions are made. It sets out the procedures which are followed to ensure that these decisions are efficient, transparent and that those who make the decisions are accountable to local people. The Monitoring Officer is responsible for ensuring that the Constitution operates efficiently, is properly maintained and followed.

3.1 Constitutional Review and Revision

This Council continues to update its Constitution as and when necessary and reports to the Governance Committee of the Council in this respect.

3.2 Fitness for Purpose

The Constitution sets out in clear terms how the Council operates and how decisions are made. Some of these processes are required by law, while others are a matter for the Council to choose. The purpose of the Constitution is to:

- ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions;
- support the active involvement of local people in local authority decision making;
- help Members represent local people more effectively;
- enable decisions to be taken efficiently and effectively; and
- hold decision makers to public account.

3.3 Managing the Constitution

Any significant changes to the Council's decision making arrangements and Committee structure need to be approved by full Council. The Council will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. The Governance Committee ensures that this takes place.

4. Lawfulness and Maladministration

The Monitoring Officer is the Council's lead adviser on issues of lawfulness and the Council's powers and in consultation with the Head of Paid Service and the Chief Finance Officer (s.151 Officer) advises on compliance with the Budget and Policy Framework. Part of this role involves monitoring Committee reports, agendas and decisions to ensure compliance with legislation and the Constitution.

The Monitoring Officer ensures that agendas, reports and minutes of all Council meetings are made publicly available unless there is a reason for exemption under the Local Government Act 1972. In addition, Portfolio Holder decisions are also made publicly available subject to the same caveat as are all planning and licensing decisions made by Officers including other Officer delegated decisions as required by the Openness of Local Government Bodies Regulations 2014. It is of course the Council's position that where required by law all such decisions should easily be accessible by members of the public through the Council's website:

www.sevenoaks.gov.uk

If the Monitoring Officer considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration he must report to Full Council or where appropriate the Cabinet

Appendix

after first consulting with the Head of Paid Service and the Chief Finance Officer (s.151 Officer). Any proposal or decision that is subject to such a report cannot be implemented until the report has been considered.

The sound governance arrangements operated by the Council ensure that the power to report potentially unlawful decision making is rarely used. The Monitoring Officer did not have to issue such a report throughout 2021.

For information, Members should note that during 2020/21 there was one detailed investigation carried out by the Local Government and Social Care Ombudsman, which was not upheld.

By way of comparison, in the previous year there were three detailed investigations carried out by the Ombudsman. Two of these complaints were upheld and in one of those the Council had already provided a satisfactory remedy before the complaint reached the Ombudsman.

5. Good Governance

The Monitoring Officer has a pro-active role in promoting good practice, good procedures and good governance. This involves networking, collaboration, joined-up working practices and decision making as well as ensuring standing orders, codes of practice, procedures are kept under review and up to date. The Monitoring Officer regularly meets with the Head of Paid Service (the Chief Executive) and sits on Strategic Management Team with the Chief Officers including the s.151 officer (Chief Finance Officer). The Monitoring Officer also works in partnership with officers of the Council to develop and disseminate policies and procedures.

6. The Ethical Framework and Work of the Standards Committee

The Standards Committee (introduced on the 24 July 2012) comprises seven Members. Legislation allows for the appointment of Independent Persons, who have a statutory role under the Localism Act 2011 to assist any Member who has been accused of breaching the Code of Conduct. Sevenoaks District Council has appointed two Independent Persons. They are not co-opted Members of the Standards Committee although they are given details of the Committee's meeting date in order that they may attend.

The Independent Persons also assist the Monitoring Officer in considering complaints and are consulted by the Monitoring Officer following investigations to help decide what action to take.

The Standards Committee has a key role in facilitating and promoting the Ethical Framework and in promoting and maintaining high standards of conduct within the Authority. The terms of reference of the committee are set out within Part 3 of the Constitution entitled "Standards Committee".

Examples of the Standards Committee's work during 2021 are as follows:

- Receiving the Annual Monitoring Officer's Report

- Being on Standby to grant Dispensations
- Being on Standby to carry out hearings
- Convening a Working Group to consider the adoption of the LGA's Model Code of Conduct

7. Disclosable Pecuniary Interests and Non-Pecuniary Interests

The codes of conduct of relevant authorities must include provision for the registration and disclosure of Disclosable Pecuniary Interests (DPIs) as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. The Localism Act 2011 introduced criminal offences for failure to register DPIs.

Members are aware that they commit a criminal offence if they participate or vote when they have a DPI 'in' a matter. A Member has a DPI 'in' a matter where it is, or includes, his interest - where there is a close alignment between the interest and the matter under consideration. Ultimately the responsibility for complying with this provision lies upon Members although the Monitoring Officer will provide advice as necessary.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. Members are aware that even if a Member's interest does not amount to a Disclosable Pecuniary Interest, if their interest in a matter would lead them to predetermine a decision, or look like they are biased, it would not be appropriate for that member to participate in the decision. If they did so the decision could be vulnerable to challenge. The Sevenoaks District Council Code of Conduct also requires the registration of certain non-pecuniary interests, although no criminal liability attaches to a failure to register.

The prohibition on participation in any discussion or vote on an item of Council business in which they have a DPI ensures that Councillors cannot put their private financial interests before the public interest. However, where a Councillor has a Disclosable Pecuniary Interest but stands to make no personal financial gain by speaking or voting on Council business related to that interest, they can apply for a dispensation under section 33 of the Localism Act 2011. The grounds for granting a dispensation will depend on the circumstances.

Dispensations are mostly considered by the Standards Sub-Committee for Granting Dispensations, although the Monitoring Officer has power to grant dispensations in circumstances where a meeting may not be quorate. In respect of parish and town councils, the Clerk has the power to consider and grant dispensations.

Members convicted of offences under the Act are liable to a fine of £5,000 and may also be disqualified from being a councillor for up to five years. This should not be confused with the offence of Misconduct in Public Office, instances of which are rare and which carries a maximum penalty of life imprisonment upon conviction.

8. Code of Conduct for Employees

The Code is based on an original draft published by the IDeA and has been updated since being implemented in 2006. The Code forms part of the employers' terms

and conditions of employment. The Code is available on the Council's intranet and is introduced to employees during the induction process along with relevant policies.

Under the Code employees must declare any non-financial or financial interests that they or members of their family have which they consider could conflict with the Council's interests. Chief Officers and the Chief Executive declarations of non-financial or financial interests are declared to the Monitoring Officer.

All relationships of a business or private nature with external contractors, or potential contractors should be made known to the employees' Managers and Chief Officers. All hospitality received and given should be appropriate, necessary and must, wherever possible, have the prior sanction of the relevant Chief Officer and must be recorded in the Hospitality Book kept by the Chief Executive's Secretary. There is a Protocol on Corruption, Gifts and Hospitality contained within the Staff Code of Conduct. The Hospitality Book is regularly reviewed by the Monitoring Officer, Head of Paid Service and s. 151 Officer.

9. Standards Committee and the Code of Conduct

Members will recall that in February 2021 a working group was established to consider whether to adopt the 2020 draft Model Code of Conduct produced by the LGA. The working group was a joint group of Members of the Standards and Governance Committees. The conclusion was that the Model Code should not be adopted. This was confirmed at a Standards Committee and, the Governance Committee having no further comments, the existing Sevenoaks District Council Members Code of Conduct was reaffirmed by Full Council in July 2021. This is attached for reference.

Town and Parish Councils have adopted their own Codes based on the seven Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The District Council encourages town and parishes councils to adopt the Sevenoaks District Council Code, although it is known that some have adopted the National Association of Local Councils' model.

The Standards Committee is an ordinary committee of the Council which means that it is subject to the usual requirements relating to access to information and political balance. If so minded, it is within the Standards Committee's terms of reference to advise the Council on the adoption of revisions to the Code of Conduct so as to implement best practice.

10. Complaints against Members

The current Standards Regime, set up under the Localism Act 2011, was implemented by this Council in July 2012. This provides a mechanism for receiving and processing complaints against Members.

Under the Localism Act 2011 authorities are not obliged to include provisions in their arrangements for Members to be able to appeal against findings that they have breached the Code of Conduct. In line with this, Sevenoaks District Council decided

not to include appeal provisions in its arrangements (although for procedural irregularity a complaint can always be made to the Ombudsman).

The Localism Act 2011 makes no provision for sanctions against Members found to have breached the Code of Conduct. However, authorities are able to censure Members, to publicise breaches of the Code of Conduct, to arrange for a report to Full Council and to recommend that Members be removed from positions on committees and outside bodies. This Council decided to include in its arrangements provisions for the Monitoring Officer to be instructed to arrange training for the Member and/or conciliation, if appropriate, which is a useful practical measure for improving Member conduct.

Eleven formal complaints were logged as received between January and December 2021. For comparison, there were ten complaints between January and December 2020. It appears that although the Code of Conduct is well observed there is no apparent hindrance to those who wish to make a formal complaint about Member conduct.

Under the existing system, the Monitoring Officer first carries out an ‘initial intake test’ to determine whether the complaint can be processed.

If it passes that test, it will thereafter be assessed and the Monitoring Officer will take no further action, attempt informal resolution or recommend formal investigation. In the latter case, if the investigation concludes that there is evidence of failure to comply with the Code of Conduct, the Monitoring Officer (having consulted the Independent Person) will either seek informal resolution or refer the matter to the Standards Hearing Sub Committee.

Please see the below table for a breakdown of complaints received during 2021. It is not appropriate to discuss these matters at Committee and this analysis is provided only to illustrate the nature of the complaints and their resolution:

| Date made | Subject Member (Parish includes Town) | Complainant public or Member? | Date received | Assessed | Result |
|------------------|--|--------------------------------------|----------------------|-----------------|----------------------------|
| 14/01/21 | Parish Member | Public | 14/01/21 | No | Failed Initial Intake test |
| 14/01/21 | Parish Member | Public | 14/01/21 | No | Failed Initial Intake test |

Appendix

| Date made | Subject Member (Parish includes Town) | Complainant public or Member? | Date received | Assessed | Result |
|-----------|---------------------------------------|-------------------------------|---------------|----------|----------------------------|
| 21/04/21 | Parish Member | Public | 21/04/21 | No | Failed Initial Intake test |
| 21/04/21 | Parish Member | Public | 21/04/21 | No | Failed Initial Intake test |
| 21/04/21 | Parish Member | Public | 21/04/21 | No | Failed Initial Intake test |
| 21/04/21 | Parish Member | Public | 21/04/21 | 10/05/21 | No further action |
| 21/04/21 | Parish Member | Public | 21/04/21 | No | Failed Initial Intake test |
| 18/05/21 | Parish Member | Public | 18/05/21 | 20/05/21 | No further action |
| 20/05/21 | Parish Member | Member | 20/05/21 | 25/06/21 | No further action |
| 04/06/21 | Parish Member | Public | 04/06/21 | 13/07/21 | No further action |
| 18/11/21 | Parish Member | Public | 18/11/21 | 14/12/21 | Apology accepted |
| | | | | | |

Members will also recall that at the time of the last Annual Report, an matter was still subject to investigation. The independent investigator recommended no further action and the parties were notified on 19 February 2021.

11. Support to Councillors, Cabinet, Scrutiny and Committee Meetings

The distribution and publication of committee reports, agendas and decisions is central to meeting the requirements of a key deliverable. It is the Monitoring Officer's responsibility to oversee the process and ensure that these documents comply with statutory and constitutional requirements. He also oversees the annual reporting to the Audit Committee of the proper working of the Members' Allowance Scheme.

Ensuring compliance with the committee process includes:

- Distributing and publishing all agendas within five clear working days of the meeting taking place and ensuring that all agendas are compliant with the access to information rules and exempt information is marked up accordingly.
- Advertising public meetings five clear days before the meeting date.
- Ensuring that papers are made available to the public.
- Drafting minutes for publication within nine working days.
- Publishing a record of all decisions including key decisions taken by Cabinet within 48 hours (2 working days) of the meeting.
- Ensuring that petitions are handled in accordance with the Council's Constitution including e-petitioning.
- Ensuring that meetings are accessible.
- Complying with the requirements of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
- The Openness of Local Government Bodies Regulations 2014
- Attendance at Cabinet and Council.

One of the explicit aims of the Council has been to try and streamline the decision making process to allow Council to focus on service delivery. The following is the statutory meetings analysis, covering statutory meetings which were serviced between 1 January 2021 and 31 December 2021:

- Annual Council-1
- Audit Committee-3
- Cabinet-10
- Cleaner and Greener Advisory Committee-4

- Council-4
- Development and Conservation Advisory Committee-4
- Development Control Committee-16
- Finance and Investment Advisory Committee-5
- Governance Committee-1
- Health Liaison Board-3
- Housing and Health Advisory Committee-5
- Improvement and Innovation Advisory Committee-4
- Licensing Committee-5
- Licensing Hearing-2
- People and Places Advisory Committee-4
- Scrutiny Committee-4
- Sevenoaks Joint Transportation Board-4
- Standards Committee-2

The volume of meetings represents a substantial commitment of both Councillors' and Officers' time and resources. It is of great importance that meetings constitute an effective use of time and resources; that they add value to corporate effectiveness and help in meeting the aims and objectives of the Constitution and the Community Plan and Corporate Plan.

The requirements for notice of Key Decisions set out in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 are being followed to the satisfaction of the Monitoring Officer.

The Council is required by Law to discharge certain scrutiny functions and this function is fulfilled to the satisfaction of the Monitoring Officer by the Scrutiny Committee.

12. Member Training and Development

It should be noted that certain compulsory Licensing and Planning training is provided to relevant Members on a regular basis. Upon election all Members are always provided with induction training. Regrettably, during 2021 training was hindered by the global Covid-19 pandemic. However, a full suite of training will be available to Members during 2022 across a wide range of areas relevant to Council business.

13. GDPR

On 25 May 2018 the General Data Protection Regulation came into force. The Data Protection Act 1998 was replaced by the Data Protection Act 2018, giving individuals greater rights, protections and freedoms. During 2021 these rights were well protected and there was not an influx of work due to the relatively new provisions.

It is, however, essential to remember that the Council must be ready to honour the various rights enshrined in GDPR, in particular the 'right to be forgotten' and the right of subject access. Robust systems are in place to ensure that the public can

exercise these rights as they should.

Furthermore, policies and procedures are in place to ensure compliance and the Monitoring Officer is satisfied that the necessary changes and developments have occurred. The Council is fully compliant with GDPR and this is a testament to the hard work of Officers and Members in implementing the new regulation.

14. Regulation of Investigatory Powers Act

The Regulation of Investigatory Powers Act 2000 (RIPA) introduced a statutory framework for those carrying out surveillance as part of an investigation. The Protection of Freedoms Act 2012 (2012 Act) amended RIPA to provide additional controls. The internal authorisation process is now followed by external authorisation from a Justice of the Peace.

In practice the District Council seeks to carry out surveillance activity by overt means whereby it is not necessary to engage the provisions of RIPA. It is possible report that unusually there were applications to carry out surveillance of the sort which requires RIPA authorisation during the year and that these were duly reported to the Investigatory Powers Commissioner's Office.

15. Conclusion

As reported last year, the key legal provisions and challenges facing the Council remain the same. There is a need for the Monitoring Officer to carry out both a proactive and reactive role in conjunction with the Standards Committee. This involves raising standards, encouraging ethical behaviour, adopting good governance and promoting robust procedures. The Monitoring Officer has every confidence that Members act within the Nolan Principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

During 2021, there is no doubt that the continuation of the global Covid-19 pandemic had significant impact upon the Council and its communities. The Police and Crime Commissioner elections and the Kent County Council elections took place together, the former having been delayed from the previous year.

Despite the necessary changes to meetings, the introduction of social distancing and various other changes to ways of working, there was no impact upon governance or standards of significant concern to the Monitoring Officer. Members embraced with enthusiasm the new arrangement of screens and broadcasting in the Council Chamber and Conference Room. In May 2021 the regulations no longer supported remote meetings and the Council adapted well to the need to be Covid-19 compliant while carrying out meetings in person. The Government is currently considering the future of remote access to meetings.

Members will also be aware of the significant legal challenge undertaken by the Council in respect of the Local Plan. This was a major piece of work with implications for the whole District, undertaken at a time when mere attendance in a court setting was not straightforward. This has been drawn to Members' attention elsewhere but in the opinion of the Monitoring Officer it is valuable to note the litigation.

Appendix

As a Statutory Officer with specific duties and powers set out in the Constitution, the Monitoring Officer has a reactive enforcement role. Together with the Standards Committee it is his job to enforce the Code of Conduct and relevant sections of the Localism Act 2011. As can be seen from the above, there are few reports of misconduct amongst Members and a very small number of any substance. Nevertheless, the Council cannot take this for granted and at all times it is necessary to be vigilant and active in safeguarding the reputation and legality of the Council.

Members are asked to note this report which sets out the elements of good governance and demonstrates that robust procedures are in place to maintain ethical standards, identify problems and ensure that all are aware of appropriate channels to raise concerns.

Martin Goodman
Monitoring Officer

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APPENDIX Q: Sevenoaks District Council Members' Code of Conduct

You are a member or co-opted member of the Sevenoaks District Council and hence you shall have regard to the following principles - selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

1. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
2. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
3. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
4. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
5. You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
6. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.
7. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
8. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

You must always comply with relevant laws and have due regard to local codes and protocols in effect from time to time including Appendix W to the Council's Constitution "Guidance on the Disclosure of Confidential Information by Members".

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State and set out in Schedule A appended to this Code, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of any disclosable pecuniary or non-pecuniary interest which the Council has decided should be included in the register and set out in Schedule B appended to this Code.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless a dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State (DPI) and set out in Schedule A. Additionally, you must withdraw from the meeting room, including the public gallery, during the whole consideration of any item of business in which you have a pecuniary interest as defined by regulations made by the Secretary of State (DPI) as set out in Schedule A.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

SCHEDULE A

Disclosable Pecuniary Interests, as prescribed by The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No 1464) are as follows:

The descriptions on Disclosable Pecuniary Interests are subject to the following definitions:

“the Act” means the Localism Act 2011

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest

“director” includes a member of the committee of management of an industrial and provident society

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income

“M” means a member of the relevant authority

“member” includes a co-opted member

“relevant authority” means the authority of which M is a member

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act (the Member’s spouse, civil partner, or somebody with whom they are living as a husband or wife, or as if they were civil partners).

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

| Interest | Description |
|---|--|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. |

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| | |
|---------------------|--|
| | This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to M's knowledge): (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

NOTE:

In accordance with section 34 of the Localism Act 2011, it is a criminal offence if, without reasonable excuse, you:

- (a) fail to notify the Monitoring Officer of a Disclosable Pecuniary Interest before the end of 28 days of becoming, or being re-elected or re-appointed, a Member or Co-opted Member of the Authority;
- (b) fail to notify the Monitoring Officer of a Disclosable Pecuniary Interest before the end of 28 days of becoming aware of it, where you are acting alone in the course of discharging a function of the Authority (including making a decision in relation to the matter) and the interest is not already registered or is not the subject of a pending notification to the Monitoring Officer;
- (c) fail to disclose a Disclosable Pecuniary Interest at a meeting, where such interest has not already been registered or notified to the Monitoring Officer;

- (d) fail to notify the Monitoring Officer of a Disclosable Pecuniary Interest before the end of 28 days of disclosing it at a meeting, where such interest has not already been registered or notified to the Monitoring Officer;
- (e) take part in discussions or votes at meetings that relate to the Disclosable Pecuniary Interest, unless a dispensation has been granted
- (f) knowingly or recklessly provide false or misleading information in any of the above disclosures or notifications.

SCHEDULE B

An interest which relates to or is likely to affect:

(i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;

(ii) any body—

(a) exercising functions of a public nature;

(b) directed to charitable purposes; or

(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which the member of the Council is a member or in a position of general control or management;

(iii) any gifts or hospitality worth more than an estimated value of £25 or more which the member has received by virtue of his or her office.

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RETURNING OFFICER'S REPORT

Council - 26 April 2022

Report of: Chief Executive

Status: For Information

Key Decision: No

Contact Officer: Charlie Sinclair, Ext. 7165

Recommendation to Council: That the report be noted.

Reason for recommendation: To provide Members with the result of a recent District Council by-election.

Introduction and Background

- 1 Following the resignation of Anna Firth, a by-election was held on Thursday 3 March 2022, to elect one Councillor to the Brasted, Chevening & Sundridge Ward.
- 2 Councillor Nigel Williams (Conservative) was duly elected to serve on the Sevenoaks District Council.

Key Implications

Financial

There are no specific financial implications arising from this report.

Legal Implications and Risk Assessment Statement

There are no specific legal implications arising from this report.

Equality Assessment

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

Net Zero 2030

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

Agenda Item 8a

Appendices

None

Background Papers

[District Council By-Election 2022](#)

Dr. Pav Ramewal

Chief Executive & Returning Officer for Sevenoaks District

Item 8 (b) - LGA Peer Review

The attached report was considered by the Cabinet, and the relevant minute extract is below:

Cabinet (13 March 2022, Minute 88)

Members considered the report which set out the outcome of the Council's Corporate Peer Challenge, which was held between 29 November and 1 December 2021. The final report from the Peer Challenge Team was set out in Appendix A to the report with the 9 key recommendations. Overall the Peer team concluded that the Council was a well-led and an effectively managed authority with a strong track-record of effective delivery and innovation. This, was reflected in strong performance outcomes across a range of areas; excellent residents' survey results; and a highly committed and talented workforce.

It was expected that the Council will develop an action plan in response to the findings and recommendations made in the final report and the action plan would be published within eight weeks of the report's publication and following six months following the conclusion of the Peer Challenge, a check in will be organised with the LGA to provide an opportunity to update on progress made against the action plan and to discuss any further next steps.

Members discussed the report.

Public Sector Equality Duty

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

Resolved: That it be recommended to Council that

- a) Member's thanks to the LGA Peer Challenge Team for giving their time and expertise in undertaking the peer review of the Council, be noted; and
- b) the findings of the Peer Challenge and the nine recommendations set out in the report, be noted.

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LGA CORPORATE PEER CHALLENGE

Council - 26 April 2022

Report of: Chief Executive

Status: For Consideration

Also considered by:

- **Cabinet - 13 March 2022**

Key Decision: No

Executive Summary: This report informs Members on the outcome of the Council's Corporate Peer Challenge, which was held between 29 November and 1 December 2021.

It provides the full report received from the Peer Challenge Team, which includes the recommendations they have made to the Council and highlights the next steps following the conclusion of the review.

Portfolio Holder: Cllr. Peter Fleming

Contact Officer: Lee Banks, Ext. 7161

Recommendation to Cabinet:

- Members note their thanks to the LGA Peer Challenge Team for giving their time and expertise in undertaking the peer review of the Council; and
- Members note the findings of the Peer Challenge and the nine recommendations set out in this report.

Recommendation to Council:

- Members note their thanks to the LGA Peer Challenge Team for giving their time and expertise in undertaking the peer review of the Council; and
- Members note the findings of the Peer Challenge and the nine recommendations set out in this report.

Reason for recommendation: To ensure that Members are informed on the outcome of the Council's Corporate Peer Challenge and the recommendations arising from the work of the peer review team.

Introduction and Background

- 1 Corporate Peer Challenges are provided by the Local Government Association (LGA). They are a core element of the sector-led improvement offer to local authorities.
- 2 Peer challenges are managed and delivered by the sector for the sector. They are improvement focused and the scope is agreed with the council and tailored to reflect local needs and specific requirements.
- 3 Since the Council's last Peer Challenge the methodology and level of assurance required has been reviewed. It continues to provide a robust and effective improvement tool and Peers remain at the heart of the challenge process and provide a 'practitioner perspective' and 'critical friend' challenge.
- 4 The Council's Peer Challenge took place across three days, between 29 November and 1 December 2021 and the Peer Challenge team have now issued their final report. The report summarises the main findings and sets out the recommendations that have arisen from the work of the peer challenge team.

Sevenoaks District Council Peer Challenge

- 5 The Peer Challenge was conducted by a team of seven elected Member and Officer Peers, drawn from across the local government sector. The make-up of the peer team reflected the focus of the Peer Challenge, with the peer team bringing considerable experience and expertise.
- 6 The peers were:
 - Cllr Darren Rodwell, Leader of London Borough of Barking and Dagenham
 - Cllr Sam Chapman-Allen, Leader of Breckland Council
 - Damian Roberts, Chief Executive, Surrey Heath Borough Council
 - Emma Cooney, Director of Regeneration and Business Development, Southend on Sea Borough Council
 - Judith Atkinson, Strategic Director, Local Partnerships
 - Kevin Kewin, LGA Peer Challenge Manager
 - Georgia Goddard, LGA Graduate Trainee
- 7 Each Corporate Peer Challenge has five core components, which focus on the following areas:
 - **Local priorities and outcomes:** Are the council's priorities clear and informed by the local context? Is the council delivering effectively on its priorities and achieving improved outcomes for all its communities?

- **Organisational and place leadership:** Does the council provide effective local leadership? Are there good relationships with partner organisations and local communities?
- **Governance and culture:** Are there clear and robust governance arrangements? Is there a culture of respect, challenge and scrutiny?
- **Financial planning and management:** Does the council have a clear understanding of its current financial position? Does the council have a strategy and a clear plan to address its financial challenges?
- **Capacity for improvement:** Is the organisation able to support delivery of local priorities? Does the council have the capacity to improve?

8 The Council asked that two further focus areas were included within the Peer Challenge to support the Council to deliver on its ambitions. These were affordable housing delivery and economic development & regeneration.

9 The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

10 The peer team prepared by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing. The team then spent three days at Sevenoaks District Council, during which they:

- Gathered information and views from more than 40 meetings, in addition to further research and reading; and
- Spoke to more than 100 people including a range of Council Members, staff and external stakeholders.
- Visited strategic development sites in both Swanley and Sevenoaks.

Peer Challenge Report and Recommendations

11 The final report from the Peer Challenge Team is provided as Appendix A to this report.

12 Overall the Peer team concluded that the council is a well-led and an effectively managed authority with a strong track-record of effective delivery and innovation. This, they say, is reflected in strong performance outcomes across a range of areas; excellent residents' survey results; and a highly committed and talented workforce.

13 The Peer team reported that there are good member / officer relations and good relationships between members and that these underpin the council's success.

Agenda Item 8b

- 14 They also concluded that the council's current financial position is comparatively strong, that the 10 year budget is an example to the sector and that the council is a valued and respected partner locally.
- 15 The Peer Team noted that community engagement on projects and initiatives is effective, but there is potential to complement this with more open, bottom-up, conversational approaches.
- 16 In considering the Council's additional focus areas, the Peer Team acknowledged that the council has invested in its own housing and regeneration capability. However, a key issue at this point is the balance between the council's scale of ambition and the financial resources available.
- 17 Arising from the Peer Team's work, are nine key recommendations to the Council. These are:
- Recommendation 1:** Build on recent place leadership work - consider developing a renewed, partnership-led, long-term vision for the district, residents and businesses
- Recommendation 2:** Complement the council's existing project-based community engagement work with more open, bottom-up, conversational approaches
- Recommendation 3:** Use service data and community networks to enhance the council's understanding of its diverse and emerging communities
- Recommendation 4:** Consider the optimum balance between the council's scale of ambition and availability of resources
- Recommendation 5:** Explore the scope for a managed increase in Quercus Housing's affordable housing delivery outputs
- Recommendation 6:** Consider the full range of options for additional modest-scale market value and affordable housing activity - 'massive small'
- Recommendation 7:** Review the external specialist skills to challenge viability appraisals and negotiate S106 agreements with developers
- Recommendation 8:** Use the council's influence to optimise the outcomes from the district's strategic development sites
- Recommendation 9:** Consider developing a proposition for inward investment and development as part of the emerging economic development strategy.

Next Steps

- 18 On receipt of the final Peer Challenge report, it must be published on the Council's website within six weeks. Reporting the final report to Cabinet has ensured that publication of the Peer Challenge Report has been achieved within that timescale. The LGA will, in the coming weeks, also publish the report on its own website.

- 19 It is expected that the Council will develop an action plan in response to the findings and recommendations made in the final report, and that the action plan will be published within eight weeks of the report's publication.
- 20 Six months after the Peer Challenge concluded, the LGA will organise a check-in. This session will provide the Council with the opportunity to update Peers on progress against the action plan and to discuss any further next steps. The LGA will produce a short note which reflects the council's progress and there is an expectation that this note will also be published.

Other options Considered and/or rejected

None.

Key Implications

Financial

There are no financial implications arising from this report.

Legal Implications and Risk Assessment Statement

There are no legal and risk implications arising from this report.

Equality Assessment

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

Conclusions

The LGA Corporate Peer Challenge, held between 29 November and 1 December last year, has provided both positive feedback on the Council and its performance as well as identifying recommendations for further improvement, for the benefit of our residents and local businesses.

The Peer Challenge has provided a thorough assessment of key business areas, and some reflections on the Council's own focus areas from the skills and experience brought by the Peer Team.

The final report being published in full ensures transparency of the process and the findings. An accompanying action plan will be produced and continually monitored to ensure the recommendations made by the Peer Team are delivered.

Members may wish to join colleagues in noting their thanks for the work of the Peer Team, who have generously given their time and experience to assess how the Council performs and how it could continue to improve in the future.

Agenda Item 8b

Appendices

Appendix A - LGA Corporate Peer Challenge Feedback report

Background Papers

None

Dr. Pav Ramewal
Chief Executive

LGA Corporate Peer Challenge

Sevenoaks District Council

29 November – 1 December 2021

Feedback report



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1. Executive summary

Sevenoaks District Council is a well led and effectively managed authority. This is reflected in strong performance outcomes across a range of areas; excellent residents' survey results; and a highly committed and talented workforce.

The council has a longstanding track-record of effective delivery. Most recently, this was exemplified by the council's COVID-19 response, where the organisation rapidly and actively supported local residents and businesses while maintaining the delivery of core services.

The council's current financial position is comparatively strong. The organisation has consistently demonstrated good financial management, including through the effective delivery of savings and by making difficult decisions early. The council also innovates. The organisation's ten year budget, for instance, is an example to the sector and supports long-term proactive decision making.

Underpinning the council's success are good member – officer relations and good relationships between members. There is mutual support and effective challenge. Significantly, the council has developed an effective organisational culture based on trust and collaboration. The council's continued Platinum Status in Investors in People (IiP) is evidence of the council's long-term commitment to its staff; the staff culture and the council's performance reflects its benefits.

Sevenoaks District Council is a valued and respected partner locally, including by partner organisations, businesses, and parish and town councils.

The council's leadership has high aspirations for the district and strong expectations of delivery, including in relation to new affordable housing and regeneration. A key question for the council is the best approach to resource these priorities in a difficult financial context. The council's revised property investment strategy and approach to borrowing will be important in shaping the scale of delivery of the council's housing and regeneration ambitions and clarifying its appetite for risk.

The council has demonstrated effective community engagement on specific projects and particular initiatives, including consultation on key development sites for the Local Plan. The peer team feel there is potential to complement this with more open, bottom-up and conversational approaches at a grass-roots level.

Most importantly, the peer team feel there is potential value from the council, as part of its Local Strategic Partnership, developing a renewed long-term vision for Sevenoaks district, its distinct localities and their offer. This work could be co-developed and co-owned with residents, as well as partners, using the forthcoming Community Plan refresh process.

2. Key recommendations

There are a number of observations and suggestions within the main section of the report. The following are the peer team's key recommendations to the council:

2.1. Recommendation 1

Build on recent place leadership work – consider developing a renewed, partnership-led, long-term vision for the district, residents and businesses

2.2. Recommendation 2

Complement the council's existing project-based community engagement work with more open, bottom-up, conversational approaches

2.3. Recommendation 3

Use service data and community networks to enhance the council's understanding of its diverse and emerging communities

2.4. Recommendation 4

Consider the optimum balance between the council's scale of ambition and availability of resources

2.5. Recommendation 5

Explore the scope for a managed increase in Quercus Housing's affordable housing delivery outputs

2.6. Recommendation 6

Consider the full range of options for additional modest-scale market value and affordable housing activity – 'massive small'



2.7. Recommendation 7

Review the external specialist skills to challenge viability appraisals and negotiate S106 agreements with developers

2.8. Recommendation 8

Use the council’s influence to optimise the outcomes from the district’s strategic development sites

2.9. Recommendation 9

Consider developing a proposition for inward investment and development as part of the emerging economic development strategy

3. Summary of the peer challenge approach

3.1. The peer team

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected the focus of the peer challenge. The peers were:

- Cllr Darren Rodwell, Leader of London Borough of Barking and Dagenham
- Cllr Sam Chapman-Allen, Leader of Breckland Council
- Damian Roberts, Chief Executive, Surrey Heath Borough Council
- Emma Cooney, Director of Regeneration and Business Development, Southend on Sea Borough Council
- Judith Atkinson, Strategic Director, Local Partnerships
- Kevin Kewin, LGA Peer Challenge Manager
- Georgia Goddard, LGA Graduate Trainee (shadowing the CPC)

3.2. Scope and focus

The peer team considered the following five themes which form the core components of all Corporate Peer Challenges. These areas are critical to councils’ performance and improvement.

1. **Local priorities and outcomes** - Are the council’s priorities clear and informed by the local context? Is the council delivering effectively on its

priorities?

2. **Organisational and place leadership** - Does the council provide effective local leadership? Are there good relationships with partner organisations and local communities?
3. **Governance and culture** - Are there clear and robust governance arrangements? Is there a culture of challenge and scrutiny?
4. **Financial planning and management** - Does the council have a grip on its current financial position? Does the council have a strategy and a plan to address its financial challenges?
5. **Capacity for improvement** - Is the organisation able to support delivery of local priorities? Does the council have the capacity to improve?

In addition to these questions, the peer team were asked to provide feedback on the council's approach to:

- Affordable housing delivery
- Economic development and regeneration

3.3. The peer challenge process

Peer challenges are improvement focused; it is important to stress that this was not an inspection. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing. The team then spent three days at Sevenoaks District Council, during which they:

- Gathered information and views from more than 40 meetings, in addition to further research and reading
- Spoke to more than 100 people including a range of council staff together with members and external stakeholders

This report provides a summary of the peer team's findings. In presenting feedback, they have done so as fellow local government officers and members.

4. Feedback

4.1. Local priorities and outcomes

Sevenoaks District Council is delivering excellently for local people. The council's most recent residents' survey (2021) results demonstrate this: more than 80% of respondents were satisfied with the way the council runs things, which is significantly higher than national benchmarks. The council also performs better than Kent and South East averages on a range of [key metrics](#), such as for planning decisions and council tax collection.

The council led and sustained a strong local COVID-19 response, which was valued by local residents, businesses and other stakeholders. The organisation pivoted to support those most in need while also continuing to deliver effective core services. For example, the council provided support to shielding residents, redeployed civil enforcement officers to deliver emergency food boxes and offered residents a council tax payment holiday. Sevenoaks DC was recognised by central government as a top performer in the distribution of business rates relief and the council also fostered local volunteering efforts in the community.

The council has a clear performance management framework which includes performance reporting to the corporate management team on a monthly basis. Key areas for improvement (such as use of temporary accommodation) are identified and the council is actively seeking to improve. Regular performance reporting and discussion are a core part of the council's member governance arrangements, including at the advisory committees and scrutiny where the relevant portfolio holders are challenged on key issues.

The council is open and transparent in its performance reporting. Public committee reports are clear and understandable, while all members are able to access the council's latest performance data at any time through its online system. One area for future consideration is the potential benefits from greater use of external benchmarking in performance reporting to complement's the council's strong focus on year-on-year improvement. The peer team noted a small number of areas, such

as recycling, where the district may meet its local target but is still below Kent or South East averages. In addition, the delivery of affordable housing – a key council priority – does not currently form part of the council's core performance measures regularly reported to members.

The council has demonstrated positive and effective community engagement on a range of projects. In developing the Local Plan, for example, the council received more than 40,000 representations. Major capital initiatives and development schemes each have their own tailored programmes of consultation with local residents and stakeholders; recent examples have included work to support White Oak Leisure Centre and new housing in Dunton Green.

There are potential benefits from the council supplementing its project based engagement with more open and bottom-up approaches. The council is intending to develop a Community Planning and Empowerment Toolkit to further develop the relationship between members, the council and the wider community. The peer team feel that this could provide an opportunity to secure greater direct engagement with residents about their aspirations for their area that is more open and conversational. There is an opportunity to do more to empower residents to anticipate, own, lead and facilitate change at their local level.

The council can enhance its approach to equality and diversity by making better use of its own data, information held by partner organisations and community networks. The council recognises there is increasing diversity within the district – that may not be reached through traditional engagement methods – and inequality, including a number of gypsy and traveller communities, pockets of deprivation and some isolated rural residents. The council has taken action to reduce inequalities, including its HERO service (Housing, Energy and Retraining Options) which supports some of the most vulnerable people in the district. The council's snapshot of equality and diversity issues was last updated in 2013 and relies upon 2011 Census data. The council may be able to use more up to date data – including from council services and surveys, information held by partner organisations such as Health, through the existing Voluntary Sector Forum barometer survey and engagement with relevant voluntary sector and faith organisations – to better understand changes in community needs and inform the council's approach to equality and diversity.



The council has taken positive steps to develop strong community networks, including the establishment of a voluntary sector forum to bring together existing groups. There is a long-standing community grants programme and, during the pandemic, the council launched a podcast focused on the voluntary and community sector and a community wellbeing fund through its Local Strategic Partnership. There is the potential for the council to work with its statutory and community partners to further build on the organisation's commitment to equality and diversity. For example, current activity could be expanded to actively encourage and facilitate new and emerging communities of interest and harder to reach groups to come together to identify and address local needs.

4.2. Organisational and place leadership

The council's Leader and Chief Executive are valued as visible and highly effective leaders by officers, members and partners. The peer team noted the strength of this leadership was a prominent and recurring theme in discussions with staff at all levels of the organisation. Significantly, local organisations also recognise this leadership; Sevenoaks DC is considered a reliable and trusted partner. The council's relationships with parish and town councils within the district, for example, are very strong. The council understands the importance of parish and town councils and supports their work; the level of local trust, engagement and effective joint working is an example to others in the sector.

The council has undertaken significant work on place leadership in recent years. In addition to Local Plan engagement activity, the council has established a public realm commission and is in the process of developing a local place campaign. Central to much of this work is a recognition of the district's place diversity, including its particular mix of rural and town areas each with their own unique character, and a very high proportion of green belt land. The council is active in exploring opportunities to improve the district for the benefit of local residents and working with partners both inside and outside the district to help achieve this. The council's proactive work to encourage a Higher or Further Education provider into Sevenoaks is a good illustration of the council taking a strong place leadership role.

The peer team feel there is value in the council building on its existing place leadership activity to articulate a renewed long-term vision for Sevenoaks district, its

distinct localities and their offer. This work on developing and articulating a local vision of the district – that recognises the inherent strengths and diversity of Sevenoaks' local areas as well as their opportunities and challenges – is an ideal subject for the more bottom-up, open and conversational engagement described above. Given its relative density and potential for further demographic change, Swanley could be prioritised initially for this grass-roots led visioning work. The council, as part of the district's Local Strategic Partnership, has commenced planning to lead local activity on community priorities in 2022. The peer team support the council's initial thinking to develop a shared vision and plan that goes beyond a traditional community strategy approach. It provides an opportunity to work with residents, communities and partners in localities and for them to shape and own the vision alongside the council.

4.3. Governance and culture

The relationships between officers and members are excellent. The peer team found a shared understanding of respective roles as well as mutual support and challenge. It is also recognised that these relationships need considerable investment to succeed; the council ensures that formal mechanisms, such as a fortnightly written update from the Chief Executive to all councillors, are complemented by more two-way arrangements, including regular meetings.

The council's member governance structure is atypical; specifically, the council has a series of – politically balanced – executive advisory committees that mirror the portfolios of Cabinet members. There are a number of potential risks with such arrangements, including the potential for the advisory committees to slow-down Executive decision making; undermine the statutory Scrutiny function; and be resource intensive. However, overall, the peer team found the council's arrangements work well. The advisory committees provide an opportunity for all members to contribute to policy development at an early stage and give officers assurance that decisions are widely understood prior to implementation. Scrutiny operates with a focus both on council performance and the work of external partners. Peers were impressed both with the quality of committee reports and the high-level of debate at both scrutiny and the advisory committees.

The council has created a strong culture to be proud of, which attracts and retains



high quality staff. A high value is placed on getting services right for the customer, empowering staff to do their jobs effectively, recognition and fostering a 'no blame' culture. The council's strong culture has served the council well, including through COVID-19, by providing a platform for effective delivery in difficult circumstances. The council's residents' survey results demonstrate the council's customer focus is recognised in the community: more than 80% of respondents felt staff were helpful and levels of trust in Sevenoaks DC are significantly higher than sector benchmarks.

In addition to a strong focus on serving residents, the council recognises the importance of supporting colleagues and external partners. The peer team found staff to be supportive of each other across services; in a number of sessions, employees highlighted that 'the customer is anyone who isn't me'. The council recently undertook an internal survey to assess whether staff felt well served by their colleagues with positive results. These findings align with the strong message from the council's external partners that the 'can do' ethos and quality of staff – at all levels – is valued.

It was also clear to the peer team that staff generally feel trusted, empowered and supported by the organisation – findings that are reflected in staff surveys. Positively, the supportive and no-blame aspects of the council's culture has not prevented difficult conversations or tough decisions being taken. The council's recent senior management restructure and its track-record of delivering financial savings are both examples of this.

The council's strong culture has been developed over time through sustained effort and leadership. Key elements include strong communications, including through a monthly staff newsletter and regular briefings where issues can be raised. The council proactively seeks regular feedback from staff and there is a consultative group which provides a forum for employees to offer views on emerging issues or policies. In the most recent staff survey (September 2021), 90% of staff highlighted that they were satisfied with the council's internal communications. Most importantly, staff see senior leaders modelling the council's culture.

4.4. Financial planning and management

Sevenoaks District Council takes a long-term view of financial planning with a focus on self-sufficiency. The council has not received any Revenue Support Grant since

2018 and does not rely on New Homes Bonus to deliver its core services. Over the past seventeen years, the council has worked towards increasing financial sustainability. The council has been successful through a range of approaches, including implementing efficiency initiatives and reducing back-office functions; improving value for money and maximising external income; and moving resources away from low priority services. The council continues to make full use of its permitted flexibilities and increased council tax by £4.95 in 2021/22.

The council's 10-year budget is innovative, an example for the sector and supports long-term decision making. This extended financial framework provides an excellent platform which has supported effective budget management and planned, long-term, decision making. Since 2010/11 the council has managed a £4 million budget reduction (24%) in real terms.

The council has a track-record of delivering savings and making difficult decisions early. For example, the council took the unusual step of agreeing its 2021/22 budget in December 2020 in order to ensure sufficient lead-in time to deliver full-year savings. In recognition of the difficult financial context, the council also has a standing policy of identifying a minimum of £100,000 in savings annually.

As a result of the organisation's consistent and diligent approach, the council's financial position is comparatively strong. As in many authorities, the COVID-19 pandemic has led to some recent overspends, with lower than projected income levels in some areas. However, the fundamental underlying financial health of the council is good. The council is aware of, and publicly reports on, its budget pressures. While there will be a need to identify further savings in the long-term, the council has significant useable reserves. Positively, the council has also received unqualified audit reports over recent years.

Councillors are actively involved in the development of the budget, including through the advisory committees. Members are also engaged in revenue budget monitoring through clear committee reports. There is potential value in reporting capital spend to members in a similar manner; the peer team noted a significant end of year capital underspend in 2020/21. This is particularly important given the increased size of the capital programme (£21.3 million) in 2021/22.

The council seeks to make best use of the organisation's reserves and borrowing.



This approach has been successful and has typically generated approximately 10% of the council's annual budget. For example, the council agreed a property investment strategy in 2015 to deliver increased revenue income with an approved investment limit of £50 million. The council has spent £35 million to date, including on an in-district hotel and five further assets. In general, the yields for completed schemes have been good and exceeded budget expectations. However, the government has recently sought to limit authorities' ability to make property investments for purely commercial gain. In light of this, the council has withdrawn its property investment strategy and intends to bring forward a revised approach later in the year. The refreshed strategy provides an opportunity for the council to make clear its intentions in terms of using property investment, and Quercus 7 – its property investment company – to support local outcomes in addition to any secondary financial gain.

The council's future approach to borrowing will be a central decision for the organisation. Although Public Works Loan Board (PWLB) lending terms now prevent councils investing primarily for yield, commercial benefit is still acceptable if the primary benefits are for housing, regeneration or service delivery, and in November 2021 the council approved PWLB borrowing to enable Quercus Housing to continue its delivery of affordable housing in the district.

The council's leadership has both high aspirations for the district and strong expectations of delivery, particularly in relation to affordable housing and town centre regeneration. The council has referred to its ambitions as 'the largest regeneration programme the district has embarked on in recent memory'. In order to deliver this, the peer team feel that a key issue for the council is to determine the best approach to resource these priorities in a difficult financial context. As highlighted above, both the revised property investment strategy and the council's approach to borrowing will be important factors. Ultimately, the council will need to determine the optimum balance between its scale of ambition, existing resources, and its appetite for further financial borrowing and investment.

4.5. Capacity for improvement

The council's success and improvement has been built upon effective 'in-house' delivery models and innovation, which has been underpinned by strong political and

officer leadership. Sevenoaks District Council has relatively few shared services with other councils and minimal outsourced services. Instead, there has been a strong focus on embedding a strong organisational culture to support internal delivery. The peer team noted the benefits of this approach, including high levels of staff trust and strong collaboration. The council invests in staff development and wellbeing, which helps to sustain this culture. For example, in a recent survey, 85% of staff felt the support provided by the council, as an employer, through the pandemic was good.

The council's COVID-19 response showed the organisation's capacity to deliver, improve and innovate. The peer team highlighted three key areas where the pandemic spurred further progress for the council: effective use of community capacity; rapid decision-making and delivery; and good use of technology. For example, the council supported a 'care for our community' scheme with more than 1,500 residents volunteering to provide food and prescription deliveries, undertake errands and support befriending. The council is putting the volunteers in touch with local groups to help sustain and embed this volunteering.

The council's office based workforce successfully transitioned to working from home without any interruption to service delivery throughout the pandemic. Council staff highlighted the effective use of technology, and strong support from ICT, to enable this to happen. There are also a number of examples of rapid decision making and delivery. The council quickly redeployed its civil enforcement officers to deliver emergency food boxes, for example, and set up its own 'Telepals' initiative to help address loneliness and anxiety before the NHS scheme began. A clear message from both council staff and external stakeholders was the importance of the council maintaining and building upon the learning from its effective COVID-19 response.

The council has invested in its employees and its liP Platinum reaccreditation is evidence of the organisation's ongoing commitment. In return, the council is rewarded with significant goodwill from motivated staff. While the peer team recognised that the council's in-house approach has served it well to date, it was also felt that the organisation should maintain an open mind as new and emerging delivery challenges may require new partnership arrangements. For example, in order for the council to deliver its ambitions in relation to housing and regeneration, the council may need to prioritise more explicitly and explore a range of different delivery models.



Digital and data have been areas of recent progress. In addition to the ICT support for staff highlighted above, residents have benefited from innovative approaches supported by digital technology. This includes Sevenoaks' Rideshare scheme, which uses a CIL funded mobile app to provide an on-demand transport service for residents. Nevertheless, the peer team identified some remaining areas of focus. The council's website could benefit from improved functionality as well the addition of direct debit payment options for some remaining core services. The council has developed and agreed a digital strategy, but this will need a clear action plan, aligned with resources, to support delivery.

Overall, the peer team is confident in the council's capacity to further improve. Over the past year, alongside delivering the council's response to the pandemic, the council has developed a new corporate strategy to support the organisation to deliver its priorities. The strategy is focused around a one team culture, the needs of the customer and the importance of wellbeing, and is complemented by specific strategies for workforce, customer, digital and finance. Despite the council's success to date, there remains a strong commitment to, and a culture of, performance improvement.

4.6. Housing, Economic Development and Regeneration

The council has significant housing, economic development and regeneration ambitions in a challenging delivery context. Land values are high, 93% of the district is green belt and resources are limited. The council recognises the potential tensions in seeking to balance preservation with its aspirations for housing delivery and development.

The council has made significant progress to deliver its ambitions in this area. The organisation has developed excellent internal expertise; peers were impressed with the housing, economic development and regeneration teams. Most importantly, these services are well regarded by business and partners, which provides a strong foundation for success. In addition, the council has a strong and well-led planning service that is delivering well across policy and development management. This is evidenced in key metrics, including the council's excellent performance in terms of speed and quality of its decisions on applications for major and non-major development.

Importantly, there is a joined-up approach to collaboration across teams and within relevant services. The strong underlying property market in the district coupled with the council's enviable skills and capabilities provides Sevenoaks with opportunities not available in many other districts. Positively, the council has begun to develop a pipeline of development projects.

It is important that the council maximises affordable housing from S106 agreements. While the council is already using external support in this area, it is important the council assures itself that it is securing the 'best in class' expertise to robustly challenge developers' viability appraisals submitted as part of the planning process. This same expertise could also be used to advise on project viability and conduct face to face negotiations on affordable housing through the S106 process.

The district's high-level of green belt limits the council's options for housing development. Given this, the peer team feel it is important that the council considers all possible options for the delivery of modest scale housing activity in suitable areas. Potential options that it may be worth the council exploring further, include:

- Proactively working with West Kent Housing to identify whether there are any potential 'hidden homes' that could be turned into affordable housing units – this may include empty or underutilised derelict areas such as old garages, boiler rooms or stores
- Exploring whether there is council land, including small plots, that may feasibly provide any additional affordable homes
- Identifying whether there are further opportunities for street property acquisitions and refurbishments
- Encouraging and purchasing in-district SME developed affordable housing units
- Working with local landowners and communities to explore the potential of Community Land Trusts to deliver affordable housing. There are some emerging examples of CLTs in other parts of the country, where the Trust delivers both housing and supporting infrastructure that become protected community assets

In making these suggestions, the peer team recognise that some of these options



may not be suitable or feasible for a variety of reasons. It is for the council to undertake further exploratory work to determine which options have the most potential.

The council has already established Quercus Housing – its own not for profit housing company – to build new affordable housing from S106 commuted sums. In addition to the suggestions highlighted above, there may be scope for the council to consider a managed increase in Quercus Housing’s annual delivery outputs, which is currently targeted at 10 homes per year. Whilst it is recognised that Quercus Housing’s Business Plan has been updated to support prudential borrowing, as with the peer team’s other suggestions in this area, a primary constraint to increasing delivery is access to funding (beyond S106 commuted sums) which will involve consideration of the organisation’s appetite for further investment and borrowing.

While recognising the value of a ‘massive small’ approach, the forthcoming Local Plan will also set out a number of larger strategic sites in the district. The peer team is confident of the council’s capacity to ensure these areas are utilised – but also highlighted the benefits of maximising the positive outcomes from each site. This may, on occasion, require a more active role that the council has traditionally played in working alongside the private sector at different stages of the process: from site identification, through the process of allocation and consent, and once development is underway on the ground. Related to this, it is important the council assures itself that it is optimising social value through its housing, economic development and regeneration work. This includes ensuring that there is a strategic and shared understanding of social value across the organisation and that it is being optimised on a case by case basis, including through early market engagement, formal procurement, planning and any land disposal processes.

The council has considerable economic development strengths and positive business relationships. In addition to links to the local Chamber of Commerce, the council has its own business board – with organisations from a range of sectors represented – to help understand business priorities. Regionally, Sevenoaks has not been a major beneficiary of the South East Local Economic Partnership; it is the second largest LEP in the country and covers East Sussex, Essex, Medway, Southend and Thurrock as well as Kent. However, the council is a key player in the West Kent Partnership, which also includes Tunbridge Wells and Tonbridge & Malling. This arrangement has

provided a range of benefits to the district, including through grant funding to support local rural and land-based businesses.

The council has recently invested in its economic development capacity, including through its commercial and property teams. As well as supporting direct delivery, this expertise will help the council to continue to build relationships with key partners in government and the private sector. The forthcoming economic development strategy provides an opportunity to inform a proposition for inward investment. This proposition could set out the distinctive qualities of the district and clearly articulate its offer to encourage investment in Sevenoaks from both the public and commercial sectors.

5. Next steps

It is recognised that the council's senior political and managerial leadership will want to consider, discuss and reflect on these findings. Both the peer team and LGA are keen to build on the relationships formed through the peer challenge. The CPC process includes a six-month check-in session, which provides space for the council's senior leadership to update peers on its progress against the action plan and discuss next steps.

In the meantime, Will Brooks, Principal Adviser for the South East, is the main contact between your authority and the Local Government Association. Will is available to discuss any further support the council requires:
william.brooks@local.gov.uk, 07949054421.



Cllr Fleming - Leader's Report

From: 7 February - 1 April 2022

| Date | Event |
|-------------|---|
| 9 February | <ul style="list-style-type: none"> • Resetting the South East Localis Meeting via Teams • LGA Business Rates & Local Government Finance Reform Task & Finish Group via Zoom |
| 10 February | <ul style="list-style-type: none"> • Cabinet - SDC |
| 12 February | <ul style="list-style-type: none"> • White Oak Leisure Centre Opening - Swanley |
| 15 February | <ul style="list-style-type: none"> • Kent Council Leaders' Meeting via Teams • DCN Executive Board via Zoom |
| 21 February | <ul style="list-style-type: none"> • DCN Assembly via Zoom |
| 22 February | <ul style="list-style-type: none"> • Chair LGA Behavioural Insights Conference via Zoom • Council (Budget) - The Stag, Sevenoaks |
| 23 February | <ul style="list-style-type: none"> • APPG for South East Levelling Up - Speaker for the DCN via Zoom • Chairman's Curry Night - Polhill |
| 24 February | <ul style="list-style-type: none"> • LGA Improvement & Innovation Board - Hybrid/London • Improvement & Innovation Advisory Committee - SDC |
| 28 February | <ul style="list-style-type: none"> • Meeting with Compaid re Kent Karrier Service via Zoom |
| 1 March | <ul style="list-style-type: none"> • Opening of the Octagon by the Chairman - SDC • Speaker at Digital Skills APPG event via Zoom • Meeting with PwC re Kent Leader Reform Work via Zoom |
| 2 March | <ul style="list-style-type: none"> • Councillors presentation for proposed development in West Kingsdown - Millwall Football Academy via Zoom |
| 7 March | <ul style="list-style-type: none"> • Speaker on panel at Westminster eForum - Digital Transformation in the Public Sector - virtual via Webex • Meeting re Wayfinder Signage Sevenoaks via Zoom • Edenbridge Annual Town Meeting, Edenbridge |
| 8 March | <ul style="list-style-type: none"> • National Climate Committee - Private Working Lunch - Kings Hill |
| 9 March | <ul style="list-style-type: none"> • DCN Webinar Building Back Britain report Terrie Alafat CBE via Zoom • Making it Happen Awards - Master of Ceremonies - St Nicholas Church, Sevenoaks |
| 10 March | <ul style="list-style-type: none"> • Cllr Faye Parkin's Funeral - Gravesend |
| 14 March | <ul style="list-style-type: none"> • Fly the Flag Commonwealth Day - SDC |
| 15 March | <ul style="list-style-type: none"> • DCN Executive Board via Zoom • Kent County Leaders' Workshop on Non-Structural Reform - Maidstone |
| 16 March | <ul style="list-style-type: none"> • TN App Launch - The Hive, Sevenoaks |
| 17 March | <ul style="list-style-type: none"> • Quercus Boards via Zoom • Cabinet - SDC |
| 21 March | <ul style="list-style-type: none"> • DCN Mini Conference - London |
| 23 March | <ul style="list-style-type: none"> • Introductory meeting with Create Streets via Zoom |

Agenda Item 11

| Date | Event |
|----------|--|
| | <ul style="list-style-type: none">• Net Zero 2030 Cabinet Working Group Meeting via Zoom |
| 24 March | <ul style="list-style-type: none">• Corporate Induction - SDC |
| 26 March | <ul style="list-style-type: none">• Clean-Up Campaign - Sevenoaks• Mayor's Charity Quiz - Bat & Ball |
| 28 March | <ul style="list-style-type: none">• Meeting with Southeastern re accessibility funding via Teams• Kent & Medway Economic Partnership meeting via Zoom |
| 29 March | <ul style="list-style-type: none">• Stronger Things 2022: Movement Grows Conference - London |
| 30 March | <ul style="list-style-type: none">• Stronger Things 2022: Movement Grows Conference - London |

AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL 2021/22 - 26 APRIL 2022

Council - 26 April 2022

Report of: Cllr McGarvey, Chair of the Audit Committee

Status: For Consideration

Introduction and Background

- 1 This is our report to the Council on the work of the Audit Committee during the year 2021/22.
- 2 The Audit Committee is responsible for discharging the functions conferred by the Accounts and Audit Regulations 2015. The key responsibilities include approving the Council’s Annual Statement of Accounts, approving the Annual Governance Statement, approving the Annual Internal Audit Plan and monitoring and reviewing the work of Internal Audit, and reviewing the arrangements for the management of business risks.
- 3 In line with its Terms of Reference, the Audit Committee has met four times during the course of the year.
- 4 As Chair of the Committee, I have additionally held monthly briefings with Officers.
- 5 Details of the range of issues considered by the Committee over the course of the year are set out below:

Internal Audit

| Date of Meeting | Agenda Items |
|------------------------|---|
| July 2021 | <ul style="list-style-type: none"> • Internal Audit Annual Report and Annual Opinion 2020/21 |
| September 2021 | <ul style="list-style-type: none"> • Internal Audit Progress Report 2021/22 |
| January 2022 | <ul style="list-style-type: none"> • Internal Audit Progress Report 2021/22 |
| March 2022 | <ul style="list-style-type: none"> • Internal Audit Progress Report 2021/22 • Internal Audit Plan 2022/23 |

Governance, Risk & Anti-Fraud

Agenda Item 12

| Date of Meeting | Agenda Items |
|-----------------|--|
| July 2021 | <ul style="list-style-type: none"> • Audit Committee Terms of Reference • Counter Fraud and Compliance Report 2020/21 • Review of the Effectiveness of the Audit Committee 2020/21 • Consideration of recruitment of Independent Audit Committee Member(s) |
| September 2021 | <ul style="list-style-type: none"> • Members' Allowance Scheme Monitoring 2020/21 • Strategic Risk Register |
| January 2022 | <ul style="list-style-type: none"> • Risk Management Strategy • Audit Committee Independent Members - Update |
| March 2022 | <ul style="list-style-type: none"> • Strategic Risk Register Update |

Accounts and External Audit

| Date of Meeting | Agenda Items |
|-----------------|--|
| July 2021 | <ul style="list-style-type: none"> • External Audit - Housing Benefit Subsidy 2019/20 • Annual Governance Statement 2020/21 • Statement of Accounts 2020/21 - Establishment of Member Working Group |
| September 2021 | <ul style="list-style-type: none"> • Statement of Accounts 2020/21 progress update |
| January 2022 | <ul style="list-style-type: none"> • Future Appointment of External Auditors • Statement of Accounts 2020/21 progress update |
| March 2022 | <ul style="list-style-type: none"> • Statement of Accounts 2020/21 |

- 6 The Audit Committee maintains a constructive dialogue and effective working relationship with the Council's external auditors, Grant Thornton who have attended several Audit Committee meetings during the year.
- 7 Training of Audit Committee Members is important to ensure that they can add value to the discussions at the Committee. A Member Development Plan

has been agreed by the Committee and the following training sessions have taken place over the year:

- Counter Fraud and Whistle Blowing
- Internal Audit and the Role of the Audit Committee
- Risk Management

- 8 In addition to the core work of the Committee, a Member Working Group took place in August 2021 to review the draft Statement of Accounts. Its findings were reported back to the full Audit Committee. The external auditors commented favourably on Members' involvement in the Annual Accounts process.
- 9 The 2020/21 Statement of Accounts was approved by the Audit Committee in March pending some final work by Grant Thornton. Over recent years, the external audit of council accounts across the country has taken longer than planned and several individuals and bodies have looked to address the issue. To highlight this, only 32% of 2020/21 district council accounts were signed off by the end of February 2022. Officers and the Committee will continue to participate in national discussions to try to improve the situation.
- 10 As approved by Council in February we are currently in the process of appointing independent member(s) to the committee so long as there are suitable candidates who can enhance the committee.
- 11 It is my opinion that the work of the Committee has a positive impact on the overall control environment within the Council and has developed good working relationships with officers and External Audit, and has offered constructive comments on a range of issues. The Committee continues to develop and improve its understanding of the many technical issues presented to it.
- 12 Fran Chivers, Audit Manager, left the Council in December 2021 and Jen Warrillow started as the new Audit Manager in February 2022.
- 13 I thank all members of the Audit Committee for their personal contribution to the work of the Committee. I also thank Officers, in particular Adrian Rowbotham, Jen Warrillow, Fran Chivers, Alan Mitchell, Ian Wiltshire and Glen Moore, for the help and support they have given the Committee.

Cllr Philip McGarvey, Chairman, Audit Committee

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Scrutiny Committee Annual Report to Council - 2021/22

Remit of the Scrutiny Committee

1. As per Appendix C of the Council's constitution, "Scrutiny Committee Procedure Rules":

1.1 The Council is required by Law to discharge certain overview and scrutiny functions. These functions are an essential component of local democracy. The Scrutiny Committee contribute to the Council's Performance and also hold the Cabinet to account for its decisions.

1.2 The Scrutiny Committee allows a wider involvement in Council business by involving non-councillors from the wider public section, voluntary groups and community groups to help them in their work. They may make reports and recommendations to the Cabinet and the Council as a whole on its policies, budget and service delivery.

1.3 The Scrutiny Committee also monitors the decisions of the Cabinet and the Scrutiny Committee can "call-in" a decision of the Cabinet which has been made but not yet implemented. They may recommend that the Cabinet reconsider their decision. They may also be consulted by the Cabinet or the Council on forthcoming decisions.

1.4 Scrutiny should be carried out in a constructive way and should aim to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local inhabitants. The Scrutiny Committee should not shy away from the need to challenge and question decisions and make constructive criticism. "The Scrutiny Committee will comprise a permanent Chairman and Vice Chairman, and 9 other elected Members that follow the political proportionality of the Council. No Members of the Committee may be members of the Cabinet, their deputies or members of any of the Cabinet Advisory Committees."

Approach

2. Throughout the course of 2021/22, the Scrutiny Committee has drawn up and followed a work plan that has focussed on four key areas. These are:

- **Inviting Cabinet Portfolio Holders** to each meeting of the Scrutiny Committee where possible to discuss particular areas of focus/challenge and concerns members may have;
- **Inviting a number of external representatives** to attend Scrutiny Committee to discuss particular areas of concern and their activities within the district;
- **Setting up In-Depth Scrutiny working groups** as task and finish groups to investigate particular areas in detail, reporting back to the Committee so that recommendations can be agreed and reported to Cabinet.

Agenda Item 12

- **Reviewing performance of services** in relation to agreed performance indicators, in particular focusing on red flag indicators. These are discussed at meetings, with explanations being provided by Officers. Matters of serious concern are referred to the Portfolio Holder/ Cabinet as appropriate.

This approach has ensured that the Committee has scrutinised both the work of SDC and other public bodies across the district, per the Committee's above terms of reference.

Work Covered

3. Based on the above approach, the following is a summary of work carried out during 2021/22 by the Scrutiny Committee.

Portfolio Holders

4. Portfolio Holders were asked to provide an update on recent work and future challenges to the relevant meeting, and were subsequently asked a number of questions by Members of the Committee regarding specific challenges and their approach and views. Portfolio holders attended as follows:

| Scrutiny Committee | Portfolio Holder | Area of Committee Focus |
|--------------------|---|--|
| March 2021 | Cllr Kevin Maskell Housing & Health | Housing Register Household Adaptations Focus on homelessness prevention The Green Homes low-carbon retrofit project |
| July 2021 | Cllr Margot McArthur Cleaner & Greener | Environmental Health Partnership Direct Services - Restructure Additional Cleaning SDC offices Temporary parking restrictions - Knole Park Electric Charging points |
| November 2021 | Cllr Lesley Dyball People & Places | Deferred due to technical difficulties |
| November 2021 | Cllr Julia Thornton Development & Conservation | Deferred due to technical difficulties |
| January 2022 | Cancelled | |
| March 2022 | Cllr Lesley Dyball People & Places | Community family fun days Community Safety Development of White Oak Leisure Centre Community Grant Scheme |

| | | |
|------------|---|--|
| March 2022 | Cllr Matthew Dickins Finance & Trading | Continued 10 year balanced budget Administration of Covid grants Multi Asset Investment Funds Capital Programme |
|------------|---|--|

External Invitees

March 2021

Sevenoaks Chamber of Commerce

The Chief Executive, Julie Phillips, and the Chairman, Nick Brooker, from the Sevenoaks & District Chamber of Commerce were in attendance and they gave an overview of the activities of the Chamber within the district. The Sevenoaks & District Chamber of Commerce is a non-profit membership organisation which offers support, guidance and networking opportunities for businesses. It primarily operates in Sevenoaks, Swanley and Westerham. Some of the services provided include workshops, webinars, and a LinkedIn group. The Chamber has an active social media presence in order to reach members.

Members of the Committee asked a number of questions relating to areas including:

- The impact of Covid-19 on businesses within the district.
- Working with other Chambers of Commerce
- Work with Town and Parish Councils
- Young people’s employment within the District

November 2021

KCC Highways and Transport

Cllr David Brazier, the Kent County Council (KCC) Cabinet Member for Highways and Transport attended and gave a verbal update on the work carried out by Kent Highways.

Members of the Committee asked a number of questions relating to areas including:

- KCC Highways consultation on planning applications
- Road safety measures
- Road Safety Enforcement
- School Crossing Officers

In-Depth Scrutiny

CCTV Working Group (July 2021)

Agenda Item 12

Cllr Pender presented the final report as Chairman of the In-Depth Scrutiny Working Group. The Working Group had considered the effectiveness of the Council's CCTV service in supporting Community Safety and its impact on privacy.

Following debate at the Committee, a set of agreed recommendations were made to Cabinet which were considered at its meeting of 16 September 2021.

COVID-19 Response (November 2021)

The Committee resolved to establish an In-Depth Scrutiny working group consisting of Cllrs Osborne-Jackson (Chairman), Layland, London and Pender.

The working group remit is to consider the Council's response to the COVID-19 pandemic and assess the effectiveness of the Emergency Plan and District Emergency Centre (DEC) and areas of improvement. A report from the working group will be brought to a future meeting.

Officer Resource

A number of the members of the Committee at our last meeting raised the issue about the lack of Officer resource in relation to in-depth scrutiny, which is an important and valued component of the Scrutiny Committee. Officers have undertaken to review the position.