

CABINET

Minutes of the meeting held on 20 September 2022 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllr. Dickins (Vice Chairman)

Cllrs. Dyball, Maskell, McArthur and Thornton

Cllrs. Clayton, Perry Cole, Edwards-Winser, Mrs Hunter, Osborne-Jackson and Streatfeild were also present.

CHAIRMAN'S ANNOUNCEMENTS

As a mark of respect and in honour of the memory of Her Majesty Queen Elizabeth II, who had died on 8 September 2022, the Cabinet, Members, and Officers present rose for a minute's silence.

At the end of the silence the Chairman gave Members the opportunity to share their thoughts, reflections, or condolences. The meeting was first addressed by the Chairman of the Council, Cllr Avril Hunter who advised that she had formally written to King Charles III, on behalf of the Council and all Sevenoaks District residents, expressing sincere condolences.

The Leader, followed by Members of Cabinet and the Council shared their thoughts.

34. Minutes

Resolved: That the Minutes of the meeting held on 7 July 2022 be approved and signed by the Chairman as a correct record.

35. Declarations of interest

There were no additional declarations of interest made.

36. Questions from Members (maximum 15 minutes)

A Member asked a question about matters concerning the new business waste protocols as related go organisations such as village halls. The Chairman explained that due to new legislation which came into effect in 2021 all premises that were hired out where waste was created were required to have a notice in place. The same Member asked a supplementary question and the Chairman explained that the legislation had placed a duty upon the Council.

Another Member asked a question about the use of agency staff, seeking explicit recognition of the need for the recruitment and retention of permanent staff at

the Council. The Chairman answered particularly with reference to the use of agency staff as the Council recovered from the effects of the Covid-19 pandemic.

37. Allocation Of Community Infrastructure Levy (Cil) Contributions To Local And Strategic Infrastructure Projects

Members considered the recommendations from the Community Infrastructure Levy (CIL) Spending Board.

The Chairman noted that the process for assessing applications was a two-stage process as set out in the Council's Constitution and all the bids had been judged on merit. Following the Governance review of CIL, Net Zero had been added as a priority to bring inline the Council's Net Zero 2030 approach.

Public Sector Equality Duty

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

Resolved: That

- A. i) The £600,000 applied for an integrated Health Care Facility in Edenbridge should be approved on the following grounds:
- Strong economic, social and environmental benefits to the community;
 - Will help to achieve net zero targets;
 - Partnership working with other organisations;
 - The scheme forms part of a planned strategy to address the need for Infrastructure;
 - Evidence has been submitted to show that the scheme will be delivered;
 - Strong local support for the scheme; and
 - Clear public benefit

This would be subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties).

ii) if the legal agreement was not signed in accordance with the above then funding applied for would be refused for:

- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and

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- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.
- B. i) The £15,000 applied for, as set out in the report, for scheme “Refurbishment of the play ground on Kings George’s Field, Westerham” be approved on the following grounds:
- Strong economic and social benefits to the community;
 - The scheme supports local infrastructure;
 - Partnership working with other organisations;
 - The scheme forms part of a planned strategy/plan;
 - Funding from other sources has been maximised;
 - Evidence has been submitted to show that the scheme will be delivered;
 - Strong local support for the scheme; and
 - Clear public benefit

subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties).

ii) if the legal agreement was not signed in accordance with the above then funding applied for would be refused for:

- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

C. i) The £60,000 applied for, as set out in the report, for scheme “Swanley new rugby pitch and associated facilities” be approved on the following grounds:

- Strong social and environmental benefits to the community;
- The project is identified in an adopted strategy/plan;
- Strong local support;
- Sufficient evidence has been submitted to show that the scheme will be delivered; and

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- Sufficient evidence has been submitted to demonstrate a strong link between new development and the scheme.

subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as conditions of payment that:

- Planning permission is granted within 3 years of the decision date.

ii) if the legal agreement was not signed in accordance with the above then funding applied for would be refused for:

- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

D. i) The £91,000 applied for, as set out in the report, for scheme “Improvements to Weald Recreation Grounds” be approved on the following grounds:

- Strong economic, social and environmental benefits to the community;
- The project helps to achieve the Council’s Net Zero ambitions;
- Partnership working with other organisations;
- The scheme is identified in an adopted strategy or plan;
- Evidence has been submitted to show that the scheme will be delivered;
- Strong local support for the scheme; and
- Clear public benefit

subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as conditions of payment that:

- Confirmation that planning permission is not required for the works; and
- Evidence to confirm that other sources of funding have been maximised and if necessary secured.

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ii) if the legal agreement was not signed in accordance with the above then funding applied for would be refused for:

- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

E. i) The £260,000 applied for, as set out in the report, for scheme “Eynsford new village hall with associated car parking and improved football pitch” be approved on the following grounds:

- Strong partnership working;
- Strong community benefit;
- Strong social and environmental benefit to the community;
- Strong Net Zero benefits; and
- Strong partnership working.

subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as conditions of payment that:

- all the funding for the project has been secured

ii) if the legal agreement was not signed in accordance with the above then funding applied for would be refused for:

- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

F. i) The £251,900 applied for, as set out in the report, for scheme “Bradbourne Lakes Landscape Improvement” be approved on the following grounds:

- The project is identified in an adopted strategy/plan;
- Strong partnership working;
- Strong community benefit;
- Social and environmental benefit;
- Good management in place; and
- There is strong community support of the scheme.

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ii) The funding is to be subject to:

- all other funding being secured; and
- the receipt of planning permission (if required) within 5 years of the original decision date.

G. i) The £42,600 applied for, as set out in the report, for scheme “Stag Theatre Solar Panels” be approved on the following grounds:

- Strong economic and social benefits to the community;
- The proposal helps to achieve the Council’s Net Zero ambitions;
- The scheme is identified in an adopted strategy or plan;
- Evidence has been submitted to show that the scheme will be delivered;
- Strong local support for the scheme; and
- Clear public benefit

subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as conditions of payment that:

- all the funding for the project has been secured

ii) if the legal agreement was not signed in accordance with the above then funding applied for would be refused for:

- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

38. Treasury Management Annual Report 2021/22

The Portfolio Holder Finance & Investment presented the report which sought approval of the Treasury Management Annual Report 2021/22. The Head of Finance set out that the Council had taken a cautious investment approach resulting in lower interest receipts, which were substantially below budget. However, the overall percentage rate of return exceeded recognised benchmarks.

Investment income was supplemented by the property investment strategy and the Council’s trading company. Members were advised that interest receipts had improved in the current financial year due to the two Base Rate increases, but that this would be partially offset by the capital programme and housing acquisitions.

The Finance & Investment Advisory Committee had considered the same report and recommended it for approval.

Public Sector Equality Duty

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

Resolved: That Treasury Management Annual Report for 2021/22, be approved.

39. Financial Monitoring 2022/23 - to the end of July 2022

The Portfolio Holder for Finance & Investment presented the report which set out the Council's position for 2022/23 and the forecast position up to March 2023. The report had been considered by the Finance & Investment Advisory Committee who had recommended the proposed method of addressing the impact of the national pay negotiations to Cabinet.

The Head of Finance advised that the forecast end of year position presented previously had largely translated to this report, giving an unfavourable variance of £572,000. The National Employers for Local Government Services made a final offer in their pay negotiations that would increase this unfavourable variance by £600,000, and the Committee heard that this total variance should be considered as two costs: the mid-year expense and an ongoing future commitment.

Public Sector Equality Duty

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

Resolved: That the

- a) report be noted; and
- b) proposed method of addressing the impact of the national pay negotiations, be endorsed.

40. Housing Strategy 2022 - 27 Action Plan

The Portfolio Holder for Housing & Health presented the report which set out the action plan which set out how the agreed priorities would be delivered as part of the Housing Strategy 2022/27.

The Head of Housing advised that within the Action Plan there were 4 themes including, Developing the Sevenoaks District's housing offer: building new affordable homes, promoting quality and optimising range and suitability of new and existing homes, reducing homelessness and improving routes into permanent accommodation; and healthy people, homes and places,

Public Sector Equality Duty

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

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Resolved: That the draft Housing Strategy Action Plan 2022/27, be adopted.

41. Draft Eligibility criteria for new affordable housing providers wishing to operate in the Sevenoaks District

The Portfolio Holder for Housing & Health presented the report which sought approval for the eligibility criteria for new affordable housing development providers wishing to deliver homes in the District.

The Head of Housing advised that the criteria would give greater certainty to the Council that new affordable housing would be delivered by organisations who shared our ambitions and ways of working. It would also provide clarity to planning applicants on developments where new affordable housing was triggered by local plan policy.

Public Sector Equality Duty

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

Resolved: That the eligibility criteria for new affordable housing development providers, be approved.

IMPLEMENTATION OF DECISIONS

This notice was published on 21 September 2022. The decisions contained in Minutes 38 and 39 take effect immediately. The decisions contained in Minutes 37, 40 and 41 take effect on 29 September 2022.

THE MEETING WAS CONCLUDED AT 8.09 PM

CHAIRMAN