

Council Offices
Argyle Road
Sevenoaks
Kent
TN13 1HG



Published: 07.11.22

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 15 November 2022 to transact the under-mentioned business.

Chief Executive

This meeting will be livestreamed to YouTube here:

https://www.youtube.com/channel/UCIT1f_F5OfvTzxjK6Zqn6g

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 19 July 2022 (Pages 1 - 10)
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) Local Plan Regulation 18 - Consultation (Pages 11 - 22)
 - b) SDC Food Safety Plan 2022 (Pages 23 - 50)

7. Matters considered by other standing committees:
 - a) 2023 Parliamentary Boundary Review (Pages 51 - 58)
 - b) Development Control Committee Procedures (Pages 59 - 74)
 - c) The Council's Policy Framework (Pages 75 - 78)
8. To consider the following reports from the Chief Executive or other Chief Officers on matters requiring the attention of Council:
 - a) Christmas Parking 2022 (Pages 79 - 82)
 - b) Appointments to Other Organisations 22/23 - Non Executive (Pages 83 - 84)
 - c) Draft Calendar of Meetings 2023/24 (Pages 85 - 88)
 - d) Member Allowances Scheme - Annual Updating 2022/23 (Pages 89 - 90)
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 91 - 94)
12. To receive reports from the Chairmen of the Audit and Scrutiny Committees on the work of the Committees since the last Council meeting.
 - a) Audit Committee - Chairman's report (Pages 95 - 96)

EXEMPT ITEMS

Recommendation: That, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting when considering item 06b above, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, Paragraph 3 (Relating to the business or financial affairs of a particular person (or the authority holding that information))

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.

This page is intentionally left blank

COUNCIL

Minutes of the meeting held on 19 July 2022 commencing at 7.00 pm

Present: Cllr. Hunter (Chairman)

Cllr. Layand (Vice Chairman)

Cllrs. Abraham, Andrews, Ball, Barnes, Bayley, Bonin, Bulford, Dr. Canet, Clack, Collins, Dickins, Dyball, Edwards-Winsor, Esler, Eyre, Fleming, Fothergill, Griffiths, Grint, Harrison, Hogarth, Hudson, Kitchener, London, Maskell, McArthur, McGregor, Morris, Osborne-Jackson, Pender, Purves, Raikes, Roy, Thornton, Waterton, Williams, Williamson and Streatfeild

Apologies for absence were received from Cllrs. Barnett, Cheeseman, Clayton, Penny Cole, Perry Cole, G. Darrington, P. Darrington, Nelson, McGarvey, Pett and Reay

Cllrs. G. Darrington, P. Darrington, McGarvey and Reay were present via a virtual media platform which does not constitute attendance under the LGA 1972.

14. To approve as a correct record the minutes of the meeting of the Council held on 10 May 2022

Resolved: That the Minutes of the meeting of Annual Council held on 10 May 2022 be approved and signed by the Chairman as a correct record.

15. 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 received.

16. Chairman's Announcements.

The Chairman announced it was now two months since her election as Chairman and after a quiet start, things were getting busier. She began by congratulating Sevenoaks Town on recently being named the 'Best Place to Live in the South East' by The Sunday Times. It was a great honour and one well deserved by the community highlighting the importance of continuing to improve and support everyone in Sevenoaks, much like the goal of the new place brand campaign, 'Sevenoaks So Much More', the launch of which she was delighted to attend recently.

On this theme, she further announced that Hollybush Playground in Sevenoaks was getting an exciting £85,000 refurbishment which included installing new play equipment such as a tree top canopy tube slide. The work was being paid for by a grant from Kent County Council's Community Parks Funding, and a further £15,000 is going to West Kingsdown Parish Council to part fund their playground improvements.

The Chairman was also delighted to announce that Sevenoaks District Council had secured £1.2 million for a new east to west cycle and walking route in Sevenoaks. This initiative would help towards the 'Movement Strategy' to encourage healthier, safer and more sustainable travel, and would also help the Air Quality Action Plan as the route improved connections to local schools, helping to reduce the environmental impacts of the school run.

For the first time since the pandemic, back in May returned the 'Run, Walk, or Push Against Dementia' at Knole Park. There were over 300 participants and it raised thousands of pounds for local dementia services. It was such an important cause and the Chairman was enormously proud of the community in all they had achieved to help those living with memory issues.

'The Big Community Sing' in celebration of the Queen's Platinum Jubilee, took place in June, where singing groups of all ages took part in the musical extravaganza at the Stag. The night was a huge success and raised lots of money for local mental health services.

The Chairman announced that looking to the summer holidays, the council was once again organising 4 weeks' worth of free Family Fun Days. They included every activity imaginable, details of which could be found on the council's website, and no booking was necessary in order to take part. As well as this there were five, free eco-trails being set up across the District so families could enjoy local wildlife and possibly win a fabulous eco-hamper. The trails would be set up between 22 July to 4 September 2022 by Sevenoaks District Council and The North West Kent Countryside Partnership and would explore some beautiful nature spots.

Finally, next Friday the 'Three and Four' was set to be unveiled in Blighs, a new stunning bronze and steel sculpture created by Oliver Barratt, an international artist who lives near Sevenoaks. The project had been paid for by property developers from a fund specifically for public art, and celebrates the history of Blighs, Sevenoaks and the wider area in the beautiful and thoughtful work.

Before ending her announcements the Chairman requested Members save the date in their diaries of Thursday 13th October, for an event at Bore Place which would include a tour of the farm, talks about ecology and the work of the Commonwork Trust followed by afternoon tea. Details will be e-mailed nearer the time.

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

No questions had been received.

18. 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.

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

a) Housing Strategy 2022-27

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought approval for the Housing Strategy 2022- 27 be adopted and that the public consultation, be noted.

Resolved: That the

- a) feedback received from the public consultation, be noted; and
- b) Housing Strategy 2022- 27, be adopted.

b) Sevenoaks District Housing Register Allocations Scheme

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet, which sought the noting of the feedback received from the public consultation and the Housing Register Allocation Scheme, be adopted following revised wording as set out in the agenda.

Resolved: That the

- a) feedback received from the public consultation, be noted; and
- b) Housing Register Allocations Scheme 2022-2027, be adopted with the revised proposed wording as set out on page 95 of the agenda papers.

c) Quercus Housing - Increasing the delivery of affordable housing in the Sevenoaks District

Councillor Fleming proposed and Councillor Maskell seconded the recommendation from Cabinet, with an amendment to (b) that the Portfolio Holder for Finance also be consulted. The report sought for approval of a financial facility of up to £15million which was to be drawn down by Quercus Housing over a 10-year period from prudential borrowing obtained by the Council. It would be used for the purpose of delivering affordable housing. It also sought delegation for the terms of any borrowing to be determined at the point of draw down.

Resolved: That

- a) a financial facility of up to £15million to be drawn down by Quercus Housing over a 10-year period from prudential borrowing obtained by the Council and to be used for the purpose of delivering affordable housing, be approved; and

- b) the Deputy s.151 Officer in consultation with the Chief Executive and Portfolio Holder for Finance & Investment, be delegated authority to agree the terms of any borrowing to be determined at the point of draw down.

d) Contaminated Land Strategy 2022-27

Councillor Fleming proposed and Councillor McArthur seconded the recommendation from Cabinet for the adoption of the Contaminated Land Strategy 2022-27.

Resolved: That the Contaminated Land Strategy 2022-27, be adopted.

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

a) Returning Officer's report following by-election

The report provided Members with the result of the by-election. Councillor Fleming welcomed Cllr Streatfeild to the Council following the by-election held in June, and the Chairman echoed his welcome

It was moved by Councillor Fleming and seconded by Councillor Dickins that the report be noted.

Resolved: That the report be noted.

b) To agree the allocation of seats to political groups in accordance with the political balance rules

Councillor Fleming moved and Councillor Dickins seconded the recommendation which noted the political balance of the Council, detailed the political groupings and proposed agreement for the allocation of seats as set out in the appendix.

Resolved: That

- a) the political balance of the Council was 45 Conservative, 4 Liberal Democrat, 2 Hextable Independent; 1 Labour; 1 Independent and 1 no party description, be noted;
- b) the following political groupings: 45 Conservative Group, 4 Liberal Democrats Group; 3 Sevenoaks Independent Group, leaving 2 ungrouped, be noted; and
- c) the allocation of seats as set out in the appendix to the report, be agreed.

c) Changes to appointment of Memberships of Committees 2022/23

Councillor Fleming moved and Councillor Dickins seconded the recommendation which requested the approval of the revised Membership of Committees for 2022/23.

Resolved: That the changes to the appointments of memberships of Committees for 2022/23

d) Changes to appointments to other organisations 2022/23 (Non-Executive)

Councillor Fleming moved and Councillor Dickins seconded the recommendation which changed the appointments to other outside organisations for the remainder of the municipal year 2022/23.

Resolved: That the changes to appointments to other outside organisations for the remainder of the municipal year 2022/23 as set out in the supplementary agenda, be approved.

e) To confirm the Council's Policy Framework (as set out in Appendix F of the Constitution)

Debate took place on the recommendation before Members and it was moved by Councillor Fleming and seconded by Councillor Dickins that the report be deferred for consideration by Governance Committee.

Resolved: That the report be deferred to be considered by Governance Committee before coming to the November meeting of Council.

21. 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.

Two questions had been received from two Members in accordance with paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution.

Question 1: Cllr Streatfeild

“Significant proportion of people would like to be able to live in the town or village they grew up in. That is true of Penshurst Fordcombe and Chiddingstone and across the district - how is the housing strategy, which identifies a District wide requirement of 423 per year, going to ensure we have sufficient affordable houses, which must be built at a rate of 12 per parish per year across the District, if that is to be achieved? In answering the question could the cabinet member also touch on how the council plans to make these homes truly affordable rather than just let at 80% of market rate?”

Response: Leader of the Council

“The draft Housing Strategy 2022-2027 and emerging Local Plan recognise the importance of sustaining communities through the provision of new affordable housing.

The District Council has committed to a 5 year rolling programme of housing needs surveys across all 31 town/parish council areas. We are now 2 years into this programme. The needs surveys provide evidence to assist communities wishing to take forward local needs housing schemes, e.g. rural exceptions sites.

Local needs housing schemes means applicants on the Sevenoaks District Housing Register with a proven local connection to the parish, will have priority in perpetuity.

We are working closely with a number of Parish Councils and our specialist rural provider, English Rural HA, to deliver new local needs homes. Two such homes were delivered in 2020/21 (Weald Parish - WKHA) and two in 2021/22 (joint scheme with Halstead and Knockholt Parishes). Six homes are due for delivery this September (Seal Parish). A further nine homes have been permitted and are due for delivery in 2023 (Seal Parish - WKHA). Two planning applications have been submitted for local needs schemes in Chiddingstone and Halstead Parishes. A further application is anticipated in the Autumn for West Kingsdown Parish. Work is ongoing with other Parishes, including Leigh and Penshurst.

All of the above mentioned sites will provide new, genuinely affordable homes. This means homes for rent, where the rent is capped at Local Housing Allowance levels or lower. Our partner providers work hard to ensure housing running costs are minimized where possible, with keen attention paid to energy efficiency.

Delivering new local needs housing is not easy - all parties recognise it takes time, commitment, tenacity and a willing landowner, to bring matters to fruition. A timeline for the proposed WKHA scheme at Forge Field, Penshurst, demonstrates this:

In January 2009, Penshurst parish needs survey identifies there is a need for 11 new affordable homes and recommends a scheme of approximately 5 affordable rented homes to meet this need. In February 2011, Forge Field is identified as the preferred site by the Parish Council. In October 2011 a planning application is submitted (11/02258/FUL) for 6 affordable units on Forge Field. Then in April 2012 another planning application is submitted (12/00946/FUL) for 6 affordable units on Becketts Field (alternative proposal to Forge Field application). In July 2012 the Forge Field application is approved (subject to S106) at Planning Committee.

In October 2012 the Forge Field application went back to Committee so that it could be considered alongside the alternative proposal at Becketts Field at the same time, given that either proposal could satisfy the identified need for affordable housing in the parish. Forge Field is granted (subject to S106) and Becketts Field is refused (scale, height, design and lack of S106 to secure the homes as affordable and local in perpetuity). Following this in January 2013 a Judicial Review of permission is applied for by Penshurst residents group and in June 2013 a revised planning application is submitted for Forge Field (13/01590/FUL). The

application is identical to the previous one, but the applicant wished to resubmit the application with a revised design and access statement to address matters raised under Judicial Review on ecology, flood risk and heritage impact. In October 2013 the revised application for Forge Field approved, and a Judicial Review of revised permission applied for by Peshurst residents group.

In January 2014 a High Court hearing is held for both cases. Following that in June 2014 the Judicial Review was successful (both permissions quashed) on the basis that not enough weight was given to the harm to both the setting of nearby listed buildings and the conservation area, however this was only established by the Courts post determination of the application following case law in Oxfordshire on a wind turbine proposal, therefore we couldn't have known that at the point the application was considered. The judge also considered that a robust assessment of alternative sites was not undertaken following the refusal of the Becketts Field application, given the reasons for refusal could be overcome with a willing landowner (scale, height, design and Lack of S106 to secure the homes as affordable and local in perpetuity).

Finally, in August 2021 Peshurst Parish Council undertake a new parish needs survey, which identifies an updated need for 18 affordable homes (2 of which are for older person households) and 5 open market homes for older person households who wish to downsize/move to more suitable housing for their needs. We continue to provide ongoing assistance with their site search. However, I am sure the local Member will put his full weight behind finding such a site.

Hever Parish Council also encountered very strong opposition when consulting on a potential site for local needs housing. This largely came from neighbouring residents. Ultimately the Parish Council decided to call a halt and matters have lain dormant since. It is hoped the updated needs survey of the Parish, due in Year 4 of SDC's rolling programme, may help to re-energize activity including the critical identification of potential sites."

Chairman throughout this the Council, West Kent Housing Association and others have shown their unwavering commitment to find genuinely affordable housing both in the questioners ward and rural wards across the district."

Supplementary question: Cllr Streatfeild

Clearly the numbers given fall a long way short of the total needs identified and how will that gap be closed?

Response: Leader of the Council

The Leader went back to his opening remarks and advised that the Housing Strategy clearly set out a 5 year programme of which we were in year two of trying to identify sites. As he then went on to explain it was not that easy. If sites did not come forward, if the sites were not suitable and local residents wished to spend money on judicial reviews then the council were going to find themselves in the same situation. However, the second part of the original question was about affordability and the council were absolutely committed to genuinely affordable

homes. These homes would be at the local housing allowance rate or below and that makes them genuinely affordable.

In accordance with the Constitution, no further discussion was allowed.

Question 2: Cllr Purves

“With reference to the proposed KCC cuts in the school bus service, I appreciate this is not a District Council responsibility, but it will affect a large number of children in the District.

What can SDC do to help to ameliorate the situation?”

Response: Leader of the Council

“Thank you, I’m just going to pick up on one error in the question. These are not KCC school bus services which are being cut, these are operator- Commercially Operated bus services that serve schools. I think it’s a very important distinction to make.

The fact that that Kent actually looked to remove bus services at the same time and made a decision, although interestingly keeping the Kent Carrier Services - something that we as a Council lobbied on meaning that some of our most vulnerable residents will continue to have bus services which will take them to where they need to go, should be applauded.

I have written to the relevant Portfolio Holder at KCC. I’ve written two letters. The first on the economic impact of some of these non- school routes being lost. Particularly affecting the Northern Parishes of the district, New Ash Green and Swanley and also affecting other Northern Parishes as well. As well as highlighted the environmental impact and also noting our new Economic Development Strategy which talks about transport and the importance of transport for a thriving economy.

I have separately written to the relevant Portfolio Holder on the school bus issue and I’m pleased to say at the weekend we heard that GoCoach would be taking over some of the route and discussions are still on going. For those that are interested, if you google KCC buses there is a real time update as to how those negotiations are going. I know it is something concerning parents and pupils across the District and I will keep the channels open. I have offered any help that we can bring to bear in those negotiations but it is important to note that the school buses are commercial routes and they were stopped by commercial bus companies for commercial reasons.”

Supplementary question: Cllr Purves

The DFT funding of £35 million for Kent for the Kent business improvement plan, is only for investment in new services, so could Sevenoaks District Council not bid for a share of the money to run a school bus service itself in the District - it’s a new service so it would it not qualify for DFT funding?

Response: Leader of the Council

The Leader advised that his understanding was that a large chunk of money was in fact for capital expenditure and not for revenue expenditure to support bus routes. He emphasised that they were not KCC school bus cuts. KCC had reduced their funding on a number of routes to £2million from £5 million and it was a non-statutory service for the County Council. He was sure KCC would be exploring how best to spend the money from the DFT and watching with interest how the money would be spent, particularly within the district.

In accordance with the Constitution, no further discussion was allowed.

22. 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.

23. 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 had the Cabinet had undertaken in the period of 4 April to 1 July 2022. The Leader took the opportunity to highlight the 'Big Sing' and the LGA Conference in Harrogate which had been very beneficial.

24. 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. He highlighted how there were two newly appointed non-voting Co-opted Members successfully appointed.

THE MEETING WAS CONCLUDED AT 7.42 PM

CHAIRMAN

This page is intentionally left blank

Item 6 (a) - Local Plan Regulation 18 - Consultation

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

Local Plan Regulation 18 - Consultation (18 October 2022, Minute 46)

The Portfolio Holder for Development & Conservation presented the report which set out the draft of the Local Plan to be issued for consultation. The Plan covered the period up to 2040 and emphasised making best use of land in existing settlements. The report had been considered by the Development & Conservation Advisory who recommended the report to Cabinet.

The Planning Policy Team Leader further advised that the Plan focused on the key themes of promoting health and well-being, delivering Net Zero and supporting high quality design. She advised that the draft Plan listed three tiers of development density, but that these would be further refined in each case to ensure development respects local character and the environment.

She outlined the Community Involvement measures of the Consultation. In addition to the Council's website, mailing list, and social media accounts, the Plan would be publicised on a new consultation portal. Three drop-in sessions would be held in person in the urban centres of the District, with an additional session over Zoom. Commuters and secondary schools would be specifically targeted also to ensure the Council received feedback from those demographics, as they had previously been under-represented in responses.

The Strategic Planning Manager updated the Committee on the evidence base for the Local Plan. The Character Study had been completed and was due to be published shortly. The Strategic Transport Study baseline stage was complete and junction modelling was currently underway where the gap analysis had identified data gaps. The second stage of assessing the impact of the planned growth across the District, would take place in 2023.

Officers further updated the Committee on the discussions with the Department for Levelling Up, Housing, and Communities (DLUHC). The Draft did not contain finalised policies, but instead aimed to establish whether the scope and coverage of the plan was sufficient. This allowed the Council to respond to changes in national planning policy as they occurred. In response to questions, they outlined the measures to make the Plan accessible and prevent technical knowledge from being a barrier to participation in the Consultation.

They further explained the role of the Character Study in evidencing local context and density. It would allow the Council to take an active role in

Agenda Item 6a

assessing the capacity of sites for development, by identifying sensitivity to change within an area.

Members discussed the options for response to the question relating to a balanced strategy for growth (Policy ST1) and the Deputy Chief Executive and Chief Officer - Planning & Regulatory Services made clear that textual amendments could be made to clarify the options available to respondents further.

Public Sector Equality Duty

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

Resolved: That the

- a) content of the “plain text version” of the Regulation 18 Consultation Draft Local Plan at Appendix 1, be approved for public consultation purposes;
- b) presentation and formatting style of the consultation document, as reflected in the Indicative Formatted Version at Appendix 2, be agreed;
- c) the authority to approve the final formatting and presentation of the Regulation 18 Consultation Draft Local Plan and any minor pre-consultation text changes, be delegated to the Deputy Chief Executive and Chief Officer - Planning & Regulatory Services and the Development & Conservation Portfolio Holder; and
- d) the withdrawal of the December 2018 Regulation 19 Proposed Submission version of the Local Plan, which was submitted to the Secretary of State in April 2019, be recommended to Council before the Regulation 18 Consultation Draft is issued for consultation.

LOCAL PLAN REGULATION 18 CONSULTATION

Council- 15 November 2022

Report of: Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

Status: For Decision

Also considered by:

Development & Conservation Advisory Committee - 11 October 2022,

Cabinet - 13 October 2022

Key Decision: No

Executive Summary: This report presents the Regulation 18 Consultation Draft Local Plan to members for approval.

This report supports the Key Aims of:

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

Ensuring that Sevenoaks remains a great place to live, work and visit

Portfolio Holder: Cllr. Julia Thornton

Contact Officer: James Gleave ext. 7326 / Hannah Gooden ext. 7178

Recommendation to Development and Conservation Advisory Committee:

That the Development and Conservation Advisory Committee:

- a) Notes the report and agrees with the following recommendations to Cabinet as outlined below.

Recommendation to Cabinet: That Cabinet:

- a) Approves the content of the 'Plain Text Version' of the Regulation 18 Consultation Draft Local Plan at Appendix 1 for public consultation purposes;
- b) Agrees the presentation and formatting style of the consultation document, as reflected in the Indicative Formatted Version at Appendix 2; and
- c) Delegates authority to the Chief Officer - Planning & Regulatory Services and the Development & Conservation Portfolio Holder, to approve the final formatting and presentation of the Regulation 18 Consultation Draft Local Plan and any minor pre-consultation text changes.

- d) Recommend that Council authorises officers to formally withdraw the December 2018 Regulation 19 Proposed Submission version of the Local Plan, which was submitted to the Secretary of State in April 2019, before the Regulation 18 Consultation Draft is issued for consultation.

Recommendation to Council: That Council:

Authorises officers to formally withdraw the December 2018 Regulation 19 Proposed Submission version of the Local Plan, which was submitted to the Secretary of State in April 2019, before the Regulation 18 Consultation Draft is issued for consultation.

Introduction and Background

1. Members were updated on the emerging Local Plan in July 2022, when Officers provided details of the various evidence base documents and the next steps to move the Plan forwards, including discussions with the Department for Levelling Up, Housing and Communities (DLUHC). The proposed timetable, in the form of the Local Development Scheme (LDS), was also presented and agreed by members at the meeting in July.
2. This report focuses on the Regulation 18 Consultation Draft Local Plan and a full version of the text that is proposed to be issued for consultation is attached at Appendix 1. This 'Plain Text Version' can be easily amended to reflect any recommendations from this committee or the Council's Cabinet.
3. Prior to being issued for consultation and once all comments have been incorporated, the agreed text will be passed to Urban Graphics to prepare the fully formatted consultation version. The Indicative Formatted Version at Appendix 2 contains a number of chapters from the plain text document to provide members with an indication of the final visual appearance and style.
4. As noted in the recommendations of this report, the final formatting and presentation of the Consultation Draft will be delegated for approval.

Discussions with DLUHC

5. Discussions with representatives from DLUHC remain ongoing and a further meeting is due to take place prior to the Local Plan being issued for consultation. Further updates on these discussions will be provided at the meeting.

The Emerging Local Plan

6. This Local Plan covers the period up to 2040 and is being issued for consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 requires the local planning authority to invite representations on what the Local Plan ought to contain and the scope for responding to the document is broad. Whilst a Call for Sites exercise was held at the end of 2021, the Regulations do not preclude the submission of further sites for consideration.

7. The proposed title of the document is 'Plan 2040' - with a strapline of 'A new Local Plan for Sevenoaks District'. The Plain Text Version at Appendix 1 will, hereafter, be referred to as the Consultation Draft.

Key content

8. This Consultation Draft comprises 11 chapters, reflecting the main planning matters that are expected to influence development in the District up to 2040. Overall, the document seeks to manage the tension between meeting development needs and protecting our natural environment.
9. The core of the document is the 10 point 'spatial vision' that proposed policies and allocations seek to deliver by 2040. This incorporates three overarching themes of:
 - The Council's 'Net Zero' agenda
 - Delivering places that promote good mental and physical health; and
 - Ensuring Design Excellence.
10. The Development Strategy for the plan reflects these aspects and provides a framework for meeting District-wide development needs. The strategy can be summarised as seeking to make best use and most efficient use of land in existing settlements, only releasing Green Belt land where there are exceptional circumstances for doing so.
11. Reflecting this approach, the Consultation Draft focuses on the potential to meet residential needs in existing settlements. In accordance with the LDS, a further Regulation 18 version of the Local Plan, including development opportunities outside of settlements, will be published for consultation in 2023.
12. The Development Strategy incorporates the requirements of national planning policy. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the Council must demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. These options include whether the strategy has been informed by discussions with neighbouring authorities, which have sought to accommodate unmet development needs outside of the District.
13. The Consultation Draft focusses rigorously on making the most of development opportunities in existing settlements, through a number of mechanisms. In addition to the Call for Sites exercise, members will be aware that a Settlement Capacity Study (SCS) has been undertaken to proactively identify development opportunities.
14. Officers are keen to explore other methods of making the best use of land, including opportunities to optimise the density of new development, in a way that does not have a detrimental impact on local character. Some locations will be more suited to taller buildings although this is not the only means of increasing development density. Well designed terraced housing can also significantly increase housing supply.
15. The Consultation Draft uses existing baseline densities to calculate the number of residential units that can be accommodated across the District.

Agenda Item 6a

Further work will be undertaken, using the District Wide Characterisation Study as a starting point, to robustly test whether these density assumptions can be increased in a sustainable manner.

16. Other mechanisms for making better use of land in existing settlements could include identifying areas of underused land with scope for intensification. In accordance with the NPPF, the Consultation Draft includes a policy to encourage development on sites of up to 1 hectare in size and the specific criteria that will need to be taken into account.
17. Proposed policies seek to maximise the delivery of affordable housing, reflecting the findings of the Targeted Review of Local Housing Needs (TRLHN). In addition to identifying type and tenure requirements, the document proposes a policy on Build to Rent homes, as a means of meeting affordable housing needs.
18. A range of other policies are proposed to deliver the spatial vision and the overarching themes outlined at paragraph 9. For the avoidance of doubt, protecting our natural and built environment will be a central aspect of this Plan.
19. To meet statutory requirements, the Consultation Draft presents reasonable alternatives to meeting identified development needs in existing settlements. Alternatives associated with all other areas of the District will be explored during the publication of the second Regulation 18 consultation in 2023.

Document Structure

20. Taking account of these considerations, the Consultation Draft will be structured as follows:
 - **Foreword from the Portfolio Holder for Development and Conservation;**
 - **Introduction:** incorporating the sub headings of the Purpose of the Consultation, What is the District, like?, Strategic Issues, Spatial Vision, Objectives and Key Diagram;
 - **Growth Strategy:** The overarching strategy to meet our needs, as described in paragraph 10 of this report;
 - **Housing:** Meeting housing needs, including affordable housing delivery;
 - **Employment and Economy:** Amount of land required to meet employment needs, providing the type of employment space required and supporting the rural economy;
 - **Climate Change:** Approach to meeting the Council's 'net zero' objectives;
 - **Design:** Encouraging design excellence across the District;
 - **Health and Wellbeing:** Promoting healthy places and spaces, responding to post pandemic trends;
 - **The Historic Environment:** Protecting the District's historic environment;

- **Natural Environment:** Protecting the District's natural environment;
- **Infrastructure and Community:** Ensuring the delivery of appropriate infrastructure to support planned growth;
- **Transport:** Maintaining a sustainable and efficient transport system with providers and partners; and
- **Glossary:** Explanation of terminology in the Plan.

The Consultation Process

21. The Regulations contain specific, statutory requirements for the consultation process, including making the documents available for public inspection at the Council Offices and the publication of all consultation material on the Council's website.
22. The adopted Statement of Community Involvement (SCI) identifies a number of additional potential consultation methods, including advertising the consultation process on social media and in the local press, holding public exhibitions and using emails and mail outs to invite comments. All of these methods will be considered over and above the statutory requirements
23. Officers have procured a subscription to 'Citizen Space', a public consultation software tool that allows residents and other representors to directly comment on specific elements of the document. The package allows detailed analysis of responses and will be helpful in providing feedback to members, following the close of the consultation process.
24. The Consultation Draft does not contain finalised policies for consideration. Instead, it indicates the likely key policy provisions and asks a series of targeted questions to determine whether the scope and coverage of the document is sufficient. The purpose of these questions, in line with the requirements of Regulation 18, is to determine what the plan ought to contain.
25. The proposed consultation plan is attached at Appendix 3 of this report. Reflecting on the content outlined in paragraph 20, consultation questions have been developed around the following themes:
 - Making best and most efficient use of land in our settlements, including optimum development density and areas that are suitable for intensification;
 - The Council's response to the existential threats associated with climate change;
 - Strengthening the link between development planning and public health and making sure this link is clear in development proposals across the District;
 - Making sure the requirement for design excellence and the character-based approach to growth is reflected throughout the plan;
 - Meeting our housing needs and the delivery of the right type of affordable housing, including build to rent tenure;

Agenda Item 6a

- Maintaining and enhancing the District's economic competitiveness through the provision of the right type of employment space to meet needs in settlements and the rural area;
- Ensuring the resilience of our town centres in the post pandemic environment;
- Partnership working to deliver infrastructure that meets our needs;
- How to future proof the plan to take account of changing trends and emerging 'smart' technologies; and
- Protecting the natural and built environment, in line with national planning policy.

Development Management Policies

26. Once adopted, the Plan will have primacy in planning decisions. This means that planning applications will be determined in accordance with policies in the Plan, unless material consideration indicate otherwise. It is intended that policies will be positively prepared and in the majority of cases development proposals will be acceptable, subject to meeting clearly defined and robust criteria.
27. Officers have worked closely with colleagues in Development Management and other departments across the Council to ensure that the criteria used to assess planning applications are relevant and reflect the latest evidence. This collaborative approach will continue as the document moves through the regulatory process.

Design and Visual Appearance

28. Officers have commissioned Urban Graphics to re-evaluate the presentation and format of the emerging Local Plan. Their work is intended to reflect positive approach to strategic planning in Sevenoaks District and enhanced presentation will assist in the public engagement process.
29. The production of a formatted version is a lengthy process and once the text and content is embedded, the design software provides limited scope to make changes that are not disruptive to the entire document. To avoid abortive work, officers are seeking agreement of the Plain Text version at Appendix 1. The agreed text, inclusive of any changes suggested by members, will be passed to the designer to incorporate into the final presentation version.
30. The Indicative Formatted Version at Appendix 2 provides a strong indication of the presentational style of the document and officers would welcome comments from members on these non statutory aspects. Agreement of the final presentation and format of all chapters in the Plain Text Version at Appendix 1 is proposed to be delegated, in accordance with the recommendations in this report.

Emerging evidence base

31. The following paragraphs provide an update on the Local Plan evidence base.

District- Wide Character Study (DWCS)

32. A member presentation on the recently completed DWCS took place on 22nd September 2022. Further details of this session will be provided at the meeting.

Green Belt Study

33. Work is progressing on the Council's revised Green Belt Assessment and the methodology is being used by Tonbridge and Malling Borough Council (TMBC) in its own assessment work. The Green Belt study is less significant for this consultation process, which focusses on the opportunities to make better use of land in existing settlements outside of the Green Belt. The document will be more significant for the second Regulation 18 consultation, which is scheduled to take place next year.

Employment Needs Study (ENS)

34. The ENS is now complete and available for inspection on the Council's website. In addition to identifying the amount of land required to meet employment needs up to 2040, this document reflects the market for office and industrial uses across the District and some of the future trends that are likely to influence employment provision. The assessment of needs in the rural economy also formed a key part of the work.

Strategic Transport Study

35. This work has commenced in conjunction with TMBC to assess the impact of proposed development on the Strategic Road Network, as managed by Highways England. The Stage 1 baseline work, which establishes the current state of congestion on the highways network, is now complete. Further explanation of this work will be provided at the meeting.

The Infrastructure Delivery Plan (IDP)

36. The IDP identifies infrastructure required to support planned growth over the period of the Local Plan. The document performs a dual function, in that it will also inform any changes to the CIL Charging Schedule and the associated infrastructure funding statement.
37. As a live document, the IDP will develop alongside the emerging Local Plan, gathering detail as site specific information becomes available. The first iteration is expected to provide a high level assessment of infrastructure needs, based on discussions with infrastructure providers. The final draft, to be submitted for examination with the Regulation 19 version of the Local Plan, will contain a schedule of infrastructure provision, with costs, time horizons, standards of provision and capital programme information. The level of detail will largely be dependent on responses from infrastructure providers.
38. A robust assessment of infrastructure requirements is an essential piece of evidence for the emerging Local Plan to ensure sustainable growth. Members will be updated as the document progresses.

Gypsy and Traveller Accommodation Assessment (GTAA)

Agenda Item 6a

39. A new Gypsy and Traveller Accommodation Assessment (GTAA) has been undertaken which identifies a district-wide need for 43 additional pitches up to 2040. This need has been reduced to 37 pitches, due to the granting of planning permission since the GTAA was completed in April 2022.

Sustainability Appraisal

40. Officers have appointed AECOM to undertake the on-going sustainability appraisal work to support the emerging Local Plan. Information on the Sustainability Appraisal Interim Report is available as a background paper to this report.

Duty to Co-operate (DtC)

41. DtC engagement has continued over recent months. Further discussions have been held with neighbouring authorities in West Kent and nearby London Boroughs. Member briefings on DtC engagement activities will continue, as the Local Plan moves through the process.

Next Steps

42. Subject to Cabinet approval, officers propose to issue the Regulation 18 Version of the Draft Local Plan for consultation later in the autumn, for an 8 week period. The consultation is expected to close in January 2023.
43. Any amendments proposed by members will be incorporated in the intervening period and the formatted version of the document will be agreed, in accordance with the recommendations of this report. All sections of the document will then be uploaded to Citizen Space ahead of this date.
44. The Local Plan will progress in accordance with the timetable as set out in the LDS, with a view to submitting the Plan for examination in the summer of 2024.

Emerging Trends

45. A member presentation scheduled for October on the updated NPPF has been postponed, as this has not been published. The training session has been rescheduled for December 2022, pending review.

Key Implications

Financial

The production of the Local Plan will be funded from the Local Plan reserve.

Legal Implications and Risk Assessment Statement

Preparation of a Local Plan is a statutory requirement. There are defined legal requirements that must be met in plan making, which are considered when the Plan is examined by a Government Planning Inspector. Risks associated with the Local Plan are set out in the Local Development Scheme.

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 Council's Net Zero 2030 commitment includes working with communities to reduce carbon emissions in the District. The Local Plan has been identified as a key driver in achieving this aim.

Policies within the Local Plan seek to reduce the carbon impact of developments by ensuring sustainable building practices, champion the implementation of renewable energy resources and ensure new development supports climate resilience. Carbon sequestration schemes will also be supported in appropriate locations. Climate change mitigation and adaptation is not limited to the built development and features throughout the Local Plan, influencing policies related to design, flood risk and water management, open space and biodiversity.

In conclusion, it is anticipated that the recommendations in this paper will result in a decrease in carbon emissions throughout the district and support the resilience of the natural environment, strongly supporting the Council's Net Zero 2030 commitment.

Conclusion

Officers will be happy to take any questions on the content of this report at the meeting.

Agenda Item 6a

Appendices:

Appendix 1: Plain Text version of the Regulation 18 Consultation Draft Local Plan - for approval

Appendix 2: Indicative Formatted Version of the Draft Regulation 18 Local Plan - for information and comment.

Appendix 3: Consultation Plan

Background Papers:

Information on the Sustainability Appraisal Interim Report is available via the following link:

https://www.sevenoaks.gov.uk/downloads/download/878/emerging_local_plan_2022_-_evidence_base_documents

Richard Morris

Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

Item 06 (b) - SDC Food Safety Plan 2022

The attached report was considered by the Cabinet on 10 November 2022, and the relevant minute extract was therefore not available prior to printing of these papers and will follow when available.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Item 07 (a) - Parliamentary Boundary Review

The attached report was considered by the Governance Committee on 1 November 2022, and the relevant minute extract was therefore not available prior to printing of these papers and will follow when available.

This page is intentionally left blank

2023 PARLIAMENTARY BOUNDARY REVIEW

Council - 15 November 2022

Report of: Chief Executive

Status: For Consideration

Also considered by:

- Governance Committee - 1 November 2022

Key Decision: No

Executive Summary: The Boundary Commission for England (BCE) will publish their revised proposals for Parliamentary Boundaries around 8 November 2022. This will be accompanied by a final consultation period of 4 weeks, ending around 5 December. This report sets out a proposal for ensuring the Council is able to submit a consultation response within the consultation timeline.

Contact Officers: Lee Banks, Ext. 7161

Nicola Fletcher, Ext. 7188

Recommendations to Governance Committee:

That Council be recommended to:

(a) Note that revised proposals from the Boundary Commission for England for Parliamentary boundaries for the Sevenoaks District Council area are due to be published around 8 November; and

(b) In accordance with the proposal at paragraph 16 of this report, approves that the Council submits a final consultation response to the Boundary Commission for England based on views collated from Members and agreed with the Chairman of the Governance Committee.

Recommendations to Council:

(a) Note that revised proposals from the Boundary Commission for England for Parliamentary boundaries for the Sevenoaks District Council area have been published; and

(b) In accordance with the proposal at paragraph 16 of this report, approves that the Council submits a final consultation response to the Boundary Commission for England based on views collated from Members and agreed with the Chairman of the Governance Committee.

Reason for recommendations: To ensure that Members are aware of the final proposals for new Parliamentary constituency boundaries for the wards they represent and that they are aware how their views may be reported back to the Boundary Commission for England.

Introduction and Background

- 1 The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body which is responsible for reviewing Parliamentary constituency boundaries in England.
- 2 The BCE has the task of periodically reviewing all the Parliamentary constituencies in England. It is currently conducting a review on the basis of rules most recently updated by Parliament in 2020. The BCE are required to report their final recommendations to Parliament by 1 July 2023.
- 3 The BCE are required to develop proposals which retain 650 constituencies for the UK Parliament as a whole and the proposed constituencies must also comply with strict parameters, in particular as far as the number of electors in each constituency is concerned.
- 4 Following the guidance of Parliament the final proposals must result in 543 constituencies in England (from 533), and require that every constituency - apart from two protected constituencies covering the Isle of Wight - has an electorate that is no smaller than 69,724 and no larger than 77,062.
- 5 As well as the primary rule that constituencies must have no fewer than 69,724 electors and no more than 77,062, the legislation also states that, when deciding on boundaries, the Commission may also take into account:
 - special geographical considerations, including in particular the size, shape and accessibility of a constituency;
 - local government boundaries as they existed (or were in prospect) on 1 December 2020;
 - boundaries of existing constituencies;
 - any local ties that would be broken by changes in constituencies; and
 - the inconveniences attendant on such changes.

Initial proposals

- 6 The BCE published their initial proposals for the new Parliamentary constituency boundaries in England on 8 June 2021. A summary of the proposals for the wards within the Sevenoaks District were reported to Governance Committee in June 2021 and are listed as background papers to this report.

- 7 Whilst the majority of the District wards are unaffected by the proposals for new Parliamentary constituencies, the proposals would see Ash & New Ash Green and Hartley & Hodsoll Street become part of the Tonbridge constituency.
- 8 Darenth and Wilmington, Sutton-at-Hone & Hawley within the Dartford borough would become part of the Sevenoaks constituency.
- 9 Following an internal survey, shared with all Councillors, the Council drafted and submitted a consultation response to the BCE setting out its own views on the appropriateness of the proposals for the District and, as requested by the BCE, set out a counter proposal which met all of the conditions set out in paragraph 5 above.
- 10 The Council's consultation submission is listed as a background paper to this report and can be viewed at www.bcereviews.org.uk/node/80207/view.

Final Consultation

- 11 It is understood that the BCE will publish revised proposals for their Parliamentary Boundary Review around 8 November. This will be accompanied by a final consultation period, lasting 4 weeks, until 5 December.
- 12 Unfortunately, at the time of this meeting of Governance Committee no further information is available to share with Members.
- 13 Once published, a limited amount of time will then be available to review the revised proposals for the Sevenoaks District and establish whether a further (and final) consultation response will be required.
- 14 It is recognised that it is important that the revised proposals are shared with all Councillors, and that ample opportunity is given for comments to be given in relation to the revised proposals published by the BCE.
- 15 It is therefore proposed that on publication Officers will circulate a summary of the proposals for Governance Committee and all Council Members.
- 16 Subject to the detail of the revised proposals, the following actions are suggested for Members consideration:
 - i. If the revised proposals directly align to the Council's counter proposal submitted to the initial consultation, a statement of support for that proposal be drafted

Or

 - ii. If the initial proposals are unchanged, or do not align directly with the Council's counter proposal that Members are provided with the opportunity to submit further views to Officers for collation, to

Agenda Item 7a

inform a draft, final consultation response. Members' views would be collated through a short survey or a drop-in session hosted by Officers.

- 17 The recommendations to this report set out that any further response to the revised proposals would be agreed with the Chairman of Governance Committee, based on the views collated from Members. This is the same process that was adopted for the Council's response to the initial proposals from the BCE in June 2021.
- 18 Members may also wish to note that the final consultation period is a public consultation and written responses can also be given by individuals should they wish to do so by visiting www.bcereviews.org.uk
- 19 At the closure of the final consultation period the BCE will then make its final decisions about whether further modifications need to be made in light of those representations.
- 20 When the BCE has decided on its final recommendations for the whole of England, it drafts and submits a formal written report to the Speaker of the House of Commons before the deadline of 1 July 2023.
- 21 The submission of the formal final report concludes the BCE's involvement in the constituency review process. The procedure to subsequently implement new constituencies is the responsibility of the Government.

Other options Considered and/or rejected

- 22 None.

Key Implications

Financial

There are no financial implications arising from this report.

Legal Implications and Risk Assessment Statement

There are no legal implications arising from this report.

There is a risk that if no further consultation response is given the potential for the BCE to review their revised proposals may be reduced.

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 Boundary Commission for England (BCE) will publish their revised proposals for Parliamentary Boundaries around 8 November 2022. This will be accompanied by a final consultation period of 4 weeks, ending around 5 December. It is considered important that Members have full sight of the revised proposals, have the opportunity to record their comments should it be necessary and that a final consultation response can be drafted on behalf of the Council based on those views. Proposals ensuring this can take place within the timelines set out by the BCE are set out within this report.

Appendices

None.

Background Papers

[Report to Governance Committee - 22 June 2021](#)

[Initial Proposals for the Sevenoaks District](#)

[Sevenoaks District Council Initial Consultation Response](#)

Dr. Pav Ramewal

Chief Executive

This page is intentionally left blank

Item 07 (b) - Development Control Committee Procedures

The attached report was considered by the Governance Committee on 1 November 2022, and the relevant minute extract was therefore not available prior to printing of these papers and will follow when available.

This page is intentionally left blank

DEVELOPMENT CONTROL COMMITTEE PROCEDURES

Council - 15 November 2022

Report of: Monitoring Officer

Status: For consideration

Also considered by: Governance Committee - 1 November 2022

Key Decision: No

Executive Summary: Following meetings of the Governance Working Group, that was established to review certain Development Control Committee processes, this report sets out the recommendations that are the outcome of their review. The Working Group recommends amendments to Part 7 of the Constitution, as set out at Appendix A.

Contact Officer: David Lagzdins, Ext. 7350, Alison Salter, Ext. 7337, Evelyn Gilder, Ext. 7306

Recommendation to Governance Committee: That it be recommended to Council that:

- a. the amendments to Part 7 of the Constitution, as attached at Appendix A, take effect from the 2023/24 municipal year.

Recommendation to Council: That the amendments to Part 7 of the Constitution, as attached at Appendix A, take effect from the 2023/24 municipal year.

Introduction

- 1 A Working Group to consider the practices of the Development Control Committee was first constituted on 13 April 2022 to consider (and if appropriate propose) amendments in principle to Part 7 of the Constitution. This report introduces the findings and recommendations of that Members' Working Group. That Working Group was reconstituted on 21 June 2022.
- 2 The Working Group consisted of Cllrs. Eyre, Nelson and Bayley and was advised by a Development Manager, the Planning Improvement and Standards Manager and by the Senior Solicitor as well as the Chairman of the Development Control Committee.
- 3 The Working Group has duly met and in accordance with the resolution considered the rules for addresses to the Committee (paras 3.27 - 3.37); the rules for site inspections (paras 3.17 - 3.26); and the order of business. The last physical meeting of the Working Group was on 10 October 2022.

Agenda Item 7b

- 4 Following the review that Group has proposed amendments to the constitution.
- 5 At its meeting the Working Group identified areas for more detailed consideration. Where these involved amendments to the constitution Officers drafted amended wording for the consideration of the Working Group.
- 6 The Working Group unanimously agreed the amended wording found at Appendix A to this report. In view of this Working Group decision, the recommendations are put before Members for resolution.
- 7 The members of the Working Group are thanked for their work. Those members of the Working Group present are invited to speak on the findings of the Group.

Terms of Reference

- 8 The Working Group was originally founded pursuant to resolutions as follows:
 - a. A Working Group be formed to propose any necessary amendments in principle to Part 7 of the Constitution to the next meeting of the Governance Committee;
 - b. The Working Group shall consist of three Members from the Governance Committee;
 - c. The Working Group shall be advised by an Officer nominated by the Monitoring Officer, the Chairman of Development Control Committee and an Officer nominated by the Chief Officer - Planning and Regulatory Services;
 - d. If so minded, the Working Group shall only make proposals in principle to amend Part 7 with in respect of the following matters:
 - i. Rules for Addresses to the Committee at Meetings of Development Control Committee (paras 3.27 - 3.37);
 - ii. Site Inspections (paras 3.17 - 3.26);
 - iii. The order of business (including rights to address the Committee) (paras 3.5 - 3.6).
 - e. The Working Group is not established to agree the precise wording of any suggested changes.

Outcomes of the Working Group

- 9 Regarding the order of the agenda (para. 3.6), no fundamental changes are recommended. However, an amendment is proposed to request that Members not be repetitive during debate. This is to ensure that the meeting can proceed expeditiously.

- 10 The Group considered the speaking time allowed for speakers (para 3.6 (b)) but felt the current system was working well and declined to make recommendations for change.
- 11 The Group declined to recommend public speaking on enforcement matters or the protection of trees (para. 3.27). These matters are not publicised in the same way as other planning matters and it could be unreasonable to expect anonymous complainants to attend public meetings when the other party would speak. However, Planning Services and Democratic Services would be able to direct interested parties to other ways of ensuring their representations are heard, such as by lobbying Committee Members or by submitting written comments to Planning Services. It was noted that certain works could arise from a tree's position in a Conservation Area rather than under a TPO and so it is recommended that this "gap" is closed.
- 12 In the same paragraph (3.27) it is proposed that the reference to a report of delegated decisions be removed. This is because such reports are no longer presented and all decisions can be readily accessed through the Public Access system.
- 13 The Working Group felt that it would be appropriate to clarify the Committee's processes regarding visual aids (para. 3.34). The Group felt that it was an appropriate time to codify existing practice of limiting the number of slides to three and that these should be still images only. It was noted that the constitution already prohibited written information being used as a visual aid; it was expected that the existing practice should continue of declining any slides that had writing on that was not a reference key or part of the application plans.

Other options Considered and/or rejected

The Working Group worked through the relevant parts of Part 7 of the Constitution and considering whether any part of them may be improved by amendment.

Key Implications

Financial

None.

Legal Implications and Risk Assessment Statement.

It should be noted that the legal position in relation to Development Control and the Development Control Committee is amply set out in the Constitution. In particular, Members are reminded of the need to act as if the Committee were a quasi judicial meeting.

Members are reminded of the need to avoid conflicts of interest, bias or pre-determination.

The Human Rights Act 1998 applies to proceedings of Development Control Committee.

Agenda Item 7b

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

It is recommended that the attached amendments be made to Part 7 of the Constitution.

Appendices

Appendix A - Part 7 of the Constitution.

Background Papers - none.

Martin Goodman
Monitoring Officer

PART 7 - DEVELOPMENT CONTROL COMMITTEE

(Please also refer to Appendix N - Development Control Protocol)

1. Terms of Reference of the Committee

- (a) All planning, listed building and advertisement applications.
- (b) Revocation, modification and discontinuance orders and planning agreements relating to planning applications.
- (c) Enforcement of planning control; including the issue of Enforcement notices, listed building Enforcement notices, stop notices and abatement notices, and Enforcement and prosecution of contraventions of tree preservation orders, including the requirement for replacement planting.
- (d) Preservation and planting of trees, including the consideration of appeals against tree preservation orders and applications made thereunder.
- (e) All matters arising out of the operation of the Hedgerow Regulations 1997 or any subsequent changes thereto; and,
- (f) All decisions of the Council as Hazardous Substance Authority.

2. Membership of the Committee

19 Members of the Council to be chosen according to political proportionality rules. The Membership of the Committee can be found at Appendix H - Membership of Council Committees, Cabinet and Advisory Committees.

3. Procedure at Development Control Committee and Site Inspections

- (1) *This code will be applied in such a way that the right of the Chairman of the Committee to control the debate will be maintained.*
- (2) *“Local Member” means the Member for the District Council ward affected by a planning application which is to be included on an agenda for consideration by the Development Control Committee.*
- (3) *The agenda for the Development Control Committee will be dispatched a minimum of 5 working days before the meeting eg on the Wednesday of the preceding week for a Thursday Committee meeting. It is incumbent on Members of the Committee to ensure that they remain impartial and receptive to all points of debate before reaching a decision to vote on an application.*

Agenda Item 7b

- 3.1 The Chairman, Vice Chairman and other Members, whether or not Members of the Committee, should recognise the effect that their behaviour can have on the public's perception of the Council and should conduct themselves accordingly. Members should represent the interests of the District as a whole.
- 3.2 Members should remain at meetings of the Committee until the end of the meeting unless they have a compelling reason not to do so.
- 3.3 Where a planning application has been submitted by the District Council and the appropriate Cabinet Member (responsible Portfolio Holder) is a Member of the Committee, that Member is strongly advised to leave the meeting when the matter is considered and not take part in the discussion or voting. Members should also be informed when an application on Council-owned land is to be considered by the Committee even if the applicant is not the District Council.
- 3.4 The Development Control Committee operates in a quasi-judicial manner. Accordingly, Members who enter the meeting during discussion of an application, or are not present during the whole of the discussion, should not vote on the application as they will not have heard all the arguments for and against the proposal. Members must make declarations of Interest, Lobbying and Pre-determination before any applications are debated. Copies of lobbying material received should where practicable be forwarded to the Chief Officer Planning and Regulatory Services.
- 3.5 Any Local Member who wishes to reserve an item for debate at Development Control Committee is asked to notify the Chairman/Vice Chairman prior to the meeting.

Subject to the Chairman's right to control the debate:

- (a) Any reports deferred for any reason from previous meetings of the Committee will normally be reserved for debate.
- (b) The Chairman will indicate those applications in respect of which members of the public have asked to speak, which shall automatically be reserved for debate.
- (c) When a Local Member has indicated to the Chairman of the Committee that s/he would wish to address the Committee on a particular application, the application will be reserved by the Chairman for subsequent discussion.
- (d) The Chairman will then read out the details of each remaining planning application from the index to the report, so that Members of the Committee who wish to move an amendment to the Chief Officer Planning and Regulatory Services' recommendation or make a

Part 7

comment on any particular application may so indicate, when such applications will automatically be reserved for debate.

- (e) The Chairman will then put all unreserved items to the vote en bloc; and,
- (f) The Chairman will then deal with items before the Committee in the following order:
 - (i) Items deferred from previous meetings of the Committee.
 - (ii) Items with public speakers.
 - (iii) Items reserved by Members of the Committee.
 - (iv) Enforcement cases.
 - (v) Amendments or variations to existing permissions; and,
 - (vi) Objections to Tree Preservation Orders.

3.6 In respect of any item reserved for debate the following procedure will be followed:

- (a) The Chairman will read out the application reference and address. The Officer will introduce the item and outline the key considerations and constraints, summarise the consultation responses and representations and provide the recommendation.
- (b) Address to Committee:- Speakers, who have previously registered to do so are invited to address the Committee in the following order, for a maximum of 3 minutes, (Local Members will have 4 minutes):
 - (i) A member of the public wishing to speak against the application.
 - (ii) The applicant, agent or another member of the public wishing to speak in favour of the application.
 - (iii) The Local Council representative (Town Council or Parish Council)
 - (iv) The Local Member(s) (whether or not a Member of the Committee) wishing to speak for a maximum of 4 minutes speech time. (Normal rules relating to motions and amendments as set out in the Constitution apply).
- (c) Those addressing the Committee including the local member(s) will not normally participate further in respect of that item. However, at

Part 7

Agenda Item 7b

the Chairman's discretion any of the initial speakers or local members may be asked a question of clarification. Any local Member who is a member of the Committee and speaks at the start of the item and has not uttered a prejudicial view will continue to be allowed to debate and vote on the item.

- (d) Members of the Committee will have the opportunity to ask questions of the Officers present.
- (e) Normal discussion of the Planning merits will then take place.
- (f) If a Member wishes to raise a new aspect to the debate on the item as a result of information brought to light during the debate then they will be allowed to do so at the discretion of the Chairman.
- (g) Members are requested not to speak at length, **or repeat views** on items where they are in full agreement either with the Officers' report or with the views of a Member who has spoken earlier in the discussion.
- (h) The vote will be taken after a motion has been moved and seconded, and after the Chairman, or other mover of a motion, has summed up. The Chairman will advise the meeting on the result of the vote including whether planning permission has been granted, refused etc.
- (i) The Legal Officer will inform the Chairman (unless already requested) of a need for him/her to advise the Committee in respect of any issues that arise from the debate, to ensure that the decision is based upon accurate and relevant law and to advise the Committee with regard to the legal impact of any proposed recommendation or motion.

Decisions Contrary to Officer Recommendation

- 3.7 All Members are encouraged to raise any queries or issues they may have regarding a specific application report with the appropriate Area Team Manager as soon as possible, and in any event before the Chairman's briefing. This will enable Officers to consider the issues raised and discuss them with the Chairman.
- 3.8 Under normal circumstances a Member, having considered the Officers report and who has any factual questions or concerns about an aspect of that report, may contact the Development Control Manager or the Chief Officer Planning and Regulatory Services. This will enable such matters to be discussed at the Chairman's briefing, that normally takes place 2 working days before the Committee meeting, and to prepare for any additional advice for the meeting. If a Member's concerns relate to matters which require a visual assessment, the Area Team Manager or the

Chief Officer Planning and Regulatory Services may discuss the desirability of arranging a Committee Site Inspection with the Chairman. Committee Members are encouraged to attend these Site Inspections whenever possible.

- 3.9 On receipt of concerns from a Committee Member, the Development Control Manager or the Chief Officer Planning and Regulatory Services may choose to withdraw the report from the agenda to allow for further discussion or re-assessment.
- 3.10 A Planning Officer if so requested should assist in giving general policy reasons for refusal or conditions for approval to be attached to any permission. In the event of an appeal or a judicial review, it is imperative that the correct grounds for refusal or conditions for approval be cited on the published notice of decision.
- 3.11 In the event of a motion contrary to the Officer's recommendation being formally moved, the Officer(s) present will have the opportunity to address the Committee on the implications of such a decision having regard to the provisions of the Development Plan and all other material considerations, inclusive of implications for any subsequent appeal, before a vote on the motion is taken. Where appropriate the Officer may recommend to the Chairman (whose sole decision it shall be whether to accept that recommendation) that a decision on the application be deferred to enable a further report to be presented to the Committee addressing these issues raised by the debate and the implications.
- 3.12 Where a decision to grant or refuse permission contrary to the Officer recommendation occurs the reasons for such a decision taken by Committee should be clearly minuted. In the event of an appeal where the Committee has made a decision contrary to Officer advice, the appropriate Local Member or a Member of the Committee is expected to be actively involved in the Appeal if by written representation and to attend any Hearing or Public Enquiry when such is held.

Report Deferrals

- 3.13 Any decision to defer a report should be taken BEFORE any other decision to approve or refuse the report. Should the Committee be minded to refuse/approve the report pending deferral to await further information, then, when the report comes back to the Committee, debate must centre around the effect of the additional information on the proposal keeping in mind the opinion to approve or refuse voiced in the first instance. Public speakers may not speak again.
- 3.14 Should a report be deferred for further information without the Committee's opinion on whether it is minded to approve or refuse, then a

Agenda Item 7b

debate may take place on the whole of the report together with the additional information.

- 3.15 If a report is withdrawn or deferred without the opportunity for a registered public speaker to present their views then the public speaker(s) will be given the opportunity to address the Committee when the item is re-presented for decision.
- 3.16 Members may feel that the application should be viewed on site before a decision is made in which case an amendment/resolution for a Site Inspection is put to the Committee and, if approved, a set procedure is then followed at the Site Inspection.

Site Inspections

- 3.17 A single Site Inspection time will be used for applications deferred by Committee and those identified for a pre-meeting inspection. This inspection will usually take place on the day of the Committee meeting.
- 3.18 Sites for pre-meeting inspections should be identified to the Chairman by Development Control Committee or Local Members at the earliest possible opportunity and in any event a full 3 working days before the Committee meeting, eg by 5pm on a Monday when the Committee meeting is at 7pm on a Thursday.
- 3.19 The Site Inspection will be open for all Development Control Committee and Local Members to attend.
- 3.20 No representations will be heard at Site Inspections and no recommendation will be formulated or a vote taken. The purpose is to view relevant features on or around the site.
- 3.21 The inspection will then inform the debate at the following Development Control Committee meeting.
- 3.22 Members' Site Inspections will be carried out where applications are to be determined by the Development Control Committee. The Chairman, in consultation with the Chief Officer Planning and Regulatory Services, will normally identify the need for any Site Inspections in advance of the meetings. Members who believe that a Site Inspection is appropriate in a particular case are encouraged to contact the Chief Officer Planning and Regulatory Services as soon as possible. This will include selecting appropriate viewpoints. Only exceptionally should an item be deferred for a Site Inspection. All Site Inspections will only be arranged where the proposal to hold a Site Inspection fits at least one of the following criteria.
- 3.23 A Site Inspection may be determined to be necessary if;

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
 - ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
 - iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
 - iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
 - v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.
- 3.24 When requesting the Chairman of the Development Control Committee to authorise a Site Inspection, the person making such a request (whether the Chief Officer Planning and Regulatory Services or an elected Member) must state under which of the above five criteria the Inspection is requested and must also provide supporting justification.
- 3.25 The purpose of a Site Inspection is to view the site and its surroundings and to relate the application proposals to the site. Officers will explain the submitted drawings. Neither the applicant nor any supporters or any objectors should take part. Where an applicant has to be present to allow access to the site, the visiting Members should stand away from him or her (or if necessary, ask the Applicant to stand away) and should not engage in any discussions.
- 3.26 Members should avoid any discussion of the merits of the case on site, on the journey to/from the site, or anywhere other than the Committee meeting.

Rules for Addresses to the Committee at Meetings of Development Control Committee

- 3.27 Addresses to the Committee will be allowed on planning applications being considered by the Development Control Committee. Public speaking will not be permitted ~~on decisions made under the delegated authority of the Chief Officer Planning and Regulatory Services or~~ on Enforcement items, ~~or~~ Tree Preservation Orders, ~~or applications for works to trees.~~
- 3.28 Registering to Speak - Apart from Local Members, those wishing to speak must contact the District Council before 5pm on the day of the meeting at the latest. However at the Chairman's discretion, late registration may be accepted until the start of the meeting. Local Members have until the start

Agenda Item 7b

of the meeting to register. Only one public speaker against the application and one public speaker supporting the application will be permitted except where the Chief Officer Planning and Regulatory Services or Development Control Manager instructs otherwise e.g. for special meetings of the Development Control Committee.¹

- 3.29 Main Objector - the first objector (e.g. the objector whose request is received first by the Council) will be the public speaker and subsequent objectors will be so advised.
- 3.30 Main Supporter - where an applicant or agent indicates a desire to speak they will be given preference over other supporters.
- 3.31 Local Member(s) - will be able to speak for a maximum of 4 minutes.
- 3.32 Local Council - a representative of the Town or Parish Council(s) in which an application site is situated.
- 3.33 Time Limits - Only the main objector and main supporter may speak, each being allowed 3 minutes. A Local Council representative will be able to speak for a maximum of 3 minutes. A Local Member may speak for a maximum of 4 minutes. After the speaker has spoken there will not normally be an opportunity for any speaker to participate or address any of the issues raised in the subsequent debate. However, at the Chairman's discretion any of the initial speakers or local members may be asked a question of clarification. Any local Member who is a member of the Committee and speaks at the start of the item and has not uttered a prejudicial view will continue to be allowed to debate and vote on the item.
- 3.34 Visual Aids - ~~All speakers are allowed to use visual aids such as plans, drawings, photos etc and these will be displayed on the projector in the meeting room during the speaker's speaking time.~~ All speakers are permitted to use up to 3 still images (such as plans, drawings, photos, etc) which will be displayed in the meeting during the speaker's speaking time. No other visual aids may be used. All speakers who wish to have permitted visual aids displayed must provide them to Development Services Team before 5pm at the latest the day before the meeting e.g. if the meeting is to be held on a Thursday then contact must take place before 5pm on the preceding Wednesday.

(Written information is not permitted to be used as a "visual aid" by public speakers.)

¹ As an exception, a Local Member who is also a Member of the Committee may indicate a wish to address the Committee as a Speaker, during the declarations of interest or predetermination, as set out in the Agenda.

- 3.35 Those applications in respect of which members of the public have asked to speak shall automatically be reserved for debate at the Committee.
- 3.36 If a report is withdrawn from the agenda or deferred without the opportunity for a registered public speaker to present their views then the public speaker(s) will be given the opportunity to address the Committee when the item is re-presented for decision.
- 3.37 If an application is deferred after addresses to the Committee have taken place, then public speaking will not be permitted when the application is re-presented for decision. If an objector or supporter has not exercised their right to speak in the first instance then their right to speak is waived when the application is re-presented for decision.

Training

- 3.38 Members must not participate in decision making at meetings dealing with planning matters unless they have undertaken suitable training, including any training designated by the Cabinet as mandatory.
- 3.39 Members are encouraged to attend Planning training sessions, which will be provided from time to time, as these are designed to extend their knowledge of planning procedures, policies and practice.

This page is intentionally left blank

Item 07 (c) - The Council's Policy Framework (Appendix F Of The Constitution)

The attached report was considered by the Governance Committee on 1 November 2022, and the relevant minute extract was therefore not available prior to printing of these papers and will follow when available.

This page is intentionally left blank

THE COUNCIL'S POLICY FRAMEWORK (Appendix F Of The Constitution)

Governance Committee - 1 November 2022

Report of: Head of Legal and Democratic Services

Status: For information

Also Considered by: Council - 15 November 2022

Key Decision: No

Contact Officer: Charlie Sinclair, Ext. 7165

Recommendation to Governance Committee: To note the report.

Recommendation to Council: To note the report

Reason for recommendation: To update Councillors on the Policy Framework as set out in Appendix F of the Constitution.

Introduction and Background

- 1 At Annual Council the Council's Policy Framework, as set out in Appendix F of the Council's constitution is agreed.
- 2 Each year a review takes place for any policies and strategies to ensure we are complying with legislation and other guidance.
- 3 Following the annual review, it came to light that a further change may be required to bring the current practice in line.
- 4 The change requested was that the Community Safety Strategy and action plan be removed from the Framework, and be treated as a key decision in the same way that the Community Plan was for consistency.
- 5 As the Community Safety Strategy and Action plan is a Statutory Policy under the Council's Policy Framework, it must be adopted by Full Council as we have a statutory duty to provide a Community Safety Strategy as set out within the Crime and Disorder Act 1998, and therefore it is unable to be adopted by Cabinet.

Key Implications

Financial

Agenda Item 7c

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 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

None

Background Papers

Council's Constitution

Martin Goodman

Head of Legal and Democratic Services, and Monitoring Officer

BRIEFING REPORT - CHRISTMAS PARKING 2022

Council - 15 November 2022

Report of: Deputy Chief Executive & Chief Officer - Finance & Trading

Status: For Decision

Also considered by: Portfolio Holder

Key Decision: No

Executive Summary: This report requests that Council consider free concessionary parking on the selected date in 2022 for off-street car parks.

This report supports the Key Aim of: Building on the District's thriving economy through the regeneration of our market towns, and by enhancing both the visitor and rural communities.

Portfolio Holder: Cllr. Margot McArthur

Contact Officer: Trevor Kennett, Ext. 7407

Adrian Rowbotham, Ext. 7153

Recommendation to Council: That

- a) The cost in terms of loss of income for free parking be met from the supplementary estimates.

Reason for recommendation: To help encourage shoppers and other visitors to Sevenoaks and Westerham, in the busy shopping days leading up to Christmas 2022.

Agenda Item 8a

Introduction

- 1 In previous years, the Council has helped encourage shoppers and visitors to Sevenoaks and Westerham by giving free parking in off-street car parks in the run up to Christmas.
- 2 Free parking proposed in all Sevenoaks town and Westerham off-street car parks on Saturday 17th December 2022 leading up to Christmas.
- 3 The only exception to the free off-street parking on the 17th December 2022 will be in Blighs car park, which will operate as normal with charging.
- 4 Relaxing off-street parking charges on weekends has no impact on Swanley or at Knockholt Station as charges only apply Monday to Friday.
- 5 Vehicles parking are still required to observe maximum periods of stay in car parks. Regular monitoring will endeavour to ensure compliance with remaining parking restrictions to ensure that space is not monopolised by all-day parking. Weekend free parking in Sevenoaks promoted for shop workers using the Council's offices car park, accessed from Gordon Road will operate as normal.

Key Implications

Financial

Shortfall in parking income of £5,000 to be met from supplementary estimates.

Legal Implications and Risk Assessment Statement.

Management of 'overstay' parking is difficult when there is no requirement for a ticket to be displayed or purchased, however enforcement monitoring will take place.

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 an increase on carbon emissions produced in the district as a result of this decision.

The Net Zero 2030 Likely Impact Assessment of free Christmas parking shows a slight increase on emissions due to increased car use within our car parks over the proposed weekend.

Appendices - None

Background Papers - None

Adrian Rowbotham

Deputy Chief Executive & Chief Officer - Finance & Trading

This page is intentionally left blank

APPOINTMENTS TO OTHER ORGANISATIONS 2022/23 - NON-EXECUTIVE

Council - 15 November 2022

Report of: Deputy Chief Executive & Chief Officer Corporate Services

Status: For Consideration

Key Decision: No

Contact Officer: Charlotte Sinclair Ext. 7165

Recommendation to Council:

That Cllr Pender be appointed as the Council's representative on the Outside Organisation - The Council for the Voluntary Service North West Kent (CVSNWK) for the municipal year 2022/23.

Introduction and Background

- 1 The Council makes certain appointments to Outside Organisations.
- 2 The Council was approached by the Council for the Voluntary Service North West Kent to formally request a representative to join the Board of Trustees as a non-voting representative.
- 3 Members are asked to agree the appointment of Cllr Pender as the Council's representative.
- 4 If agreed this will form part of Appendix H of the Council's Constitution.

Key Implications

Financial

Attendance at meetings of Outside Bodies to which an Elected Member has been appointed by the Council constitutes an approved duty and there are costs involved.

Legal Implications and Risk Assessment Statement.

Appointments to represent the Council on outside bodies are made in accordance with s.111 Local Government Act 1972 where the Council is satisfied that such appointments are necessary to, conducive to, or calculated to facilitate the discharge of their statutory functions. In not appointing to those Outside Bodies listed within the Appendix, there is a risk that the Council's designated representation on such organisations would not be fulfilled.

Agenda Item 8b

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.

Conclusions

Members are requested to consider and approve the attached appointments.

Appendices

None

Background Papers

None

Jim Carrington - West

Deputy Chief Executive and Chief Officer - Customer & Resources

DRAFT CALENDAR OF MEETINGS FOR THE MUNICIPAL YEAR 2023/24

Council - 15 November 2022

Report of: Deputy Chief Executive and Chief Officer Customer & Resources

Status: for consideration

Key Decision: No

Portfolio Holder: Cllr. Peter Fleming

Contact Officer: Charlie Sinclair, Ext. 7165

Recommendation to Council:

That the calendar of meetings for 23/24 be approved subject to formal adoption at the Annual Meeting of the Council on 23 May 2023.

Reason for recommendation: To enable preparation of committee work plans.

Introduction and Background

- 1 The draft calendar of meetings for the municipal year 2023/24 is attached for consideration. All Members and Senior Officers have been consulted on the draft dates.
- 2 The draft calendar tried to avoid meetings on Mondays and Wednesdays and school holidays, as much as possible. Best endeavours have been made to avoid evening meetings on Mondays and Wednesdays. If additional meetings are required, it may be necessary to look at these days. All additional meetings dates and times are set up in consultation with the relevant Chairman.
- 3 Development Control Committee, is also programmed to take place on a three weekly basis. There are occasions where a four weekly basis is necessary.
- 4 Licensing Hearings and Community Infrastructure Levy Spending Board are organised as and when required.
- 5 In its current form, the proposed Calendar of Meetings for 2023/24 attached at appendix A covers a total of 78 formal committee meetings across the municipal year.
- 6 It is the responsibility of the Annual Meeting of the Council to confirm the Council's calendar of meetings for oncoming year. However, it is considered prudent to put it before this meeting of the Council to allow more time for

Agenda Item 8c

forward planning by Officers and Members and booking of meeting rooms etc.

Key Implications

Financial

None directly arising from this report.

Legal Implications and Risk Assessment Statement.

The Council is under a legal duty to hold an Annual Council meeting during a particular period and to set a Council Tax by a specific date. The calendar proposed here meets those requirements.

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

Members are requested to consider the attached draft Calendar of Meetings and recommend it to the meeting of Annual Council for formal adoption.

Appendices

Appendix A - Draft Calendar of meetings for the municipal year 2023/24

Background Papers

None

Jim Carrington-West

Deputy Chief Executive and Chief Officer - Customer & Resources

SEVENOAKS DISTRICT COUNCIL - CALENDAR OF MEETINGS 2023/24

As at 10/10/2022

	APRIL 2023			MAY 2023				JUNE 2023				JULY 2023				
MONDAY	17	24		1 PUBLIC HOLIDAY	8	15	22	29 PUBLIC HOLIDAY	5	12	19 Governance Committee	26	3	10	17	24
TUESDAY	18	25 Council		2	9	16	23 Annual Council Sp. Cabinet, sp. Licensing Sp. Audit	30	6 Finance & Investment Advisory Cttee	13 Cleaner & Greener Advisory Cttee	20 People & Places Advisory Committee	27 Improvement & Innovation Advisory Cttee	4 Audit Committee	11 Scrutiny Cttee	18 Council	25
WEDNESDAY	19	26		3	10	17	24	31	7 Health Liaison Board (2pm)	14 Sevenoaks Joint Transportation Board	21	28	5	12	19	26
THURSDAY	20 Cabinet	27 DCC		4 District & Parish Council Elections	11	18	25	1	8 DCC	15 Housing & Health Advisory Cttee	22 Cabinet	29 DCC	6 Development & Conservation Advisory Cttee	13 Cabinet	20 DCC	27
FRIDAY	21	28		5	12	19	26	2	9	16	23	30	7	14	21	28

	AUGUST 2023				SEPTEMBER 2023				OCTOBER 2023				NOVEMBER 2023		
MONDAY	31	7	14	21	28 PUBLIC HOLIDAY	4	11	18	25	2	9	16	23	30	6
TUESDAY	1	8	15	22	29	5 Finance & Investment Advisory Cttee	12 Housing & Health Advisory Cttee	19 People & Places Advisory Cttee	26 Audit Committee	3 Development & Conservation Advisory Cttee	10 Cleaner & Greener Advisory Cttee	17	24	31	7 Scrutiny Cttee
WEDNESDAY	2	9	16	23	30	6	13	20 Sevenoaks Joint Transportation Board	27	4	11	18	25	1	8
THURSDAY	3	10	17 DCC	24	31	7 DCC	14 Licensing Cttee	21 Cabinet	28 DCC	5 Improvement & Innovation Advisory Cttee	12 Cabinet	19 DCC	26	2 Finance & Investment Advisory Cttee	9 Cabinet
FRIDAY	4	11	18	25	1	8	15	22	29	6	13	20	27	3	10

(Most meetings start at 7pm UNLESS indicated otherwise and are held at the Council Offices in Argyle Road - please check the Council website for details.)

Key	Cabinet	Development & Conservation Advisory Committee
Council	Finance & Investment Advisory Committee	Joint Transportation board
Development Control Committee	Improvement & Innovation Advisory Committee	Health Liaison Board - 2pm
Licensing Committee	Housing & Health Advisory Committee	
Audit Committee	People & Places Advisory Committee	
Scrutiny Committee	Cleaner & Greener Advisory Committee	
Governance Committee		
Standards Committee		

SEVENOAKS DISTRICT COUNCIL - CALENDAR OF MEETINGS 2023/24

As at 10/10/2022

	NOVEMBER 2023		DECEMBER 2023					JANUARY 2024				FEBRUARY 2024		
MONDAY	13	20	27	4	11	18	25 PUBLIC HOLIDAY	1 PUBLIC HOLIDAY	8	15	22	29	5	12
TUESDAY	14 Council	21 Housing & Health Advisory Cttee	28 Sevenoaks JTB	5 Improvement & Innovation Advisory Cttee	12 Development & Conservation Advisory Cttee	19	26 PUBLIC HOLIDAY	2 HLB (2pm)	9 Scrutiny Cttee	16 Licensing Cttee	23 Housing & Health Advisory Cttee	30 Governance Committee	6	13
WEDNESDAY	15	22	29	6	13	20	27	3	10	17	24		7	14
THURSDAY	16 DCC	23 Cleaner & Greener Advisory Cttee	30 People & Places Advisory Cttee	7 DCC	14 Cabinet	21	28 DCC	4 DCC	11 Finance & Investment Advisory Cttee	18 Cabinet	25 DCC	23 Audit	8 Cabinet	15 DCC
FRIDAY	17	24	1	8	15	22	29	5	12	19	26	2	9	16
	MARCH 2024					APRIL 2024				MAY 2024				
MONDAY	19	26	4	11	18	25	1 PUBLIC HOLIDAY	8	15	22	29	6 PUBLIC HOLIDAY	13	20
TUESDAY	20 Budget Council	27 Standards (Reserve Council)	5 People & Places Advisory Cttee	12 Licensing Cttee	19 Scrutiny Cttee	26 Development & Conservation Advisory Cttee	2	9	16 Audit Committee	23 Council	30	7	14 Annual Council Sp. Cabinet Sp. Licensing Sp. Audit	21
WEDNESDAY	21	28	6 JTB	13	20	27	3	10	17	24	1	8	15	22
THURSDAY	22 Cleaner & Greener Advisory Cttee	29 Improvement & Innovation Advisory Cttee	7 DCC	14 Cabinet	21 Finance & Investment Advisory Cttee	28 DCC	4	11	18 Cabinet	25 DCC	2	9	16	23
FRIDAY	23	1	8	15	22	29 PUBLIC HOLIDAY	5	12	19	26	3	10	17	24

Agenda Item 8c

Page 88

Key (Most meetings start at 7pm and are held at the Council Offices in Argyle Road - please check the Council website for details.)

- | | | |
|-------------------------------|---|---|
| Council | Cabinet | Development & Conservation Advisory Committee |
| Development Control Committee | Finance & Investment Advisory Committee | Joint Transportation board |
| Licensing Committee | Improvement & Innovation Advisory Committee | Health Liaison Board - 12pm |
| Audit Committee | Housing & Health Advisory Committee | |
| Scrutiny Committee | People & Places Advisory Committee | |
| Governance Committee | Cleaner & Greener Advisory Committee | |
| Standards Committee | | |

MEMBERS' ALLOWANCES SCHEME - ANNUAL UPDATING 2022/23

Council - 15 November 2022

Report of: Chief Executive

Status: For decision

Contact Officer: Martin Goodman, ext. 7245

Recommendation to Council: That Members' allowances for 2022/23, except for travelling expenses, be updated by 5.76% in line with the provision for Officer pay set out in the National Joint Council for Local Government Services pay award.

Reason for recommendation: To decide upon the updating of Members' allowances for 2022/23.

Introduction and Background

- 1 Members of the Council are paid annual allowances in accordance with a Members' Allowances Scheme. The Scheme is set out in Appendix G of the Constitution, which contains the following provision:

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.

- 2 An agreement on the award for 2022/23 was announced in early November 2022. Exceptionally, there was no fixed percentage uplift to pay grades. Instead, the agreement reflected a flat rate payment to all Officers on the pay scale, equivalent to an average 5.76% uplift.
- 3 In accordance with the constitution, in previous years Members' allowances were updated in line with the applicable percentage award to Officers on the pay scale. This year it is proposed to update Members' allowances in line with the Officer average of 5.76%. Any increase in allowances will be backdated to the beginning of the financial year.

Agenda Item 8d

- 4 This report relates to the exceptional situation of there being ambiguity over the correct fixed percentage by which to uprate Members' allowances. It does not seek to alter the constitution or normal practice and does not need to be considered by the Governance Committee. It is unrelated to the work of the Joint Independent Remuneration Panel and, other than through the effect of consolidation, does not impact any year other than 2022/23. It does not propose a constitutional change.

Other options Considered and/or rejected

Other options include a decision not to uprate Member allowances or a decision to apply a different percentage to that which was agreed by the National Joint Council for Local Government Services.

Key Implications

Financial

The 2022/23 budget for Members' Allowances was set based on a 2% increase which equates to a budget of £441,218. The proposed uplift to 5.76% would equate to an increase of £16,264.86.

Legal Implications and Risk Assessment Statement

As set out in the 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 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 - none

Background Papers - Members' Allowances Scheme

Dr Pav Ramewal

Chief Executive

Cllr Fleming - Leader's Report

From: 4 July - 28 October 2022

Date	Event
4 July	<ul style="list-style-type: none"> • Meeting with Sevenoaks District MPs - Laura Trott MBE MP, Tom Tugendhat MBE MP, Gareth Johnson MP re UK Shared Prosperity Fund submission - Westminster
5 July	<ul style="list-style-type: none"> • DCN all-member call re Ukrainian refugees via Teams • South East Councils AGM - Westminster • South East Councils Parliamentary Reception - Westminster
7 July	<ul style="list-style-type: none"> • Quercus 7 Trading Board & Guarantor Board Meetings - SDC • Cabinet - SDC
8 July	<ul style="list-style-type: none"> • London & Wider South East Conference - London
11 July	<ul style="list-style-type: none"> • LGA Improvement & Innovation Lead Members' Meeting via Zoom • Meeting with Leader of Tunbridge Wells Borough Council, Cllr Ben Chapelard - SDC
12 July	<ul style="list-style-type: none"> • Attend Scrutiny Committee - SDC
13 July	<ul style="list-style-type: none"> • Kent & Medway Business Fund Investment Advisory Board via Teams • DCN Executive Board Meeting via Zoom • Net Zero Cabinet Working Group via Zoom
14 July	<ul style="list-style-type: none"> • Interview with Radio Kent re tourism in the district - Chartwell, Westerham • Panel member Cyber Security Conference online
18 July	<ul style="list-style-type: none"> • Work experience student shadowing this week • Meeting with Nesta re Community power and place based innovation via Zoom • Eynsford Eco Fair meeting via Zoom
19 July	<ul style="list-style-type: none"> • Memorial Service for Tony Pidgley CBE - St Paul's Cathedral, London • Full Council - SDC
20 July	<ul style="list-style-type: none"> • APPG for Devolution Inquiry Session via Zoom • CIL Meeting - SDC
21 July	<ul style="list-style-type: none"> • LGA Councillors' Forum - London • LGA Executive Advisory Board - London
22 July	<ul style="list-style-type: none"> • Visit to Swanley High Street project and White Oak Leisure Centre - Swanley
23 July	<ul style="list-style-type: none"> • Chairman's Civic Service - St Mary's Kippington, Sevenoaks
25 July	<ul style="list-style-type: none"> • Visit to Swanley Park with Swanley Town Clerk & SDC officers - Swanley
27 July	<ul style="list-style-type: none"> • Strategic Programme Board via Zoom • Visit to Tarmac site with Laura Trott MBE M - Sevenoaks
28 July	<ul style="list-style-type: none"> • LGA Improvement & Innovation Board - London
29 July	<ul style="list-style-type: none"> • Unveiling of Art Sculpture Two & Three - Blighs

Agenda Item 11

Date	Event
3 August	<ul style="list-style-type: none"> • LGA Conference follow-up with Commonplace via Teams • Introduction to Head of Housing - Alison Simmons - SDC
4 August	<ul style="list-style-type: none"> • Call with Sunny Chada re Lack of Breast Screening in Swanley • Sustrans Follow-up LCWIP Engagement via Teams
5 August	<ul style="list-style-type: none"> • LGA Conference follow-up with Hannah Sayers Enable - London
8 August	<ul style="list-style-type: none"> • Zoom meeting with Ed Foale re Polis
11 August	<ul style="list-style-type: none"> • Visit to Family Fun Day at Greatness - Sevenoaks
16 August	<ul style="list-style-type: none"> • Sevenoaks Station Workshop - Sevenoaks
18 August	<ul style="list-style-type: none"> • Park Home Workshop via Teams
19 August	<ul style="list-style-type: none"> • Teams meeting with Cllr Roger Gough, Leader of KCC
24 August	<ul style="list-style-type: none"> • Swanley Town Centre Visit
31 August	<ul style="list-style-type: none"> • Strategic Programme Board via Zoom
2 September	<ul style="list-style-type: none"> • Fly the Flag for Merchant Navy Day - SDC
3 September	<ul style="list-style-type: none"> • Meet Otford Wildcats Girls Football members - Otford • Eco Fair - Eynsford
6 September	<ul style="list-style-type: none"> • Rural Landowners' Meeting - Kemsing
7 September	<ul style="list-style-type: none"> • Kent & Medway Business Fund Investment Advisory Board via Teams • Meeting with Edenbridge District Councillors - Edenbridge
9 September	<ul style="list-style-type: none"> • Improvement & Innovation Portfolio Holder Meeting - SDC
11 September	<ul style="list-style-type: none"> • Proclamation of King Charles III - SDC
13 September	<ul style="list-style-type: none"> • Meeting re Local Plan Consultation via Zoom
15 September	<ul style="list-style-type: none"> • Kent Leaders' Urgent Cost of Living Meeting via Teams
20 September	<ul style="list-style-type: none"> • Kent & Medway Economic Partnership Meeting - The Amelia Scott Centre, Tunbridge Wells • Quercus 7 Trading Board & Quercus Housing Guarantor Board - SDC • Cabinet - SDC
22 September	<ul style="list-style-type: none"> • Demo of new Customer System - SDC
23 September	<ul style="list-style-type: none"> • Corporate Induction - SDC • Grand opening of new Sevenoaks Emporium and Sevenoaks League of Friends Tea Shop - Sevenoaks Hospital • SDC e-bikes feasibility study meeting via Zoom
28 September	<ul style="list-style-type: none"> • Strategic Programme Board via Zoom • Visit to Salters Heath Business Centre - Bessels Green
29 September	<ul style="list-style-type: none"> • Economic Development Manager Assessment Day - SDC
30 September	<ul style="list-style-type: none"> • Kent Council Leaders' Meeting - Ashford
4 October	<ul style="list-style-type: none"> • Speaker at Sevenoaks Silver Sunday event - Swanley • Westerham Town Council Annual Liaison meeting - Westerham TC • Improvement & Innovation Advisory Committee - SDC
5 October	<ul style="list-style-type: none"> • UKSPF Projects Meeting via Zoom • APPG Levelling Up White Paper Draft Report discussion via Teams • Swanley Town Council Annual Liaison Meeting - Swanley TC

Date	Event
7 October	<ul style="list-style-type: none"> • SELEP Annual Conference & AGM via Zoom
11 October	<ul style="list-style-type: none"> • LGiU Member Assembly via Zoom • Net Zero update meeting with officers via Zoom • Investment Zones Meeting - SDC • Investment Zones Meeting with Kent Leaders via Teams
12 October	<ul style="list-style-type: none"> • Kent & Medway Business Fund Investment Advisory Board via Teams • Net Zero 2030 Cabinet Working Group via Zoom
13 October	<ul style="list-style-type: none"> • Corporate Induction - SDC • Attendance at Chairman's Event - Bore Place • Cabinet - SDC
14 October	<ul style="list-style-type: none"> • LGA Improvement & Innovation Board via Teams • Improvement & Innovation Portfolio Holder Meeting - Hybrid via Zoom
17 October	<ul style="list-style-type: none"> • Meeting with residents re 20mph limit - SDC
18 October	<ul style="list-style-type: none"> • Visit to Chatham to see TopHat Development • Pre meeting ahead of West Kent Partnership meeting via Zoom
19 October	<ul style="list-style-type: none"> • Tomorrow's South East - Summit of South East - Panel member - London • DCN Executive Meeting - London • DCN Drinks Reception - London
20 October	<ul style="list-style-type: none"> • LGA Councillors' Forum via Teams
21 October	<ul style="list-style-type: none"> • West Kent Partnership Meeting via Zoom • Swanley Station Project Team - RICS Awards ceremony - London
25 October	<ul style="list-style-type: none"> • Sevenoaks Town Council Annual Liaison Meeting - Sevenoaks
26 October	<ul style="list-style-type: none"> • Strategic Programme Board via Zoom • Kent Council Leaders' Meeting via Teams
27 October	<ul style="list-style-type: none"> • Edenbridge Town Council Annual Liaison Meeting - Edenbridge
28 October	<ul style="list-style-type: none"> • View chewing gum removal machine in action - Blighs, Sevenoaks

This page is intentionally left blank

AUDIT COMMITTEE REPORT TO COUNCIL

Council - 15 November 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 since July 2022.
- 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 meets four times per year and has met once since the last report to Council.
- 4 As Chair of the Committee, I have continued to hold monthly briefings with Officers.
- 5 Details of the range of issues considered by the Committee on 22 September are set out below:

Internal Audit

Date of Meeting	Agenda Items
22 Sept 2022	<ul style="list-style-type: none"> • Internal Audit Progress Report 2022/23

Governance, Risk & Anti-Fraud

Date of Meeting	Agenda Items
22 Sept 2022	<ul style="list-style-type: none"> • Members Allowance Scheme Monitoring • Strategic Risk Register

Accounts and External Audit

Date of Meeting	Agenda Items
	<ul style="list-style-type: none"><li data-bbox="584 365 1050 398">• No items at the last meeting.

- 6 The Audit Committee maintains a constructive dialogue and effective working relationship with the Council’s external auditors, Grant Thornton.
- 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. As part of that a Member Development Briefing on Understanding Local Government Accounts took place at the September meeting.
- 8 There remains an issue nationally with Statement of Accounts not being agreed by the deadline. This is largely due to the increased requirements and complexity of the accounts and the available resources of the external auditors. This is also true for Sevenoaks DC.
- 9 Public Sector Audit Appointments (PSAA) are currently completing the tender process for future audits, and they have struggled to get audit firms to bid for the work. It is expected that the fees will increase significantly.
- 10 As mentioned in my previous report, two independent members have been appointed to the Committee, Lynda McMullan and Mr Mo Chughtai.
- 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 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, Jennifer Warrillow, Alan Mitchell and Martin Goodman for the help and support they have given the Committee.

Cllr Philip McGarvey, Chairman, Audit Committee