

CABINET

Minutes of the meeting held on 13 July 2023 commencing at 7.00 pm

Present: Cllr. Thornton (Chairman)

Cllr. Perry Cole (Vice Chairman)

Cllrs. McArthur, Dyball, Maskell and Reay

Cllrs. Bulford, Camp, Granville, Gustard, Leaman, Purves, Robinson, Skinner, Streatfeild, Varley and Williams were also present.

11. Minutes

Resolved: That the Minutes of the Cabinet meeting held on 15 June 2023, be approved and signed by the Chairman as a correct record.

12. Declarations of interest

No additional declarations of interest were made.

13. Questions from Members (maximum 15 minutes)

A Member asked about the Council's need for an up-to-date Procurement Strategy. Through the Chairman, the Monitoring Officer agreed to answer the question in writing.

A Member asked about an Inspector's decision in a recent planning appeal. The Chairman set out that an up-to-date Local Plan remained a key priority for the Council. She was pleased to report that the emerging Local Plan remained on course with the Local Development Scheme (LDS) agreed by Cabinet in July 2022.

A Member asked about consultations on the impact of Gatwick Airport. The Chairman confirmed that the Council would continue to reply to consultation requests on this important subject for our residents and that all economic benefits and/or detriments would be considered as part of those consultation responses.

A Member asked about matters relating to a proposed Public Spaces Protection Order. The Chairman indicated that this would be dealt with as part of the relevant item on the agenda.

A Member asked about steps the Council would be taking to increase the numbers of people who could vote. In response to a follow-up question from another Member, the Chief Executive, through the Chairman, indicated that the comments of the Member would be taken into account in planning for the next election.

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A Member asked about increasing the number of Council meetings in the year. The Chairman indicated that there was no reason to increase the number of meetings at present, which were currently held in line with the Council's Constitution.

14. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees

There were none.

15. Bank Account Signatories

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

Resolved: That

- a) Joshua Bell, Senior Accountant, no longer be authorised to sign cheques and sanction banking instruments on behalf of the Council; and
- b) pursuant to Financial Procedure Rules 4.73 and 4.74, Holly Meadows, Senior Accountant, be authorised to sign cheques and sanction banking instruments on behalf of the Council.

16. Public Spaces Protection Order - The Vine Proposed consultation

The Health and Community Safety Manager presented the report which sets out a proposed 6 week public consultation for a Public Spaces Protection Order (PSPO) for 3 years at the Vine and surrounding green areas in Sevenoaks. The Council had a duty to do all that was reasonable to prevent crime and disorder in its area and work towards delivering the objectives of the Sevenoaks District Community Safety Plan. The Community Safety Unit worked alongside Sevenoaks Town Council and it had been agreed by them as the area was owned by them.

Over many years there had been reoccurring Anti-Social behaviour and criminal damage at the Vine however this year has seen an increase in this behaviour.

The restrictions proposed for the PSPO were to include:

- Failing to comply with a direction not to consume, in breach of this order, alcohol, or anything which an authorised person reasonably believes to be alcohol where the authorised person reasonably believes that a person has engaged in anti- social behaviour.
- Failing to surrender a container of alcohol (whether open or not) when asked to do so by an authorised person.

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- Engaging in anti-social behaviour which is likely to cause harassment alarm and distress to those persons in the locality.
- Not to return within 24 hours.

Members discussed the report. The Health & Communities Manager answered a Member question which had originally been raised under minute 13.

Public Sector Equality Duty

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

Resolved: That

- a) the contents of the report and the process for implementing a Public Spaces Protection Order (PSPO), be noted; and
- b) the recommendation to Cabinet to authorise a 6 week consultation with members of the public and partners on implementing a PSPO at The Vine and surrounding grass areas, be supported.

17. Meeting Point Update

The Leader and Portfolio Holder for Improvement and Innovation introduced the report which updated the Committee on 27-37 High Street and the Swanley Meeting Point Development. The business hub was operational, with two offices occupied in long-term hires from local businesses and there had been several inquiries into letting office and hot -desk space.

The Strategic Head for Commercial and Property advised that the project had been delivered within budget, despite issues with utility providers and the pandemic. Members received a presentation highlighting the improvement to the area as a result of the development. The site incorporated many green development elements, including air source heat pumps and building fabric that provided enhanced insulation.

Resolved: That the delivery of new affordable homes and new business hub in Swanley be noted.

18. Adoption of Conservation Area Appraisal Updates and Extensions to Conservation Areas

The Portfolio Holder for Development & Conservation presented the report, which set out the updated appraisals for the Eynsford, Farningham, and Kemsing Conservation Areas. The Development & Conservation Advisory Committee had considered the same report and supported the recommendation that the appraisals be approved and adopted.

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The Design & Conservation Team Leader and the Senior Conservation Officer gave a presentation on the appraisals. They had been updated to the Council's new format, developed in 2019, to be more accessible and concise. They included management recommendations, to support the Council, residents, and local stakeholders, as well as Open Space Assessments, to highlight the contribution of open spaces both within, and in the setting of, conservation areas. A large number of responses were received from the public consultation that ran from mid-January to early March 2023. This feedback and local knowledge was incorporated into the appraisals and proposed changes for the three areas.

Members heard a detailed breakdown of the outcome of the appraisals. All three areas were of special interest, and merited their conservation area status. Limited changes were proposed to each of the boundaries. In places small amendments were proposed to follow physical land boundaries, as in several areas they cut through structures and plots of land.

The Officers described the principal boundary changes in each area. In Eynsford, two principal extensions were proposed. In Farningham, a plot of land would be removed, as it had been developed since the last appraisal, and there were two principal additions to the conservation area. In Kemsing, two principal additions were proposed, one of which was of historic value and was important to the setting of the church. There was an example of land that was agricultural and did not follow the historic settlement pattern, and thus would be removed from the conservation area, though other protections would still apply. An additional important view would be added to the Kemsing View Map. An Article 4 direction was proposed for Kemsing to prevent the erosion of the front boundary treatments and front gardens that made a strong contribution to the character and appearance of the area.

Members asked questions of clarification of the Officers.

Public Sector Equality Duty

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

Resolved: That it be recommended to Council, that Council:

- a) Adopts the three updated conservation area appraisals for Eynsford, Farningham and Kemsing;
- b) Designates the proposed boundary amendments to each of the above conservation areas; and,
- c) Agrees to the making of a focused Article 4 direction to remove limited permitted development rights that protects boundary treatments and front gardens in the Kemsing Conservation Area.

19. Gypsy and Traveller Allocation Policy

The Portfolio Holder for Housing & Health presented the report which proposed a Gypsy and Traveller Allocations Policy in relation to Romani Way, Edenbridge. The Housing & Health Advisory Committee had considered the same report and supported the recommendation that the policy be approved and adopted.

The Housing Strategy Manager advised Members that as part of the agreed Sevenoaks District Housing Accommodation Policy, it was recommended that applications for vacant pitches on the site would be required to join the Housing Register. The new policy would bring the process in line with the advertisement and letting of social housing within the district and provide a fair and transparent method of allocating pitches when they become available. Officers had attended a meeting with residents in March 2023 to discuss the policy and assess their needs. Feedback and turn out had been positive.

Members were further advised that the policy was open to comments and would be kept under constant review. She explained that revisions had been made to the report which included updated exclusions to the register to tackle the use of threatening language or behaviour to any officer of the Council or agent or any persons attending sites on behalf of the Council. The decision to exclude an applicant would be made by the Housing Register Allocation Panel. This would take into account any supporting information from the applicant, current or previous landlords, the Police and any other relevant professional body.

Members discussed the report and asked questions of clarification. Members agreed that an annual review of the Policy would be advisable.

Public Sector Equality Duty

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

Resolved: That the draft Gypsy and Traveller Allocation Policy, be approved and adopted for implementation.

20. Intermediate Housing Policy

The Portfolio Holder presented the report which sought adoption of the intermediate housing policy applying to Discounted Market Housing and proposed revisions to the adopted local First Homes Policy which followed a review after its first year of operation. The Housing & Health Advisory Committee had considered the same report and recommended to Cabinet for approval subject to a review in one year.

The Housing Strategy Manager advised Members that the Policy would be kept under review to take account of changes in market forces. Members agreed that an annual review of the Policy would be advisable.

Public Sector Equality Duty

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

Resolved: That

- a) the intermediate housing policy applying to Discounted Market Housing and proposed revisions to the adopted local First Homes policy, be approved and adopted for implementation; and
- b) be reviewed in one year.

21. Financial Monitoring 2022/23: Provisional Outturn

The Portfolio Holder for Finance & Investment presented the report which set out the provisional financial outturn for 2022/23. This showed an unfavourable variance of £100,000 compared to an unfavourable variance of £43,000 in 2021/22. Additional business rates accrued from the Kent & Medway Business Rates Pool had been provisionally set as £250,000 but final figures had not yet been received and was subject to change. The Finance & Investment Advisory Committee had considered the same report.

The Head of Finance advised that the unfavourable variance stemmed from several factors including the staff pay award, high waste and recycling quantities, global events leading to increasing utility costs; and the negative impact of high interest rates on the number of planning applications, building control services and land charges. These were offset in part from good returns on the Council's vacancy savings contribution, investment income, in-year manager savings, and one-off grants.

Members discussed the report.

Resolved: That the report be noted.

22. Financial Monitoring 2023/24 - Early Indications

The Portfolio Holder for Finance & Investment presented the report which set out the early indications for the 2023/24 financial year. Initial high-level work highlighted several financial pressures. The Finance and Investment Advisory Committee had considered the same report.

The Chief Officer for Finance & Trading further advised Members that changes in the management of the leisure centres had an estimated cost of £1.83 million over the next two years. The Staff Pay Award for April 2023, not yet agreed, could lead to additional costs of at least £750,000 per year. (The cost of the pay award from April 2022 was partly addressed by borrowing from reserves, to be repaid over 10 years at £39,000 per year.) Other pressures included continuing high demand for refuse and recycling services, the ongoing need for temporary accommodation, general inflation, and the annual savings assumption of £100,000.

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Members were advised that the total annual pressure would likely be in excess of £1 million. Part of the solution is expected to result from a review of fees and charges as requested by Members, but finding the remainder would be a major challenge.

Members discussed the report.

Resolved: That the report be noted.

IMPLEMENTATION OF DECISIONS

This notice was published on 14 July 2023. The decisions contained in minutes 16, 19 and 20 take effect on 24 July 2023. The decisions contained in minutes 15, 17, 21 and 22 take effect immediately. The decision contained in minute 18 is a reference to Council.

THE MEETING WAS CONCLUDED AT 8.20 PM

CHAIRMAN