

COUNCIL

Minutes of the meeting held on 23 April 2024 commencing at 7.00 pm

Present: Cllr. Layland (Chairman)

Cllr. Ball (Vice Chairman)

Cllrs. Alger, Abraham, Baker, Barker, Barnes, Barnett, Bayley, Bulford, Camp, Clack, Clayton, Penny Cole, Perry Cole, G. Darrington, P. Darrington, Dyball, Edwards-Winsor, Esler, Ferrari, Granville, Grint, Gustard, Haslam, Harrison, Hogarth, Hudson, Kitchener, Leaman, Lindop, Maskell, Malone, Cathy Morgan, James, Morgan, Manamperi, Manston, McArthur, Purves, Reay, Roy, Thornton, Robinson, Shea, White, Skinner, Streatfeild, Williams, and Williamson,

Apologies for absence were received from Cllrs. Waterton, Horwood, Silander, Varley and Scott

51. To approve as a correct record the minutes of the meeting of the Council held on 20 February 2024

Resolved: That the Minutes of the Council meeting held on 21 February 2024, be approved and signed by the Chairman as a correct record.

Cllr. Robinson requested her vote against the Minutes to be recorded.

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

No additional declarations of interest were made.

53. Chairman's Announcements.

The Chairman started his announcements by advising that the Council's Better Together project which had been shortlisted for the iESE Public Sector Transformation Awards, was awarded the Bronze award for 'Working Together' for its work helping to empower local residents and groups by providing advice, support and grants to make things happen in their neighbourhoods.

Keeping on the theme of awards, he had the pleasure of awarding Joel Kentish, an award for his efforts for keeping his community clean for more than a year. He advised that it was a delight to meet Joel, with Cllr McArthur and be able to thank

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him for his commitment to improve his local neighbourhood for both people and wildlife.

The Council has also been awarded £612,950 to fund new solar panels at White Oak Leisure Centre in Swanley, to help cut the centre's carbon footprint following a successful grant application to the Government's Swimming Pool Support Fund. The solar panels would further reduce energy use and running costs. Work on their installation is expected to start later this year.

On Sunday, like many others he attended the St George's day parade in Sevenoaks and it was wonderful to see so many people turning up to join in the celebrations. He was also looking forward to attending the Royal Garden Party in early May, as one of his last events as Chairman.

Finally, he reminded Members of the community engagement events seeking early views to help shape possible improvements to Land East of Sevenoaks High Street. Events are taking place in person and online. Information available at the events, and an online survey for the public to express their views and offer their ideas, will be available on the website from Wednesday 24 April until midnight on Monday 6 May 2024.

54. 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.

55. 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.

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

a) High Weald Area of Outstanding Natural Beauty (AONB) Management Plan

It was moved by Cllr. Reay and duly seconded by Cllr Thornton that the recommendation from Cabinet, to adopt the High Weald AONB Management be agreed.

Cllr. Reay spoke to the motion stating that the plan was a statutory document required every five years and put together by the High Weald Joint Committee with input from affected Local Authorities. The Joint Committee approved the plan on 27 March 2024 he thanked Officers for their work.

Members debated the motion noting that the Plan referred to a climate emergency which the Council had not adopted. Concerns were raised as to the monitoring of the ambitions set out in the plan and how these would be monitored. Further concerns

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were raised as to how the conservation area would be enhanced, and flightpaths over the High Weald and how this would affect the rural communities.

In Cllr. Reay's right of reply, he advised that he would address the points raised with the Councillor at the meeting he had previously suggested for arrangement, and would take on board the comments raised for future plans.

The motion was put to the vote and it was

Resolved: That the High Weald Area of Outstanding Natural Beauty Management Plan, be adopted.

b) Sevenoaks District Community Safety Partnership Strategy & Action Plan 2024-25

It was moved by Cllr. Dyball and duly seconded by Cllr. Thornton that the Sevenoaks Community Safety Partnership Strategy and Action Plan, be adopted.

The Council had a statutory responsibility together with other key partners to undertake an audit of crime and disorder in the district and cooperate in the development and implementation of a Strategy and Action Plan on local crime and disorder. The audit was known as the Strategic Assessment and sets the safety priorities identified for the District. Seven priorities were agreed in December 2023, and within each of the priorities were five to six actions. The action plan was a multi-agency document and was monitored on a quarterly basis by the Community Safety Partnership. In addition to the action plan the Council also had a duty to include the serious violence, such as homicide, knife crime, robbery, gun crime, hate crime and where serious violence or its threat was inherent. A multi-agency partnership would also be working to prevent and reduce serious violence in Kent and Medway.

Members debated and raised questions in regards to CCTV and whether there were any financial contributions from Kent Police to assist in funding the service which had helped to assist with arrests. It was highlighted that Kent-wide, regular requests were made to Kent Police to assist with the funding of the service. Some Members questioned why there was an increase in business crime, and how the Police could assist when calls were made regarding shoplifting. It was noted that the report highlighted that Sevenoaks District remained one of the safest places to live. Concerns were raised as to where national and county budget cuts were having a negative impact and the wellbeing of young people in the district, as well as a priority for managing causes of anti-social behaviour. During debate it was raised that the Public Spaces Protection Orders would assist with tackling anti-social behaviour and that there had been an increase in shoplifting charges through working with shops, the Police and MPs.

Neighbourhood policing was also raised and discussed, with some Members expressing differing experience of visibility. It was also raised in debate concern for

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abandoned cars and violence against girls and women. It was brought to Members' attention that since 2019 there was an overall reduction of 13.3% in crimes. The types of crimes were being split up and addressed as far as the focus was required.

Cllr. Dyball in her right of reply, thanked Members for their comments which would be considered for future strategies and encouraged their early contribution through the Advisory Committee process and reminded Members that the Council did not have a statutory provision for youth services as this responsibility was with Kent County Council. If there were anti-social behaviour concerns she expressed the need to contact the Community Safety Unit who would look at the issues raised.

The motion was put to the vote.

Resolved: That the Sevenoaks District Community Safety Partnership Strategy & Action Plan 2024-25, be adopted.

57. Matters considered by other standing committees:

There were none.

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

a) **Draft Calendar of meetings 2024/25**

Cllr. Thornton moved and Cllr. Perry Cole seconded the recommendation for the approval of the draft calendar of meetings 2024/25, which would need formal agreement at Annual Council in May 2024.

Resolved: That the draft calendar of meetings for 2024/25 be approved, subject to formal adoption at the Annual Meeting of Council on 14 May 2024.

59. 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.

One question had been received from a Member, in accordance with paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution.

Question 1: Cllr Robinson

"This month last year, on 4th April 2023, the Emergency Council passed a motion on the future of the Leisure Centres in Sevenoaks and Edenbridge and the Lullingstone Golf Course. As well as allocating £1.83 million for the rescue, the Council resolved that

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“an investigation by its Internal Auditors, be agreed, as to establish

- i) why Sencio had gone into administration/insolvency,
- ii) who was responsible, and
- iii) report lessons to the Council to inform the Council’s contractual relationship and governance with a future long term provider.”

My question is: When does the Council plan that this investigation will report to us?”

Response: Cllr Dyball

“Members debated this matter at the Audit Committee meeting last Tuesday, 16 April. A recording of which was available online.

The investigation report will be shared with all Members. Any findings or actions will be embedded into the project plan for the new leisure operator procurement contract exercise, which will have oversight from the Cabinet Members for People and Places, to ensure there is no delay to the procurement commencing on 20 May. It will support a leisure operator being appointed when the interim contract ends in May 2025. The report will be included on the agenda for the next Audit Committee meeting which will be held on 9 July 2024

The audit report will also be included on the agenda for the next Audit Committee meeting which to be held on 9 July 2024.”

Supplementary Question: Cllr Robinson

Will the report be presented to Council before the procurement exercise takes place?

Response: Cllr Dyball thanked Cllr Robinson for her question and advised that she would respond in writing.

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

60. 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.

Cllr. Leaman proposed and Cllr. Alger seconded the following motion.

“This Council notes:

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1. the Council's consistent and continuing failure to meet its target for the percentage of household waste sent for re-use, recycling and composting;
2. that, while SDC's re-use, recycling and composting rate is around 30-35%, many comparable District and Borough Councils achieve rates of 55-60%;
3. the November 2023 report for the Council prepared by the Association for Public Service Excellence (APSE);
4. APSE's conclusion that "the service cannot continue as it is", drawing attention to its high cost as well as poor performance;
5. government requirements for the Council to collect food waste separately on a weekly basis and to collect glass from the kerbside from all households by 31st March 2026;
6. Defra's announcement (25th March) of a grant to SDC of £1,181,206 to assist with the transition to weekly food waste collection;
7. that the Council has not complied since 2015 with the regulatory requirement to carry out a TEEP (Technical, Environmental, Economic and Practical) assessment of its waste collection method;
8. that the Cabinet has yet to provide a detailed response to the request of the Scrutiny Committee of July 2023 to review the Council's performance on recycling.

This Council regrets:

1. that the Cabinet has so far failed to engage with members or local residents on the need to reform waste collection in the District;
2. that the recent cancellation of free black waste sacks for all went ahead without a thorough review of waste collection practices and a new strategy in place;
3. the risks to the Health and Safety of Council employees from existing waste collection practices;
4. that local residents are only informed of decisions after they are taken, and not engaged in consultation on the options before decisions are taken.

This Council resolves to:

1. adopt the following goals for a reformed system of waste collection:
 - A re-use, recycling and composting rate at least as high as the average of our closest neighbours;

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- Separate collection of food waste as early as possible, as part of a wider strategy to reform waste collection in the District;
 - Improved value for money for residents of Sevenoaks District.
- 2 launch an open, structured and public debate and consultation on how to achieve these goals, engaging all members, experts, Council staff and the wider public;
 - 3 promote a sustained public information campaign to draw attention to the benefits of greater re-cycling and the costs incineration as well as landfill to the environment;
 - 4 provide a full explanation of the costs and benefits of options for change, with an analysis of the impact on the Council's budget for future years, together with a regular report to members on consultations with government and KCC."

Cllr. Leaman spoke to his motion stating that the issue of waste and recycling was first raised through the Scrutiny Committee and no formal responses had been received from Cabinet. It was noted that a report was due to be considered by the Advisory Committee but this was deferred. The report had stated that the service was high cost with low performance. The service was not meeting its key performance indicators and was causing high emissions rates. As well as not being ready for separate food waste collection by March 2026. Therefore it was important that changes were made, as detailed within the motion highlighting the need for a strategy and revisions to the current collection.

It was important that the new waste collection provided value for money and that any new strategy engaged with local residents.

During debate it was raised that the council had a well-received service which residents were very satisfied with. The report which was due to be considered by Cleaner and Greener Advisory Committee had been deferred as further information was needed, including further government guidance and the council had appealed the amount of funding proposed by DEFRA which could change the recommended course of action. The proposed grant money fell short of requirements. A report would be considered by the next Advisory Committee which would detail a range of issues and members will be engaged with to ensure that the council continues to provide a service which meets the statutory duty but also maintains high levels of customer satisfaction. A residents survey would be recommended to be undertaken. It was a complex topic and the Advisory Committee system would allow for thorough policy and strategy, with costed plans for Cabinet and then Council in due course.

Further comments raised in debate included that the waste service had a number of short comings including being low performing, high environmental impacts and costs, which did not encourage recycling. A strategy would need to include the sorting of

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recycling materials, separate food waste collection and waste storage systems, as well as changing residents habits. The justification of the bag system was that bags were cheaper than bins and would discourage residents from creating excessive waste, however more refuse was being produced with less recycling. Investment was required to reduce costs and create income. On reflecting on issues raised already in debate, it was raised that the grant due to be received was the highest in Kent. It was recognised that the refuse collectors were fantastic and this was well recognised across the District.

It was further raised that, by considering the report through the Advisory Committee, Members would have advice and reports from Officers who had the expertise to allow Councillors the opportunity to give full and clear consideration to the options available.

Cllr Leaman, gave his right of reply highlighting the importance of thorough engagement and a policy was required.

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

Motion 2:

Cllr. Manston proposed and Cllr. Lindop seconded the following motion.

“Council resolves to:

1. Recommit publicly to zero tolerance of antisemitism, islamophobia, or any form of hate crime and remind residents of how to report hate crime to the Police and how the Community Safety Unit at Sevenoaks District Council can support anyone affected by hate crime.
2. Explore how the council can enhance its support and facilitate events for people of all faiths and none, where they can come together and express solidarity and sadness in response to the tragedies in Israel and Palestine.
3. Write to the Secretary of State, asking him to encourage the UK Government to;
 - a) call for an immediate, permanent and lasting ceasefire between the Israeli Government and Hamas and, until this happens,
 - i) suspend all arms export licences and military collaboration with Israel, including allowing Israeli use of British bases and RAF intelligence flights over Gaza.
 - ii) suspend Israel from International sporting and music events,
 - iii) withdraw all public money from funds with investments in Israel; and end beneficial trade agreements with Israel (in the same vein as measures rightly taken against Russia following its invasion of Ukraine).
 - b) call on the Israeli Government and Hamas to create safe routes for humanitarian aid to protect aid workers and support civilians
 - c) call for the safe release of all hostages
4. Request that FIAC examines and reports on council investments in order to ascertain the degree to which these funds are invested in companies directly

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implicated in providing material support for the Israeli military, and to take steps to trigger divestment from these funds.

Council notes:

Sevenoaks District Council has shown unwavering support for Ukrainian refugees and has taken a proactive role in organising events to assist them in settling in our District. The war in Gaza could lead to further refugees and the Council can play an important role in creating a supportive environment ahead of this.

The war in Gaza is affecting people across Sevenoaks and Kent and hate crimes relating to Jewish and Muslim communities have risen sharply, having detrimental consequences for social cohesion and community safety.

The continuing rising death toll, displacement and devastation to homes, infrastructure and environment in Gaza and the continuing threat of escalation beyond Israel, Gaza and the occupied territories.

That the International Court of Justice interim ruling in January* stated that Israel must 'take all measures within its power' to prevent all acts contravening the genocide convention and must immediately improve the humanitarian situation in Gaza.

That the court also called for the immediate, unconditional release of all hostages.

That the UN General Assembly gave overwhelming backing to calls for a ceasefire and for parties' compliance with international law and the release of all hostages**.

That to-date, around 70 percent of those killed have been women and children***.

Council believes:

That the UK, and communities within the UK have the right and the duty to speak out and to take steps that can bring pressure to bear towards a ceasefire, the release of all hostages, the free flow of humanitarian aid and creation of space for dialogue towards a lasting settlement."

Cllr. Manston spoke to the motion stating that, the war in Gaza did affect the residents of Sevenoaks and the four actions identified in the motion were within the Council's remit. It would also make it clear that residents would like to see an end to the war. Other authorities had discussed similar motions and this could show residents Sevenoaks' commitment to their views.

Cllr. Skinner proposed and Cllr. Jim Morgan seconded the following amendment, to delete paragraphs three and four of the motion, and replace with "write to the Secretary of State for Foreign Commonwealth and Development Affairs and ask him to call for an immediate definitive ceasefire, the full resumption of the delivery of humanitarian assistance and the release of all hostages.

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Speaking to the amendment, Cllr. Skinner stated that he was confident that everyone in the Council condemned the actions of 7th October 2023 and the loss of innocent lives since that date. It was thought the amendment would strengthen the motion as there were factors where there was not sufficient expertise in, and so sought to prevent concerns of anti-Semitism and Islamophobia.

The amendment was debated, noting contact from residents and a petition that was circulating for the ceasefire.

The mover and seconder of the motion, accepted the amendment, and as such, debate continued on the motion as amended.

It was recognised that the subject was highly emotive and would mean different things to different people. It was highlighted that Council motions, as a rule should be about matters which the council has a responsibility or which affects a council area. However, the original motion weaved local elements into it. Hate crime had no place in this society, and the community safety action plan, reconfirmed the commitment to tackle crime, including hate crime. There was hate crime awareness week in October and hate crime could be reported easily online. The council already provided support to community events including vigils, through the Safety Advisory Group, and Kent Police will provide officers to attend events, if required. The deepest concerns and thoughts were sent to every family affected but the Council had no power over the situation but urged a solution to bring the conflict to an end. It was stated that Sevenoaks District Council, as a local authority, had no power to resolve the situation in Gaza. However, in line with statements already made by the UK Government and the United Nations General Assembly, urged for a diplomatic solution to bring the conflict to an end, avoid further loss of innocent life and bring lasting peace to the area.

Discussion continued with support for what had been said on both sides of the debate.

Cllr. Manston gave her right of reply.

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

At 8.44pm the Chairman adjourned the meeting for the comfort of Members and Officers.

At 8.55pm the meeting resumed.

61. 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 she and the Cabinet had undertaken since Council on 21 February 2024. She brought to Members' attention that the West Kent Expo'24 which had taken place on 14 March, had over 50

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exhibitors and workshops event showing and celebrating the business of West Kent. There had been excellent feedback received. Members were also reminded of the opportunity to attend the public engagement sessions on Land East of Sevenoaks High Street.

62. Annual report on Special Urgency decisions.

The report was noted.

63. 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 Annual Report 2023/24

The Chairman of Audit Committee commended her report to the Council, thanking Members and Officers for their work. She expressed her thanks to the Independent Persons and with particular thanks to Lynda McMullan who was stepping down. There were no questions.

b) Scrutiny Committee Annual Report 2023/24

The Chairman of Scrutiny Committee commended her report to the Council, thanking Members and Officers for their work. There were no questions.

THE MEETING WAS CONCLUDED AT 9.05 PM

CHAIRMAN