

## CABINET

Minutes of the meeting held on 9 February 2017 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllr. Lowe (Vice Chairman)

Cllrs. Dickins, Firth, Hogarth, Piper and Scholey

Cllrs. Ball, Barnes, Mrs. Barnes, Canet, Eyre, Gaywood, Halford, Hogg, Horwood, Hunter, McGarvey, Morris, Parkin, Pett, Purves, Scott and Searles were also in attendance.

### 62. Minutes

Resolved: That the minutes of the meetings of Cabinet held on 23 January 2017, be approved and signed as a correct record.

### 63. Declarations of interest

There were no additional declarations of interest.

### 64. Questions from Members

There were none.

### 65. Matters referred from Council, Audit Committee, Scrutiny Committee or Cabinet Advisory Committees

There were none.

## CHANGE IN AGENDA ITEM ORDER

With Cabinet's agreement, the Chairman advised he would take agenda items 6 and 7 first (Minutes 66 & 67) and would take item 8 last (Minute 68).

### 66. Green Belt Assessment

The Portfolio Holder for Planning presented the report which provided an overview of the findings of the Green Belt Assessment (undertaken by Arup on behalf of the Council) which would help inform the production of the new Local Plan for the period 2015-35. He advised that the Planning Advisory Committee had considered and debated the same report and agreed to recommend it to Cabinet.

The Planning Policy Team Leader addressed the Cabinet on the item and took questions from a Member relating to the performance of the parcels of land

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numbered 93 and 95. She confirmed that they were strongly performing. Cllrs Halford and Morris spoke on this item.

Members welcomed the report and that Green Belt sites were not likely to feature as options in the Local Plan consultation unless an 'exceptional circumstances' case could be made. The Portfolio Holder confirmed that 'exceptional circumstances' would not include the need to make up the numbers.

### Public Sector Equality Duty

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

Resolved: That

- a) the findings of the Green Belt Assessment, be noted; and
- b) the further consideration of 'brownfield' sites in the Green Belt and then, if necessary, the limited number of land parcels/sub-areas identified in the Arup report, be supported.

### 67. Swanley and Hextable Master Vision

The Portfolio Holder for Planning presented the report and provided an update on the Master Vision consultation agreed by the Planning Advisory Committee in July 2016 and Cabinet in August 2016. It set out how consultation was undertaken and provided a summary of the analysis of responses undertaken by the Council's consultants, both in terms of quantitative data taken from direct responses to the questions posed in the survey and more qualitative information taken from the range of comments and representations returned from the public and stakeholders. He further advised that a petition which had not been accepted as a valid petition to Council had been taken forward as a 'consultation response' and thereby was brought to the Committee's attention. Based on the consultation responses received, the report provided a recommendation for the next stages of progressing the Master Vision work, and discussed how the regeneration work for Swanley and Hextable could be taken forward and refined as an element within the Local Plan preparation. The report also outlined some of the detailed work needed to be commissioned if supported aspects of the Vision were to progress successfully.

He advised that the Planning Advisory Committee had considered and debated the same report and agreed to recommend it to Cabinet subject to removing the second clause of recommendation a). This motion was seconded by Cllr Scholey.

The Strategic Planning Manager spoke on the item and summarised the matters contained in his written report for the benefit of the Cabinet.

The Chairman had agreed to exercise his discretion and allow some members of the public and non members of the Committee to address the meeting.

The Cabinet was addressed by the following public speakers:

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Mr Bob Alexander  
Mr Robert Brickell  
Mr Paul Darrington  
Mr Michael Jenkins  
Mr Martin Jordan  
Mr Chris Prestedge  
Mr Dan Wise  
Mr Bob Wallis.

During the public speaking two documents were tabled with a view to being published. The Cabinet was addressed by the following non-Cabinet Member speakers:

Cllr Morris  
Cllr Searles  
Cllr Ball  
Cllr Halford  
Cllr Hogg  
Cllr Mrs Barnes  
Cllr Barnes  
Cllr Scott  
Cllr Horwood  
Cllr McGarvey  
Cllr Parkin  
Cllr Gaywood.

Following discussion by Cabinet the motion was amended to include the second clause of recommendation a) with the use of the words 'consultation response' in place of the word 'petition'.

### Public Sector Equality Duty

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

Resolved: That

- a) the public and stakeholder responses made to the Master Vision consultation and the observations made on the stakeholder response be noted, and the consultation response signed by 1,843 residents in opposition to the Master Vision acknowledged;
- b) the overall principle of regeneration and growth in Swanley and Hextable be supported;
- c) some elements of the Master Vision be addressed further within a Local Plan 'Issues and Options' consultation to be undertaken during 2017 with the exception of unsupported aspects, namely: facilitating new or improved Public/Town Council facilities and building a new hotel on the edge of the recreation ground; building any development on the

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recreation ground; and the proposals to build 3000 houses, or any large development, on the pieces of strongly performing Green Belt and Grade 2 agricultural land at the back of Archer Way which separates the communities of Hextable, Swanley Village and Swanley;

- d) the undertaking of further studies be supported, to assess in more detail the following specific aspects:
- a development brief focussed on Swanley;
  - a full and comprehensive transport strategy plan to properly highlight how road infrastructure could be improved in the area to reduce congestion;
  - more detailed feasibility work related to the main elements of infrastructure; and
  - a financial assessment to refine the scale of development required to achieve a 'critical mass'.

### 68. Budget and Council Tax Setting 2017/18

The Portfolio Holder for Finance introduced the report which was the final stage in the budget process that had seen significant Member involvement. He stated that if approved the net expenditure budget for 2017/18 would be £14.47m with the District's Council Tax increasing by 2.5% resulting in Band D Council Tax being £202.77. He was pleased to report that the Council was looking at having a fully-funded self-sufficient budget over the next ten years.

The Chief Finance Officer then presented the report which contained various appendices including budget amounts for all service areas, growth and savings items recommended as well as pay costs and a risk analysis.

With regard to the ten year budget, the major changes this year included a Council Tax increase of 2.5% in 2017/18 but remaining at 2% for later years; growth and savings items previously presented to Cabinet; Property Investment Strategy income updated to reflect the portfolio; and a reduced interest receipts assumption for the next 2 years.

The changes announced in the Provisional Local Government Settlement in December were said to have had no effect on the ten year budget due to the decision made last year to no longer use Revenue Support Grant or New Homes Bonus to fund the revenue budget. The Chief Finance Officer stated that this highlighted the benefits of being financially self-sufficient.

The settlement no longer included any Revenue Support Grant and also changed the basis for calculating New Homes Bonus so that lower amounts would be received in future. The final settlement was expected to be announced later in the month but no changes were expected that would affect the ten year budget.

Appendix I of the report contained a review of reserves which included the recommendation to transfer £1.7m into the Property Investment Strategy Reserve

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to ensure acquisitions were funded in the most efficient way and also to replace the reduced funding now expected from the New Homes Bonus.

Appendices K to N were not included in the report but would be included in the Council version after the other preceptors have set their Council Tax.

### Public Sector Equality Duty

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

Resolved: That it be recommended to Council that

- a) the Summary of Council Expenditure and Council Tax for 2017/18 set out in Appendix E to the report, be approved;
- b) the 10-year budget 2017/18 to 2026/27 which is the guiding framework for the detailed approval of future years' budgets set out in Appendix B to the report, including the growth and savings proposals set out in Appendix C-D to the report be approved, and that where possible any variations during and between years be met from the Budget Stabilisation Reserve;
- c) the Capital Programme 2017/20 and funding method set out in Appendix H to the report, be approved;
- d) the changes to reserves and provisions set out in Appendix I to the report, be approved.

### 69. Environmental Health Partnership - charging for support advice to food businesses Introducing the "Access" Scheme

The Portfolio Holder for Direct & Trading presented the report which provided an overview of a new scheme for charging for support advice given to food business. The scheme was Accelerating Compliance and Economic Success (ACCESS) and would provide enhanced support for food businesses and tailored to suit each business. The minimum charge for a basic package of £100 plus VAT for 2 hours work with the ability to purchase additional time.

Food Safety Officers within the EH Commercial team would carry out the ACCESS Visits and a different office would do any rescore visits to avoid conflict of interest. Free information would be provided on the Council's website and via associated links.

He advised that the Direct & Trading Advisory Committee had considered and debated the same report and agreed to recommend it to Cabinet.

Public Sector Equality Duty

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

Resolved: That

- a) it be agreed for the Environmental Health Partnership charging for bespoke food safety advice for new businesses; and
- b) a minimum fee be charged of £100 plus VAT for 2 hours work, and £50 per hour thereafter, on a cost recovery basis.

70. Discretionary Rate Relief

The Portfolio Holder for Finance presented the report and set out the proposals for awarding discretionary rate relief for 2017/18. Appendix B to the report, contained the details of each applicant to be considered for relief for 2017/18 and detailed recommendations of the level of relief to be applied.

He advised that the Finance Advisory Committee had considered and debated the same report and agreed to recommend it to Cabinet.

The Chief Finance Officer set out that Relief from Business Rates provides organisations with valuable support and contributed to the Council's commitment to supporting and developing the local economy. He set out that the categories of relief were Discretionary Rate Relief, Top up Relief and Rural Rate Relief. The criteria for each category was detailed in the report.

He reported that since the change to the Business Rates Retention Scheme, the relief awarded may not have a financial impact on the Council if the level of business rates received stayed under the safety net level.

All previous applicants had been contacted and reminders had been sent to those who had not replied. At the time of Cabinet six had not replied but if they did apply at a later date they would be considered individually by the Chief Finance Officer.

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 Cabinet that the proposals for granting relief from business rates for 2017/18 set out in Appendix B to the report, be approved.

71. Treasury Management Strategy 2017/18

The Portfolio Holder for Finance presented the report on the Council's Treasury Management Strategy for 2017/18 which set out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments. An updated report had been circulated that day which included the figures missing from the original contained within the main printed agenda papers.

The Local Government Act 2003 (the Act) and supporting regulations required the Council to 'have regard to' the Prudential Code and to set Prudential Indicators for the next three years to ensure that the Council's capital investment plans were affordable, prudent and sustainable. The Act therefore required the Council to set out its treasury strategy for borrowing and to prepare an Annual Investment Strategy (as required by investment guidance issued subsequent to the Act). Some of the data was not available when the report in the main agenda pack was printed. An updated report with the data was provided in a supplementary agenda item circulated separately.

It was set out that legislation required the Council to prepare an Annual Treasury Management Strategy which set out the Council's policies for borrowing and managing its investments and for giving priority to the security and liquidity of those investments.

He advised that the Finance Advisory Committee had considered and debated the same report and agreed to recommend it to Cabinet. At the Finance Advisory Committee it was noted that the investment strategy remained the same as for 2016/17. A reassurance was given that the investment strategy was flexible enough to deal with interest rate changes that might occur during the year as a result of Brexit.

The Principal Accountant stated that the report formed part of the budget strategy for 2017/18 and dealt with the proposed treasury strategy for the forthcoming year. The first part of the report proposed various prudential indicators and a Minimum Revenue Provision policy to ensure that any capital expenditure plans were affordable. The latter part of the report dealt with the investment strategy for 2017/18 and laid out the criteria for making investments based largely around a creditworthiness assessment policy. It was proposed to leave the investment strategy unchanged from 2016/17.

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 the Treasury Management Strategy for 2017/18, be approved.

72. Capital Programme & Asset Maintenance 2017/20

The Portfolio Holder for Finance presented the report which set out the proposed 2017/20 Capital Programme, with supporting documentation in a standard format for individual scheme bids. Projected capital receipts were included, indicating the proposed financing of the Programme. A proposed overall provision limit for Asset Maintenance was also made. The report set out the proposed capital programme for the next three years and gave details of the ways in which the projects could be funded.

He advised that the Finance Advisory Committee had considered and debated the same report and agreed to recommend it to Cabinet.

The Head of Finance set out that the report informed Members of the proposed capital programme for the next three years. Documents supporting the projects were included as Appendix A. Projected capital receipts, and proposals for financing the projects were also identified.

The following projects were proposed:

- Dunbrik Vehicle Wash Bay - £30,000.
- Vehicle Replacements from the Council's vehicle reserve - £548,000 in 2017/18.
- Disabled Facility Grants - now entirely funded by the Better Care Fund.
- Buckhurst 2 Multi storey with residential accommodation £9.850m which was approved at Council on 22 November 2016.

The proposed asset maintenance budget, which was based on 30% of the overall 10 year maintenance assessment, was included at paragraph 11 of the report. Members were asked to approve the capital scheme bids and funding proposals and also to agree the proposed Asset maintenance budget.

Public Sector Equality Duty

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

Resolved: That

- a) the Capital Programme 2017/20 and funding method set out in Appendix B to the report, be approved; and
- b) the proposed Asset Maintenance budget of £519,000 be agreed for 2017/18.

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### 73. Financial Results - to the end of December 2016

The Portfolio Holder for Finance presented the report on the Council's financial results 2016/17 to the end of December 2016. The year-end position was currently forecast to be an unfavourable variance of £10,000, subject to Council's approval to a supplementary estimate of £210,000 that was recommended by Finance Advisory Committee on 15 November 2016.

He advised that the Finance Advisory Committee had considered and debated the same report and agreed to recommend it to Cabinet.

The item was discussed by Members who welcomed the report and thanked the Finance team for the thorough process which gave Members assurance that there were sound financial controls in place.

#### Public Sector Equality Duty

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

Resolved: That the report be noted.

THE MEETING WAS CONCLUDED AT 9.20 PM

CHAIRMAN

#### IMPLEMENTATION OF DECISIONS

This notice was published on 13 February 2017. The decisions contained in Minutes 70,72 and 73 take effect immediately. The decisions contained in Minutes 67, 68 and 69 take effect on 21 February 2017. The decisions contained in Minutes 66 and 71 are references to Council.

