

COUNCIL

Minutes of the meeting held on 20 April 2021 commencing at 7.00 pm

Present: Cllr. Edwards-Winser (Chairman)

Cllr. Esler (Vice Chairman)

Cllrs. Abraham, Andrews, Ball, Barnes, Barnett, Bayley, Brown, Dr. Canet, Carroll, Cheeseman, Clack, Clayton, Penny Cole, Perry Cole, Coleman, Collins, G. Darrington, P. Darrington, Dickins, Dyball, Eyre, Firth, Fleming, Foster, Fothergill, Griffiths, Grint, Harrison, Hudson, Hunter, Kitchener, Layland, London, Maskell, McArthur, McGarvey, McGregor, Morris, Nelson, Osborne-Jackson, Parkin, Pender, Pett, Purves, Raikes, Reay, Roy, Thornton, Waterton and Williamson

An apology for absence was received from Cllr. Hogarth.

MINUTE'S SILENCE IN MEMORY OF HRH PRINCE PHILIP, DUKE OF EDINBURGH.

As a mark of respect and in honour of the memory of HRH Prince Philip, Duke of Edinburgh who had died on 9 April 2021, the Council rose for a minute's silence.

At the end of the silence the Chairman stated that His Royal Highness had served the country with distinction for six decades, serving in the armed forces, representing the nation on the world stage and as consort to Her Majesty, The Queen. He had been a charismatic man with a great sense of humour who would be sorely missed by all.

The Chairman had formally written to Her Majesty, The Queen and the rest of the Royal Family on behalf of the Council and all Sevenoaks District residents, expressing sincere condolences.

97. To approve as a correct record the minutes of the meeting of the Council held on 23 February 2021.

Resolved: That the Minutes of the meeting of the Council held on 23 February 2021 be approved, and signed as a correct record.

98. 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.

99. Chairman's Announcements.

The Chairman advised that Karl Sewell had sadly passed away on Saturday 10 April. Although Karl left the Council in 2010 he was sure a number of Councillors would have fond memories of him.

He announced that the Council had once again teamed up with Coolings Garden Centre in Knockholt to run this year's 'Sevenoaks District In Bloom' and his successor would have the wonderful opportunity of being involved in the judging. There were lots of categories to take part in, including front gardens, allotments, environmentally-friendly gardens, ornamental gardens, shop fronts and pub, restaurant, Bed & Breakfasts and hotel gardens too.

Finally the Chairman advised that unfortunately, this was his last formal meeting before Annual Council, which was a shame as he was just getting used to it. Had he only been in post for one year, he could have said how quickly time had flown, but as the municipal year had rolled over due to the pandemic with no events for him to attend in person, replaced by virtual platforms, unfortunately the year seemed to have dragged along. He personally could not wait for some sort of normality and hoped that the situation improved for the incoming chairman. He took the opportunity to thank his wife Frances who had been at his side and supported him in all his undertakings and had taken care of all the phone calls during his virtual meetings.

100. 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.

101. 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.

102. Matters considered by the Cabinet:

a) Council Tax Hardship Relief Support Scheme 2021/22

Councillor Fleming moved and Cllr Dickins seconded the recommendations from Cabinet, which sought approval of a delegated authority to enable the finalisation and implementation of a scheme, funded by Kent County Council, to provide additional council tax support for low-income households suffering financial hardship as a consequence of the Covid-19 pandemic.

Resolved: That delegated authority be granted to the Deputy Chief Executive and Chief Officer - Customer and Resources, to finalise and implement the necessary requirements to apply the proposed scheme.

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103. Matters considered by other standing committees:

- a) Department for Transport Statutory Taxi & Private Hire Guidance feedback and subsequent amendments to Policy

Councillor Clack moved and Councillor Pett seconded the recommendation from the Licensing Committee, which sought approval of amendments to the Hackney Carriage and Private Hire policy, following consultation.

Resolved: That the changes to the Sevenoaks District Council Hackney Carriage & Private Hire Licensing Policy as set out in Appendix C to the report, be approved.

104. 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 Members in accordance with paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution.

Question 1: Cllr Purves

‘The lack of a Local Plan has the potential of creating an open season for developers. Does the Council accept the urgency of submitting a new Local Plan and give an approximate date?’

Response: Leader of the Council

The Leader advised that the latest position in relation to the preparation of the emerging Local Plan had been circulated to Members by the Strategic Planning Manager on Friday 9 April, and his personal views on the matter were clearly set out in a statement available on the Council’s website.

Although disappointing, the conclusions of the Inspector and both Judges reinforced the abject failure of the duty to co-operate, as a means of achieving the Government’s objective to ensure that Local Plans were put in place as soon as possible. It is worth noting that the Government seems to have come to the same conclusion as the Planning White Paper looks to remove the duty. It can only be hoped that the Government realised however late in the day that the duty to cooperate has been used by the Inspectorate to throw out perfectly good Local Plans, plans that balance growth with the protection of the environment, plans that have taken years to craft, are evidence based, and come with broad public support such as out local plan.

Sevenoaks was certainly not an anti-development Council and he was pleased the Government had offered to work with the Planning Inspectorate to ensure a new Local Plan could be prioritised. Officers were working on a plan of action to make sure this happened and progress would be reported at the next meeting of the Development and Conservation Advisory Committee.

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As to whether legal action was justified, he believed it was with over 800 pages of evidence the Government's own Planning Advisory Service, a leading planning QC and former senior planning inspectors, all saying the Council had met the duty to cooperate, it would have been utterly wrong not to have taken it through the courts. He added that it should also be remembered that beyond the legal action there remained outstanding issues for the Inspectorate to answer. The Planning Inspector had teased that there were other issues with the plan, but his had not been expanded on in the letter to the Council, and despite repeatedly asking, they had yet to be forthcoming. He would also be writing to the relevant Minister setting out the Council's ongoing concerns with the Inspectorate's role within the Local Plan process. Meanwhile, environmental resources in the District and in particular the Green Belt, would continue to be protected by the policies in current plans and the provisions of national planning guidance. Inappropriate development in the Green Belt would only take place where an applicant had demonstrated very special circumstances and in this regard, there was no open season in Sevenoaks.

Supplementary question: Cllr Purves

Councillor Purves requested an estimate of the length of time before the Council was likely to be able to submit a new Local Plan.

Response: Leader of the Council

The Leader referred to his earlier answer and advised that Officers were working on a plan of action and would be reporting to the next meeting of the Development & Conservation Advisory Committee.

Question 2: Cllr Clayton

'Given the Council's ambitions to make progress on cycle routes, and given that it has become clear that asking Kent County Council (KCC) to read the 2011 Sevenoaks Cycle Strategy is not enough to gain their support for funding, what public consultation and technical work is the Council undertaking to build the case to attract external funding - from Government or KCC - to invest in Active Travel projects?'

Response: Leader of the Council

The Leader stated that this was a really exciting time for the Council with a lot of infrastructure projects going on, many lead by the Council, alongside the Council's Net Zero ambitions. So much so that this would now be pulled together by a specific team within Planning Policy to maximise the opportunities and potential. Discussions were ongoing with the Transport Innovations Team at Kent County Council, in order to understand what initiatives they had and their scale of ambition for the District. It also helped with understanding what funding was available and where the Council could assist in bringing each other's projects forward. Both Sevenoaks and Kent knew that the 2011 Cycling Strategy was out of date and were looking at how to take cycling forward as part of a new wider transport strategy for the district. Although it would be wrong for him not to point

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out that many of the SDC actions within that Strategy had been carried out and continued to be.

He reported that the Council was also launching a 'Movement Strategy', which looked at all modes of transport and how they could be made to work better together. This in turn would enable the Council to seek further funding for projects that would support the evidence gathered for this work.

There were regular meetings with transport providers and colleagues at Local Authorities across West Kent to discuss issues and look at how everyone could work together to secure more funding. The Council was also in the process of looking again at the emerging Local Plan and all the transport requirements within it. There was also regular contact with the Rail Projects Community Officer who had helped with partner working with organisations such as Darent Valley Rail Strategy, and aided consideration of improving access to stations which including cycling and seeking funding.

Officers had also attended a number of seminars regarding Transport for the South East which had looked at all forms of transport, integration and priorities for the area.

He finally stated that without being too much of a tease, there would be a number of exciting projects that being announced over the coming months.

Supplementary question: Cllr Clayton

Councillor Clayton welcomed what was said but stated that an essential first step under the government's framework was to construct a walking and cycling infrastructure plan that was a pre-condition for external funding. He asked what progress had been being made on that and when the Leader expected it to be completed by.

Response: Leader of the Council

In his response the Leader referred back to his earlier reply and the launching of the 'Movement Strategy' which went further than a walking and cycling infrastructure plan, as it looked at all modes of transport and how they could be made to work better.

105. 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.

106. 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 and the Cabinet had undertaken in the period 8 February to 1 April 2021.

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107. To receive reports from the Chairmen of the Audit and Scrutiny Committees on the work of the Committees.

a) Annual report from the Audit Committee Chairman

Members noted the report presented by the Chairman of the Audit Committee, Councillor McGarvey.

b) Annual report from the Scrutiny Committee Chairman

Members noted the annual report presented by the Chairman of the Scrutiny Committee, Councillor Brown.

THE MEETING WAS CONCLUDED AT 7.28 PM

CHAIRMAN