

DEVELOPMENT & CONSERVATION ADVISORY COMMITTEE

Minutes of the meeting held on 19 October 2021 commencing at 7.00 pm

Present: Cllr. Reay (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Cheeseman, Penny Cole, P. Darrington, Fothergill, McGregor, and Roy

Apologies for absence were received from Cllrs. Barnett, Clayton and Pett

Cllrs. Clayton, Dickins, Morris were also present via a virtual media platform, which does not constitute attendance as recognised by the Local Government Act 1972.

11. Minutes

Resolved: That the Minutes of the Development & Conservation Advisory Committee held on 6 July 2021, be approved and signed by the Chairman as a correct record.

12. Declarations of interest

No additional declarations of interest were made.

13. Actions from previous meeting

There were none.

14. Update from Portfolio Holder

The Portfolio Holder gave an update on the services within her portfolio. She advised that there continued to be huge number of applications being submitted to the Council, and based on the same period as the previous year there had already been a 22% increase, which equated to 228 more applications more than last year already. Performance remained high and performance indicators remained in the green. The team were working hard and effectively.

The Enforcement Team also remained busy under the Enforcement Team Manager and there had been some staffing changes including a temporary member of staff becoming a permanent Enforcement Officer and agreed recruitment for another Enforcement Officer.

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There was a huge amount of work being undertaken by the Planning Policy Team, especially with the work for the emerging Local Plan. The Team continued to do a superb job.

The Portfolio Holder advised that the Building Control Service was now fully back in house and the move had been seamless for the customers of the service.

The Chairman echoed his thanks to all the Teams for their continued hard work.

15. Referral from Cabinet or the Audit Committee

There were none.

16. Budget 2022/23: Review of Service Dashboard and Service Change Impact Assessments (SCIAs)

The Head of Finance presented the report which set out updates to the 2022/23 budget within the existing framework of the 10-year budget and savings plan. The report presented growth and savings/additional income proposals that had been identified which needed to be considered, and requested further suggestions from Members, before finalising the budget for 2022/23.

Informed by the latest information from Government and discussions with Cabinet, it was proposed that the Council continued to set a revenue budget that assumed no direct funding from Government through the Revenue Support Grant or New Homes Bonus. This would result in the Council continuing to be financially self-sufficient. To achieve this aim and to ensure a balanced budget position over the next 10-year period would continue to be challenging due to the ongoing financial impacts of the Covid-19 pandemic, homelessness and inflationary pressures.

The budget process would be the same as two years ago as opposed to the shortened process last year, but streamlining the process in future years was being investigated.

No changes had been made to the assumptions at this stage, and the annual budget gap included in the report was £100,000 which related to the annual savings target. It was expected however, that the gap would increase.

Members discussed the report with particular focus on recruitment, staff salaries and the income generated from planning applications.

Public Sector Equality Duty

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

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Resolved: That it be recommended to Cabinet that it be noted that

- a) there were no additional growth or saving proposals identified; and
- b) no further income or growth proposals were identified

17. Community Infrastructure Levy (CIL) Governance Annual Review

The Planning Policy Team Leader (Infrastructure) presented the report on the annual review of governance arrangements of allocating Community Infrastructure Levy (CIL) funding to local and strategic infrastructure projects across Sevenoaks District. The current governance arrangements had been agreed by Members of the Committee in July 2020. The report looked at what had been implemented and considered the recommendations made by an independent review, as well as any further changes that were required to the process of spending CIL. The Chairman and Vice Chairman of the CIL Spending Board had also been consulted.

Members took the opportunity to discuss the report and the comments made by the independent review by the Planning Advisory Service (PAS). Members discussed the suggested approach as set out in paragraphs 18 to 22 and 28 to 30 of the report. The Planning Policy Team Leader (Infrastructure) advised that due to time constraints for some infrastructure projects that would otherwise go without the benefit of CIL monies, or may never be implemented, it was proposed that 15% of the money currently allocated CIL Spending Board money be allocated to spend on projects outside of the Spending Board process, in certain circumstances. Members discussed the suggestions and whether some changes could be made, including the removal of allocating to officers, that the allocation be 15% of the CIL money received in a financial year, and that the Leader and Portfolio Holder for Development & Conservation agree the spend by a Portfolio Holder Decision. Members discussed if other Members of the Committee should be consulted noting particularly the Chairman and Vice Chairman of CIL Spending Board should be consulted.

Members also noted that there were proposed changes to part X1 of the Council's constitution.

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

- a) the following approach as detailed within the report and as (i) to (v), below be agreed;
 - i. Whilst the results of the assessment are good overall as we are seen as being a well-managed and integrated authority, it is important for us to consider if there are any ways to improve.

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- ii. One of the main suggestions is to look at predicting our CIL income. As officers, our recommendation in the past has been that we do not predict our CIL income as there is no guarantee and it is difficult to predict. This has been because not all permissions that have been served a Liability Notice will be implemented and also as we have no control over when development commences. Predicting CIL could cause us problems or unnecessarily raise hopes. If we allocate funds based on our prediction and less CIL actually comes in, it could also lead to disappointment and projects may miss out. As currently nothing relies on our CIL income and the meeting of the CIL Spending Board is flexible and is based on how much CIL actually comes in, it is suggested that there is no need to predict our CIL income and that we set up a CIL Spending Board only when we have sufficient CIL income to do so.
 - iii. It has also been suggested that we adopt a structured engagement plan to set our formally how we engage with stakeholders. Whilst this could be positive as we could formally set out ways in which we interact and when, it could also be beneficial to leave this flexible so we can interact and agree outcomes as and when needed.
 - iv. I do not consider that there is a need to set up an officer's working group as the CIL Spending Board is set up to distribute CIL funds and the DCAC and Cabinet oversee the Governance of this. It is considered that this is appropriate and a working group is not required.
 - v. In regard to the focus of our IDP, it will be possible to make this more of a delivery document, to look to update this regularly and also to ensure that it links into our IFS. It is important to have a clear structure to this process to ensure that all parties are included and to ensure that this links to our more strategic aims. As we are looking at the IDP and IFS again, in relation to a revised Local Plan, this is the perfect time to consider how this can be done more effectively. As a team are looking at this, it is considered that we can look at a better and more efficient way of dealing with this but no details have been decided yet. It is requested that this aspect be allocated to officers to consider a way forward.
- b) the changes to CIL Spending as detailed as (i) to (iii) below, be agreed;
- i. As the percentage for admin and Parish and Town Council's have already been agreed, it is suggested by officers that out of the 70% allocated to the CIL Spending Board to spend, that 15% percent be set aside for officers to spend outside of the CIL Spending Board process.
 - ii. It is still appropriate for the majority of the spending to be allocated through the CIL Spending Board. It be suggested that 15% of the CIL

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Spending Board money is allocated to spend on projects outside of the CIL Spending Board process and that funding can only be allocated in the following circumstances:

- The project is for infrastructure
 - The request is submitted in writing
 - The project is for one of the priorities laid out in the Council's IFS.
 - A clear need is shown for this project and it provides a clear community benefit.
 - It is part of an existing strategy or plan.
 - That the project has sought to maximise funding from other resources.
 - It is within a financial year
 - That the Leader of the Council and Portfolio Holder for Development & Conservation agree to the spend, by sign off on a Portfolio Holder Decision sheet, following consultation with the Chairman and Vice Chairman of CIL Spending Board.
- iii. It is considered that this will enable Sevenoaks District Council to contribute to much needed infrastructure projects that otherwise would go without the benefit of CIL monies or may never be implemented. There is no time limit on when this money can be spent and provided the projects will meet the criteria above it will be at officer's discretion. It is only a small percentage of the CIL funds and would enable SDC to be more flexible with the allocation of CIL and be able to help projects that are in line with our priorities.
- c) the amendments to Appendix X1 of the Constitution, as set out in Appendices A, B, C, D and E to the report, be agreed.

18. Infrastructure Funding Statement

The Planning Policy Team Leader (Infrastructure) presented the report which sought agreement to proposed priorities for the Council's Infrastructure Funding Statement (IFS) which the Council was required to report to the Government by the end of the year.

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Members took the opportunity to ask questions of clarification, and discussed the types of infrastructure projects that had received monies through the CIL Spending Board. Discussions also took place around the priorities for spending this year and that Edenbridge should be included as a priority area for health services.

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

- a) The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement, as set out below, be agreed;
 - The projects fall with the infrastructure types/projects identified in the IFS report.
 - The projects have been identified in our Infrastructure Delivery Plan. (This ensures that the infrastructure prioritised supports the Local Plan).
 - The projects support and are clearly related to proposed or allocated development in the District. They therefore provide a strong link between development and the proposed project.
 - That there is a strong social, environmental or economic justification for the scheme.
 - That projects have not received CIL previously.
 - The scheme has support from infrastructure providers
 - That there is a need or it will be expected to be delivered within the next 5 years.
 - That it is identified as having a critical or high need where the project has to be delivered prior to any development to support it.
 - Where it is likely that the infrastructure project can be delivered within the plan period as there are little or no issues with funding or landownership.
 - Where there is a clear plan as to how the project would be funded; and
- b) the specific projects and types of Infrastructure recommended in paragraphs 28 - 38 of the report, be identified in the Infrastructure Funding Statement as having a priority for full or partial funding, with the inclusion of Edenbridge under priorities under Health and Social Care

19. Local Plan Timetable

The Planning Policy Team Leader (Policy) presented the report which set out the proposed timetable for the Local Plan, which was also known as the Local Development Scheme (LDS). The timetable would be included within an LDS

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document, which would also provide details of other relevant documents such as Supplementary Planning Documents (SPDs) and Neighbourhood Plans.

Members were provided with a summary of the timetable and that it was hoped for the plan to be published in winter 2022/23 for final representations which would then be provided to the examining Inspector. It was anticipated that the plan would be adopted by April 2024.

Members discussed the timetable noting that it was a pressurised timetable and the amount of work which would be undertaken by the team.

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 Local Plan Timetable (LDS), be approved.

20. Local Plan Update

The Strategic Planning Manager presented the report which updated Members on the Local Plan, noting the information which had been set out within the Local Plan Timetable for the next steps for the plan making process.

Discussions with the Department for Levelling up, Housing & Communities were continuing and discussions were constructive and positive, with some clear conclusions on how the Council could progress an updated Local Plan. Members were also updated on the progress of the emerging evidence base studies, including the District-Wide Character Study, Town Centre Strategy, targeted review of Housing Needs and Settlement Capacity Study. Members were encouraged to take part in the Character Study consultation, which was due to run until 8 November 2021.

Members discussed the emerging trends for discussion, and requested briefings on each of the topics outside of the Local Plan Update. Members also took the opportunity to ask questions. In response to questions, Members were advised that the Call for Sites would be undertaken in two stages. Stage 1, which had now commenced, invites the submission of sites in settlements outside of the Green Belt and will be informed by the Settlement Capacity Study. Stage 2 would begin on 25 November and invites sites from all other areas of the District. The Stage 1 and Stage 2 Call for Sites will close on 20 January 2022.

Resolved: That the report be noted.

21. Work plan

The work plan was noted with the following additions for 2 December 2021:

- Building Control - meet the team

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- Local Plan - Housing needs

THE MEETING WAS CONCLUDED AT 8.53 PM

CHAIRMAN