

COUNCIL

Minutes of the meeting held on 19 July 2022 commencing at 7.00 pm

Present: Cllr. Hunter (Chairman)

Cllr. Layand (Vice Chairman)

Cllrs. Abraham, Andrews, Ball, Barnes, Bayley, Bonin, Bulford, Dr. Canet, Clack, Collins, Dickins, Dyball, Edwards-Winser, Esler, Eyre, Fleming, Fothergill, Griffiths, Grint, Harrison, Hogarth, Hudson, Kitchener, London, Maskell, McArthur, McGregor, Morris, Osborne-Jackson, Pender, Purves, Raikes, Roy, Thornton, Waterton, Williams, Williamson and Streatfeild

Apologies for absence were received from Cllrs. Barnett, Cheeseman, Clayton, Penny Cole, Perry Cole, G. Darrington, P. Darrington, Nelson, McGarvey, Pett and Reay

Cllrs. G. Darrington, P. Darrington, McGarvey and Reay were present via a virtual media platform which does not constitute attendance under the LGA 1972.

14. To approve as a correct record the minutes of the meeting of the Council held on 10 May 2022

Resolved: That the Minutes of the meeting of Annual Council held on 10 May 2022 be approved and signed by the Chairman as a correct record.

15. 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.

16. Chairman's Announcements.

The Chairman announced it was now two months since her election as Chairman and after a quiet start, things were getting busier. She began by congratulating Sevenoaks Town on recently being named the 'Best Place to Live in the South East' by The Sunday Times. It was a great honour and one well deserved by the community highlighting the importance of continuing to improve and support everyone in Sevenoaks, much like the goal of the new place brand campaign, 'Sevenoaks So Much More', the launch of which she was delighted to attend recently.

On this theme, she further announced that Hollybush Playground in Sevenoaks was getting an exciting £85,000 refurbishment which included installing new play equipment such as a tree top canopy tube slide. The work was being paid for by a grant from Kent County Council's Community Parks Funding, and a further £15,000 is going to West Kingsdown Parish Council to part fund their playground improvements.

The Chairman was also delighted to announce that Sevenoaks District Council had secured £1.2 million for a new east to west cycle and walking route in Sevenoaks. This initiative would help towards the 'Movement Strategy' to encourage healthier, safer and more sustainable travel, and would also help the Air Quality Action Plan as the route improved connections to local schools, helping to reduce the environmental impacts of the school run.

For the first time since the pandemic, back in May returned the 'Run, Walk, or Push Against Dementia' at Knole Park. There were over 300 participants and it raised thousands of pounds for local dementia services. It was such an important cause and the Chairman was enormously proud of the community in all they had achieved to help those living with memory issues.

'The Big Community Sing' in celebration of the Queen's Platinum Jubilee, took place in June, where singing groups of all ages took part in the musical extravaganza at the Stag. The night was a huge success and raised lots of money for local mental health services.

The Chairman announced that looking to the summer holidays, the council was once again organising 4 weeks' worth of free Family Fun Days. They included every activity imaginable, details of which could be found on the council's website, and no booking was necessary in order to take part. As well as this there were five, free eco-trails being set up across the District so families could enjoy local wildlife and possibly win a fabulous eco-hamper. The trails would be set up between 22 July to 4 September 2022 by Sevenoaks District Council and The North West Kent Countryside Partnership and would explore some beautiful nature spots.

Finally, next Friday the 'Three and Four' was set to be unveiled in Blighs, a new stunning bronze and steel sculpture created by Oliver Barratt, an international artist who lives near Sevenoaks. The project had been paid for by property developers from a fund specifically for public art, and celebrates the history of Blighs, Sevenoaks and the wider area in the beautiful and thoughtful work.

Before ending her announcements the Chairman requested Members save the date in their diaries of Thursday 13th October, for an event at Bore Place which would include a tour of the farm, talks about ecology and the work of the Commonwork Trust followed by afternoon tea. Details will be e-mailed nearer the time.

17. 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.

18. 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.

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

a) **Housing Strategy 2022-27**

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought approval for the Housing Strategy 2022- 27 be adopted and that the public consultation, be noted.

Resolved: That the

- a) feedback received from the public consultation, be noted; and
- b) Housing Strategy 2022- 27, be adopted.

b) **Sevenoaks District Housing Register Allocations Scheme**

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet, which sought the noting of the feedback received from the public consultation and the Housing Register Allocation Scheme, be adopted following revised wording as set out in the agenda.

Resolved: That the

- a) feedback received from the public consultation, be noted; and
- b) Housing Register Allocations Scheme 2022-2027, be adopted with the revised proposed wording as set out on page 95 of the agenda papers.

c) **Quercus Housing - Increasing the delivery of affordable housing in the Sevenoaks District**

Councillor Fleming proposed and Councillor Maskell seconded the recommendation from Cabinet, with an amendment to (b) that the Portfolio Holder for Finance also be consulted. The report sought for approval of a financial facility of up to £15million which was to be drawn down by Quercus Housing over a 10-year period from prudential borrowing obtained by the Council. It would be used for the purpose of delivering affordable housing. It also sought delegation for the terms of any borrowing to be determined at the point of draw down.

Resolved: That

- a) a financial facility of up to £15million to be drawn down by Quercus Housing over a 10-year period from prudential borrowing obtained by the Council and to be used for the purpose of delivering affordable housing, be approved; and

- b) the Deputy s.151 Officer in consultation with the Chief Executive and Portfolio Holder for Finance & Investment, be delegated authority to agree the terms of any borrowing to be determined at the point of draw down.

d) Contaminated Land Strategy 2022-27

Councillor Fleming proposed and Councillor McArthur seconded the recommendation from Cabinet for the adoption of the Contaminated Land Strategy 2022-27.

Resolved: That the Contaminated Land Strategy 2022-27, be adopted.

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

a) Returning Officer's report following by-election

The report provided Members with the result of the by-election. Councillor Fleming welcomed Cllr Streatfeild to the Council following the by-election held in June, and the Chairman echoed his welcome

It was moved by Councillor Fleming and seconded by Councillor Dickins that the report be noted.

Resolved: That the report be noted.

- b) **To agree the allocation of seats to political groups in accordance with the political balance rules**

Councillor Fleming moved and Councillor Dickins seconded the recommendation which noted the political balance of the Council, detailed the politicial groupings and proposed agreement for the allocation of seats as set out in the appendix.

Resolved: That

- a) the political balance of the Council was 45 Conservative, 4 Liberal Democrat, 2 Hextable Independent; 1 Labour; 1 Independent and 1 no party description, be noted;
- b) the following political groupings: 45 Conservative Group, 4 Liberal Democrats Group; 3 Sevenoaks Independent Group, leaving 2 ungrouped, be noted; and
- c) the allocation of seats as set out in the appendix to the report, be agreed.

c) Changes to appointment of Memberships of Committees 2022/23

Councillor Fleming moved and Councillor Dickins seconded the recommendation which requested the approval of the revised Membership of Committees for 2022/23.

Resolved: That the changes to the appointments of memberships of Committees for 2022/23

d) Changes to appointments to other organisations 2022/23 (Non-Executive)

Councillor Fleming moved and Councillor Dickins seconded the recommendation which changed the appointments to other outside organisations for the remainder of the municipal year 2022/23.

Resolved: That the changes to appointments to other outside organisations for the remained of the municipal year 2022/23 as set out in the supplementary agenda, be approved.

e) To confirm the Council's Policy Framework (as set out in Appendix F of the Constitution)

Debate took place on the recommendation before Members and it was moved by Councillor Fleming and seconded by Councillor Dickins that the report be deferred for consideration by Governance Committee.

Resolved: That the report be deferred to be considered by Governance Committee before coming to the November meeting of Council.

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

Question 1: Cllr Streatfeild

“Significant proportion of people would like to be able to live in the town or village they grew up in. That is true of Penshurst Fordcombe and Chiddingstone and across the district - how is the housing strategy, which identifies a District wide requirement of 423 per year, going to ensure we have sufficient affordable houses, which must be built at a rate of 12 per parish per year across the District, if that is to be achieved? In answering the question could the cabinet member also touch on how the council plans to make these homes truly affordable rather than just let at 80% of market rate?”

Response: Leader of the Council

“The draft Housing Strategy 2022-2027 and emerging Local Plan recognise the importance of sustaining communities through the provision of new affordable housing.

The District Council has committed to a 5 year rolling programme of housing needs surveys across all 31 town/parish council areas. We are now 2 years into this programme. The needs surveys provide evidence to assist communities wishing to take forward local needs housing schemes, e.g. rural exceptions sites.

Local needs housing schemes means applicants on the Sevenoaks District Housing Register with a proven local connection to the parish, will have priority in perpetuity.

We are working closely with a number of Parish Councils and our specialist rural provider, English Rural HA, to deliver new local needs homes. Two such homes were delivered in 2020/21 (Weald Parish - WKHA) and two in 2021/22 (joint scheme with Halstead and Knockholt Parishes). Six homes are due for delivery this September (Seal Parish). A further nine homes have been permitted and are due for delivery in 2023 (Seal Parish - WKHA). Two planning applications have been submitted for local needs schemes in Chiddingstone and Halstead Parishes. A further application is anticipated in the Autumn for West Kingsdown Parish. Work is ongoing with other Parishes, including Leigh and Penshurst.

All of the above mentioned sites will provide new, genuinely affordable homes. This means homes for rent, where the rent is capped at Local Housing Allowance levels or lower. Our partner providers work hard to ensure housing running costs are minimized where possible, with keen attention paid to energy efficiency.

Delivering new local needs housing is not easy - all parties recognise it takes time, commitment, tenacity and a willing landowner, to bring matters to fruition. A timeline for the proposed WKHA scheme at Forge Field, Penshurst, demonstrates this:

In January 2009, Penshurst parish needs survey identifies there is a need for 11 new affordable homes and recommends a scheme of approximately 5 affordable rented homes to meet this need. In February 2011, Forge Field is identified as the preferred site by the Parish Council. In October 2011 a planning application is submitted (11/02258/FUL) for 6 affordable units on Forge Field. Then in April 2012 another planning application is submitted (12/00946/FUL) for 6 affordable units on Becketts Field (alternative proposal to Forge Field application). In July 2012 the Forge Field application is approved (subject to S106) at Planning Committee.

In October 2012 the Forge Field application went back to Committee so that it could be considered alongside the alternative proposal at Becketts Field at the same time, given that either proposal could satisfy the identified need for affordable housing in the parish. Forge Field is granted (subject to S106) and Becketts Field is refused (scale, height, design and lack of S106 to secure the homes as affordable and local in perpetuity). Following this in January 2013 a Judicial Review of permission is applied for by Penshurst residents group and in June 2013 a revised planning application is submitted for Forge Field (13/01590/FUL). The

application is identical to the previous one, but the applicant wished to resubmit the application with a revised design and access statement to address matters raised under Judicial Review on ecology, flood risk and heritage impact. In October 2013 the revised application for Forge Field approved, and a Judicial Review of revised permission applied for by Penshurst residents group.

In January 2014 a High Court hearing is held for both cases. Following that in June 2014 the Judicial Review was successful (both permissions quashed) on the basis that not enough weight was given to the harm to both the setting of nearby listed buildings and the conservation area, however this was only established by the Courts post determination of the application following case law in Oxfordshire on a wind turbine proposal, therefore we couldn't have known that at the point the application was considered. The judge also considered that a robust assessment of alternative sites was not undertaken following the refusal of the Becketts Field application, given the reasons for refusal could be overcome with a willing landowner (scale, height, design and Lack of S106 to secure the homes as affordable and local in perpetuity).

Finally, in August 2021 Penshurst Parish Council undertake a new parish needs survey, which identifies an updated need for 18 affordable homes (2 of which are for older person households) and 5 open market homes for older person households who wish to downsize/move to more suitable housing for their needs. We continue to provide ongoing assistance with their site search. However, I am sure the local Member will put his full weight behind finding such a site.

Hever Parish Council also encountered very strong opposition when consulting on a potential site for local needs housing. This largely came from neighbouring residents. Ultimately the Parish Council decided to call a halt and matters have lain dormant since. It is hoped the updated needs survey of the Parish, due in Year 4 of SDC's rolling programme, may help to re-energize activity including the critical identification of potential sites.”

Chairman throughout this the Council, West Kent Housing Association and others have shown their unwavering commitment to find genuinely affordable housing both in the questioners ward and rural wards across the district.”

Supplementary question: Cllr Streatfeild

Clearly the numbers given fall a long way short of the total needs identified and how will that gap be closed?

Response: Leader of the Council

The Leader went back to his opening marks and advised that the Housing Strategy clearly set out a 5 year programme of which we were in year two of trying to identify sites. As he then went onto explain it was not that easy. If sites did not come forward, if the sites were not suitable and local residents wished to spend money on judicial reviews then the council were going to find themselves in the same situation. However, the second part of the original question was about affordability and the council were absolutely committed to genuinely affordable

homes. These homes would be at the local housing allowance rate or below and that makes them genuinely affordable.

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

Question 2: Cllr Purves

“With reference to the proposed KCC cuts in the school bus service, I appreciate this is not a District Council responsibility, but it will affect a large number of children in the District.

What can SDC do to help to ameliorate the situation?”

Response: Leader of the Council

“Thank you, I’m just going to pick up on one error in the question. These are not KCC school bus services which are being cut, these are operator- Commercially Operated bus services that serve schools. I think it’s a very important distinction to make.

The fact that that Kent actually looked to remove bus services at the same time and made a decision, although interestingly keeping the Kent Carrier Services - something that we as a Council lobbied on meaning that some of our most vulnerable residents will continue to have bus services which will take them to where they need to go, should be applauded.

I have written to the relevant Portfolio Holder at KCC. I’ve written two letters. The first on the economic impact of some of these non- school routes being lost. Particularly affecting the Northern Parishes of the district, New Ash Green and Swanley and also affecting other Northern Parishes as well. As well as highlighted the environmental impact and also noting our new Economic Development Strategy which talks about transport and the importance of transport for a thriving economy.

I have separately written to the relevant Portfolio Holder on the school bus issue and I’m pleased to say at the weekend we heard that GoCoach would be taking over some of the route and discussions are still on going. For those that are interested, if you google KCC buses there is a real time update as to how those negotiations are going. I know it is something concerning parents and pupils across the District and I will keep the channels open. I have offered any help that we can bring to bear in those negotiations but it is important to note that the school buses are commercial routes and they were stopped by commercial bus companies for commercial reasons.”

Supplementary question: Cllr Purves

The DFT funding of £35 million for Kent for the Kent business improvement plan, is only for investment in new services, so could Sevenoaks District Council not bid for a share of the money to run a school bus service itself in the District - it’s a new service so it would it not qualify for DFT funding?

Response: Leader of the Council

The Leader advised that his understanding was that a large chunk of money was in fact for capital expenditure and not for revenue expenditure to support bus routes. He emphasised that they were not KCC school bus cuts. KCC had reduced their funding on a number of routes to £2million from £5 million and it was a non-statutory service for the County Council. He was sure KCC would be exploring how best to spend the money from the DFT and watching with interest how the money would be spent, particularly within the district.

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

22. 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.

23. 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 had the Cabinet had undertaken in the period of 4 April to 1 July 2022. The Leader took the opportunity to highlight the 'Big Sing' and the LGA Conference in Harrogate which had been very beneficial.

24. To receive reports from the Chairmen of the Audit and Scrutiny Committees on the work of the Committees since the last Council meeting.

Members noted the report presented by the Chairman of the Audit Committee, Cllr McGarvey. He highlighted how there were two newly appointed non-voting Co-opted Members successfully appointed.

THE MEETING WAS CONCLUDED AT 7.42 PM

CHAIRMAN