

## CABINET

### Minutes of the meeting held on 9 February 2023 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllr. Dickins (Vice Chairman)

Cllrs. Dyball, Maskell, McArthur and Thornton

Cllr. Clayton was also present

Cllrs. Dr Canet and McGarvey were present via a virtual media platform which does not constitute attendance under the Local Government Act 1972

#### 83. Minutes

Resolved: That the Minutes of the Cabinet meeting held on 12 January 2023, be approved and signed by the Chairman as a correct record.

#### 84. Declarations of interest

No additional declarations of interest were made.

#### 85. Questions from Members (maximum 15 minutes)

There were none.

#### 86. Matters referred from Council, Audit Committee, Scrutiny Committee, CIL Spending Board or Cabinet Advisory Committees (if any)

There were none.

### CHANGE IN AGENDA ORDER

The Chairman moved, and it was agreed, that item 7 (Sevenoaks Town Neighbourhood Plan) be moved up the agenda and considered before item 5 (Supporting Small Business Rates Relief Scheme 2023 - 2026).

#### 87. Sevenoaks Town Neighbourhood Plan

The Portfolio Holder for Development and Conservation Advisory Committee presented the report which provided an overview of the Sevenoaks Town Neighbourhood Plan (STNP) and recommended that it proceeded to referendum.

The Planning Policy Team Leader advised that the Sevenoaks Town Neighbourhood plan had been successful at examination with the independent examiner recommending that it should proceed to referendum following modification which

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had been undertaken and was set out in Appendix D. Members were advised that once a Neighbourhood plan was approved (and referred to as a 'made' neighbourhood plan) become part of the development plan for the area to which they geographically apply, and would be a key document in determining of planning applications in that area.

Members considered the report.

### Public Sector Equality Duty

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

Resolved: That

- a) the independent examiner's Report at Appendix A, be noted.
- b) the STNP be modified, as set out in Appendix B, according to the examiner's recommendations, following discussion with STC, and be approved.
- c) the Decision Statement at Appendix C and the decision to progress the STNP to referendum, be approved.
- d) a referendum take place on 4 May 2023; and
- e) in the event the referendum result on the STNP is positive (more than 50% of the vote) the Council formally 'makes' (adopts) the STNP as set out in Appendix D, so that it has effect as part of the statutory Development Plan for the Neighbourhood Area. This will be passed to Full Council.

### 88. Supporting Small Business Rates Relief Scheme 2023-2026

The Portfolio Holder for Finance & Investment presented the report which set out the proposed Supporting Small Business Rates Relief Scheme for 2023-2026.

The Business Rates Manager advised that following the Autumn Statement a business rate relief scheme for eligible ratepayers would be provided. The scheme would support those ratepayers, who would lose some or all of their relief following a change in the rateable value, at revaluation. Appendix A set out the scheme of how the Council intended to implement the relief which closely mirrored the eligibility criteria.

### 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 the Supporting Small Business Rates Relief Scheme for 2023-2026, be approved.

### 89. Retail, Hospitality and Leisure Business Rates Relief Scheme 2023 - 2024

The Portfolio Holder for Finance & Investment presented the report which set out the proposed Retail, Hospitality and Leisure Business Rate Relief Scheme for 2023/2024.

The Business Rates Manager advised Members that following the Autumn Statement a business rate relief scheme for eligible retail, hospitality and leisure properties for 2023/24 would be available. The guidance stated that it was for each billing authority to adopt a local scheme and decide in each individual case when to grant relief under Section 47 of the Local Government Finance Act 1988 (as amended). Appendix A set out the Scheme of how the Council intended to implement the scheme which mirrored closely to the content of the available guidance.

#### Public Sector Equality Duty

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

Resolved: That the Retail, Hospitality and Leisure Business Rate Relief Scheme for 2023/24, be approved.

### 90. Application of Additional Designated Rural Area Status in relation to Core Strategy Policy SP3

The Portfolio Holder for Housing & Health presented the report which outlined the additional Designated Rural Area status designations successfully applied for via the Secretary of State, which came into force in December 2023. Following this there were now 17 fully designated rural areas, and 10 were partially designated.

The Housing Strategy Manager explained that applying these new designations in relation to Core Strategy SP3 would apply the affordable housing obligation on the lower site threshold of 6 to 9 homes within these areas. This would maximise affordable housing contributions from smaller sites, which could then help deliver affordable housing in other areas across the District. This would not impact the rural exceptions housing programme.

Members were advised that affordable housing could be provided on Rural Exception Sites within these areas. These sites would have planning constraints and would be delivered for local residents in perpetuity.

#### Public Sector Equality Duty

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

Resolved: That the additional Designated Rural Area status conferred by the Housing (Right to Buy) (Designated Rural Areas and Designated Regions)

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(England) Order 2022, as set out in Appendix A, in relation to Core Strategy Policy SP3 (Provision of Affordable Housing), be approved.

### 91. Homelessness Review 2022 and draft Homelessness and Rough Sleepers Strategy 2023-2028

The Portfolio Holder for Housing and Health presented the report, which presented the findings of the Homeless review and outlined the Homelessness and Rough Sleepers Strategy for 2023-28. The strategy had identified the need to increase the number of affordable homes in the District to meet the needs of residents. It aimed to address this through prevention, intervention, and sustainable solutions, delivered alongside partnership organisations. The Housing & Health Advisory Committee has considered the same report.

The Head of Housing advised Members that the consultation process gathered feedback from an online survey, consultation with Members, the new Homeless and Rough Sleeper Strategy forum, and partnership organisations. This process identified several key priorities, including the delivery of more social and affordable housing, promoting the housing options available, the information available to customers, and the importance of involving people with lived experience of homelessness in the strategy.

She outlined some of the steps taken to address these concerns. The Registered Provider Eligibility Criteria had been approved by Cabinet, which would help enable additional social and affordable housing. The Empty Homes Strategy would aim to bring more properties back into use. Face to face support was being provided at the Council Offices and the Swanley Hub, offering a wide range of support for homelessness and other issues, in conjunction with other Council teams and partners. The Landlord Incentive Scheme was being reviewed, and some successes had been had in working with landlords to transition people in temporary accommodation into 6 and 12-month tenancies. The Council was working with the Kent Housing Options Group to review temporary accommodation providers and ensure consistency and competitive rates.

The strategy would be monitored with the support of the Homeless and Rough Sleeping Strategy Forum on a quarterly basis to feed into the annual update to the Committee to ensure the services provided were meeting the changing needs of residents.

#### Public Sector Equality Duty

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

Resolved: That

- a) the feedback received from the public consultation be noted; and

- b) it be recommended to Council that the draft Homelessness and Rough Sleepers Strategy be adopted.

92. Treasury Management Strategy 2023/24

The Portfolio Holder for Finance & Investment presented the report which outlined 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 yields had increased since the implementation of the revised strategy and stood on track to secure approaching £500,000 from this source in the current year. Finance and Investment Advisory Committee had considered the same report and recommended the report for approval.

The Senior Principal Accountant outlined the prudential indicators, the borrowing and repayment strategy, and the investment strategy for 2023/24. There were no major changes to the investment strategy. Multi Asset Income Funds were highlighted as a successful implementation of this strategy.

Resolved: That it be recommended to Council that the Treasury Management Strategy for 2023/24, be approved.

93. Property Investment Strategy 2023/24

The Portfolio Holder presented the report which updated Members on the progress of the Property Investment Strategy to January 2023 and its future direction. Members were advised that the Finance & Investment Advisory Committee were in support of the recommendation.

The Head of Finance further advised that the changes in government regulations and CIPFA prudential code meant that the Council could no longer borrow to make property investment purely for yield. He explained that the Investment Property income budget was derived from income from investment properties owned by the Council, interest from loans to Quercus 7, and dividends from Quercus 7.

Resolved: That it be recommended to Council that the Property Investment Strategy Criteria be adopted.

94. Budget & Council Tax Setting 2023/24

The Portfolio Holder for Finance & Investment presented the report which set out the proposed budget for 2023/24. He advised that this was the final stage of the budget process which had seen significant member involvement. If approved, the net expenditure budget for 2023/24 would be £18.5m with the Council's Tax increasing by 2.98% resulting in Band D Council Tax being £236.70, an increase of £6.84. He was pleased to announce that the report would once again leave the council with a fully funded self-sufficient budget over the next 10 years.

The Council Tax and Recovery Manager set out the proposed changes to Council Tax premium charges which proposed to shorten the premium on long term empty

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dwellings from the current 2 years empty to 1 year from 1 April 2024; and 100% premium on all second homes from 1 April 2024, should the Regeneration & Levelling Up Bill receive Royal Assent. The Bill stated that to apply the changes, approval to do so must be given at least 12 months before the implementation date to ensure the required 12 month leading period.

The Deputy Chief Executive and Chief Officer - Finance & Trading advised Members that it had once been again a challenging budget process with a number of changes made at each stage, and were listed in Appendix E. The position had improved since the report to Cabinet in January as the annual budget gap had reduced from £126,000 to £104,000 due to this council's share of the Collection Fund surplus. This gap would be funded from the Budget Stabilisation Reserve.

The Final Local Government Finance Settlement was announced earlier this week and there were no significant changes from the provisional settlement affecting this council. He advised that appendices P to S were not included within the Cabinet papers but would be included in the Council version of the report after the other preceptors have set their Council Tax.

The report included his opinion, as the Statutory Finance Officer, on the robustness of the budget estimates and adequacy of reserves. The flexibility of the 10-year budget approach assisted in these uncertain times but it should be recognised that when there was greater certainty it was highly likely that additional savings and income would be required in the next budget process.

Members discussed the report.

### Public Sector Equality Duty

Members note 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 2023/24 set out in Appendix F, be approved;
- (b) the 10-year budget 2023/24 to 2032/33 which was the guiding framework for the detailed approval of future years' budgets set out in Appendix C(i) to the report, including the budget changes set out in Appendix E to the report, and that where possible any variations during and between years be met from the Budget Stabilisation Reserve, be agreed;
- (c) the Capital Programme 2023/26 and funding method set out in Appendix J(i) and Capital Strategy 2023/24 set out in Appendix J(iii), be approved;
- (d) the changes to reserves and provisions set out in Appendix K, be approved;

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- (e) the Local Council Tax Reduction Scheme 2022/23, be rolled forward to 2023/24, with effect from 1 April 2023 (Appendix M), be approved;
- (f) the Council Tax premium on long term empty dwellings, be shortened from the current 2 years (empty) to 1 year from 1 April 2024 (Appendix N), be agreed in principle for implementation following Royal Assent to the relevant Act of Parliament;
- (g) the 100% Council Tax premium on all second homes from 1 April 2024 (Appendix N), be agreed in principle for implementation following Royal Assent to the relevant Act of Parliament; and
- (h) SCIA 18 be reviewed by Officers with the intention of the retention of the Out of Hours service during the peak months of the year.

### 95. Letting of 26 - 28 Pembroke Road

The Portfolio Holder for Finance & Investment presented the report which sought approval for the granting of a long lease for 26 - 28 Pembroke Road, Sevenoaks.

The Strategic Head of Property & Commercial Services set out the report and outlined the basis of the long lease.

Members considered the report, noting the guaranteed income for 15 years.

#### Public Sector Equality Duty

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

Resolved: That

- a) the long-lease as outlined in the confidential appendix to the report, be approved;
- b) the Strategic Head of Property and Commercial Services in consultation with the Deputy Chief Executive and Chief Officer - Finance and Trading, be delegated authority to enter into the necessary legal agreements for the granting of a long lease at 26 - 28 Pembroke Road.

### IMPLEMENTATION OF DECISIONS

This notice was published on 10 February 2023. The decisions contained in Minute 88, 89 and 90 take effect immediately. The decisions contained in Minute 87 and 95 take effect on 20 February 2023. The decisions contained in Minutes 91, 92, 93 and 94 are references to Council.

THE MEETING WAS CONCLUDED AT 7.58 PM

CHAIRMAN