

COUNCIL

Minutes of the meeting held on 21 February 2023 commencing at 7.00 pm

Present: Cllr. Hunter (Chairman)

Cllr. Layland (Vice Chairman)

Cllrs. Abraham, Andrews, Ball, Bayley, Bonin, Brown, Bulford, Dr. Canet, Cheeseman, Clack, Penny Cole, Perry Cole, Collins, Dickins, Dyball, Edwards-Winsor, Esler, Eyre, Fleming, Fothergill, Griffiths, Grint, Harrison, Hogarth, Hudson, Kitchener, London, Maskell, McArthur, McGarvey, Morris, Pender, Purves, Raikes, Reay, Roy, Thornton, Waterton and Williams

Apologies for absence were received from Cllrs. Barnes, Barnett, Clayton, G. Darrington, P. Darrington, McGregor, Nelson, Pett, Streatfeild and Williamson

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

38. To approve as a correct record the minutes of the meeting of the Council held on 15 November 2022

Resolved: That the Minutes of the meeting of Council held on 15 November 2022, be approved and signed by the Chairman as a correct record.

39. 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.

40. Chairman's Announcements.

The Chairman announced that Christmas had now been and gone, and the brighter days would soon be coming, but that had not stopped her activities in the outdoors. This included the planting of an Alder Tree with the Lady Colgrain, Lord Lieutenant of Kent. The tree formed part of a spectacular sculpture outside of Buckingham Palace during the Queen's Platinum Jubilee celebrations and was now in the grounds of Bradbourne Lakes. She had also attended the burial of a time capsule, with Cllr Dyball at White Oak Leisure Centre, as part of marking the 1 year anniversary since its opening. The Leisure Centre also hosted an event with activities on 12 February 2023 to mark the occasion.

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The Chairman also announced that she was invited to attend the Chairman of KCC's Holocaust Memorial Day where we received personal accounts of those who had been directly affected and it gave everyone present a chance for silent reflection. It was an incredibly moving event.

Councillors were reminded that there was still time for thoughts and opinions to be given on the proposed Conservation Area Appraisal for Eynsford, Farningham and Kemsing. The draft proposed appraisal was still available until Friday 3 March 2023.

The Coronation of His Majesty King Charles III would take place on Saturday 6 May 2023, beginning three days of celebrations. The extended bank holiday weekend would provide many opportunities for everyone to come together to mark this special occasion with street parties and community events. The Chairman encouraged Members who knew of anyone considering holding an event, to think about any permissions they may need for certain activities to Kent County Council (KCC) by 3 March 2023.

Members were reminded of the 'Making it Happen' voluntary and community awards event on Wednesday 15 March 2023 at St. Nicholas' Church Sevenoaks. The awards recognised residents and organisations in the District that go the extra mile.

The Chairman was delighted to end her announcements sharing that the Council had been awarded an iESE Certificate of Excellence for its Mentoring Scheme, which was led by Jenny Godfrey and the Communities Team. She expressed her congratulations to all involved.

41. 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.

42. 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.

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

- a) **Homelessness Review 2022 and draft Homelessness and Rough Sleepers Strategy 2023-2028**

Councillor Fleming proposed and Councillor Maskell seconded the recommendation from Cabinet. The report detailed the feedback from the public consultation and sought approval for the Strategy to be adopted.

Resolved: That the

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- a) feedback received from the public consultation, be noted; and
- b) Homelessness and Rough Sleepers Strategy 2023- 2023, be adopted.

b) Treasury Management Strategy 2023/24

Councillor Fleming proposed and Councillor Dickins seconded the recommendation from Cabinet. The report sought approval for the Treasury Management 2023/24.

Resolved: That the Treasury Management Strategy 2023/24, be approved.

c) Property Investment Strategy 2023/24

Councillor Fleming proposed and Councillor Dickins seconded the recommendation from Cabinet. The report sought approval for the Property Investment Strategy 2023/24.

Resolved: That the Property Investment Strategy criteria, be agreed.

d) Budget and Council Tax Setting 2023/24

Councillor Fleming proposed and Councillor Dickins seconded, the recommendation from Cabinet. The report sought approval of the proposed budget and required level of Council Tax for 2023/24, and proposed a net expenditure budget of £18.533m with the District Council Tax increasing by 2.98% resulting in Band D Council Tax being £236.70.

The Leader spoke to the motion stating that “Last year we met at the Stag Theatre, one of the last meetings we had away from this Chamber, we were at what we believed was the tail end of the pandemic and the budget position of the council was overshadowed by the significant impact that it had had on the council, the districts residents, and businesses. We met days before Russia’s major escalation of its illegal invasion of Ukraine and the terrible impact this continues to have on that country and its people, and the global economic shockwave that followed.

Whilst I spoke at the time of some of the pressures that were building, including rising inflation, at that stage no one could have predicted what we have seen, financial impacts on a global scale down to family and individual budgets with the rising cost of living. The council found itself moving from the support given to communities during the pandemic to supporting those most impacted by the economic pressures that followed. We saw an almost immediate rise in approaches to the council for housing support, financial and benefit advice.

We faced double digit inflation coupled with increasing demand for almost all our services. Government schemes to support those fleeing Syria, Afghanistan and Hong Kong were supplemented with numerous schemes in support of individuals displaced by the conflict in Ukraine. Sevenoaks residents opened their doors to this latest

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refugee crisis and the district council alongside our partners supported and continue to support them. This year we had hoped to pause and recharge, but as this was not the case, we threw ourselves into the service of those residents most in need, both old and new, lifelong, and those here for a short time.

Throughout, we continued to provide over 80 services to the public, we continued our capital programme, investing in the future of our district, provided homes, jobs and the infrastructure that will move the district forward, we continued to work with partners and charities, we promoted the districts tourism and economic opportunities through our place campaign, we protected the districts environment, whether challenging inappropriate development, focusing on reducing our use of natural resources, improving air quality, prosecuting fly tipping criminals. All this, and so much more, made possible by the sound financial management of council taxpayers' money that you see continued in the budget before you tonight.

Throughout, all this uncertainty, rising costs, increasing demand, we have been as equally focused on delivering value for money to every single household in the district, we have made savings, we have reduced bureaucracy and embraced new ways of working. Sometimes we feel the impact of these changes, this year the district went through a waste round review, why?

We have seen consistently 20% more waste and recycling collected during and since the pandemic, with people spending more time at home and producing more waste, we saw double digit increases in fuel costs. Implementation was always going to be painful and unfortunately it didn't disappoint, whilst many of the issues have been ironed out, we will continue to make any small changes necessary. However, we stand to save residents thousands of pounds a month, we will purchase new vehicles to join our fleet, making the service more reliable and lessening the impact on the environment, and we have secured the weekly collection of waste and recycling for every household in the district.

Chairman, tonight you have before you a ten year balanced budget, we maybe in the 13th year, we may now take it for granted, nay Sayers said it wasn't possible, they said that you couldn't make a decade's worth of assumptions. A ten year balanced budget is not normal! This remains something we do, uniquely in the Sevenoaks District. This remains the sole reason that tonight we can protect services to the public. Enhance those services that are most needed to support residents. Continue to deliver our largest capital programme in decades. Reduce our proportion of the overall council tax bill with a below inflation rise, meaning more money stays in the pockets of Sevenoaks residents.

Why does any of this matter? It is a year and a week since the opening of the White Oak Leisure Centre, the council's largest single capital project in over 40 years, a year that has seen record breaking attendances, the centre is back at the heart of the Swanley and wider northern parishes' communities. The success of this project has redoubled our resolve to rebuild and refurbish the districts other leisure centres so they can continue to serve their communities for decades to come, the investment in leisure centres show this councils ongoing commitment to the health of the residents

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it serves, access to sport and leisure activities builds the foundations of an individual's health throughout their lives.

There is another reason that it is the right decision to look to improve the infrastructure around our sport and leisure provision, that is our ongoing commitment to Net Zero 2030. This Council's Carbon Reduction Plan is nearly complete, we have had detailed surveys carried out to assess the councils' buildings and fleet and the possibility and cost of moving away from fossil fuels to more sustainable energy sources. The plan also looks at how we can meet our ambition for the district, particularly how we can work with our partners. Taking all the calculations together it will provide the Council with a costed pathway to Net Zero, that will allow members to make fully informed decisions around this crucial agenda.

This year we launched the districts first Local Cycling and Walking Strategy, preceded with a successful bid for over one million pounds in Active Travel funding to deliver the first route across Sevenoaks. We have secured funding not only for the preparatory work needed to take forward the second highest ranked LCWIP route but also monies to deliver a Swanley LCWIP

These projects alongside the District Council's Movement Strategy, ongoing work to deliver e-bike hire and a car club model for larger developments, show that we don't have to operate within the tightly drawn boundaries of a district council but with vision and commitment we can lead on initiatives that bring lasting benefits to the district and its environment. This year we have invested not only in Net Zero but in improving the wider environment, the ending of the successful, but of its time, joint Environmental Health partnership, bringing the team home has allowed us to be more flexible and focus on the issues that matter most to residents, currently most prominent is Air Quality, we have dedicated resources to make sure that the significant improvements in the districts air quality continue.

Chairman I could go on and on, this has been one hell of a year, for the Sevenoaks district and local government as a whole, particularly set against the backdrop of the preceding 18 months, when seen through this lens it is a wonder we are still on our feet, but we are more than just standing, more than merely surviving. We are pushing on, delivering for all the residents of this district.

Another year where residents come first, investing in support of those within our communities most in need, investing in the future health of generations of residents, building and buying properties that will house future generations and give them the best start in life."

In closing the Leader stated that he commended the budget to members, a balanced budget, a commitment to quality services, ambitious plans for the future delivered to each and every resident of the District.

A Member expressed his thanks for the balanced budget once again and for the continuation of services to the residents of the District.

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The vote was taken by all those present in the Council Chamber.

For	Against	Abstention
Cllr. Abraham		
Cllr. Andrews		
Cllr. Ball		
Cllr. Bayley		
Cllr. Bonin		
Cllr. Brown		
Cllr. Bulford		
Cllr. Cheeseman		
Cllr. Clack		
Cllr. Penny Cole		
Cllr. Perry Cole		
Cllr. Collins		
Cllr. Dickins		
Cllr. Dyball		
Cllr. Edwards-Winser		
Cllr. Esler		
Cllr. Eyre		
Cllr. Fleming		
Cllr. Harrison		
Cllr. Hogarth		
Cllr. Hudson		
Cllr. Hunter		
Cllr. Kitchener		
Cllr. Layland		
Cllr. London		
Cllr. Maskell		
Cllr. McArthur		
Cllr. McGarvey		
Cllr. Morris		
Cllr. Pender		
Cllr. Purves		
Cllr. Raikes		
Cllr. Reay		
Cllr. Roy		
Cllr. Thornton		
Cllr. Waterton		
Cllr. Williams		
40	0	0

It was therefore resolved that

- (a) the Summary of Council Expenditure and Council Tax for 2023/24 set out in Appendix F, be approved;

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- (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;
- (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;
- (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;
- (j) that it be noted that at the Cabinet meeting on 12 January 2023 the Council calculated as its council tax base for the year 2023/24:
 - (i) for the whole Council area as 51,990.30 being Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended, (the "Act"); and
 - (ii) for dwellings in those parts of its area to which a parish precept relates as in the attached Appendix P;
- (k) that the council tax requirement for the Council's own purpose for 2023/24 (excluding Town and Parish precepts) be calculated as £236.70;
- (l) that the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the Act:

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- (i) £57,711,755 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Town and Parish Councils.
- (ii) £40,175,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (iii) £7,536,755 being the amount by which the aggregate at (i)(i) above exceeds the aggregate at (i)(ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year (Item R in the formula in Section 31B of the Act).
- (iv) £337.31 being the amount at (i)(iii) above (Item R), all divided by (a)(i) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (including Town and Parish precepts).
- (v) £5,230,651 being the aggregate amount of all special items (Town and Parish precepts) referred to in Section 34 (1) of the Act (as per the attached Appendix P).
- (vi) £236.70 being the amount at (i)(iv) above, less the result given by dividing the amount at (i)(v) above by the amount at (j)(i) above (Item T), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no Town or Parish precept relates.
- (m) that it be noted that for the year 2023/24 the Kent County Council, the Kent Police & Crime Commissioner and the Kent & Medway Towns Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below:-

<u>Valuation Bands</u>	<u>Precepting Authority</u>			
	Sevenoaks District Council £	Kent County Council £	Kent Police & C.C. £	Kent & Medway Towns Fire Authority £
A	157.80	1,022.82	162.10	58.20
B	184.10	1,193.29	189.12	67.90
C	210.40	1,363.76	216.13	77.60
D	236.70	1,534.23	243.15	87.30

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E	289.30	1,875.17	297.18	106.70
F	341.90	2,216.11	351.22	126.10
G	394.50	2,557.05	405.25	145.50
H	473.40	3,068.46	486.30	174.60

- (n) that the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Appendix R as the amounts of council tax for the year 2023/24 for each part of its area and for each of the categories of dwellings; and
- (o) that the Council's basic amount of council tax for 2023/24, shown in (l)(vi) above, is not excessive in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992.

44. Matters considered by other standing committees:

a) **Monitoring Officer's Annual Report**

Councillor Ball moved and Councillor Raikes seconded the recommendation from Standards Committee, noting the annual Monitoring Officer's report.

Resolved: That the Monitoring Officer's Annual report be noted.

b) **Appointment of Deputy Electoral Registration Officers**

Councillor Eyre moved and Councillor Bayley seconded the recommendation from Governance Committee, for the appointment of Deputy Electoral Registration Officers.

A Member spoke to the motion, expressing his appreciation for the way successful way elections were run at the Council.

Resolved: That the Chief Officer Customer & Resources, the Electoral Services Manager, and the Deputy Electoral Services Manager, be appointed as Deputy Electoral Registration Officers for Sevenoaks District Council.

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

a) **Pay Policy Statement**

Councillor Fleming proposed and Councillor Dickins seconded the report which set out the authority's policies relating to remuneration of each of its chief officers, the remuneration of its lowest paid employees and the relationship

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between the two. Under the Localism Act 2011, the Council must agree the Statement for the forthcoming year and ensure it was available to the public.

Resolved: That the Pay Policy Statement be adopted and published on the Council's website.

46. 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 Purves

"Sencio is having financial problems due to a combination of factors ranging from the age of their buildings and plant, effect of COVID, competition from private gyms and rising utility costs.

I am assuming we are all agreed on the value of public swimming pools in Sevenoaks and Edenbridge. Should Sencio fail and government grants not be forthcoming, what are the Council's plans to make sure we retain public swimming pools in Sevenoaks and Edenbridge?"

Response: Leader of the Council

"Leisure centres can indeed be costly to operate. However, at present, Sencio has not formally raised that it is experiencing financial problems to the Council.

The Council was currently unable to review Sencio's current financial position due to the trust deferring its submission of audited accounts. No profit and loss or cash flow reports have been presented to either officers or Sencio Board members since September 2022. However, Council members requested this information at its most recent Scrutiny meeting when Sencio was in attendance. The information will be presented by Trust's Chief Executive Officer, Jane Parish, at the next Scrutiny Committee (being held in March).

Early in the new year, Sencio spoke with the press highlighting concerns with future utility cost projections. However, we are of the understanding that this has since been contained in the Trust's 2023 budget, in part due to utility costs beginning to stabilise and reduce and the addition of a new energy support package being announced by Government, which will benefit the Trust.

Sencio's Chief Executive Officer and Chair have given no indication to this Council that the Trust was currently failing. However, if this became the case, the Council would, of course, review all options to safeguard its leisure facilities in the district.

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Our new leisure operator, Everyone Active, at White Oak Leisure Centre, has confirmed that in line with the national picture, they have seen their utility costs stabilise over recent months, which has been further helped by bulk-buying energy from suppliers in advance in order to minimise any cost pressures.

Supplementary question: Cllr Purves

Should Sencio go into liquidation and the Council had to bear the costs, is the money budgeted for should it occur?

Response: Leader of the Council

The Leader advised that currently Sencio had not approached the Council to say they were in financial difficulties and it would be unwise of us to say they were without evidence to say so. That was the position and we would keep all options open should they come to us.

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

Question 2: Cllr Dr. Canet

“Heavy rains have resulted in the drainage system in Northern Ward becoming overloaded. This has resulted in the culverts discharging untreated sewage into the Mill Pond at the top of Mill Lane and local roads and gardens. This unpleasant and potentially harmful to human and wildlife situation has been happening for many years.

Can SDC do anything with the facilities providers to prevent this happening? Potentially this waterway joins up with the cherished chalk stream of the Darenth River. This matter is urgent as there are proposals to build more than 1100 new homes in the immediate area at the Gasworks, Pinehurst Nursing Home and the Greatness Quarry.

Can local residents be reassured that SDC is dealing with this importance matter.

Response: Leader of the Council

“A full report on Mill Pond was presented to the Cleaner and Greener Advisory Committee on 6 December 2022.

The council has continued to work with Thames Water following their contamination that occurred in 2021 and some progress has been made with Thames Water carrying out works to the culvert cages. Discussions with Thames Water and partners, including KCC will continue to look at other sustainable options for the Pond in the future that will include full community engagement.

A general tidy up of the site took place last week which included litter picking, strimming and lightly cutting back the surrounding vegetation.

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It won't have passed the Member that the Budget and Council Tax Setting 2023/24 agreed earlier this evening included a capital item for works on the site, and as approved a specialist contractor will be appointed to commence the work."

Supplementary question: Cllr Dr. Canet

Will the council use its power under Environmental Health legislation to make the strongest representation to Water Services Regulation Authority (OFWAT) and to the water companies to halt the release of the untreated water. Will the council also, using planning powers gained under the Sevenoaks Neighbourhood Town Plan, that development will only be permitted when it is clear that drainage and sewage systems will not be overwhelmed.

Response: Leader of the Council

The Leader responded setting out that this was clearly an issue for utility companies, a statutory consultee within a planning consultation. It was therefore up to the utility company not SDC to decide whether the local water and sewage network can cope with development.

He went on to say that as stated in his previous answer the Council continued to work with Thames water who was a statutory Utility company which falls under OFWAT and the Environment Agency. Thames Water had been made aware of the issues but the Council had no direct powers over a utility company and that was down to the statutory bodies.

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

47. 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.

48. 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 31 October 2022 to 2 February 2023. He took the opportunity to remind Members of the free training provided by the Local Government Association.

49. 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, Councillor McGarvey.

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THE MEETING WAS CONCLUDED AT 7.45 PM

CHAIRMAN