

## CABINET

### Minutes of the meeting held on 18 January 2024 commencing at 7.00 pm

Present: Cllr. Thornton (Chairman)

Cllr. Perry Cole (Vice Chairman)

Cllrs. Dyball, Maskell, McArthur and Reay

Cllrs. Bulford, Granville, Harrison, Leaman, Purves, Robinson, Streatfeild, Varley, and Williams were also present.

#### 66. Minutes

Resolved: That the Minute of the Cabinet meeting held on 14 December 2023, be approved and signed by the Chairman as a correct record, subject to the addition of the wording under Minute 53, paragraph 3 to include: "along with the possibility of holding an additional local plan drop in session." so the paragraph reads as: "In response to questions regarding the local plan, housing needs assessment and exception sites, Members were advised that a full written response would be provided, along with an answer to the possibility of holding an additional local plan drop in session." And to include an additional paragraph 4, "It was confirmed by the Portfolio Holder that Members would receive detailed analysis of financial and other implications for each leisure centre option."

#### 67. Declarations of interest

Cllr Perry Cole declared for reasons of transparency that for Minute item 73 Discretionary rate relief, he was a Member of Hartley Parish Council and all parish councillors were trustees of the village hall. He was also the Chair of the village Hall Management Committee.

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

In response to a question regarding housing figures for the local plan, the Portfolio Holder suggested that the information he had been provided with indicated that the revisions to the National Planning Policy Framework (NPPF) had not significantly changed the requirements. The local plan had started with an evidence base and it would continue to be based on the evidence. The Portfolio Holder requested the Chief Officer produce a detailed written response to be provided to all Members and the local MP.

In response to a question regarding utility companies and planning and any lessons that could be learned from past recent experience regarding the water companies and a local housing development, the Deputy Chief Executive and Chief Officer - Planning

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and Regulatory Services invited the details to be sent to him so he could provide a full written response to Members.

In response to a question regarding solar panels on Council owned car parks, the Chairman and Portfolio Holder advised that they were not aware of any current plans, but with the Council's commitment to NetZero would take the question away and look into the feasibility with officers.

### CHANGE IN ORDER OF AGENDA ITEMS

The Chairman, with the Committee's agreement, brought forward consideration of agenda item 10 (Minute 72) to take place after agenda item 6 (Minute 71)

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

There were none.

70. Budget Update 2024/25

The Portfolio Holder for Finance & Investment presented the report which was stage 4 of the 2024/25 budget setting process. He advised that at the last Cabinet meeting on 14 December, after the proposed Service Change Impact Assessment (SCIA's) had been supported, there remained an annual budget gap of £656,000. Cabinet requested that officers looked for further savings/additional income options focused on a number of areas.

He was pleased to report that if the proposed SCIA's in this report were supported this evening, a balanced 10-year budget would once again be able to be presented to Council next month.

He further advised that it was important to recognise that this budget process has been the toughest for many years as can be seen from the list of savings, and some difficult decisions have had to be made but this achievement and our 10-year budget approach continues to put Sevenoaks District Council in a strong financial position that other councils would wish to have.

The Deputy Chief Executive and Chief Officer - Finance & Trading set out the main reasons for the changes since the last report. The changes included, increasing the April pay award assumptions to 4%, the Council Tax Base had increased by less than assumed resulting in less council tax income, and the provisional Local Government Finance Settlement announced in December was better than expected but it only related to one year, and therefore the future landscape remained uncertain. There were also increased assumptions for income, changes to the basis for budgeting the amount of Business Rates retained, and it was highlighted that some changes resulted in greater risks than previously included.

The Cabinet were asked to consider the SCIA's in Appendix E.

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The Cabinet discussed the SCIAS and the Portfolio Holders advised Cabinet that they had been consulted and supported the proposals. Members were advised that although there would be reductions to funding for some external services, the Council were providing their own resources and advice.

### Public Sector Equality Duty

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

Resolved: That SCIAS 15, 16 and 17 (24/25), as set out in Appendix E, be supported and included in the budget. No further instructions were given to officers as a balanced 10-year budget had now been achieved.

### 71. Calculation of Council Tax Base 2024-25

The Senior Principal Accountant presented the report which set out that as part of the budget cycle, the council tax base for the district for tax setting purposes for the coming financial year was required to be calculated. It was then required to be approved by Cabinet and Full Council. The tax base was determined by converting all property and occupancy data to the equivalent number of band D properties and this figure is used to calculate the band D council tax charge.

The report set out that the current tax base for 2023/24 was 51,990.30 and the tax base for 2024/25 would be 52,394.75 which was an increase of 0.78%. Collection rates had improved since Covid and therefore it was proposed to keep the expected collection rate at 99.4%.

The increased tax base had been fed into the financial plan, and so assuming an increase in band D of 2.97% , just over £12.7m would be raised. The timetable leading up to setting the council tax for 2024/25 was also included in the report. The major precepting authorities' council taxes should be known in advance of this Council setting the tax for the whole District on 20 February 2024.

Members considered the report.

Resolved: That it be recommended to Council that

- (a) the report of the Deputy Chief Executive and Chief Officer - Finance & Trading for the calculation of the Council's tax base for the year 2024/25 be approved;
- (b) pursuant to the report of the Deputy Chief Executive and Chief Officer - Finance & Trading and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by the Sevenoaks District Council as its council tax base for the whole area for the year 2024/25 shall be 52,394.75;

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- (c) pursuant to the report of the Deputy Chief Executive and Chief Officer - Finance & Trading and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by the Sevenoaks District Council as the council tax base for 2024/25 for the calculation of local precepts shall be:

<b>Parish</b>	<b>Tax Base</b>
Ash-cum-Ridley	2,496.10
Badgers Mount	339.10
Brasted	802.60
Chevening	1,473.40
Chiddingstone	624.10
Cowden	461.90
Crockenhill	673.40
Dunton Green	1,364.60
Edenbridge	3,980.90
Eynsford	966.70
Farningham	676.20
Fawkham	341.30
Halstead	850.70
Hartley	2,602.30
Hever	665.00
Hextable	1,695.90
Horton Kirby & South Darenth	1,305.40
Kemsing	1,895.20
Knockholt	650.70
Leigh	957.90
Otford	1,743.10
Penshurst	844.00
Riverhead	1,282.30
Seal	1,364.70
Sevenoaks Town	9,952.00
Sevenoaks Weald	633.70
Shoreham	731.20
Sundridge	944.90
Swanley	5,849.10
Westerham	2,108.90
West Kingsdown	2,433.70

- (d) any expenses incurred by the Council in performing in part of its area a function performed elsewhere in its area by a parish or community council or the chairman of a parish meeting shall not be treated as special expenses for the purposes of section 35 of the Local Government Finance Act 1992.

72. Financial Monitoring 2023/24 - to the end of November 2023

The Portfolio Holder for Finance & Investment presented the report which set out the Council's financial position to November 2023. The forecast at the last Cabinet meeting showed a forecast of a £971,000 unfavourable variance. Since then officers had implemented a number of actions to reduce the forecast down to an unfavourable variance of £334,000 but there was still a gap to address.

The major reasons for the unfavourable forecast were included in the early indications report as presented in July but he stated that it could clearly be seen the Officers had undertaken a significant amount of work to address a very difficult financial position.

The Senior Principal Accountant highlighted some of the variances. The 2023/24 pay award equated to an average of increase of 5.7%. The total cost above budget assumptions was £597,000. There were also additional costs resulting from planning appeals. Measures had been implemented to reduce the variance in Direct Services. Interest receipts had a favourable variance, as interest rates were high. Vacancies in positions that were not being filled were used to offset some other areas. £1.3m of the £1.8m budget for the interim leisure centre contract was forecast to arise this year, with the remainder to be accounted for in 2024/25, but this would have nil effect on the bottom line as the cost was being funded initially from the Budget Stabilisation Reserve.

The capital programme was forecast to be underspent by £22.4 million against a budget of £33m, mainly due to delays following the refusal of planning permission for the development at Bevan Place.

Members discussed the report.

Resolved: That the report be noted.

73. Discretionary Rate Relief

The Portfolio Holder presented the report which set out the proposals for altering the criteria for awarding discretionary rate relief, and for continuing the awards from 2023/24 for a second year. The Non-Domestic Rating Act 2023, and associated regulations meant that rural rate relief assess no longer required "topping-up" from 50% relief, and so the criteria only applied to rate relief for non-profit organisations, and top-up relief for charities and community amateur sport clubs. The total relief requested was around £213,000.

Members considered the report.

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

- a) the criteria for granting discretionary rate relief from 1 April 2024, as set out in the appendix to the minutes, be approved; and
- b) the proposals for granting relief from business rates for 2024/25, as set out in the appendix to the minutes, be approved.

### 74. Scrap Metal Dealer Licence Fees 2024 - 25

The Portfolio Holder for Cleaner & Greener presented the report which outlined the proposed fees for applications for scrap metal licenses. She set the history of the scrap metal dealer licences and the different types of licenses. The fees for 2024/25 were proposed to include an inflationary cost of 7% and staffing costs. The fees were set out on a cost recovery basis, and provided the authority with the funds needed to administer the legislation and ensure compliance. The Cleaner & Greener Advisory Committee considered the report and supported the recommendation to Cabinet.

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 the fees as set out below be approved:

Type of Application	2024/2025 Fee
Site Licence – Grant (3 years)	£570
Site Licence – Renewal (3 years)	£481
Collectors Licence Grant/Renewal (3 years)	£347
Minor administrative change to licence	£39
Variation – change of site manager	£207
Variation from collector to site licence	£246
Variation from site to collector licence	£160

### 75. Licensing - Review of Pre-application advice and other Admin fees

The Portfolio Holder for Cleaner & Greener presented the report, which set out the proposed fees for the pre-application advice service for 2024-25. The fees would include an inflationary cost of 7%. The Cleaner & Greener Advisory Committee had considered the same report and had recommended that the fees be agreed.

#### Public Sector Equality Duty

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

Resolved: That the fees as set out below for the pre-application advice service and other admin fees, be agreed.

<b>Covers applications for:</b> <b>Licensing Act 2003</b> <ul style="list-style-type: none"> <li>• new premises licences</li> <li>• full variations of premises licence</li> <li>• new club premises certificate (CPC)</li> <li>• variation of CPC</li> <li>• provisional statement</li> </ul> <b>Gambling Act 2005</b> <ul style="list-style-type: none"> <li>• new and variation applications</li> </ul>	<b>Fee 2024/25</b>
Up to one hour of advice regarding licence applications, including assistance in completing form (hourly rate)	<b>£80.00</b>
site visit (to give advice) – up to one hour	<b>£107.00</b>
<b>Licensing Act 2003</b> - Minor variations – up to 30 mins advice on applications (including assessment as to whether suitable as a minor, suggestion on wording of proposed conditions, help completing application etc)	<b>£38</b>
<b>Hub Team</b>	
<b>Licensing Act 2003</b>	<b>Fee 2024/25</b>
In depth assistance in completing application forms and advice on correct documentation for: <ul style="list-style-type: none"> <li>• Transfer</li> <li>• Variation of Designated premises supervisor</li> <li>• Personal licence</li> </ul>	<b>£43.00</b>
In depth assistance in completing Temporary event notices and advice on limits etc	<b>£16.00</b>
<b>London Local Authorities Act 1991 part V – Special Treatments</b> - in depth assistance on licence applications per hour	<b>£50.00</b>
<b>Other admin charges</b>	<b>Fee 2024/25</b>
Upon request of licence holder, amend	<b>£11.00</b>

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and re-issue invoice for statutory annual fee	
Upon request of licence holder, amend contact details for lottery registration	<b>£11.00</b>

### 76. Property Investment Strategy Update

The Portfolio Holder for Finance & Investment Advisory Committee presented the report which set out the progress of the Property Investment Strategy to date and looked at the future direction of the strategy. He advised that the Finance & Investment Advisory Committee discussed the item and were reminded of the purpose of the strategy and the limitations that were now in place and supported the recommendation to Cabinet.

The Deputy Chief Executive and Chief Officer - Finance & Trading advised that the Property Investment Strategy was approved by Council on 22 July 2014 to support the aims of the council becoming more financially self-sufficient as Government Support continued to reduce.

The acquisitions to date have helped the council achieve this aim. He advised that due to Government changes in the way councils could access Public Works Loan Board (PWLB) borrowing and the changes to CIPFA's Prudential Code, the Property Investment Strategy was no longer included in the capital programme therefore the Council could not currently borrow to make any more property investments purely for yield.

The Property Investment Strategy income was made up of income from the investment properties owned by SDC, interest from loans to Quercus 7, a dividend from Quercus 7, less an annual contribution to the Investment Property Maintenance Reserve. Members attention was brought to Appendix A, which contained the current Property Investment Strategy criteria, and it was noted that further investments were not currently viable.

The Cabinet discussed the report, noting the comments made by Finance & Investment Advisory Committee.

Resolved: That the report be noted, with no changes to the criteria.

### IMPLEMENTATION OF DECISIONS

This notice was published on 22 January 2024 . The decisions contained in Minute 70, 72,73, 74 and 75 take effect immediately. The decisions contained in Minutes 71 and 76 are references to Council.

THE MEETING WAS CONCLUDED AT 8.02 PM

CHAIRMAN