

19 October 2021 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 11.10.21



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[https://www.youtube.com/channel/UCIT1f\\_F5OfbTzxjZK6qn6g](https://www.youtube.com/channel/UCIT1f_F5OfbTzxjZK6qn6g) Members of the public who wish to attend in person, are requested to wear face masks and observe social distancing. For health and safety reasons, access may be limited and will be on a first come first served basis.

## Development & Conservation Advisory Committee

### Membership:

Chairman, Cllr. Reay; Vice-Chairman, Cllr. Thornton  
Cllrs. Barnett, Cheeseman, Clayton, Penny Cole, P. Darrington, Fothergill, Hunter, McGregor, Pett, and Roy

### Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

|  | Pages          | Contact                            |
|--|----------------|------------------------------------|
| Apologies for Absence  |                |                                    |
| 1. <b>Minutes</b><br>To agree the minutes of the meeting of the Advisory Committee held on 6 July 2021, as a correct record. | (Pages 1 - 4)  |                                    |
| 2. <b>Declarations of interest</b><br>Any interests not already registered.  |                |                                    |
| 3. <b>Actions from previous meeting (if any)</b>   |                |                                    |
| 4. <b>Update from Portfolio Holder</b>   |                |                                    |
| 5. <b>Referral from Cabinet or the Audit Committee (if any)</b>  |                |                                    |
| 6. <b>Budget 2022/23: Review of Service Dashboard and Service Change Impact Assessments (SCIAs)</b>                          | (Pages 5 - 28) | Alan Mitchell<br>Tel: 01732 227000 |

- |     |   |                   |                                    |
|-----|---|-------------------|------------------------------------|
| 7.  | <b>Community Infrastructure Levy (CIL) Governance Annual Review</b> | (Pages 29 - 56)   | Claire Pamberi<br>Tel: 01732227221 |
| 8.  | <b>Infrastructure Funding Statement</b>                             | (Pages 57 - 88)   | Claire Pamberi<br>Tel: 01732227221 |
| 9.  | <b>Local Plan Timetable</b>   | (Pages 89 - 94)   | Hannah Gooden<br>Tel: 01732 227178 |
| 10. | <b>Local Plan Update</b>  | (Pages 95 - 100)  | James Gleave<br>Tel: 01732227326   |
| 11. | <b>Work plan</b>  | (Pages 101 - 102) |                                    |

#### **EXEMPT INFORMATION**

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk).

**DEVELOPMENT & CONSERVATION ADVISORY COMMITTEE**

Minutes of the meeting held on 6 July 2021 commencing at 7.00 pm

Present: Cllr. Reay (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Cheeseman, Penny Cole, P. Darrington, Fothergill, Hunter, McGregor, Pett and Thornton

An apology for absence was received from Cllr. Roy

1. Appointment of Chairman

Resolved: That Cllr Reay be appointed Chairman of the Advisory Committee for 2021/22.

2. Appointment of Vice Chairman

Resolved: That Cllr Thornton be appointed Vice Chairman of the Advisory Committee for 2021/22.

3. Minutes

Resolved: That the Minutes of the meeting of the Development & Conservation Advisory Committee held on 4 March 2021, be approved and signed by the Chairman as a correct record.

4. Declarations of interest

No additional declarations of interest were made.

5. Actions from previous meeting

There were none.

6. Update from Portfolio Holder

The Portfolio Holder gave an update on the services within her portfolio. She expressed her thanks to Cllr Hunter for her service as Chairman of the Development & Conservation Advisory Committee and Deputy Portfolio Holder.

From 1 July, the Building Control Service came back in house following the end of the Partnership with Tonbridge & Malling. Admin and support with technology would continue while database separation is achieved.

## Agenda Item 1

### Development & Conservation Advisory Committee - 6 July 2021

With more staff preparing to move back to more office based working, the team were keen to maintain some of the benefits the pandemic presented them with. For example, Zoom meetings and asking applicants to put up their own orange site notices as both initiative have been successful and allow saved time and travel expenses for officers. Printed plans for parish council consultations would not return which would make large savings in printing.

The Enforcement Plan was now online following Member engagement and training. The new structure of the Enforcement team had received positive feedback. In particular, they were praised for their work at Wheatsheaf Hill in Knockholt.

It was recently announced that the Government's long awaited response to the White Paper would not come out until the autumn, significantly later than expected in spring.

Member training had continued via Zoom on a monthly basis.

#### 7. Referral from Cabinet or the Audit Committee

There were none.

#### 8. Approval of AONB Management Plans

The Principal Planning Officer (Policy) presented the report which sought adoption of the management plan for the Kent Downs Area of Outstanding Natural Beauty (AONB), which the Council is legally required to do. The role of the management plan is to set out the key components, characteristics and qualities of the AONB and to identifies ways and opportunities to conserve and enhance the landscape.

The Kent Downs AONB Management Plan review (2021-2026) was approved by the Joint Advisory Committee (JAC) of the AONB unit on 26 January 2021.

Members discussed the report. It was clarified that management plan supported national and local planning policy but was not a policy in itself.

Cllr Hunter addressed the Board as the Council's Member representative on the JAC. She highlighted that the management plan had been thoroughly researched and widely consulted on.

#### 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 adoption of the Kent Downs AONB Management Plan be recommended to Council.

9. Local Plan Update

The Strategic Planning Manager presented the report which updated members on the local plan.

In April 2021, the Council received confirmation from the Court of Appeal that the application to challenge the judgement of Mr Justice Dove, regarding the approach to meeting the Duty to Co-operate, had not been successful.

There were plans to meet with the Ministry for Housing, Communities and Local Government (MHCLG) and Planning Inspectorate to discuss main steps for taking the plan forwards.

The evidence base would be updated in response to the themes identified in the March report, including making the best and most efficient use of land, changes in work patterns and economic drivers, and the future of town centres. Officers were currently advancing the productions of a District-Wide Characterisation Study, Town Centre Strategy and a targeted review of Housing Needs. Emerging areas of policy and research likely to influence the built environment included health and wellbeing, and smart city technology.

Following questions, Members were advised that engaging with the local community was very important in the production of the updated local plan. Members welcomed the use of smart technology to help support Council service delivery but expressed concerns over the use of residents' data.

Resolved: That the report be noted.

10. Work plan

The work plan was noted with the addition of an item on Budget 2022/23: Review of Service Dashboard and Service Change Impact Assessments (SCIAs) and a Building Control Update at the meeting scheduled on 19 October 2021. An Enforcement Update would brought to the following meeting on 2 December 2021.

The Committee requested their vote of thanks to be recorded, to the staff in the Enforcement team within the Council, to acknowledge their hard work in their service delivery and the positive feedback received from residents.

THE MEETING WAS CONCLUDED AT 8.00 PM

Agenda Item 1  
Development & Conservation Advisory Committee - 6 July 2021

CHAIRMAN

**BUDGET 2022/23: SERVICE DASHBOARDS AND SERVICE CHANGE IMPACT ASSESSMENTS (SCIAs)**

**Development and Conservation Advisory Committee - 19 October 2021**

**Report of:** Deputy Chief Executive and Chief Officer - Finance and Trading

**Status:** For Comment

**Also considered by:**

- Housing and Health Advisory Committee - 28 September 2021
- People and Places Advisory Committee - 6 October 2021
- Improvement and Innovation Advisory Committee - 7 October 2021
- Cleaner and Greener Advisory Committee - 12 October 2021
- Finance and Investment Advisory Committee - 4 November 2021

**Key Decision:** No

**Executive Summary:**

This report sets out updates to the 2022/23 budget within the existing framework of the 10-year budget and savings plan. The report presents growth and savings/additional income proposals that have been identified which need to be considered (if applicable to this Committee), and requests further suggestions from the Advisory Committees, before finalising the budget for 2022/23.

Informed by the latest information from Government and discussions with Cabinet, it is proposed that the Council continues to set a revenue budget that assumes no direct funding from Government through the Revenue Support Grant or New Homes Bonus. This will 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 will continue to be challenging largely due to the uncertainties and ongoing financial impacts of the Covid-19 pandemic.

The budget process will be the same as two years ago as opposed to the shortened process last year. However, we are looking to streamline the process in future years to run from November to February, but this will require changes to the committee meetings schedule.

No changes have been made to the assumptions at the stage, so the annual budget gap included in this report is £100,000 which relates to the annual savings target. However, it is expected that the gap will increase due to the impacts of homelessness, ongoing Covid-19 impacts and inflationary pressures.

The Advisory Committees will comment on the growth and savings/additional income proposals included in the reports, and their recommendations will be considered by Cabinet as part of the process to remove this gap. By addressing these issues, this Council will once again be in a strong financial position that other councils would aspire to.

**Portfolio Holder:** Cllr. Matthew Dickins

**Contact Officer(s):** Adrian Rowbotham, Ext. 7153

Alan Mitchell, Ext. 7483

**Recommendation to each Advisory Committee:**

- (a) Advise Cabinet with views on the growth and savings/additional income proposals identified in Appendix E applicable to this Advisory Committee.
- (b) Advise Cabinet with further suggestions for growth and savings/additional income applicable to this Advisory Committee.

**Reason for recommendation:** It is important that the views of the Advisory Committees are taken into account in the budget process to ensure that the Council's resources are used in the most suitable manner.

### Introduction and Background

- 1 The Council's financial strategy over the past seventeen years has worked towards increasing financial sustainability and it has been successful through the use of a number of strategies including:
  - implementing efficiency initiatives.
  - significantly reducing the back-office function.
  - improved value for money.
  - maximising external income.
  - the movement of resources away from low priority services.
  - an emphasis on statutory rather than non-statutory services.
- 2 Over this period, the Council has focused on delivering high quality services based on Members' priorities and consultation with residents and stakeholders.



- 3 Using the data sources available to the Council, this report sets out a budget over the 10-year period but recognises that it is likely that more accurate data will become available in future months and current assumptions may need to be updated.
- 4 In setting its budget for 2011/12 onwards, the Council recognised the need to address both the immediate reduction in Government funding as well as the longer-term need to reduce its reliance on reserves. The outcome was a 10-year budget, together with a four-year savings plan, that ensured the Council's finances were placed on a stable footing but that also allowed for flexibility between budget years.
- 5 With the Revenue Support Grant provided by Government ceasing from 2017/18 it is important that the council remains financially self-sufficient by having a financial strategy that is focused on local solutions. These solutions include:
  - continuing to deliver financial savings and service efficiencies.
  - growing the council tax base.
  - generating more income.
- 6 The intention of this report is to provide Members of each Advisory Committee an opportunity to give their views on potential growth and savings/additional income items that could be included in the updated 10-year budget that will be presented to Council on 22 February 2022.
- 7 The 'Financial Prospects and Budget Strategy 2021/22 and Beyond' report has been presented to Cabinet to start the budget setting process for 2022/23.

### **Financial Strategy**

- 8 In order to maintain a viable Council that continues to deliver on its main priorities and the services it provides to its residents, the Council continues to adopt a Financial Strategy that embraces the following principles:
  - Remain financially self-sufficient.
  - Be clear about the Council's future financial prospects, with a ten-year budget as an integral part.
  - Ensure a strategic approach is taken to the management of the Council's finances, Council Tax, and budget setting.
  - Make effective use of reserves and capital receipts.
  - Manage our money carefully, monitor monthly and constantly strive for better value from our spending.
- 9 A two-page summary of the Financial Strategy can be found at **Appendix H**.

## Agenda Item 6

### Review of the 10-year Budget Process

- 10 An audit of the 10-year budget process has recently been completed by Mazars (working for Internal Audit) and their findings were that the Council has adequate, effective and reliable controls in place over budget setting and long-term financial planning.

### Financial Self-Sufficiency

- 11 The Council's Corporate Plan 2013-2018 set out an ambition for the Council to become financially self-sufficient which was achieved in 2016/17. The current Council Plan aims to continue with this approach. This means that the Council no longer requires direct funding from Government, through Revenue Support Grant or New Homes Bonus, to deliver its services.
- 12 This approach was adopted in response to the financial challenges the Country was faced with in bringing its public spending down to ensure it was able to live within its means. In practice this has seen Government funding to local authorities dramatically reduced since 2010/11 with Sevenoaks District Council receiving no Revenue Support Grant from 2017/18.
- 13 The decision to become financially self-sufficient is intended to give the Council greater control over its services, reducing the potential for decision making to be influenced by the level of funding provided by government to local authorities.
- 14 The Council's decision to seek to become financially self-sufficient was subject to scrutiny by the Local Government Associations Peer Challenge of the District Council during December 2013. In their closing letter to the Council, they concluded that they 'fully support that aspiration and given the existing and anticipated squeeze upon public finances this makes much sense'.
- 15 With the Council receiving no Revenue Support Grant from 2017/18 and New Homes Bonus reducing from 2018/19, this approach remains appropriate. The attached 10-year budget assumes no Revenue Support Grant or New Homes Bonus. Any funding received from these sources will be put into the Financial Plan Reserve which can be used to support the 10-year budget by funding invest to save initiatives and support for the Property Investment Strategy. One of the aims of the Property Investment Strategy is to achieve an income yield of 3%+ above the Council's average treasury management return (currently 0.1%) when not borrowing or internally borrowing, and 3%+ above the borrowing rate (currently 1.7% for 30 years) when externally borrowing, based on an average over ten years. Therefore, using funding for this purpose will result in additional year on year income that is not impacted by Government decisions.
- 16 Cabinet are keen to remain financially self-sufficient which has served the Council well and ensured it is one of the most financially stable local authorities in the country. In the 2020/21 budget, a new target was set to replace reliance on Business Rates income over the coming years. However,

due to the impact of Covid-19 and the greater uncertainty as Government reviews have been deferred, this was not addressed during the 2021/22 budget process but remains a future aim. This ambition will allow this Council to move ahead in the knowledge that this council has the financial resources to provide the services that the district's residents need into the future.

### Service Dashboards

- 17 The intention of service dashboards is to provide Members with improved information during the budget setting process to provide context and inform any growth and savings/additional income ideas that Members may put forward.
- 18 The Service Dashboards cover a summary of the services provided, objectives, achievements and opportunities, challenges and risks and performance.
- 19 **Appendix A** contains the Service Dashboard for this Advisory Committee and **Appendix B** contains the budget for those services.

### Savings Plan

- 20 **Appendix C** to this report sets out a summary of the savings/additional income and growth items approved by Council since the 10-year budget strategy was first used in 2011/12, which have allowed the Council to deliver a 10-year balanced budget.
- 21 The savings plan requires a total of over £8.2 million to be saved between 2011/12 and 2021/2 which is an average saving of £745,000 per annum.

### Current 10-year Budget Position

- 22 The 10-year budget set out in **Appendix D** has been updated from the version agreed by Council on 23 February 2021 by rolling it forward one year
- 23 No changes to assumptions have been made at this stage so the annual budget gap is currently £100,000 which relates to the annual savings target. However, it is expected that the gap will increase due to the impacts of homelessness, ongoing Covid-19 impacts and inflationary pressures.
- 24 The assumptions currently included take into account the latest information available, but a number of assumptions may change before the final budget meeting in February 2022.

### Proposed Growth and Savings/Additional Income Items

- 25 Growth items are items that are in addition to non-service issues and risks, such as grant settlements, impacts of economic change and other pressures highlighted in the 'Financial Prospects and Budget Strategy 2022/23 and Beyond' report considered by Cabinet on 7 September 2021.

## Agenda Item 6

- 26 A number of growth and savings/additional income items will be proposed at the Advisory Committees with the aim of achieving the savings/additional income to bridge the budget gap.
- 27 The proposed growth and savings/additional income items relating to this Advisory Committee are listed in **Appendix E** (if applicable).
- 28 Service Change Impact Assessments (SCIAs) contain further details for all proposed growth and savings/additional income items. SCIAs applicable to this Advisory Committee can be found in **Appendix F** (if applicable).

### **Role of the Advisory Committees**

- 29 A training session on the budget process was provided to Members in 2019. If Members require any further training or require any additional details on the content of this report and appendices, please contact Adrian Rowbotham or Alan Mitchell prior to the meeting.
- 30 Views of the Advisory Committees on the growth and savings/additional income items proposed together with any additional suggestions will be considered by Cabinet at its meeting on 9 December 2021.

### **Process and Timetable**

- 31 This report is the second stage of the budget process as shown in the Budget Setting Timetable (**Appendix G**).
- 32 Members will recognise that this is the same budget process as two years ago as opposed to the shortened process used last year. However, we are looking to streamline the process in future years to run from November to February, but this will require changes to the committee meetings schedule.
- 33 Budget Update report will be presented to Cabinet in December and January to provide details of progress made before the Budget Setting report is presented to Cabinet on 10 February 2022.

### **Key Implications**

#### Financial

All financial implications are covered elsewhere in this report.

#### Legal Implications and Risk Assessment Statement.

There are no legal implications.

For the effective management of our resources and in order to achieve a sustainable budget it is essential that all service cost changes and risks are identified and considered.

Challenges and risks are included in the Service Dashboards and each Service Change Impact Assessment (SCIA) includes the likely impacts including a risk analysis.

A separate Risks and Assumptions report will be presented to the Finance and Investment Advisory Committee and Cabinet.

### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.

Individual equality impact assessments have been completed for all Service Change Impact Assessments (SCIAs) to ensure the decision-making process is fair and transparent.

### **Conclusions**

The Strategic Financial and Business Planning process has ensured that the Council follows a logical and well considered process and approach in dealing with the many difficult challenges that it has faced. The 10-year budget has further improved this process and helped to ensure that the Council is well placed in dealing with more immediate and longer-term financial challenges.

By becoming financially self-sufficient at an early stage, this Council has become much more in control of its own destiny.

The attached 10-year budget shows that this Council is aiming to continue to be financially stable going into the future with a level of assurance that any council would aspire to.

This budget process will once again be a challenge for a Council that already provides value for money services to a high standard; and ensuring that these proposals lead to an achievable 10-year budget, Members will need to consider the impact on service quality, staff and well-being.

Members' consideration and scrutiny of the relevant services is an essential and key element in the business and financial planning process. If the net total of growth and savings/additional income proposals identified by the Advisory Committees and approved by Cabinet does not reach the £100,000 target, additional savings will be required that may result in service changes, to ensure a balanced budget position.

## Agenda Item 6

### **Appendices**

Appendix A - Service Dashboards relating to this Advisory Committee.

Appendix B - 2021/22 Budget by Service relating to this Advisory Committee.

Appendix C - Summary of the Council's agreed savings plan and growth items.

Appendix D - 10-year budget

Appendix E - New growth and savings/additional income items proposed relating to this Advisory Committee (if applicable)

Appendix F - Service Change Impact Assessment forms (SCIAs) for the new growth and savings/additional income items relating to this Advisory Committee (if applicable)

Appendix G - Budget Setting Timetable

Appendix H - Financial Strategy

### **Background Papers**

Financial Prospects and Budget Strategy 2022/23 and Beyond - Cabinet 16  
September 2021

**Adrian Rowbotham**

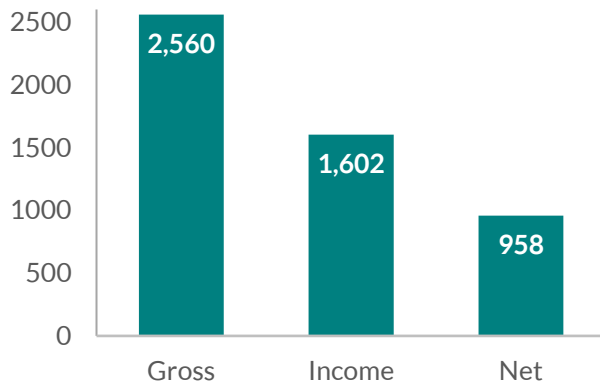
**Deputy Chief Executive and Chief Officer - Finance & Trading**

## Service Dashboard Portfolio for Development & Conservation

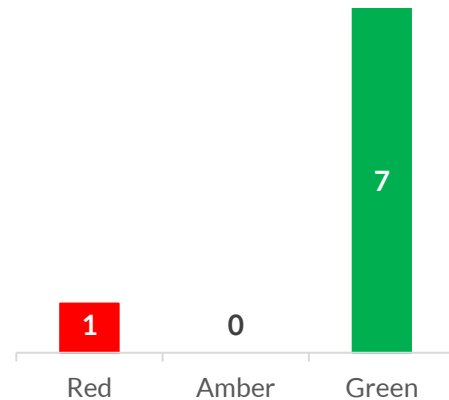
### The services we provide

Development control, Local Plan, planning policy, conservation, development services, building control, transport policy, planning enforcement, wellbeing

#### Revenue Budget (£000)



#### Performance



#### Service contribution

Statutory service



Income generating



Working in partnership



#### Council Plan

Wellbeing ✓

Environment ✓

Economy ✓

Housing ✓

Community Safety ✓

Health ✓

#### Achievements & Opportunities

- Consistently high performing development management function for speed and quality of decision making
- Continuing to protect the Green Belt through the Local Plan and planning decisions
- Significant improvement in the planning enforcement service
- Closure of the Building Control Partnership whilst maintaining service standards and over 70% of market share in Sevenoaks

#### Challenges & Risks

- Government pause to proposals that arise from the Planning for the future White Paper
- Responding to changes to the planning system and the funding of infrastructure
- Recruiting talented officers in a difficult market
- Making progress with the Local Plan against the timetable set out in the Local Development Scheme
- Maintaining strong market share in the Building Control Service

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| <b>Development and Conservation Advisory Committee</b> |   | <b>Appendix B</b>        |                          |                                   |
|--|---|--------------------------|--------------------------|-----------------------------------|
| Chief Officer  |   | 2021/22<br>Exp<br>Budget | 2021/22<br>Inc<br>Budget | 2021/22<br>Approved<br>Net Budget |
| <b>Revenue</b>   |   | £000                     | £000                     | £000                              |
| Planning & Regulatory Services                         | Administrative Expenses - Building Control  | 12                       | 0                        | 12                                |
| Planning & Regulatory Services                         | Administrative Expenses - Planning Services | 49                       | 0                        | 49                                |
| Planning & Regulatory Services                         | Building Control                            | 373                      | (503)                    | (130)                             |
| Planning & Regulatory Services                         | Conservation                                | 130                      | 0                        | 130                               |
| Planning & Regulatory Services                         | Dangerous Structures                        | 3                        | 0                        | 3                                 |
| Planning & Regulatory Services                         | Planning - Appeals                          | 209                      | 0                        | 209                               |
| Planning & Regulatory Services                         | Planning - CIL Administration               | 34                       | (100)                    | (66)                              |
| Planning & Regulatory Services                         | Planning - Counter                          | 0                        | (6)                      | (6)                               |
| Planning & Regulatory Services                         | Planning - Development Management           | 955                      | (988)                    | (33)                              |
| Planning & Regulatory Services                         | Planning - Enforcement                      | 306                      | 0                        | 306                               |
| Planning & Regulatory Services                         | Planning Policy                             | 488                      | (5)                      | 483                               |
|  |   | 2,560                    | (1,602)                  | 958                               |
|  |   |                          |                          |                                   |
| <b>Capital</b>   |   |                          |                          |                                   |
|  | none  |                          |                          |                                   |
|  |   |                          |                          | 0                                 |

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| SCIA    |     | Description   | 2011/12 -      | 2022/23      | Later Years | Total          |
|---------|-----|---|----------------|--------------|-------------|----------------|
| Year    | No. |   | 2021/22        | £000         | £000        | £000           |
|         |     | <b>Cleaner and Greener Advisory Committee</b>   |                |              |             |                |
| 2021/22 | 2   | Car Parking income inflation 21/22: deferred for one year (reversal of temporary growth item) |                | (118)        |             |                |
| 2021/22 | 10  | Direct Services: new commercial services  |                | (100)        |             |                |
|         |     |   |                |              |             |                |
|         |     | <b>Development and Conservation Advisory Committee</b>  |                |              |             |                |
|         |     | No savings or growth agreed from 2022/23 onwards  |                |              |             |                |
|         |     |   |                |              |             |                |
|         |     | <b>Finance and Investment Advisory Committee</b>  |                |              |             |                |
| 2021/22 | 13  | Property Investment Strategy: Tenant in administration (reversal of temporary growth item)    |                | (96)         |             |                |
| 2021/22 | 17  | Internal Audit: ongoing impact of 2019 staff restructure                                      |                | (8)          |             |                |
| 2020/21 | 10  | Insurance contract renewal (reversal of temporary savings item)                               |                |              | 87          |                |
|         |     |   |                |              |             |                |
|         |     | <b>Housing and Health Advisory Committee</b>  |                |              |             |                |
|         |     | No savings or growth agreed from 2022/23 onwards  |                |              |             |                |
|         |     |   |                |              |             |                |
|         |     | <b>Improvement and Innovation Advisory Committee</b>  |                |              |             |                |
| 2021/22 | 22  | Review efficiency of partnerships   |                | (100)        |             |                |
| 2020/21 | 1   | Apprenticeship Levy (reversal of temporary growth item)                                       |                |              | (50)        |                |
|         |     |   |                |              |             |                |
|         |     | <b>People and Places Advisory Committee</b>   |                |              |             |                |
|         |     | No savings or growth agreed from 2022/23 onwards  |                |              |             |                |
|         |     |   |                |              |             |                |
|         |     | Minor movements between years   |                |              |             |                |
|         |     |   |                |              |             |                |
|         |     | <b>Total Savings/additional income</b>  | <b>(8,192)</b> | <b>(208)</b> | <b>87</b>   | <b>(8,313)</b> |
|         |     | <b>Total Growth</b>   | <b>2,677</b>   | <b>(214)</b> | <b>(50)</b> | <b>2,413</b>   |
|         |     | <b>Net Savings</b>  | <b>(5,515)</b> | <b>(422)</b> | <b>37</b>   | <b>(5,900)</b> |

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|   | Budget<br>2021/22 | Plan<br>2022/23 | Plan<br>2023/24 | Plan<br>2024/25 | Plan<br>2025/26 | Plan<br>2026/27 | Plan<br>2027/28 | Plan<br>2028/29 | Plan<br>2029/30 | Plan<br>2030/31 | Plan<br>2031/32 |
|---|-------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|   | £000              | £000            | £000            | £000            | £000            | £000            | £000            | £000            | £000            | £000            | £000            |
| <b>Expenditure</b>                                  |                   |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Net Service Expenditure c/f                         | 15,581            | 16,879          | 16,633          | 16,967          | 17,171          | 17,380          | 17,643          | 18,173          | 18,712          | 19,258          | 19,813          |
| Inflation   | 616               | 496             | 503             | 509             | 515             | 522             | 529             | 539             | 547             | 556             | 565             |
| Superannuation Fund deficit                         | 0                 | 0               | 100             | 0               | 0               | 50              | 0               | 0               | 0               | 0               | 0               |
| Net growth/(savings) (approved in previous yrs)     | 682               | (642)           | (169)           | (206)           | (206)           | (209)           | 1               | 0               | (1)             | (1)             | 0               |
| <b>New growth</b>                                   | <b>0</b>          | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>100</b>      | <b>100</b>      | <b>100</b>      | <b>100</b>      | <b>100</b>      |
| <b>New savings/Income</b>                           | <b>0</b>          | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    | <b>(100)</b>    |
| <b>Net Service Expenditure b/f</b>                  | <b>16,879</b>     | <b>16,633</b>   | <b>16,967</b>   | <b>17,171</b>   | <b>17,380</b>   | <b>17,643</b>   | <b>18,173</b>   | <b>18,712</b>   | <b>19,258</b>   | <b>19,813</b>   | <b>20,378</b>   |
| <b>Financing Sources</b>                            |                   |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Govt Support: Revenue Support Grant                 | 0                 | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               |
| : Lower Tier Services Grant                         | (98)              |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| : Local Council Tax Support (LCTS)                  | (245)             |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| New Homes Bonus                                     | 0                 | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               |
| Council Tax   | (11,443)          | (11,836)        | (12,366)        | (12,786)        | (13,182)        | (13,589)        | (13,982)        | (14,384)        | (14,798)        | (15,222)        | (15,657)        |
| Business Rates Retention                            | (2,182)           | (2,226)         | (2,271)         | (2,316)         | (2,362)         | (2,409)         | (2,457)         | (2,506)         | (2,556)         | (2,607)         | (2,659)         |
| Collection Fund Deficit/(Surplus)                   | 17                | 17              | 17              | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               |
| Interest Receipts                                   | (188)             | (188)           | (188)           | (188)           | (188)           | (188)           | (188)           | (188)           | (188)           | (188)           | (188)           |
| Property Investment Strategy Income                 | (1,468)           | (1,508)         | (1,558)         | (1,558)         | (1,558)         | (1,655)         | (1,655)         | (1,655)         | (1,696)         | (1,696)         | (1,696)         |
| Contributions to/(from) Reserves                    | (337)             | (146)           | (130)           | (572)           | 226             | 241             | 255             | 271             | 285             | 185             | 148             |
| <b>Total Financing</b>                              | <b>(15,944)</b>   | <b>(15,887)</b> | <b>(16,496)</b> | <b>(17,420)</b> | <b>(17,064)</b> | <b>(17,600)</b> | <b>(18,027)</b> | <b>(18,462)</b> | <b>(18,953)</b> | <b>(19,528)</b> | <b>(20,052)</b> |
| <b>Budget Gap (surplus)/deficit</b>                 | <b>935</b>        | <b>746</b>      | <b>471</b>      | <b>(250)</b>    | <b>316</b>      | <b>43</b>       | <b>146</b>      | <b>250</b>      | <b>305</b>      | <b>285</b>      | <b>326</b>      |
| <b>Contribution to/(from) Stabilisation Reserve</b> | <b>(935)</b>      | <b>(746)</b>    | <b>(471)</b>    | <b>250</b>      | <b>(316)</b>    | <b>(43)</b>     | <b>(146)</b>    | <b>(250)</b>    | <b>(305)</b>    | <b>(285)</b>    | <b>(326)</b>    |
| <b>Unfunded Budget Gap (surplus)/deficit</b>        | <b>0</b>          | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>0</b>        |

| <b>Assumptions</b>            |   |
|-------------------------------|---|
| Revenue Support Grant:        | nil all years   |
| Business Rates Retention:     | Business Rates Retention safety-net plus 2% per year  |
| Council Tax:                  | 2% in all years   |
| Council Tax Base:             | Increase of 730 Band D equivalent properties p.a. from 22/23, 580 p.a. from 25/26, 480 p.a. from 27/28  |
| Interest Receipts:            | £188,000 in all years   |
| Property Investment Strategy: | £1.508m in 22/23, £1.558m from 23/24, £1.655m from 26/27, £1.696m from 29/30  |
| Pay award:                    | 2% in all years   |
| Other costs:                  | 2.25% in all years  |
| Income:                       | 2.5% in all years except for off-street car parks which are an average of 3.5% per annum from 19/20 - 23/24. Note 21/22 Car Parking inflation deferred for one year |

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## New Growth and Savings/Additional Income Proposals: Development and Conservation Advisory Committee

| SCIA<br>Year                     | No. | Description                | Year | Ongoing | 2022/23<br>Impact<br>£000 | Budget<br>Impact<br>£000 |
|----------------------------------|-----|----------------------------|------|---------|---------------------------|--------------------------|
| <b>Growth</b>                    |     |                            |      |         |                           |                          |
|                                  |     | none                       |      |         |                           |                          |
|                                  |     | Sub Total                  |      |         | 0                         | 0                        |
| <b>Savings/Additional Income</b> |     |                            |      |         |                           |                          |
|                                  |     | none                       |      |         |                           |                          |
|                                  |     | Sub Total                  |      |         | 0                         | 0                        |
|                                  |     | Net (Savings)/Growth Total |      |         | 0                         | 0                        |

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SERVICE CHANGE IMPACT ASSESSMENT

Not applicable for this Advisory Committee as there are no new growth and savings proposals.

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## 2022/23 Budget Setting Timetable

### **Stage 1: Financial Prospects and Budget Strategy 2022/23 and Beyond**

7 September - Finance & Investment AC

16 September - Cabinet

### **Stage 2: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)**

28 September - Housing and Health AC

6 October - People & Places AC

7 October - Improvement & Innovation AC

12 October - Cleaner & Greener AC

19 October - Development & Conservation AC

4 November - Finance & Investment AC

### **Stage 3: Budget Update (incl. Service Change Impact Assessments (SCIAs), feedback from Advisory Committees)**

9 December - Cabinet

### **Stage 4: Budget Update (incl. Government Settlement information)**

13 January - Cabinet

### **Stage 5: Budget Update and further review of Service Change Impact Assessments (if required)**

January to February - Advisory Committees

### **Stage 6: Budget Setting Meeting (Recommendations to Council)**

10 February - Cabinet

### **Stage 7: Budget Setting Meeting (incl. Council Tax setting)**

22 February - Council

**Note:** The Scrutiny Committee may 'call in' items concerning the budget setting process.

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# Financial Strategy








## INTRODUCTION

In the years preceding this Strategy Sevenoaks District Council has proven itself to be highly successful in some of the most austere and challenging times faced by local government. This was only possible because of our award winning financial strategy and the achievement of a self-sufficient balanced budget within our unique 10-year budget framework.

The absolute need and desire to support our local businesses and people in our communities during the Covid-19 pandemic placed an unforeseen and difficult challenge on the Council and its finances. Using our previous experience and following our principles, we acted early, bringing forward our budget setting, making incredibly difficult but necessary savings to maximise the opportunity for a much stronger financial position in the medium to long-term.

Our Financial Strategy enables the Council to deliver its services effectively, in accordance with the priorities set out in the Corporate Strategy. At the same time, it ensures that our spending is prioritised to deliver the promises our Members set out in the **Council Plan themes**:

-  Environment
-  Economy
-  Housing
-  Community Safety
-  Health

## OUR FINANCES

### Our Vision

Long-term financial health to deliver exceptional services and achieve the promises set out in the Council Plan.

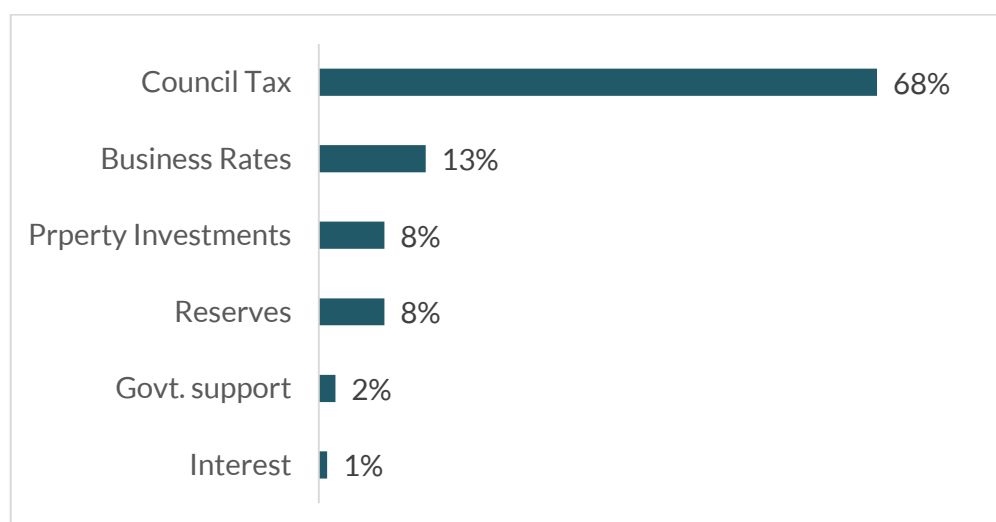
### What's important to us:

- Our budget supports the Council's vision and priorities
- Taxpayers and customers receive quality services and value for money
- Innovation, efficiency and cost-effectiveness
- Maximising income from grants and other funding opportunities
- Taking a commercial approach where it will benefit our budgets and our residents and local businesses
- Good quality, risk managed investments to generate more income for local priorities

### To be successful, we must:

- Remain financially self-sufficient
- Be clear about the Council's future financial prospects, with a ten-year budget as an integral part
- Ensure a strategic approach is taken to the management of the Council's finances, Council Tax, and budget setting
- Make effective use of reserves and capital receipts
- Manage our money carefully, monitor monthly and constantly strive for better value from our spending

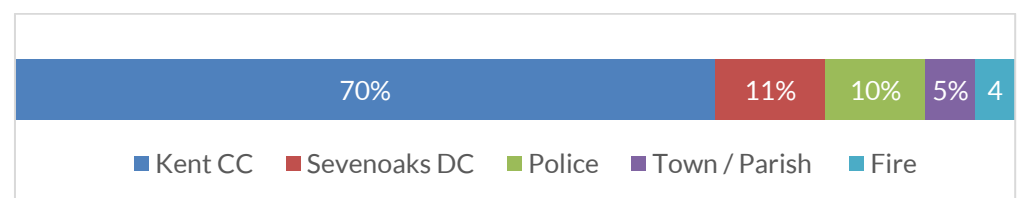
### WHERE OUR MONEY COMES FROM



### COUNCIL TAX





Sevenoaks District Council collects the Council Tax charge for itself but also for Kent County Council, Kent Fire & Rescue Service, Kent Police & Crime Commissioner and all the local town and parish councils. Each authority sets its own charge that contributes to the total.




Sevenoaks District Council's part of the charge at Band D is £224.91, 11% of the total. Council Tax contributes about £11.4million to District Council services.



### WHERE OUR MONEY IS SPENT

In 2021/22 the Council will spend about £16.8million on services for local people

|   |                                  |
|---|----------------------------------|
|   | Cleaner & Greener £5.7m          |
|   | Development & Conservation £0.9m |
|  | Housing & Health £1.0m           |
|  | People & Places £0.6m            |

|   |                                |
|---|--------------------------------|
|  | Finance & Investments £3.1m    |
|  | Improvement & Innovation £5.7m |
|  | Other -£0.2m                   |

**OUR PRIORITIES** | By keeping a focus on our priorities we will deliver our vision

**Financial self-sufficiency**



No longer relying on direct government funding gives greater certainty to our financial planning. It allows for long-term plans to be developed over our 10-year budget period.

- We will produce high quality financial reports and monitor our budgets every month
- We will address growth items and service pressures annually through the budget planning process
- We will manage inflationary pressures and prudent assumptions about future pressures and keep them under regular review

**Savings & reserves**



Creating a culture where there is a continuous drive for better value in our spend helps to create savings to balance our budgets. Alongside flexible and effective use of reserves, it allows for sustainable solutions to financial pressures

- We will seek to deliver a minimum of £100,000 in savings annually
- We will regularly review the use of reserves and maintain a minimum balance of 10% of the Net Service Expenditure budget.
- We will make flexible use of the Budget Stabilisation Reserve to increase resilience in the budget setting process

**Income & investments**



Making best use of the Council's reserves and carefully managed borrowing generates 10% of the Council's annual budget. Seeking new opportunities for funding from grants and investments is increasingly essential to the Council's financial sustainability.

- We will bid for external funding
- We will adopt a commercial approach where it will be of benefit to our budgets and support the delivery of Council priorities
- We will make investments in property and banks and institutions to bring in income to support the delivery of Council services

**Delivering our Financial Strategy**

Our Financial Strategy is supported by a number of related strategies and an action plan to help us achieve our vision and to deliver the ambitions set out by Members in the Council Plan.

How we work as a team of officers is critical to the success of the organisation and to help us achieve our aims, the Financial Strategy seeks to unite us all behind the same priorities and approach.

The outcomes we hope to achieve and the measures that will help us to determine whether we have been successful are set out below.



**Outcomes and success measures**

| Financial self-sufficiency |  |  |  |  |   |
|----------------------------|--|--|--|--|---|
|                            | Financial plans ensure there are no unplanned reductions to Council services               |  | Overall proportion of Council budgets funded by income from council tax does not increase  |  | A balanced 10-year budget is delivered annually                                       |
| Savings & Reserves         |  |  |  |  |   |
|                            | Annual savings exceed the £100,000 target whilst continuing to protect services            |  | The General Fund reserves retains at least 10% of the Net Service Expenditure budget   |  | Specific savings agreed as part of the annual budget process are achieved as planned. |
| Income & Investments       |  |  |  |  |   |
|                            | Successful bids for external funding generate new income and opportunities for the Council |  | Income from paid for services is in accordance with budget costs, is comparable to neighbouring authorities and is considered to provide value for money |  | Treasury Management, Property and commercial investments exceed expected yield        |

**COMMUNITY INFRASTRUCTURE LEVY (CIL) SPENDING BOARD - REVIEW OF GOVERNANCE**

**Development & Conservation Advisory Committee - 19 October 2021**

**Report of: Chief Officer - Planning and Regulatory Services**

**Status:** For Decision

**Also considered by:**

- Cabinet 11 November 2021

**Key Decision:** No

**Executive Summary:** This report follows on from the Community Infrastructure Levy (CIL) Governance Report that was discussed at the Development and Conservation Advisory Committee in July 2020. As you are aware, when Sevenoaks District Council set up the initial Governance arrangements for CIL, it was expected that the Governance of CIL would be reviewed at least once a year. This has happened now for many years and this report provides this yearly review.

The report looks at what has been implemented since the last CIL Governance Review, it also considers the recommendations made recently by an independent review and any further changes that are required to the process of spending CIL. The Chairman and Vice Chairman of the Spending Board have been a part of this review.

**This report supports the Key Aim of:** ensuring that Sevenoaks District remains a great place to live, work and visit and that development is supported by the relevant infrastructure.

**Portfolio Holder:** Cllr. Julia Thornton

**Contact Officer(s):** Claire Pamberi, Ext. 7221 and Carlyn Kan Ext. 7264

**Recommendation to Development & Conservation Advisory Committee**

That the recommendations to Cabinet are supported.

**Recommendation to Cabinet:** That

- a) The recommendation laid out in paragraph 23 is agreed.
- b) The recommendation laid out in paragraph 31 is agreed.
- c) amendments to Appendix X1 of the Constitution, as set out in Appendices A, B, C, D and E be agreed; and

d) that the information in the report be noted.

**Reason for recommendation:** To ensure that the Council is able to make decisions on how the CIL process is governed in an open, transparent, appropriate, fair manner and to ensure consistency

### Introduction and Background

- 1 Sevenoaks District Council has been charging the Community Infrastructure Levy (CIL) since August 2014. From this date, until August 2021, the Council has collected just over £11.2 million of CIL contributions, with just over £3.3 million passed to relevant town and parish councils to help fund local infrastructure improvements. This has meant that there has been just over £7 million available to spend on local and strategic infrastructure projects, through the CIL Spending Board, with just under £6.5 million of this amount already committed to specific projects.
- 2 As part of the current CIL Governance arrangements, that were originally set up by Sevenoaks District Council (SDC), it was agreed that the structure and process governing the CIL Spending Board and the process of allocating CIL money would be reviewed on an annual basis. This is to ensure that the Council's processes and procedures remain relevant, transparent and fit for purpose. This report is therefore part of this process.
- 3 This report will consider the following:
  - Changes in CIL Legislation
  - Changes put in place since the last review
  - The CIL Pilot project and independent review
  - Amendments to the Spending of CIL
  - Suggested changes to the current process
- 4 This report will address each one in turn:

### Changes in Legislation

- 5 There have been no changes to the CIL Legislation since the Governance Review last year.
- 6 It still appears to be the intention of the Government to change the planning system in regard to CIL and Section 106s, to create a new infrastructure levy. However no further details have been provided to Local Authorities as to how they want to take this forward.



- 7 At the last review, Members were made aware of the new CIL Regulations which came into force on 1<sup>st</sup> September 2019.
- The regulations make a number of important changes to the operation of CIL and also section 106 planning obligations. These included new reporting requirements through Infrastructure Funding Statements.
- 8 Sevenoaks District Council produced its first Infrastructure Funding Statement in December last year. This lays out the income and spending for CIL and 106 over the past financial year and also provides a report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy. The priorities include some transport, health and local community projects. It also includes any projects that help the Council reach its net zero ambitions.
- 9 The only other change is that due to Covid, the Govt introduced legislation that allowed small and medium sized developers to be able defer their CIL payments or agree payments in installments. A deferral request can only be made for payments that were due during the material period. (22<sup>nd</sup> July 2020 - 31<sup>st</sup> July 2021) and this has therefore recently come to an end. We only had one request to defer a CIL payment during this time.

#### Changes put in place since the last review

- 10 Since the last Government review we have implemented the following:

A Clearer guidelines and timescales for monitoring CIL projects.

We now regularly monitor all bids and projects that have been awarded CIL money. We ask for quarterly updates and have amended our legal agreements to ensure that this is agreed in advance of the money being awarded. We also contact organisations at 2 months and at 4 months after the decision is made to award CIL, to ensure that Legal Agreements are completed within 6 months. We also monitor the money that has been sent to Parish and Town Councils to ensure that it is spent correctly and spent within 5 years.

B We have formalised how to consider changes to CIL Bids that have been awarded funding.

We have had a number of organisations that have requested changes to their bid and we will only allow it if the following occurs:

- where the project (and the community benefits provided) is at least substantially similar to that approved; and
- where the risk to the CIL monies does not materially increase

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We have refused amendments that do not meet this criteria.

- C We now provide quarterly updates to the CIL Chair and Vice chair informing them of the CIL awarded, CIL income, training carried out and any other relevant information.
  - D We now have a standard template letters in place, to ensure that bids which are not successful are provided with clear reasons why. We also provide information to indicate the best way forward for them.
  - E We have now set up our internal systems so that there is a formal process if organisations or the Parish and Town Councils wish to review our decision.
  - F We have also produced Guidance Notes for Parish and Town Councils and for any Organisations that wish to submit bids to the CIL Spending Board.
  - G We have also carried out training for Members, Members of the CIL Spending Board and also Parish and Town Councils.
- 11 We are also intending to carry out some further training for members and Parish and Town Councils by the end of the year to keep them informed.

### **The CIL pilot project and independent review**

- 12 Towards the end of last year (2020) we were invited to take part in a Pilot project for PAS (Planning Advisory Service). The aim was for PAS to carry out an independent assessment of our CIL Governance, with the aim of providing guidance to other Local Authorities.
- 13 We carried out the self-assessment with the assistance of the consultants who considered the following:
- Leadership and Resources
  - Governance and Processes
  - Policy and Evidence
  - Tools and Systems
  - Project Delivery
- 14 For each section we were given a maturity level:

A - Ad-Hoc

B - Organised but inconsistent

C - Managed and Integrated

15 The results of our assessment were as follows:

- Leadership and Resources

Here SDC was determined to be at Level 3 Managed and Integrated. This was because there was a clear understanding across the Council of how these developer contributions were spent. The process had the support of the leadership of the Council. Our governance was also considered to be well managed and resourced and we had a review process in place, which allows continual learning.

- Governance and Processes

Here SDC was also determined to be at Level 3 again. This is because good governance exists with good understanding and transparency across the Council. The process to allocate funds included clear criteria for assessment and Guidance. Member involvement was also considered to be in a managed and structured way.

- Policy and Evidence

Here SDC was rated as a Level 2 authority - Organised but inconsistent. Whilst it was recognised that there was a clear and consistent corporate vision for growth and that our policies and guidance are in place. We performed weaker under this section as we do not predict our CIL income and have no established methodology in place to do this. We could also align our strategic priorities to the Local Plan and other strategic priorities in a more structured way.

- Tools and Systems

Here SDC was determined to be a Level 3. This is because we have clear templates and processes in place. They are transparent so that the relevant services across the Council can use and understand it. The knowledge of CIL is spread throughout the team so it is not just reliant on one service. Legal and Regulatory checks are undertaken systematically and support is readily available.

- Project Delivery

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Here SDC was determined to be a level 3 as we have a clear and dedicated approach towards delivery projects. Monitoring and reporting on the projects are done in a consistent way across the Council.

- 16 The proposed Action Plan resulting from the assessment included the following:
- We could benefit from a structured Engagement Plan to set out formally how we engage with stakeholders inside and outside of the Council.
  - We may benefit from establishing a more formal agreement as to how we work with some group i.e. KCC and other statutory providers. This could potentially form part of our Duty to co-operate evidence.
  - Training and periodic briefings with Councilors. (Note - we already do this)
  - We may wish to consider implementing an officer working group that report to the CIL Spending Board to monitor and assess project proposals.
  - We may wish to consider changing the focus of our Infrastructure Delivery Plan (IDP) to a delivery document and not just an evidence document. They also suggest setting up an officers working group and also to include senior management in our decision-making.
  - We could consider undertaking some projections for our CIL income, you can calculate this through CIL liability and Demand Notice.
  - We could introduce a more strategic and integrated consideration of funding across the Council including strategic projects for CIL, Capital programme etc.
- 17 It is also important to note that our interactive map, our CIL Spending Board Terms of reference and also our guidance on CIL bids were all used as case studies in PAS Guidance as examples as good practice.

### Conclusion (Pilot Project)

- 18 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.
- 19 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.

- 20 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.
- 21 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.
- 22 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.
- 23 It is requested that Members confirm that this is the right approach as laid out in paragraphs 18-22.

#### **Amendments to the Spending of CIL**

- 24 It is clear, through the independent assessment (Pilot) that the CIL Governance process is mature and well managed, and therefore there is not much that needs to change. However over the years it is noted that there is a considerable amount of time between each CIL Spending Boards, which has increased due to Covid. This means that some much needed infrastructure projects miss out on funding due to the time limitations of these projects.
- 25 Some of our infrastructure providers have also voiced concerns that important projects have missed out due to our long timescales. In addition

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to this, there are net zero projects, who have been working in collaboration with this Council who have missed out on funding.

- 26 Officers consider that it is important to make members aware of this issue and to initiate a discussion as to whether there is a way to make the spending of a small percentage of the CIL money more flexible.
- 27 As it currently stands up to 5% of the CIL income is spent on Administration of CIL, 25% is given to Parish and Town Councils, with the remaining 70% allocated through the CIL Spending Board.
- 28 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 a percentage is set aside for officers to spend outside of the CIL Spending Board process.
- 29 It is still appropriate for the majority of the spending to be allocated through the CIL Spending Board. It is suggested that 15% of the CIL Spending Board money is allocated to officers 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.
  - That the Leader of the Council or Portfolio holder agree to the spend.
- 30 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 officers 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.

- 31 It is requested that members agree to the changes to CIL Spending as laid out in paragraphs 28 - 30 of this report. Officers are also happy to consider other options put forward.

**Suggested changes to the current process**

- 32 Whilst the existing system runs well, there are a couple of issues with the CIL Governance which need to be clarified. These issues were identified through the last CIL Spending Board process and are as follows:

- Clarification in the format of the CIL Spending Board Meeting
- Change in assessment criteria and pro forma to reflect net zero ambitions
- Change in assessment criteria and pro forma to reflect projects that have already benefited from CIL exemptions.
- The role of Cabinet in the CIL Spending Board decisions.

- 33 I will address each one in turn:

Clarification in the format of the CIL Spending Board Meeting

- 34 Members of the Board indicated at the last meeting that they were not clear of as to when they were allowed to ask questions of the speakers. At some meetings we have allowed questions at the end of each speaker at others questions have been asked after they have all spoken. In addition, it was also considered helpful to reminded members of the Board that they can only ask questions that relate to the project itself and whether it is suitable to receive CIL.

- 35 Paragraph 5.9 states that:

“Members of the Spending Board will then have an opportunity to ask questions of clarification of the Speakers present”.

- 36 It is suggested that this amended to read:

“Members of the Spending Board will then have an opportunity to ask questions of clarification of the Speakers present, after all the speakers have spoken on that item. Members shall only ask questions that relate to the project and how it relates to the granting of CIL monies”.

Change in assessment criteria and proforma to reflect net zero ambitions

- 37 As you are aware the leader of the Council brought a report to full Council on 19<sup>th</sup> November 2019. The report set out a clear ambition for the Council to achieve net zero greenhouse gas emissions by 2030. The Cabinet working

## Agenda Item 7

group which was set up to oversee and lead on this ambition agreed, amongst others, that the Council would be a “community leader” and encourage low carbon measures across the District through education, best practice, incentives, policy and opportunities.

- 38 It is therefore suggested following on from this Council’s clear ambition and the desire to be community leaders that over the next year, any infrastructure projects which clearly support our ambition to achieve net zero greenhouse emissions should be considered as a priority to receive CIL funding. This is already reflected in our Infrastructure statement and should therefore be reflected in the assessment of the bids. Projects will be looked upon more favourably if they help to achieve these ambitions. The pro-forma also needs to be amend to reflect this.
- 39 Please see Appendix A and B which shows the suggested changes, which include adding a section in the pro forma for the organisation submitting the bid to indicate how the project helps to achieve our net zero ambitions. An amendment is also proposed to the assessment criteria to ensure that bids that help achieve our ambitions will be scored more highly. It is requested that these amendments agree to the amendments laid out in the appendices.

### Change in assessment criteria and pro-forma to assess projects that may already have had CIL relief

- 40 One concern that has been raised to officers is how we assess bids for projects that have already received a CIL exemption.
- 41 This means that when projects are granted planning permission some are exempt from paying CIL. They have to apply for this exemption but it does mean that their project has already benefited by not paying CIL. There are exemptions for the following:
- minor development exemption - less than 100 sq metres.
  - Self build exemption
  - exemption s for residential annexes or extensions
  - Charitable relief - charitable institution
  - social housing relief
  - exceptional circumstances relief
- 42 If a project falls within any of these exemptions and they do not have to pay CIL, if they are then asking for CIL towards their project it is suggested that they could be seen to benefit twice.



- 43 It is not suggested that these projects should not benefit from CIL or should be prevented from applying, but just that members are aware and that this issue is taken into consideration when assessing the bid. It is therefore suggested that the pro-forma and criteria for assessing bids are amended to ensure that the Board is aware of these issues before a decision is made to award money.
- 44 Please see Appendix C and D, which shows the suggested changes, which include adding a section for the organisation submitting the bid to indicate whether their project has had a CIL exemption and also an amendment to the assessment criteria to ensure that bids that have already had an exemption will be assessed in light of this. A small-scale change is also suggested to remove reference to out of date legislation. It is therefore requested that members agree to the amendments laid out in the appendices.

Clarification as to what happens if the Cabinet disagree with the CIL Spending Board's decision.

- 45 It was brought to officers attention that whilst it is clear that the Council's Cabinet are expected to ratify decisions made by the CIL Spending Board, the process is not clear for what happens if the cabinet chooses not to ratify any of the projects. This could result in projects going between the two bodies with no decision made.
- 46 It is suggested that a project can only go back to the Spending Board once before the Cabinet then have the right to refuse CIL money being granted to that bid. If a bid is refused it is still open for anyone to re-apply to the Board and provide additional information.
- 47 See appendix E for details, which suggest changes to the Council's Constitution to ensure that a decision by Cabinet will only be reviewed once.

**Conclusion**

- 48 It is clear from looking at the Governance of CIL over the last year, that there are good and clear structures in place, to enable the monitoring and spending of CIL to happen effectively. This has been recognised in the independent review. The changes that are suggested, are small scale and help to clarify matters and also ensure that the process supports the Council's priorities.
- 49 It is hoped that the committee can agree to these recommendations.

### Other Options Considered and/or Rejected

- 50 Members could decide not to agree the proposed changes to the current governance arrangements. However, the proposed changes seek to build on the existing arrangements to make the process more consistent, flexible, manageable and robust to ensure that future funding allocated by the CIL Spending Board is appropriately spent and monitored.
- 51 In addition, any further identified weaknesses in the system can be addressed through the annual review process.

### Key Implications

#### Financial

There are no financial implications regarding this report.

#### Legal Implications and Risk Assessment Statement

There are no legal implications regarding this report.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### Conclusions

This report sets out some suggested changes to the CIL Governance following feedback received from Officers and the Chairman and Vice Chairman of the CIL Spending Board and it is therefore asked that Members grant the Chief Planning Officer and Legal Team delegated authority to implement these changes.

## Appendices

**Appendix A** - Request to amend the CIL bid pro-forma as laid out in the Councils constitution in regard to Net Zero

**Appendix B** - Request to add additional criteria to the criteria used to assess CIL bids laid out in Appendix X1 of the Council's constitution.

**Appendix C** - Request to amend the CIL bid pro forma as laid out in the Councils constitution in regard to CIL exemptions

**Appendix D** - Request to add additional criteria to the criteria used to assess CIL bids laid out in Appendix X1 of the Council's constitution in regard to CIL exemptions.

**Appendix E** - Request to add Paragraph 1.2 to Appendix X1 of the Council's constitution.

## Background Papers

[Governance of the Community Infrastructure Levy \(CIL\) \(Planning Advisory Committee - 16 May 2017\)](#)

[Governance of the Community Infrastructure Levy \(CIL\) \(Cabinet - 15 June 2017\)](#)

[Referral from Cabinet - Further Advice to PAC re Governance of the Community Infrastructure Levy \(22 June 2017\)](#)

[Planning Advisory Committee response to referral - Community Infrastructure Levy \(Cabinet - 13 July 2017\)](#)

[Planning Advisory Committee - 12 March 2019](#)

**Richard Morris**

**Chief Officer - Planning & Regulatory Services**

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**Appendix A**

- 1 Please see an extract from Page 6 of Appendix X1 of the Council’s Constitution, which looks at the standard pro-forma where applicants have the opportunity to explain the benefit to each scheme they submit.

**Please provide an explanation of the ‘public benefit’ of the scheme proposed for residents in Sevenoaks District:**

|   |   |  |
|---|---|--|
| 5 | Economic  |  |
| 6 | Social  |  |
| 7 | Environmental   |  |
| 8 | Is the need for the scheme identified in any adopted strategy/plan? E.g. Neighbourhood Plan, Work programme of a Statutory Body, Infrastructure Plan. If so, which? |  |
| 9 | How does the scheme identify with the Council’s Infrastructure Delivery Plan (IDP) and its priorities?  |  |

Appendix X1 - Page 6

- 2 It is suggested that an additional box is added to include the following:

|    |  |  |
|----|--|--|
| 10 | How does this project help the Council achieve its ambition to reduce net greenhouse gas emissions and achieve its Net Zero 2030 target? |  |
|----|--|--|

- 3 All the numbers for the following boxes within the pro-forma should be changed accordingly.

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Appendix B

1. Please see original criteria as laid out in the Appendix X1 of the Council's constitution - see next page:

| Criteria Number | Criteria Description  | Detail  |
|-----------------|---|---|
| 1               | The need for the scheme   | Here we would expect the applicant to explain the need for and the benefits of the scheme. We have asked for the applicant to respond specifically in regard to the Economic, Social and Environmental needs of the District and its residents. We will therefore award points under each section:  |
|                 |   | Economic - are there benefits to the economy?   |
|                 |   | Social - what is the benefit to the local community or wider community.   |
|                 |   | Environmental - Are there clear benefits to the environment by implementing this scheme. Whilst we are aware that new projects would improve the immediate environment, bids would be looked upon more favorably if they included a wider environment benefit. For example landscaping improvements to a wider area, enhancements to wildlife, enhancements to the overall appearance of the wider site etc.  |
| 2               | Does the scheme proposed support local or strategic infrastructure.                           | Schemes that will provide for key infrastructure projects are likely to have a greater impact i.e. medical, schools, highways, flooding will receive higher scores. Those identified in the Council's Infrastructure Plan (Reg 123 List) or Infrastructure Delivery Plan will provide towards a clear local need and will receive a higher score. Evidence should also be provided to demonstrate a strong link between new development and the bid project. Projects which also can be shown to support the local community with a clear community benefit will also be looked upon favorably.   |
| 3               | Working in partnership  | Has the applicant provided evidence that they are working in partnership with one or more organisation. We will look at the type of partners involved, how formal the Partnership is and the amount of involvement from all partners. Please note; we will take into account those infrastructure/statutory providers that do not need to work in partnership.  |
| 4               | Is the Bid scheme part of an existing Strategy/Plan   | We would expect the scheme to be put forward as part of an existing Strategy or Plan. This could include Neighbourhood or Parish plans. It could also include regional strategies, economic strategies, Work Programmes by statutory bodies or if it has been identified as a key or much needed project.   |
| 5               | Public Benefit  | It is likely that bids are looking to provide the greatest public benefit will be looked upon more favourably than those that do not bring a greater benefit to the wider community. Definition: We are therefore looking for schemes that will provide something that is advantageous or good; that will relate to, or affecting a population or a community as a whole.   |
| 6               | Does the scheme show that funding has been maximised from other sources                       | The majority of the money to fund a project should not come from CIL. It should not be used to fund entire projects. Please note; schemes that will be relying totally on CIL will not be considered favorably. Schemes that already have a large amount/majority funding in place will receive a higher score. The security of the funding should also be considered. The majority of funding should be sought from other sources.   |
| 7               | Deliverability  | Through their bid we would expect the applicant to show evidence that the project is well managed. Have they provided for example:<br>- clear dates for start and finish of the project.<br>- details of the management of the project and timescales<br>- details of when they will provide updates to SDC<br>whether planning permission or other consents is required or sought? Bids that have planning permission in place will be looked upon favourably. This assessment should also include considering whether the works require PP or whether the proposal is permitted development. This assessment should also ensure that the applicant has checked this issue. It is considered that large scale projects which are supported by a number of neighbourhood, local and business plans are unlikely to have all their paperwork and funding in place. Therefore this part of the assessment should also consider the benefits of a larger scheme against the fact that they do not have all their permissions in place. |
| 8               | Does the Bid have local support?  | In particular, does the Bid have the support of a local member, a local organisation or business and/or the Parish and Town Council? Bids that have local support are more likely to be looked upon favourably.   |
| 9               | Has the project already had CIL funding?  | A lower score will be given for those projects which have already received CIL funding via the CIL Spending Board. Unless a strong justification can be provided as to why further funding is required. Projects which are working in Partnership and include CIL funding from Parish or Town Councils will be looked upon more favorably.  |
| 10              | Evaluation of the overall benefits of the scheme and the benefit it provides to the community | Higher scores will be given to those projects which show that they have sought the majority of funding from other sources and overall provide clear evidence of a community benefit or need. Projects where the CIL money would complete the scheme will also be scored highly.   |



2 It is suggested that an additional section is included:

|   |                    |  |
|---|--------------------|--|
| 2 | Net Zero Ambitions | How does the scheme contribute towards the Council's net zero ambitions? A scheme that does not contribute at all will receive a lower score. Those which clearly help and provide evidence to show that the project put forward will help produce less or no green house emissions will receive a higher score. |
|---|--------------------|--|

2. It is suggested that the numbers are amended accordingly after this insert.

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**Appendix C**

- 1 Please see an extract from Page 8 of Appendix X1 of the Council's Constitution, which looks at the benefit to each scheme.

|    |  |  |  |
|----|--|--|--|
| 15 | Has this scheme already benefited from CIL funding through the CIL Spending Board? | Yes / No (please delete as appropriate)  |  |
|    |  | If Yes; Please provide further justification as to why further CIL funding is required for this project. |  |

|    |   |  |  |
|----|---|--|--|
| 16 | Has this scheme/land/building already benefited from funding from Sevenoaks District Council?<br><br>Note- this can include grants, section 106s, a Community Fund etc. | Yes / No (please delete as appropriate)                                    |  |
|    |   | If Yes; Please provide further details of amount and the project involved. |  |

- 2 It is suggested that an additional box is added to include the following:

|    |   |   |
|----|---|---|
| 17 | Has the project, at any stage benefited from any CIL Exemptions as laid out in the Community Infrastructure Levy Regulations 2010 (as amended)? | Yes/No (Please delete as appropriate)<br><br>If yes, please explain why CIL is still required following an exemption. |
|----|---|---|

- 3 All the following numbers for the following boxes within the pro-forma should be changed accordingly.

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Appendix D

1. Please see original criteria in Appendix B - as laid out in the Appendix X1 of the Council's constitution - see below:

| Criteria Number | Criteria Description  | Detail  |
|-----------------|---|---|
| 1               | The need for the scheme   | Here we would expect the applicant to explain the need for and the benefits of the scheme. We have asked for the applicant to respond specifically in regard to the Economic, Social and Environmental needs of the District and its residents. We will therefore award points under each section:  |
|                 |   | Economic - are there benefits to the economy?   |
|                 |   | Social - what is the benefit to the local community or wider community.   |
|                 |   | Environmental - Are there clear benefits to the environment by implementing this scheme. Whilst we are aware that new projects would improve the immediate environment, bids would be looked upon more favorably if they included a wider environment benefit. For example landscaping improvements to a wider area, enhancements to wildlife, enhancements to the overall appearance of the wider site etc.  |
| 2               | Does the scheme proposed support local or strategic infrastructure.                           | Schemes that will provide for key infrastructure projects are likely to have a greater impact i.e. medical, schools, highways, flooding will receive higher scores. Those identified in the Council's Infrastructure Plan (Reg 123 List) or Infrastructure Delivery Plan will provide towards a clear local need and will receive a higher score. Evidence should also be provided to demonstrate a strong link between new development and the bid project. Projects which also can be shown to support the local community with a clear community benefit will also be looked upon favorably.   |
| 3               | Working in partnership  | Has the applicant provided evidence that they are working in partnership with one or more organisations. We will look at the type of partners involved, how formal the Partnership is and the amount of involvement from all partners. Please note; we will take into account those infrastructure/statutory providers that do not need to work in partnership.   |
| 4               | Is the Bid scheme part of an existing Strategy/Plan   | We would expect the scheme to be put forward as part of an existing Strategy or Plan. This could include Neighbourhood or Parish plans. It could also include regional strategies, economic strategies, Work Programmes by statutory bodies or if it has been identified as a key or much needed project.   |
| 5               | Public Benefit  | It is likely that bids are looking to provide the greatest public benefit will be looked upon more favourably than those that do not bring a greater benefit to the wider community. Definition: We are therefore looking for schemes that will provide something that is advantageous or good; that will relate to, or affect a population or a community as a whole.  |
| 6               | Does the scheme show that funding has been maximised from other sources                       | The majority of the money to fund a project should not come from CIL. It should not be used to fund entire projects. Please note; schemes that will be relying totally on CIL will not be considered favorably. Schemes that already have a large amount/majority funding in place will receive a higher score. The security of the funding should also be considered. The majority of funding should be sought from other sources.   |
| 7               | Deliverability  | Through their bid we would expect the applicant to show evidence that the project is well managed. Have they provided for example:<br>- clear dates for start and finish of the project.<br>- details of the management of the project and timescales<br>- details of when they will provide updates to SDC<br>whether planning permission or other consents is required or sought? Bids that have planning permission in place will be looked upon favourably. This assessment should also include considering whether the works require PP or whether the proposal is permitted development. This assessment should also ensure that the applicant has checked this issue. It is considered that large scale projects which are supported by a number of neighbourhood, local and business plans are unlikely to have all their paperwork and funding in place. Therefore this part of the assessment should also consider the benefits of a larger scheme against the fact that they do not have all their permissions in place. |
| 8               | Does the Bid have local support?  | In particular, does the Bid have the support of a local member, a local organisation or business and/or the Parish and Town Council? Bids that have local support are more likely to be looked upon favourably.   |
| 9               | Has the project already had CIL funding?  | A lower score will be given for those projects which have already received CIL funding via the CIL Spending Board. Unless a strong justification can be provided as to why further funding is required. Projects which are working in Partnership and include CIL funding from Parish or Town Councils will be looked upon more favorably.  |
| 10              | Evaluation of the overall benefits of the scheme and the benefit it provides to the community | Higher scores will be given to those projects which show that they have sought the majority of funding from other sources and overall provide clear evidence of a community benefit or need. Projects where the CIL money would complete the scheme will also be scored highly.   |

2 It is suggested that section 9 is amended to include the following:

|   |  |   |
|---|--|---|
| 9 | Has the project already had CIL funding? | A lower score will be given for those projects which have already received CIL funding via the CIL Spending Board or have benefited from CIL exemption. Unless a strong justification can be provided as to why further funding is required.... |
|---|--|---|

3. It is also suggested that relevance to out of date documents is also amended so the criteria now refers to the our Infrastructure Delivery Plan and our Infrastructure Funding Statement rather than our Reg 123 list which has been replaced. See new criteria laid out in section 2 below:

| Criteria Number | Criteria Description  | Detail  |
|-----------------|---|---|
| 1               | The need for the scheme   | Here we would expect the applicant to explain the need for and the benefits of the scheme. We have asked for the applicant to respond specifically in regard to the Economic, Social and Environmental needs of the District and its residents. We will therefore award points under each section:  |
|                 |   | Economic - are there benefits to the economy?   |
|                 |   | Social - what is the benefit to the local community or wider community.   |
|                 |   | Environmental - Are there clear benefits to the environment by implementing this scheme. Whilst we are aware that new projects would improve the immediate environment, bids would be looked upon more favourably if they included a wider environment benefit. For example landscaping improvements to a wider area, enhancements to wildlife, enhancements to the overall appearance of the wider site etc.   |
| 2               | Net Zero Ambitions  | How does the scheme contribute towards the Council's net zero ambitions? A scheme that does not contribute all will receive a lower score. Those which clearly help and provide evidence to show that the project put forward will help produce less or no green house emissions will receive a higher score.   |
| 3               | Does the scheme proposed support local or strategic infrastructure.                           | Schemes that will provide for key infrastructure projects are likely to have a greater impact i.e. medical, schools, highways, flooding will receive higher scores. Those identified in the Council's Infrastructure Delivery Plan or Infrastructure Funding Statement (or any document superseding these) will receive a higher score. Evidence should also be provided to demonstrate a strong link between new development and the bid project. Projects which also can be shown to support the local community with a clear community benefit will also be looked upon favourably.  |
| 4               | Working in partnership  | Has the applicant provided evidence that they are working in partnership with one or more organisation. We will look at the type of partners involved, how formal the Partnership is and the amount of involvement from all partners. Please note; we will take into account those infrastructure/statutory providers that do not need to work in partnership.  |
| 5               | Is the Bid scheme part of an existing Strategy/Plan   | We would expect the scheme to be put forward as part of an existing Strategy or Plan. This could include Neighbourhood or Parish plans. It could also include regional strategies, economic strategies, work programmes by statutory bodies or if it has been identified as a key or much needed project.   |
| 6               | Public Benefit  | It is likely that bids are looking to provide the greatest public benefit will be looked upon more favourably than those that do not bring a greater benefit to the wider community. Definition: We are therefore looking for schemes that will provide something that is advantageous or good; that will relate to, or affecting a population or a community as a whole.   |
| 7               | Does the scheme show that funding has been maximised from other sources                       | The majority of the money to fund a project should not come from CIL. It should not be used to fund entire projects. Please note; schemes that will be relying totally on CIL will not be considered favourably. Schemes that already have a large amount/majority funding in place will receive a higher score. The security of the funding should also be considered. The majority of funding should be sought from other sources.  |
| 8               | Deliverability  | Through their bid we would expect the applicant to show evidence that the project is well managed. Have they provided for example:<br>- clear dates for start and finish of the project.<br>-details of the management of the project and timescales<br>-details of when they will provide updates to SDC<br>whether planning permission or other consents is required or sought? Bids that have planning permission in place will be looked upon favourably. This assessment should also include considering whether the works require PP or whether the proposal is permitted development. This assessment should also ensure that the applicant has checked this issue. It is considered that large scale projects which are supported by a number of neighbourhood, local and business plans are unlikely to have all their paperwork and funding in place. Therefore this part of the assessment should also consider the benefits of a larger scheme against the fact that they do not have all their permissions in place. |
| 9               | Does the Bid have local support?  | In particular, does the Bid have the support of a local member, a local organisation or business and/or the Parish and Town Council? Bids that have local support are more likely to be looked upon favourably.   |
| 10              | Has the project already had CIL funding?  | A lower score will be given for those projects which have already received CIL funding via the CIL Spending Board or have benefited from CIL exemption. Unless a strong justification can be provided as to why further funding is required. Projects which are working in Partnership and include CIL funding from Parish or Town Councils will be looked upon more favourably.  |
| 11              | Evaluation of the overall benefits of the scheme and the benefit it provides to the community | Higher scores will be given to those projects which show that they have sought the majority of funding from other sources and overall provide clear evidence of a community benefit or need. Projects where the CIL money would complete the scheme will also be scored highly.   |



Appendix E

- 1 Paragraph 1.1 of the Council’s constitution states the following:  
  
“The Board shall consider bids for Community Infrastructure (CIL) funding (in accordance with Appendices 1 and 2), and submit recommendations to Cabinet for ratification. If Cabinet chooses not to ratify a particular recommendation, then it shall provide an explanation setting out its concerns and request that the Board reconsiders the issue”.
  
- 2 It is suggested that paragraph 1 be revised to state the following:
  - 1.1 “The Board shall consider bids for Community Infrastructure (CIL) funding (in accordance with Appendices 1 and 2), and submit recommendations to Cabinet for consideration together with its reasons.
  - 1.2 If Cabinet is minded not to approve any of the recommendations from the Board then the Cabinet should usually provide the Board with its reasons and an opportunity to reconsider the issue before the Cabinet’s final determination”.

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**INFRASTRUCTURE FUNDING STATEMENT - PRIORITIES**

**Development and Conservation Advisory Committee - 19 October 2021**

**Report of:** Deputy Chief Executive, Chief Officer Planning & Regulatory Services

**Status:** For recommendation to Cabinet

**Also considered by:** Cabinet - 11 November 2021

**Key Decision:** Yes

**Executive Summary:**

As members are aware, it is a mandatory requirement, as set out in the Community Infrastructure Levy Regulations 2010 (as amended) for Local Authorities to produce an annual Infrastructure Funding Statement (IFS). This should include a CIL report, a section 106 report and the infrastructure projects or types of infrastructure that Sevenoaks District Council intends to be funded at least in part by CIL over the next year.

This report therefore looks at what was proposed last year and what projects and type of infrastructure should be prioritised in the Council's new Infrastructure Funding Statement (IFS) for the next year. This does not mean that local authorities are bound by the priorities laid out in the IFS but that it will provide transparency to developers and the community as to what our intentions are.

To assist members this report considers the type of projects and types of infrastructure that was prioritised last year, it then looks at what we have spent money on through Section 106 and CIL over the last few years. The report then considers if there is any further evidence through circumstances or evidence which would indicate what infrastructure or projects should be prioritised this year. It will then concludes by making recommendations for our funding priorities.

**This reports support the Key Aim of: of ensuring that Sevenoaks District remains a great place to live, work and visit and that development is supported by the most appropriate infrastructure.**

**Portfolio Holder:** Cllr. Julia Thornton

**Contact Officer:** Claire Pamberi ex 7221 and Carlyn Kan ex 7264

**Recommendation to Development and Conservation Advisory Committee:**

That the recommendations to Cabinet are supported.

### **Recommendation to Cabinet:**

To agree and adopt the following:

- a) The criteria for prioritising infrastructure projects as laid out in paragraph 7 remains.
- b) That the specific projects and types of Infrastructure recommended in paragraphs 28 - 38 of this report are identified in the IFS as having a priority for full or partial funding.

### **Reason for recommendation:**

For the Council to agree on spending priorities for the Section 106 and the Community Infrastructure Levy for the next year.

### **Introduction and Background**

- 1 As Members are aware, Sevenoaks District Council have been a CIL (Community Infrastructure Levy) charging authority since 4<sup>th</sup> August 2014. From this date until middle of September 2020, the Council have collected just over £11 million of CIL contributions.
- 2 New CIL Regulations came into effect on 1<sup>st</sup> September 2019, which included a requirement for local authorities to report on their CIL and Section 106 income and expenditure by producing an annual report. The annual report, named an Infrastructure Funding Statement, is also expected to state the types of infrastructure or projects the authority intends to fund wholly or partially through CIL.
- 3 As you are aware, this is required for all Local Planning Authorities and is expected to be issued on or before 31st December of each year.
- 4 This report follows on from last year's Infrastructure Funding Statement and considers whether any changes need to be made to the Council's priorities for infrastructure spending in its new IFS.

### **Discussion**

- 5 In considering what Sevenoaks District Council's priorities should be for allocating CIL and Section 106 monies, it is proposed to lay the report out in the following way:
  - A. Firstly, it will consider what priorities are already in place and what projects and type of infrastructure were put forward last year.

- B. The report will then consider what Sevenoaks District Council have spent CIL and 106 money on recently.
- C. It will then consider any changes to circumstances and any evidence that has come forward in the Local Plan and the Infrastructure Delivery Plan. This will enable us to consider how this will impact what infrastructure should be prioritised.
- D. In light of all the above evidence, it will then propose what the priorities and projects for spending should be.

A - Priorities for allocating CIL and Section 106 monies already in place:

- 6 Looking at the report that determined the priorities for the Infrastructure Funding Statement last year (See Appendix A). The following was agreed:
- 7 Firstly, a number of criteria were agreed, which stated that infrastructure projects should be prioritised for funding if they meet them:
  - 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.
- 8 In addition to this, the following types of infrastructure and projects were agreed to be priority in last years IFS:

**Highways and transport:**

- Swanley Transport Improvement Measures
- Junction 3 M25 Swanley - improvements required to address increased capacity and accessibility for pedestrians.
- Improvements to bus services in and around Swanley
- Junction improvements to Bat & Ball

## Agenda Item 8

- Edenbridge Junction improvements
- Edenbridge - sustainable transport improvements

### Utilities

- Badgers Mount water supply upgrades
- Swanley supply water upgrades

### Health and Social Care

- CIL funding is provided to deliver the additional capacity required in the next 6 - 10 years to health services in the following areas:
  - 1 Northern Sevenoaks Health
  - 2 Swanley,
  - 3 Hextable,
  - 4 Farningham,
  - 5 New Ash Green,
  - 6 Hartley,
  - 7 Fawkham,
  - 8 South Darenth
- Expansion of GP Practices in the Sevenoaks Urban Area (Time scale 11- 15 years).
- To increase the capacity of Otford Health Services (related to Fort Halstead) (Timescale 6 - 10 years).

### Affordable Housing

- It was agreed to follow our current planning policies, Government Guidance and SDC's Supplementary Planning Document.

### Local Infrastructure Projects

- any local project that provides evidence to show that it addresses a clear community need or provides a clear community benefit will be considered a priority.

### Net Zero 2030

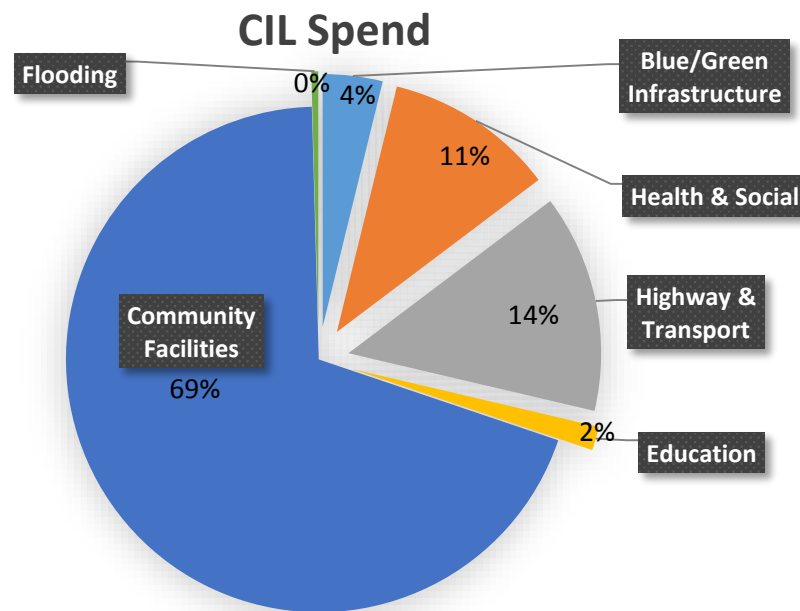
- over the next year any infrastructure projects which clearly support our ambition to achieve net zero greenhouse emissions should be considered as a priority to receive CIL funding.

### Broadband

- any infrastructure proposals that seek to improve existing rural broadband services or propose new broadband infrastructure in rural areas will be also considered as a priority.

**B - What have we funded so far?**

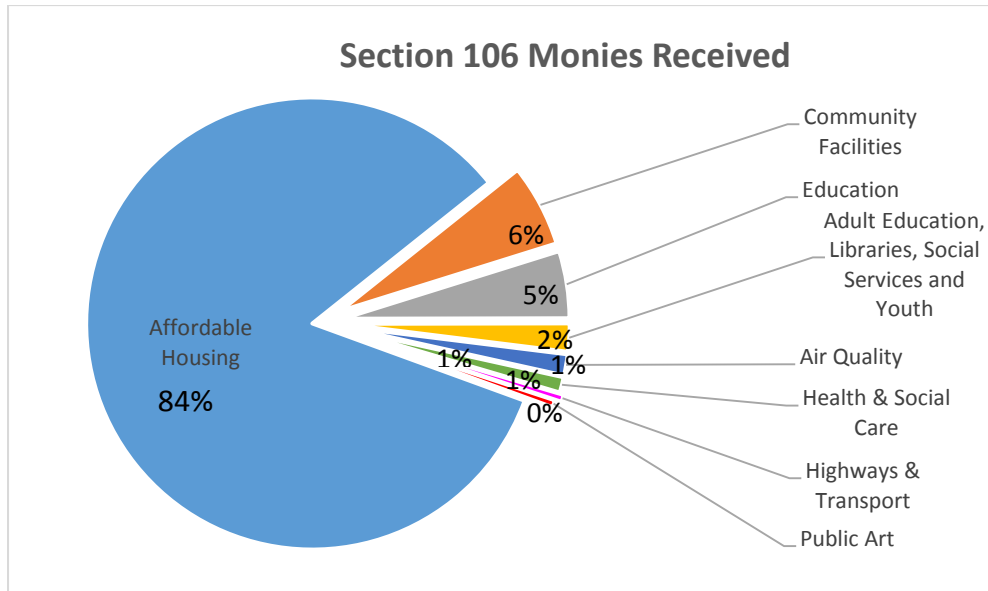
- 9 As the types and categories of infrastructure were identified, in the report which came to DCAC last year, it is considered that it may be helpful to show you what has been funded through CIL and 106 over the last few years. Full details of this can be found at **Appendix B**.
- 10 For CIL, since 2014 we have awarded the following to the following types of infrastructure projects through the CIL Spending Board:



- 11 You can see in this pie chart shows that the largest amount of spend has been on Community Facilities (69%), which has included village halls, public toilets and play areas. The next largest amount falls under Highways and Transport (14%) which has included train station and footpath improvements. The next is Health and Social care (11%) where money has been awarded to a medical centre/hub and a health pod. These projects have all been awarded funding by following the criteria laid out in the Councils Constitution regarding CIL Governance (Appendix X1) of the Constitution.

- 12 For Section 106s, we looked previously at the period between 2011 and 2016 (as we have the best data over this period):

## Agenda Item 8



13 A total of £ 93,362.55 towards Affordable housing contributions were the only Section 106 funds received in the April 2020 to March 2021 period.

13 It is interesting to note here that the money received and spent is different to that allocated through CIL with Affordable Housing being the majority (84%) and with Community Facilities (5.9%) and Education (4.8%) being the next amount. The last two would have been secured before CIL was introduced.

14 If we are now considering again what projects should be prioritised, one issue that needs to be considered is whether we continue to following the patterns of CIL and 106 and ensure that Affordable Housing and Community facilities continue to be a priority.

### **C - Evidence in the Local Plan and Infrastructure Delivery Plan**

#### **Local Plan**

15 As members are aware, the Council received confirmation from the Court of Appeal that its application to challenge the judgement of Mr Justice Dove regarding our approach to meeting the Duty to co-operate (DTC) had not been successful.

16 Since this time officers have been looking to move the local plan forward, with an aim to meet the objective of ensuring that we have a Local Plan in place by 2023.

17 We have been carrying out discussions with promoters of the larger sites and we are also updating our evidence base. As this is currently on going there is nothing that has taken place or finalised that would influence our priorities for spending at this current time.



### **Infrastructure Delivery Plan (IDP)**

- 18 A full review of this document is laid out in last years report in Appendix A. As stated above as we are still in the early stages of reviewing our Local Plan, and therefore this document has not been recently updated.
- 19 It is likely to be reviewed once our evidence base is finalised, and it is likely that this will impact on our priorities next year.

### **Circumstances**

- 20 It is important to note that the situation has changed for some projects and types of infrastructure.

### **Community facilities**

- 21 Firstly community facilities have been awarded the highest amount of CIL, disproportionately higher than any other type of infrastructure since CIL was introduced. Whilst it is acknowledged that local community projects are of importance, officers question whether they should be considered a priority in this year's IFS. It is considered that there may be more strategically significant infrastructure projects, which should be a priority for CIL. Should Community facilities not be proposed as a priority within the IFS, this would not prevent applicants from submitting or being granted local community projects to the next CIL Spending Board to be assessed on their own merit. It will however show the Council's intention to fund other projects.
- 22 In addition looking at particular projects, the Upper Darent Flood was identified as a high priority through the current IDP. This was previously granted funding at the May 2018 CIL Spending Board. However, the Environment Agency advised that the scheme would not be pursued in the near future and so the allocated CIL Spending Board funds have been returned to be spent at the next CIL Spending Board. All the other schemes in regard to flooding in the IDP are either for 16-20 years or their timescales are unknown and they are of medium to low priority.
- 23 Whilst the Darent Valley flood alleviation scheme proposed at the May 2018 CIL Spending Board could not be implemented at this time, this should not prejudice against other projects being put forward to assist this area. It is considered that this should therefore be included in the IFS priorities this year.
- 24 It should also be noted that in March the CIL Spending Board approved CIL money to expand the Kemsing Doctors Surgery (Part of the Otford Health Service). It is therefore questioned as to whether this should be removed from the list of priorities.

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### **D - Priorities for spending this year**

- 25 Looking at the evidence above, as there have not been too many changes to the Local Plan or the evidence to support it, that there seems no reason to change most of the priorities.
- 26 It is however suggested that some of the priorities and projects are amended in light of the discussion above. It is therefore considered the following should be priorities for the next year:

#### **Community Facilities**

- 27 In regard to Community Facilities, all the infrastructure projects proposed for community facilities within our current IDP do not fall within the priority timescales. Most are proposed for a time scale of 16-20 years, and been given a medium to low priority. In light of the above it is therefore proposed that the provision of CIL towards community facilities is not a priority for the Sevenoaks District Council in this years IFS.

#### **Flooding**

- 28 In light of the above circumstances, it is proposed the Upper Darent Flood alleviation scheme is included as a priority in this year's IFS.

#### **Highways and Transport**

- 29 There are a number of projects already identified as a high priority for projects that are for Highways or Transport. It is considered that these remain the same:

- Swanley Transport Improvement Measures
- Junction 3 M25 Swanley - improvements required to address increased capacity and accessibility for pedestrians.
- Improvements to bus services in and around Swanley
- Junction improvements to Bat & Ball
- Edenbridge Junction improvements
- Edenbridge - sustainable transport improvements

#### **Utilities**

- 30 In light of the evidence in the IDP, it is considered that the following projects are still considered as a priority for funding in the Councils IFS:

- Badgers Mount water supply upgrades

- Swanley supply water upgrades

### **Health and Social Care**

31 As stated above, the increase of capacity of Otford Health Services has been identified as a high priority. A bid to extend the Kemsing branch successfully received partial funding at the March 2021 CIL Spending Board. However it is considered that as development at Fort Halstead is likely to still have an impact on the services of the Otford Health Services.

32 It is therefore considered that this remains a priority for this year's IFS.

33 In light of this and the information in the IDP it is considered that additional capacity required to health services in the following areas should be identified as a priority:

- Northern Sevenoaks Health
- Swanley,
- Hextable,
- Farningham,
- New Ash Green,
- Hartley,
- Fawkham,
- South Darent
- Expansion of GP Practices in Sevenoaks Urban Area
- To increase the capacity of Otford Health Services (related to Fort Halstead)

34 Whilst these proposals have been given a high priority, the developers will still need to apply for funding through the CIL Spending Board and therefore this does not guarantee that the schemes will be fully or partly funded. The fact that they have been identified as priority projects in the IFS will mean that this will give weight to the consideration of these bids at the Board.

### **Affordable Housing**

35 This is proposed to follow our current planning policies and Supplementary Planning Document. The income will be spent in light of the portfolio holders decision as to how we spend the money allocated to affordable housing.

### **Corporate Priorities**

36 It is proposed that projects which would contribute towards SDC's corporate priorities should remain as a priority, in particular projects that support and facilitate our Net Zero ambitions and mental health and wellbeing.

### **Broadband**

37 Any infrastructure proposals that seek to improve existing rural broadband services or propose new broadband infrastructure in rural areas will continue to be considered as a priority.

## Agenda Item 8

### Notes

- 39 It should be noted that whilst the proposals above have been given a high priority, an application to the CIL Spending Board for funding will still need to be made and therefore this does not guarantee the schemes will be fully or partly funded. However, the fact that they have been identified as priority projects in the IFS will mean that this will give weight to the consideration of these bids at the Board.
- 40 Members will also be aware of the new Government White Paper, that was produced last year. This sets out the Governments vision for a new planning process and proposes introducing an “Infrastructure Levy.” No further details of this has been provided to date, but it is likely that the CIL and 106 system will change in the future.

### Other options Considered and/or rejected

- 41 Officers have based their decision on the evidence before them and through discussion with officers and Members across the Council and therefore consider that there is no alternative to those put forward.
- 42 The Committee could determine that these priorities or projects put forward are not acceptable. This could result in an incomplete IFS being produced by the Council. The committee could also recommend other priorities that they consider others are more suitable.

### Key Implications

#### Financial

There are no financial implications regarding this report.

#### Legal Implications and Risk Assessment Statement.

There are no legal implications regarding this report.

#### Equality Assessment (Compulsory heading - do not delete)

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

#### Net Zero

This has been addressed in the main report.

### Conclusions

It is requested that the Committee agree to the following:

1. The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement.

2. That the specific projects and types of infrastructure recommended in the conclusion are identified in the IFS as having a priority for full or partial funding.

### Appendices

Appendix A - Last year's IFS Report to DCAC 20<sup>th</sup> October 2020 and Cabinet on 5<sup>th</sup> November 2020.

<https://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=361&Mid=2545&Ver=4&J=4>

Appendix B - Full details of CIL expenditure and Section 106 monies received

### Background Papers

[Governance of the Community Infrastructure Levy \(CIL\) \(Cabinet - July 2020\)](#)

(Appendix X1) of the Council's Constitution.

[Infrastructure Delivery Plan March 2019](#)

Sevenoaks District Council's Supplementary Planning Document; Affordable Housing.

**Richard Morris**

Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

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**INFRASTRUCTURE FUNDING STATEMENT - PRIORITIES****Development and Conservation Advisory Committee - 20 October 2020****Report of:** Deputy Chief Executive, Chief Officer Planning & Regulatory Services**Status:** For Decision**Also considered by:** Cabinet - 5 November 2020**Key Decision:** Yes

**Executive Summary:** This report looks at the proposed priorities for the Council's new Infrastructure Funding Statement (IFS) which we are required to report to the Govt by the end of this year. The requirement for an IFS was laid out in the new Community Infrastructure Levy (CIL) legislation which was introduced in September 2019.

The new legislation requires us to report on our CIL and Section 106 income and expenditure and also on the infrastructure projects or types of infrastructure that we intend to fund wholly or partly by the levy (CIL). This will cover the period for the next year (2020/21) and will exclude the neighbourhood portion sent to Parish and Town Councils. This encourages local authorities to consider their priority for spending over the next year. This does not mean that local authorities are bound by the priorities laid out in the IFS but that it is hoped that it will provide transparency to developers and the community as to what our intentions are.

To assist members this report, firstly, considers the types of projects that can be included in the priority for spending CIL, it then looks at what we have spent money on through Section 106 and CIL over the last few years. It will then consider the priorities we already have for spending section 106 and CIL. It then importantly considers the evidence of infrastructure needs through reviewing our Infrastructure Delivery Plan which supports our Local Plan. It will then conclude by making recommendations for our funding priorities.

**This reports support the Key Aim of: of ensuring that Sevenoaks District remains a great place to live, work and visit and that development is supported by the most appropriate infrastructure.**

**Portfolio Holder:** Cllr. Julia Thornton**Contact Officer:** Claire Pamberi ex 7221**Recommendation to Development and Conservation Advisory Committee:**

That the recommendations to Cabinet are supported.

**Recommendation to Cabinet:**

To agree and adopt the following:

1. The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement.
2. That the specific projects and types of Infrastructure recommended in the conclusion of this report are identified in the IFS as having a priority for full or partial funding.

**Reason for recommendation:**

For the Council to agree on spending priorities for the Section 106 and the Community Infrastructure Levy for the next year.

**Introduction and Background**

- 1 As Members are aware, Sevenoaks District Council has been a CIL (Community Infrastructure Levy) charging authority since 4<sup>th</sup> August 2014. From this date until middle of September 2020, the Council have collected just over £9.3 million of CIL contributions.
- 2 Since 2014 and up until the end of last year, the Government asked us to report on our CIL income and expenditure, by producing a report for each financial year, which laid out CIL income and expenditure. This document had to be displayed on our website annually.
- 3 As you may be aware, new CIL Regulations came into force on 1<sup>st</sup> September 2019. As mentioned previously to you in the CIL Governance Report which came to this committee in July, these changes included:
  - removing the requirement to consult on a preliminary draft CIL charging schedule;
  - applying indexation when planning permissions are amended;
  - removing the restriction on the number of planning obligations that can be used to fund a single project;
  - allowing authorities to spend up to 5% of levy receipts on administrative expenses; and
  - most importantly (in relation to this report) the new legislation introduced new reporting requirements through Infrastructure Funding Statements.
- 4 This new way of reporting is required for all Local Planning Authorities and is expected to be issued on or before 31<sup>st</sup> December this year.



## Appendix A

- 5 One of the new requirements that the legislation has introduced, is a new element to our reporting which asks each Local Authority to report *“on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy.”*
- 6 This report is therefore seeking this committee’s views, after considering the evidence, as to the infrastructure projects that it sees as being a priority and should therefore be listed in the Infrastructure Funding Statement as being intended to be either funded or part funded by CIL.

**Infrastructure funding Statements (Background)**

- 7 Firstly it is considered important to lay out what Infrastructure Funding Statements (IFS) are and what is required from Local Planning Authorities:
- 8 The Infrastructure Funding Statement will impact upon the way we report on our CIL income and expenditure. Looking at the guidance provided from the Ministry of Housing, Communities and Local Government in September 2019, Infrastructure funding statements must set out the following in Paragraph: 176 Reference ID: 25-176-20190901:
- *“A report relating to the previous financial year on the Community Infrastructure Levy;*
  - *A report relating to the previous financial year on section 106 planning obligations;*
  - *A report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy (excluding the neighbourhood portion).”*
- 9 This report focuses on the third bullet point and considers what infrastructure projects or types of infrastructure that this authority intends to fund, either wholly or partly, by the levy or planning obligations. This will not dictate how funds must be spent but will set out the local authority’s intentions and ambitions.
- 10 This is expected to be in the form of a written narrative that demonstrates how developer contributions will be used to deliver relevant strategic policies in the plan, including any infrastructure projects or types of infrastructure that will be delivered, when, and where.
- 11 The main reason that the Government has introduced this new element into reporting is to ensure that there is more transparency over receipts and projected spend of CIL and Section 106s. The aim is to:
- simplify requests for FOIs
  - Improve stakeholder visibility and understanding
  - Promote infrastructure delivered by our Authority
  - Use it throughout the planning system to help inform and provide evidence.

- 12 It is important to note that this new way of reporting will not impact the process of the CIL Spending Board or how it is run. It is, however, likely to influence the Spending Board when deciding where to allocate money. When the bids are assessed as part of the Spending Board process, if a project meets one of the priorities laid out in this report (IFS), it will be given more weight than projects that are not identified in the IFS.

### Discussion

- 13 In considering what Sevenoaks District Councils priorities should be for allocating CIL and Section 106 monies, it is proposed to lay the report out in the following way:
- Firstly, it is considered important to understand what infrastructure is and the types of projects that can be included in the IFS;
  - The report will then consider what Sevenoaks District Council have spent CIL and 106 monies on in the past;
  - It will consider the priorities we have already put in place for CIL and 106 spending;
  - It will then consider the evidence in the Local Plan and the Infrastructure Delivery Plan as to what infrastructure should be prioritised; and then,
  - In light of all the above evidence, it will then propose what the priorities and projects for spending should be.

### What is infrastructure?

- 14 Firstly, it is important to identify what infrastructure is and what types of infrastructure there are. This ensures that when we prioritise spending, we are clear as to what we can propose to fund and also that we are aware of what all our options for spending are.
- 15 Infrastructure can be defined as the following:
- “The basic systems, facilities and services which support development in an area. These can include highways and other transport facilities, flood defences, energy, educational facilities, health and social care facilities, community facilities, green blue infrastructure etc”.* (Appendix X1 of the Councils Constitution).

16 Government Guidance states that for any information reported on developer contributions, infrastructure should be categorised as follows:

- Affordable housing
- Education
  - Primary
  - Secondary
  - Post-16
  - Other
- Health
- Highways
- Transport and travel
- Open space and leisure
- Community facilities
- Digital infrastructure
- Green infrastructure
- Flood and water management
- Economic development
- Land
- Section 106 monitoring fees
- Bonds (held or repaid to developers)
- Other
  - Neighbourhood CIL
  - Mayoral CIL
  - Community Infrastructure Levy administration costs

17 Looking at our Infrastructure Delivery Plan, in addition to the above, the main types of infrastructure that we have identified include the following:

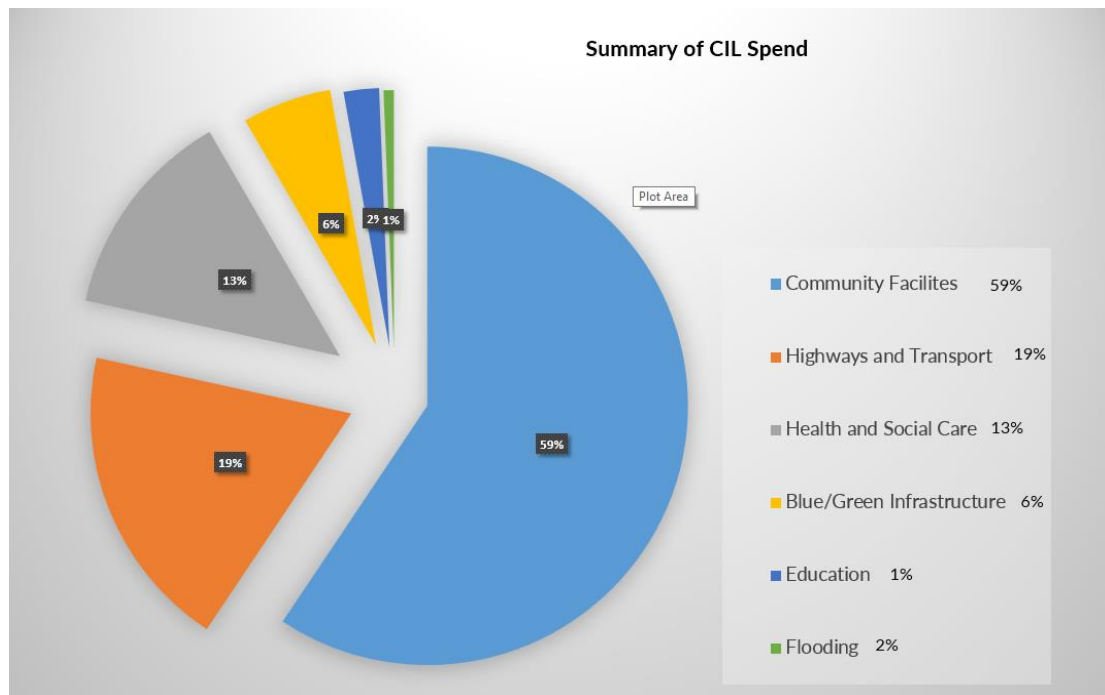
- Highways and Transport
- Flooding
- Utilities
- Communications
- Community facilities (including Tourism)
- Education
- Health and Social Care
- Police and Emergency Services
- Blue/Green Infrastructure

(Please see **Appendix A** for the full list of the types of projects identified through work towards our Infrastructure Delivery Plan).

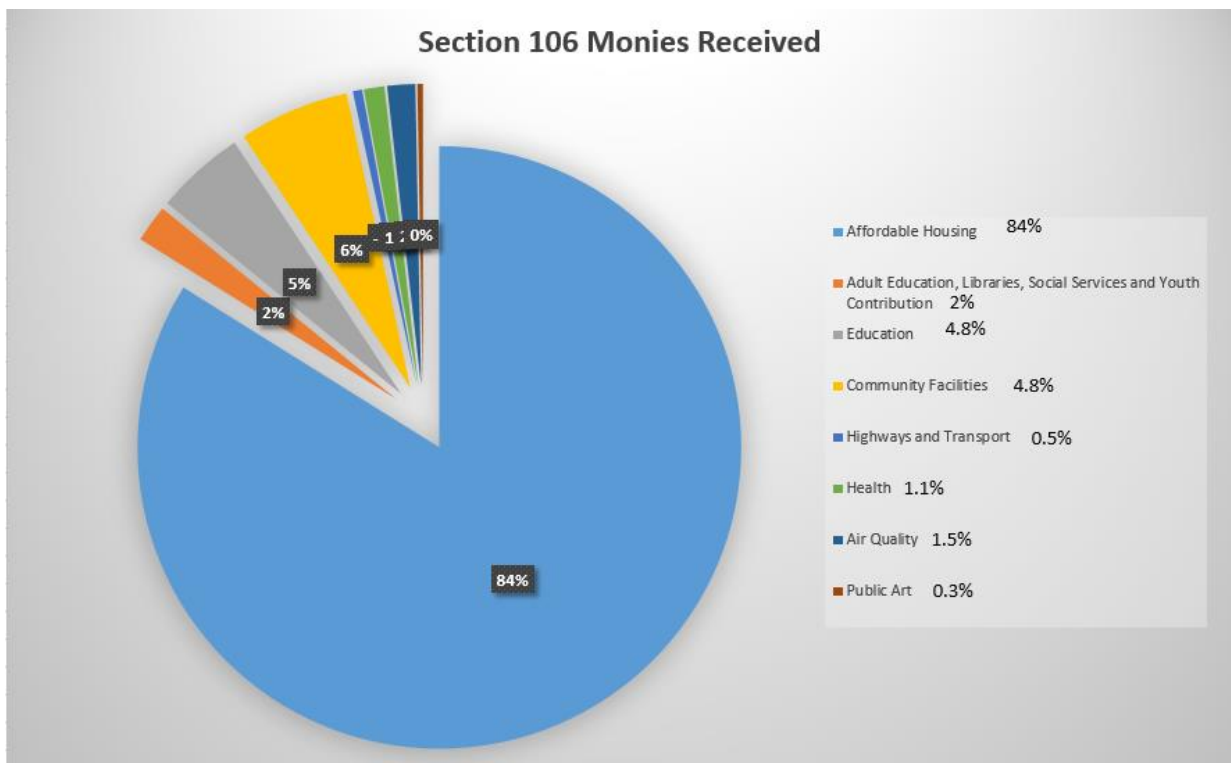
18 When considering what projects we should prioritise for CIL funding in the future, we need to ensure that the infrastructure we fund falls within the categories above (paragraphs 16 and 17), and clearly supports, and is related to, development in an area. Priority should be given to projects which clearly do this.

**What have we funded so far?**

- 19 As the types and categories of infrastructure have now been identified, it is considered that it may be helpful to show you what has been funded through CIL and 106 over the years. Full details of this can be found at **Appendix B**.
- 20 For CIL since 2014 we have awarded the following different categories of infrastructure projects through the CIL Spending Board:



- 21 The pie chart shows that the greatest amount has been spent on Community Facilities (59%), which has included the White Oak Leisure Centre, village halls, public toilets and play areas. The next largest amount falls under Highways and Transport (19%) which has included train station and footpath improvements. The next is Health and Social care (13%) where money has been awarded to a medical centre/hub and a health pod. These projects have all been awarded funding by following the Councils Constitution regarding CIL Governance (Appendix X1) of the Constitution, which lays out the criteria as to how the bids should be assessed.
- 22 For Section 106s, looking at a period between 2011 and 2016 (as we have the best data over this period) we have secured the following:



23 It is interesting to note here that the money received and spent is different to that allocated through CIL with Affordable Housing being the majority (84%) and with Community Facilities (5.9%) and Education (4.8%) being the next amount. The last two would have been secured before CIL was introduced.

24 If we are now deciding what projects should be prioritised, one issue that needs to be considered is whether we follow the patterns of CIL and 106 and ensure that Affordable Housing and Community facilities continue to be a priority for funding or whether we focus on other types of infrastructure which have not seen so much funding.

**CIL Spending Board Priorities**

25 As laid out in Appendix A the CIL Spending Board’s key considerations for awarding CIL money are as follows:

26 Firstly, there needs to be a clear public and overall community benefit of the proposed scheme for residents in Sevenoaks District. In determining each project put forward, the Spending Board therefore need to consider the following issues in making its recommendation:

27 (Note - In assessing priorities, it is considered important to include some of these criteria into our priorities for funding identified in the IFS. These are

underlined. The criteria that are not underlined are considered to relate to individual projects and will still be considered by the Spending Board).

- Whether sufficient evidence has been provided to demonstrate a strong social, environmental or economic justification for the scheme.
- Whether sufficient evidence has been provided to demonstrate a strong link between new development and the scheme.
- Whether sufficient evidence has been submitted to show that the project involves partnership working.
- Whether the scheme forms part of a planned, local, economic or community strategy to address the need for local or strategic infrastructure. This includes information in the Infrastructure Delivery Plan.
- Whether sufficient evidence has been provided to show that other sources of funding have been maximised.
- Whether there is sufficient certainty that the scheme will be delivered, including considering whether the project has all the necessary permissions in place and evidence has been provided to demonstrate that there are sufficient maintenance arrangements in place.
- Whether the scheme has local support.
- Whether the project has already benefited from CIL funding through the CIL Spending Board or the Parish and Town Councils.
- Whether the bid provides a benefit to the community as a whole

28 The board may also take into account other factors that it considers relevant, but I think this is a helpful guide to help us assess what our priorities for CIL funding should be in the future.

29 As you are aware, limited CIL funding is available to support all projects that are put forward. Therefore, it is important to note that when we make a decision to prioritise projects, it does not mean that we fund all of the scheme, it just means that these projects will be a priority when considering funding. The inclusion of a project in the IFS will be a consideration that is material to the assessment of bids to the CIL Spending Board, but does not necessarily mean that all of these projects will be funded. This is because the allocations in the Infrastructure Funding

Statement are not binding and also there are other criteria that the Spending Board will consider, as listed above, when allocating the money.

### Infrastructure Delivery Plan (IDP)

- 30 A review of the IDP is also helpful as it lays out the priorities for infrastructure spending and also identifies projects that have been put forward by Infrastructure providers to support the Local Plan.
- 31 It has been demonstrated, through the IDP, that a number of infrastructure improvements will be required over the course of the plan period to facilitate development and meet future needs. Furthermore, it also makes it clear that there are no large-scale infrastructure requirements which would inhibit development coming forward or be required to unlock development in the Local Plan.
- 32 In collecting evidence of the infrastructure as part of the IDP and also to assist in considering the needs for the Local Plan, infrastructure providers and delivery partners were contacted and provided with details of the potential development sites that could be taken forward within the Draft Local Plan. Any responses received as part of the Draft Local Plan consultation were assessed and categorised to provide a full infrastructure Schedule to support the Local Plan. (The full schedule is available in full in Appendix C)
- 33 The responses were categorised as follows:
- *Timescale - infrastructure providers giving an estimate to when an infrastructure project would be delivered over the Plan period:*
    - *1-5 years (expected to be delivered between 2015-2020)*
    - *6-10 years (expected to be delivered between 2021-2025)*
    - *11-15 years (expected to be delivered between 2026-2030)*
    - *16-20 years (expected to be delivered between 2031-2035)*
  - *Priority - infrastructure providers giving an indication on how likely the infrastructure project would be delivered to support development.*
    - *Critical - the infrastructure project would have to be delivered prior to any development in order to support it*

- *High - the infrastructure project would have to be delivered in tandem with the development in order to support it*
- *Medium - the infrastructure project would support the delivery of development but there are no plans to bring it forward in the immediate future (1 - 10 years)*
- *Low - the infrastructure project would support the delivery of development but there are no plans to bring it forward within the Plan period.*
- *Risk to Delivery - while infrastructure providers may have the statutory right to carry out the infrastructure project, there could be a potential risk to delivering it. This could include landownership issues, uncertainty over funding streams and other factors.*
  - *High - based on the information submitted, it is highly unlikely that the infrastructure project will be delivered within the Plan period due to the uncertainty of funding / landownership issues etc.*
  - *Medium - based on the information submitted there is a possibility that the infrastructure project may be delivered by the provider.*
  - *Low - it is highly likely that the infrastructure project will be delivered within the Plan period as there are little or no issues with funding or landownership*
- *Funding Position - a summary of how the infrastructure would be funded. The statement also includes whether any funding has been secured or sought through capital investment.*

34 Therefore, based on the above criteria it is considered that priority should be given to infrastructure projects for the following:

- The project needs or will be expected to be delivered within the next 5 years.
- That there is a critical or high infrastructure need where the project has to be delivered prior to or in tandem with any development to support it.



## Appendix A

- That there is a Low risk to the project, meaning that the project is likely to be delivered, 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.

**Conclusion**

35 Looking at the evidence above and the existing criteria we have put in place it is suggested that infrastructure projects should be prioritised for funding if they meet the following criteria:

- The projects fall within the infrastructure types/projects identified above.
- The projects have been identified in our Infrastructure Delivery Plan. This ensures that the infrastructure prioritised supports the Local Plan.
- The projects clearly relate to proposed or allocated development in the Local Plan. There is therefore a strong link between development and the proposed project.
- That there is a strong social, environmental or economic justification for the scheme.
- Whether the scheme addresses a clear local need for infrastructure.
- That the specific projects have not received CIL previously.
- The scheme has support from infrastructure providers
- That 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.

36 With this in mind, this report will now consider the projects put forward in the IDP (**Appendix C**) under each category:

**Highways and Transport**

37 There are a number of projects identified as a high priority for Highways or Transport. Whilst ideally, in light of the above, we would require timescales for their implementation, it is clear that they are a high priority, that they fall within the definition of infrastructure and that they would support

development proposed in the Local Plan. Therefore, it is considered appropriate to provide timescales of 1-5 years and the need for these projects and their progress will be monitored annually.

38 In light of the evidence in the IDP and the criteria above, it is considered that the following projects are considered as a priority for funding in the Councils IFS:

1. Swanley Transport Improvement Measures
2. Junction 3 M25 Swanley - improvements required to address increased capacity and accessibility for pedestrians
3. Improvements to bus services in and around Swanley
4. Junction improvements to Bat & Ball
5. Edenbridge Junction improvements
6. Edenbridge - sustainable transport improvements

This supports the preferred development strategy laid out in the Local Plan which seeks to focus growth in existing settlements, including at higher densities.

39 The following are identified as high need in the IDP, however as they are linked to sites still to come forward in the local plan they are not considered to be a priority at the current time:

1. Access roads between A25 and Sevenoaks Quarry site
2. Sustainable transport accessibility improvements to Quarry Site

40 Projects identified as high need, but support sites that were not taken forward in the Local Plan have not been included.

## Utilities

41 In light of the evidence in the IDP and the criteria above, it is considered that the following projects are considered as a priority for funding in the Councils IFS:

- Badgers Mount water supply upgrades
- Swanley supply water upgrades

42 Again looking at timescales for this, none have been provided by the Infrastructure providers, so it is proposed that these be made a priority and implemented for the next 1-5 years. A consideration of their progress and need will be reviewed annually.

## Appendix A

**Education**

- 43 Looking at the projects put forward for Educational infrastructure, they do not fall within the priority timescales above. Most are proposed for a time scale of 11-15 or 16-20 years, and have been given a medium to low priority. A number also relate to sites that have not yet come through the Local Plan process.
- 44 It is therefore proposed that the provision of CIL towards education facilities or infrastructure projects is not a priority for the Sevenoaks District Council in this year's IFS.

**Community Facilities**

- 45 As stated above all the infrastructure projects proposed for community facilities within the IDP do not fall within the priority timescales above. Most are proposed for a time scale of 16-20 years, and been given a medium to low priority. In addition to this, a large amount of CIL has been provided to community projects through the CIL Spending Board for example towards new village halls, and the White Oak Leisure Centre.
- 46 It is therefore proposed that the provision of CIL towards large scale or general community facilities is not a priority for the Sevenoaks District Council in this year's IFS as insufficient evidence has been provided to show that this form of development is currently a priority.

**Flooding**

- 47 The Upper Darent Flood alleviation scheme is identified as a high priority through the IDP. This project has already been allocated funding through the CIL Spending Board, but the money has not been transferred to the Environment Agency as there appears to be some issues in regard to land ownership and whether the entire project can be implemented. We are however still in discussion regarding this.
- 48 As CIL money had already been allocated to this project which has the highest priority and all the other schemes are either for 16-20 years or their timescales are unknown and are of medium to low priority, it is my view that there are no further schemes where CIL is required as a priority. It is therefore proposed that whether the Upper Darent Flood alleviation scheme can go ahead or not, as no other priority projects have been put forward, that the provision of CIL towards flooding facilities or infrastructure is not a priority for the Sevenoaks District Council in this year's IFS.

**Health and Social Care**

- 49 The IDP has identified a number of Health and Social Care projects that are of a high priority. Whilst some of these are not required immediately, they have been identified as high priority projects and the expansion of GP practices and increased health care services are vital to support the increase of development in the District and they provide a clear benefit.

50 Taking into account the criteria above it is considered that Health and Social care be identified as a priority for CIL Spending over the next year. In particular, the following projects have been identified:

1. CIL funding is provided to deliver the additional capacity required in the next 6 - 10 years to health services in the following areas:

- Northern Sevenoaks Health
- Swanley,
- Hextable,
- Farningham,
- New Ash Green,
- Hartley,
- Fawkham,
- South Darent

2. Expansion of GP Practices in the Sevenoaks Urban Area (Time scale 11-15 years).

3. To increase the capacity of Otford Health Services (related to Fort Halstead) (Timescale 6 - 10 years).

This again supports the preferred development strategy laid out in the Local Plan which seeks to focus growth in existing settlements, including at higher densities and provides infrastructure to support allocated sites.

51 Whilst Edenbridge Health Services are also mentioned as a high priority, partial funding towards this project has already been approved through the CIL Spending Board in December last year towards the Edenbridge Health hub. It is therefore proposed that this is not identified as a priority for this year's IFS.

### **Affordable Housing**

52 This is proposed to follow our current planning policies and Supplementary Planning Document. See update to Affordable Housing Policy in **Appendix D**. The income will be spent in light of the portfolio holder's decision as to how we spend the money allocated to affordable housing.

52 The first priority should always be for developers to provide affordable units on site and to work with Housing Providers to identify the right number, size and tenure. However, when a financial contribution is sought through a section 106 agreement, it will be ring fenced and the priority will be to use the money to meet the Council's affordable housing objectives. This money will therefore be spent using the following criteria (as laid out in the Council's Supplementary Planning Guidance: Affordable Housing):

- Provision of new affordable housing in the District via a Registered Provider of social housing (including adding to provision on development sites, new standalone schemes and existing property purchase);

## Appendix A

- Initiatives to make better use of the existing stock (including tackling under occupation and fuel poverty where it enables better use to be made of the stock);
- Managing future needs for affordable housing, including homelessness prevention and benefit advisory services;
- Assisting those in housing need to access low cost home ownership;
- Supporting the development of rural exception sites to meet rural housing needs (for fully or partially exempted Parishes only as set out in Section 17 Housing Act 1996, Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) 1997 Order.

53 Apart from the provision of rural housing, funds will be used to meet affordable housing in a flexible way where it can be used most effectively across the District.

### Local Infrastructure Projects

54 Looking at the criteria that have been agreed to assess the bids put to the CIL Spending Board, as well as the large strategic projects, there is a clear aim by the Council to support local community projects. These local projects include those submitted by infrastructure bodies and also those submitted by Parish and Town Councils or local community groups who put forward projects to benefit their local community.

55 Whilst not listing any specific projects, in addition to the above, it is suggested that one of the Council's priorities for infrastructure, for the next year, should be to partially fund local community or infrastructure projects that show a clear public benefit or support a clear local need. Therefore, this means that CIL priorities will not only be made with reference to the Local Plan. If a local body comes forward with a worthy CIL application the Board must be free to consider it as long as it is of community or local benefit, it supports new development in their area and is infrastructure.

56 Whilst community projects or infrastructure to address flooding issues have not been identified above as being a priority, any local project that provides evidence to show that it addresses a clear community need or provides a clear community benefit will be considered a priority. This could include the provision of community, flood or education (inc. nurseries etc.) infrastructure.

### Net Zero 2030

57 The leader of the Council brought a report to Full Council on 19<sup>th</sup> November 2019. The report set out a clear ambition for the Council to achieve net zero greenhouse gas emissions by 2030. The Cabinet working group which was set up to oversee and lead on this ambition agreed that the Council

would be a “community leader” and encourage low carbon measures across the District through education, best practice, incentives, policy and opportunities.

- 58 It is therefore suggested, following on from this Council’s clear ambition and the desire to be community leaders, that over the next year any infrastructure projects which clearly support our ambition to achieve net zero greenhouse emissions should be considered as a priority to receive CIL funding.

### **Broadband**

- 59 In looking at the requirements in the Local Plan, and also in light of the current Covid situation, there is a clear need in this District for improvements to our rural broadband. It is recognised that some areas have poor connection.
- 60 Currently there is a clear switch in the community to people working from home, therefore, increasing the need for an improvement in broadband services. In addition, this is expected to lead to a reduction in car journeys and encourage job growth in rural areas. Therefore, any infrastructure proposals that seek to improve existing rural broadband services or propose new broadband infrastructure in rural areas will be also considered as a priority.

### **Notes**

- 61 It should be noted that whilst the proposals above have been given a high priority, an application to the CIL Spending Board for funding will still need to be made and therefore this does not guarantee the schemes will be fully or partly funded. However, the fact that they have been identified as priority projects in the IFS will mean that this will give weight to the consideration of these bids at the Board.
- 62 Members will also be aware of the new Government White Paper, currently out for consultation, which sets out the Governments vision for a new planning process. Pillar 3 of this legislation looks particularly at Infrastructure, CIL and Section 106s. The vision of the Government is to remove CIL and Section 106 and bring together all payments through one contribution “The Infrastructure Levy.” This will mean that all income will be brought under the Levy and therefore this will change how we report and prioritise in the future.

### **Other options Considered and/or rejected**

- 63 Officers have based their decision on the evidence before them and through discussion with officers and Members across the Council and therefore consider that there is no alternative to those put forward.
- 64 The Committee could determine that these priorities or projects put forward are not acceptable. This could result in an incomplete IFS being

Appendix A

produced by the Council or the committee could recommend other priorities that they consider others are more suitable.

**Key Implications**

Financial

There are no financial implications regarding this report.

Legal Implications and Risk Assessment Statement.

There are no legal implications regarding this report.

Equality Assessment (Compulsory heading - do not delete)

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero

This has been addressed in the main report.

**Conclusions**

It is requested that the Committee agree to the following:

1. The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement.
2. That the specific projects and types of infrastructure recommended in the conclusion are identified in the IFS as having a priority for full or partial funding.

**Appendices**

**Appendix A** - Categories and projects identified as infrastructure

**Appendix B** - Full details of CIL expenditure and Section 106 monies received

**Appendix C** - Infrastructure requirements assessed in the Sevenoaks Infrastructure Delivery Plan.

**Appendix D** - Updates to affordable housing Policy December 2019.

**Background Papers**

[Governance of the Community Infrastructure Levy \(CIL\) \(Cabinet - July 2020\)](#)

(Appendix X1) of the Council's Constitution.

Infrastructure Delivery Plan March 2019

Sevenoaks District Council's Supplementary Planning Document; Affordable Housing.

**Richard Morris**

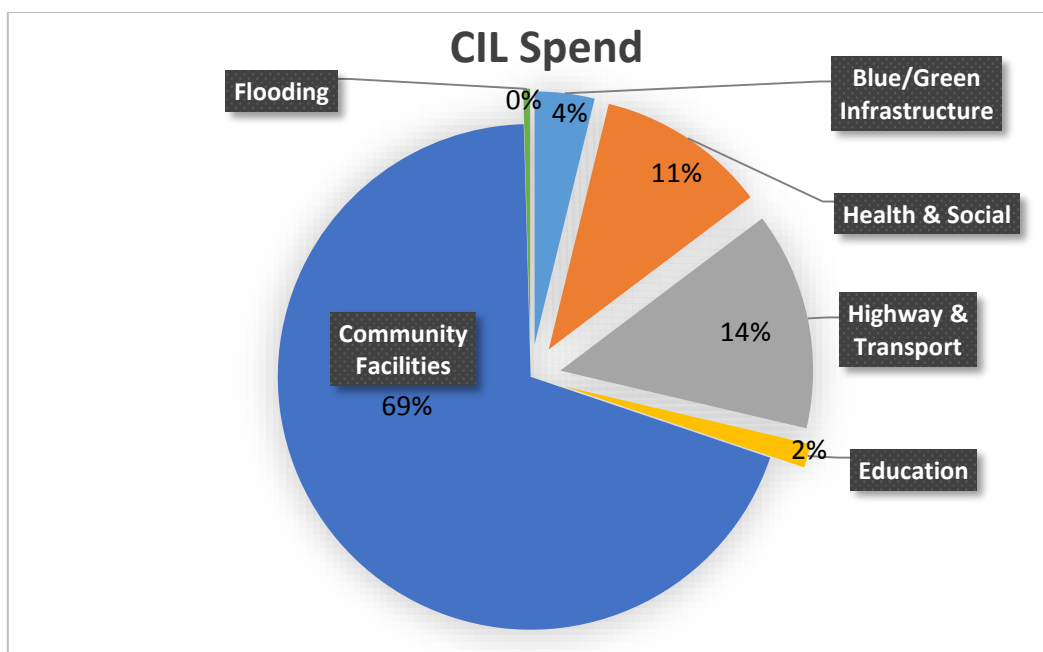
**Deputy Chief Executive, Chief Officer - Planning & Regulatory Services**



**Appendix B**

**Projects awarded CIL since 2014 to date**

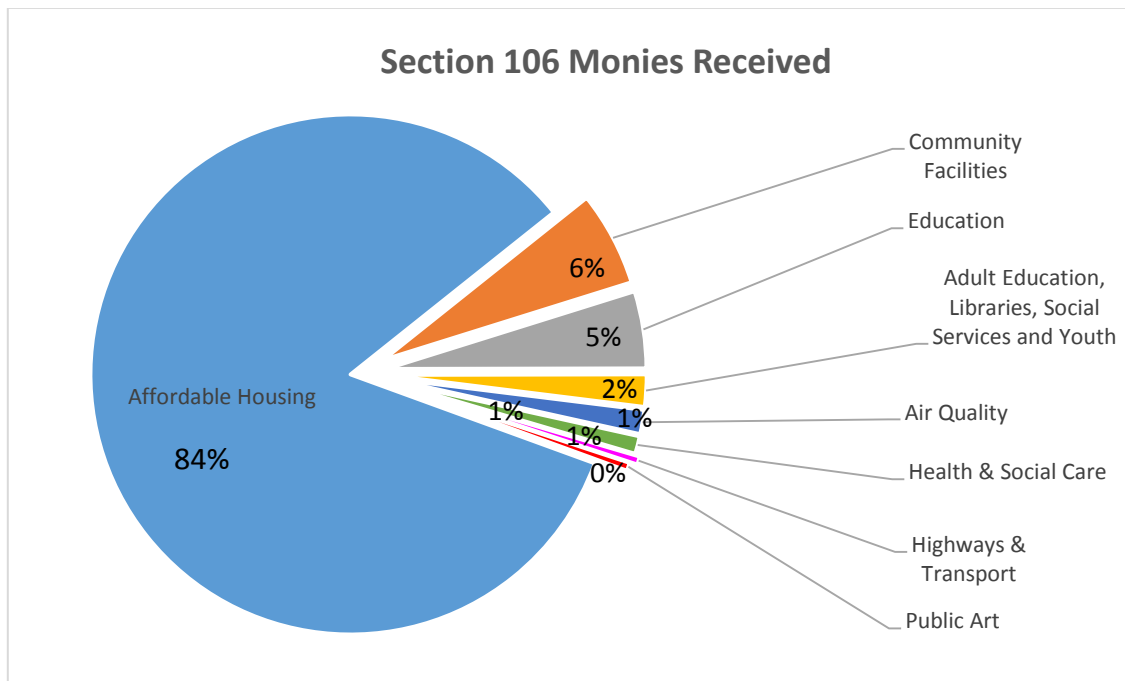
| Type of Infrastructure    | CIL Funds Awarded     | Percentage of overall amount |
|---------------------------|-----------------------|------------------------------|
| Community Facilities      | £ 4,583,324           | 69%                          |
| Highways and Transport    | £ 921,444.50          | 14%                          |
| Health and Social Care    | £ 719,880             | 11%                          |
| Blue/Green Infrastructure | £ 252,400.00          | 4%                           |
| Education                 | £ 100,000.00          | 2%                           |
| Flooding                  | £ 29,000.00           | 0%                           |
| <b>Total</b>              | <b>£ 6,606,048.50</b> |                              |



Section 106 funds received between 2011 and 2016

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| Type of Infrastructure/facilities                                  | Section 106 funds Received | Percentage of overall amount |
|--|----------------------------|------------------------------|
| Affordable Housing   | £8,302,629.33              | 83.9%                        |
| Community Facilities   | £583, 866.00               | 5.9%                         |
| Education  | £477,694.00                | 4.8%                         |
| Adult Education, Libraries, Social Services and Youth Contribution | £197,345.99                | 2%                           |
| Air Quality  | £145,021.00                | 1.5%                         |
| Health and Social Care   | £108, 068.00               | 1.1%                         |
| Highways and Transport   | £53,622.00                 | 0.5%                         |
| Public Art   | £25, 055.80                | 0.3%                         |
| <b>Total</b>   | <b>£9,893,302.00</b>       |                              |



## LOCAL PLAN TIMETABLE

Development and Conservation Advisory Committee - 19 October 2021

**Report of:** Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

**Status:** For Consideration, Development & Conservation Advisory Committee / For Decision, Cabinet

**Also considered by:**

- Cabinet - 11 November

**Key Decision:** Yes

**Portfolio Holder:** Cllr. Julia Thornton

**Contact Officer:** Hannah Gooden, Ext. 7178

**Recommendation to Development & Conservation Advisory Committee:**

To consider the proposed Local Plan timetable and recommend its approval to Cabinet.

**Recommendation to Cabinet:**

To approve the Local Plan timetable.

**Reason for recommendation:** To update the Local Plan work programme to reflect the current timetable for the production of the Local Plan.

### Introduction and Background

- 1 This report outlines the proposed timetable for the Local Plan. This is known as the Local Development Scheme (LDS).
- 2 The Local Development Scheme (LDS) is the document that sets out the Council's proposals and timetable for the production of the Local Plan. The LDS no longer has to be submitted to the Secretary of State for approval, but has to be made available and published on the Council's website. This is so that local communities and interested parties can keep track of progress.
- 3 The Council's current LDS was approved by Cabinet in 2018 and is now out of date. This revision (please see Appendix 1) has been prepared to bring the timetable up to date. This timetable will be included within an LDS

## Agenda Item 9

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

### Proposed Timetable

- 4 The LDS proposes the following timetable:
  - 5 Evidence base preparation, call for sites, policy preparation (autumn 2021-spring 2022) (shown in blue). This will include ongoing work on a number of evidence base studies, including:
    - Settlement Capacity Study (due to complete Sept 21)
    - Targeted review of housing need (due to complete Sept 21)
    - Settlement hierarchy (due to complete Nov 21)
    - Town Centre Strategy (due to complete Dec 21)
    - Characterisation Study (due to complete Feb 22)
- We will also be commissioning updates to our existing evidence base documents to ensure that they remain up to date and indicate of current needs. A call-for-sites, initially focusing on sites within built confines, will also take place. Discussions with neighbouring authorities and statutory providers are ongoing, in relation to the Duty to Co-operate, and will continue throughout the plan-making process.
- 6 Informal consultation (Regulation 18) (April/May 2022) (shown in orange). An initial 6-week consultation on the draft plan is programmed to take place in late spring 2022. This will be followed by a period of further policy preparation, reviewing the representations, undertaking Duty to Co-operate discussions, concluding evidence base work and refining the policies within the Local Plan (shown in blue).
  - 7 Pre-submission publication (Regulation 19) (Dec 22/Jan 23) (shown in brown). The plan will be published in winter 2022/23 for final representations, which are then provided to the examining Inspector. This stage of the plan making process asks for specific comments on legal compliance, soundness and whether the duty to co-operate has been met.
  - 8 Reviewing representations / submission preparation (spring 23) (shown in green). Representations received under Regulation 19 will be reviewed and the Plan documents prepared for submission. Given the focus on legal compliance and the duty to co-operate, it is important that officers have sufficient time to consider representations on these matters and if necessary, discuss the issues with relevant parties, including those who raised concerns.
  - 9 The timetable assumes that no significant concerns are raised at this stage and the Council can proceed to submitting the plan for adoption. Officers

will seek to meet this timescale by addressing as many issues as possible immediately after the Regulation 18 stage. However, we cannot assume a predetermined outcome. In the event that significant issues are raised, it may be necessary to consider further rounds of consultation.

- 10 Submission (Regulation 22) (April 23) (shown in yellow) The plan will be considered by Full Council for submission to the Secretary of State, for an examination which will be carried out by the Planning Inspectorate (PINS).
- 11 Examination (April 23-April 24) (shown in purple) The timetable for the examination and hearings is at the discretion of PINS, but it is shown indicatively lasting for a year. Adoption (shown in grey) is shown in April 2024.

### **Conclusion**

- 12 This report outlines the proposed update to the Local Development Scheme (LDS) which sets out the work programme for the production of the Local Plan.

### **Other options Considered and/or rejected**

The current LDS is out of date and it cannot remain unchanged. The reasons for the changes in its content and programme are explained above.

### **Key Implications**

#### Financial

No additional costs to the Council arise from the amendment of the LDS. Evidence base work is funded from the Council's Local Plan reserve.

#### Legal Implications and Risk Assessment Statement.

All local authorities are required to produce an LDS to set out their timetable for the production of planning policy documents.

Local authorities are required to have an up-to-date Local Plan in place by December 2023. The government may intervene where local authorities fail to meet this deadline in accordance with the existing statutory powers, considering appropriate action on a case-by-case basis. It is suggested that provided the Local Plan is submitted before this date and that the examination is ongoing, the risk of intervention is minimal.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Sevenoaks District Council aims to effectively involve the community in the development of all Local Plan documents, in line with the Statement of Community

## Agenda Item 9

Involvement.

**Appendices**

Appendix A - LDS timetable

**Background Papers**

None

**Richard Morris**

**Deputy Chief Executive and Chief Officer - Planning & Regulatory Services**



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## LOCAL PLAN UPDATE

Development and Conservation Advisory Committee - 19 October 2021

**Report of:** Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

**Status:** For Information

**Executive Summary:** This report provides an update on the Local Plan and outlines the next steps in the plan making process.

**This report supports the Key Aims of:**

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

Ensuring that Sevenoaks remains a great place to live, work and visit

**Portfolio Holder:** Cllr. Julia Thornton

**Contact Officer:** James Gleave ext. 7326

**Recommendation to Development and Conservation Advisory Committee:**

That the report be noted.

### Background and Introduction

- 1 Members were last updated on the Local Plan in July, when Officers briefed them on the emerging evidence base and the next steps to move the plan forwards, including discussions with the Ministry for Housing, Communities and Local Government (MHCLG). This report provides an update on these points and should be read in conjunction with the separate report on the Local Development Scheme (LDS), which sets out the next steps for the plan making process.

### Discussions with MHCLG

2. The latest position on discussions with the Minister of State for Housing and representatives from MHCLG was reported in July. Significant progress has been made since this time.
3. A meeting took place with representatives from MHCLG on 18<sup>th</sup> August 2021. Discussions were constructive and positive, with some clear conclusions on

## Agenda Item 10

how the Council could progress an updated Local Plan. Specific issues raised during the course of the discussion were:

- We were successful in proposing a four-fold increase in housing, whilst taking the local community with us. It is disappointing and frustrating that such a significant increase was not accepted by the Inspector;
  - Collectively, there are lessons to be learnt from SDCs experience of plan making;
  - The Council highlighted the steps it has taken to put a plan in place as soon as possible;
  - Existing evidence should be used as a basis for an updated plan;
  - Where necessary, new evidence is being prepared and updated to support policies and allocations;
  - The importance of a 'route map' with the Planning Inspectorate was emphasised. The Council noted it was producing an up to date LDS and would make this available as part of forthcoming discussions;
  - Significant changes to the planning system are on the horizon and should provide greater clarity for proposed site allocations;
  - The Council should not aim for a hybrid document that incorporates elements of the Planning White Paper;
  - We should, however, seek to 'future proof' the updated Local Plan, so that it is not out of date at the point of publication;
  - The Council should aim to have a plan in place by 2023 to avoid the complexities of transition to a new planning system; and
  - The Ministry understood the Council's frustrations and was keen to assist in progressing the plan through to examination.
4. It was agreed that a series of meetings would be held with representatives from MHCLG and the Planning Inspectorate (PINS), during the preparation of the updated Local Plan. Members will be informed on the outcome of these discussions in subsequent reports.

### **Updated Evidence Base**

5. Members were given an overview of emerging evidence base documents in July. The following paragraphs provide an update on these studies.

### Town Centre Strategy (TCS)

6. The Strategic Planning and Economic Development teams have jointly commissioned Allies and Morrison (A&M) to prepare the TCS, which will cover Sevenoaks town, Swanley, Edenbridge, Westerham and New Ash Green. This study will play an important role in helping to shape the future of these town centres and in particular, will:
- Ensure the continued vitality and viability of our town centres, in the light of changing shopping patterns and permitted development rights;

- Consider how town centres can respond to the social and economic shifts arising from the global pandemic;
  - Provide up to date town centre and retail evidence for Local Plan policies and site allocations;
  - Develop a clear vision for town centres and a governance structure to ensure the strategy is implemented;
  - Inform the Council's Economic Development Strategy, which sets out the major priorities for economic development in the District over the next three years; and
  - Provide a basis to secure funding for town centre improvements and assist with regeneration plans for Council owned sites.
7. Throughout October, A&M will be undertaking community engagement, consulting with a number of stakeholders who are involved in town centre management including councillors, town/parish councils, neighbourhood planning groups, chambers of commerce and members of the public. A member briefing will also be arranged in November to discuss the draft strategy. The TCS is due to be finalised in December 2021.

#### District-wide Character Study (DWCS)

8. An update on the DWCS was also provided in July. The inception meeting took place at the beginning of September and the appointed consultant (also A&M) is in the process of gathering evidence on the key historical, physical, social and socio-economic characteristics of the District. This information will be mapped and launched as an initial StoryMap - an online interactive website which summarises the key findings.
9. The StoryMap will include a survey to capture residents' views and experiences of the places they live. The information captured through the survey will feed into the second stage of the project; an analysis of area types, building typologies and the changes that are influencing place shaping across the District, such as Covid-19, demographic shifts and climatic effects. An engagement workshop will take place in mid-November to test the findings of the analysis. The final stage of the study will be to report on all the information gathered, with a follow-up workshop in mid-January 2022.
10. The study will result in a report and an interactive website (StoryMap) showing the past, present and likely future character across the District, with key themes and recommendations as part of the analysis output. The report will influence more detailed emerging design codes, allocations for new development in the Local Plan and will be a material consideration in the consideration of future planning applications.

#### Targeted Review of Local Housing Needs (TRLHN)

11. Officers have been working closely with the Arc4, the consultants commissioned to undertake the TRLHN. The study builds on the housing needs evidence in the Strategic Housing Market Assessment (SHMA) from 2015, to bring it up to date. Specifically, the study will set out an updated need for affordable homes, tenure requirements for affordable housing and determine

## Agenda Item 10

the level of discount required for First Homes. The data will be analysed down to placemaking level, recognising that housing needs differ across the District.

12. The emerging findings of the study were presented to members at virtual workshops on 14<sup>th</sup> and 16<sup>th</sup> September. The evidence will be used to inform both Local Plan preparation and the Council's emerging Housing Strategy.

### Settlement Capacity Study (SCS)

13. The development strategy for the emerging Local Plan has been and will remain to accommodate as much development as possible in existing settlements and release Green Belt land only where there are exceptional circumstances for doing so. As referred to in previous reports, officers will seek to ensure the most efficient use of land on all sites and make the most of capacity in existing settlements.
14. To reinforce this strategy and as reported in July, the Council has completed the first phase of the SCS, as part of the evidence base for the emerging Local Plan. The study considers the potential to accommodate additional residential development in the settlements of Sevenoaks, Swanley, Edenbridge, Westerham, New Ash Green, Otford and Hartley.
15. The initial findings of the SCS have been discussed with relevant members and Development Management colleagues. At this stage and taking account of feedback received, the study suggests there is potential to accommodate up to 1,000 residential units across these settlements, over and above the five-year housing land supply.
16. The identified potential is considered to be compliant with national planning policies. The next phase will be to invite specific sites to come forward through the call for sites process and undertake further work on delivery and developability. The options for expressing the outcomes of the SCS in the updated Local Plan will be discussed with MHCLG and detailed in subsequent reports.

### **Call for Sites**

17. Officers propose to undertake a two-stage call for sites process to inform the publication of an updated Regulation 18 version of the Local Plan, as set out in the LDS. The first stage (Stage 1) is due to commence in mid October and will seek to identify sites that are within existing settlements and not subject to significant planning constraints. The landowners identified through the SCS process will be contacted at this stage and invited to submit sites for consideration, should they wish to do so.
18. Following an assessment of the Stage 1 outcomes, an opportunity will be given for the submission of sites in all other areas of the District. These sites are likely to be subject to national policy constraints, such as Green Belt or an Area of Outstanding Natural Beauty. This process, referred to as the Stage 2 call for sites, will take place during November. The call for sites will be discussed with MHCLG and any changes will be detailed in subsequent reports.
19. A question and answer sheet will be prepared for the Local Plan pages on the Council's website to address any specific queries about the evidence base

documents, including the SCS and the call for sites processes. Contact details for the planning policy team will be shared in this note.

### **Public Engagement**

20. Officers recognise the need to ensure that all stakeholders are fully informed on the approach to preparing an updated Local Plan and have an opportunity to submit comments. The engagement process will be undertaken in accordance with statutory requirements and the Council's Statement of Community Involvement (SCI).

### **Next Steps**

21. The next steps in the plan making process are set out in an updated LDS, which is the subject of a separate report.

### **Emerging Trends**

22. Given the number of Local Plan specific items that are due for discussion at this meeting, this report does not contain the standing item of emerging trends that are likely to influence strategic planning in Sevenoaks District over the coming years. However, members may wish to select topics for discussion at the next meeting. Suggested topics are:
  - Equitable Transport: Can transport choices in Sevenoaks be more accessible for all?
  - The London Plan and how development pressures in outer London could impact on Sevenoaks District
  - Post-pandemic living and working trends
  - Tackling tenure and type: Housing needs in Sevenoaks District
  - White Paper or White Elephant - Whatever Next?

### **Key Implications**

#### Financial

The production of the Local Plan will be funded from the Local Plan reserve.

#### Legal Implications and Risk Assessment Statement.

Preparation of a Local Plan is a statutory requirement. There are defined legal requirements that must be met in plan making, which are considered when the Plan is examined by a Government Planning Inspector. Risks associated with the Local Plan are set out in the Local Development Scheme.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### **Conclusion**

Officers will be happy to take any questions on the content of this report at the meeting.

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|                   |
|-------------------|
| <b>Appendices</b> |
|-------------------|

|      |
|------|
| None |
|------|

**Richard Morris**

**Deputy Chief Executive, Chief Officer - Planning & Regulatory Services**

**Development and Conservation Advisory Committee Work Plan 2020/21 (as at 21/9/21)**

**19 October 2021**

- CIL Governance Annual Review
- Budget 2022/23: Review of Service Dashboard and Service Change Impact Assessments (SCIAs)
- Local Plan Update
- Local Development Scheme
- Infrastructure Funding Statement

**2 December 2021**

- Enforcement Update
- Local Plan Update

**3 March 2022**

- Local Plan Update

**Summer 2022**

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