

## COUNCIL

Minutes of the meeting held on 15 November 2022 commencing at 7.00 pm

Present: Cllr. Hunter (Chairman)

Cllr. Layland (Vice Chairman)

Cllrs. Abraham, Ball, Bayley, Bonin, Brown, Bulford, Dr. Canet, Cheeseman, Clack, Clayton, Penny Cole, Perry Cole, Collins, Dickins, Dyball, Edwards-Winsor, Esler, Eyre, Fleming, Griffiths, Harrison, Hogarth, Kitchener, London, Maskell, McArthur, McGarvey, McGregor, Nelson, Osborne-Jackson, Pender, Purves, Raikes, Reay, Streatfeild, Thornton, Waterton and Williams

Apologies for absence were received from Cllrs. Andrews, Barnes, G. Darrington, P. Darrington, Fothergill, Grint, Hudson, Morris, Pett and Williamson

Cllr. G Darrington, P. Darrington and Grint were also present via a virtual media platform that did not constitute attendance as recognised by the Local Government Act 1972.

25. To approve as a correct record the minutes of the meeting of the Council held on 19 July 2022

Resolved: That the Minutes of the meeting of Council held on 19 July 2022 be approved and signed by the Chairman as a correct record.

26. To receive any declarations of interest not included in the register of interest from Members in respect of items of business included on the agenda for this meeting.

No additional declarations on interest, were received.

27. Chairman's Announcements.

The Chairman announced that it seemed a long time since the last Full Council Meeting in July. Summer had been and gone and winter was approaching. The Family Fun Days were a great success and were attended by a large number of families and were very lucky to have mainly good weather. Autumn brought with it the death of Her Majesty Queen Elizabeth II, who was a great servant of the people and a shining example of public service. Many local people signed the book of condolence and attended the proclamation of the new King. We now have to move forward with the new King, Charles III.

She was delighted to have attended the launch of the Sevenoaks Place Brand campaign, 'Sevenoaks So Much More', and reminded Members of the "So Much

## Council - 15 November 2022

More” website and the video that highlighted the unique district. She encouraged Members to support the new portal and to also subscribe to it.

Once again, the Council was looking for unsung heroes for the Community and Voluntary Awards. There were 11 nomination categories and as ever, we wanted to hear about the outstanding residents and organisations that go the extra mile to help others. The deadline for applications was 4pm Friday 31 December 2022. The winners would be announced at a ceremony at St. Nicholas’ Church in Sevenoaks on Wednesday 15 March 2023.

Moving on to Net Zero ambitions, the Council had a new, environmentally-friendly tool to help tackle the unsightly chewing gum that had become stuck to the pavement. It was notoriously difficult and time consuming to remove, however the electronic rechargeable chewing gum removal unit allows gum and stickers to be removed from any surface in seconds. It eliminated the need for high pressure hoses and chemicals. The machine was paid for by a grant funded by chewing gum manufacturers.

In turning back to thoughts of winter and with many households struggling with the cost of living, individuals and families are facing tough decisions about whether and when they can heat their homes. To help residents during this challenging time, the Council had developed a warm spaces directory. Warm spaces were existing community or business places that provide a safe and friendly public space where people of all ages can go and spend time reading, studying, chatting with others, and meeting new people. Some venues also offered support services and advice. The directory was available on the Council’s website, and it also had a sign up form for local organisations and businesses who want to offer a Warm Space.

### **Change In Agenda Item Order**

The Chairman moved agenda item 6(b) to take place following agenda item 12.

28. To receive any questions from members of the public under paragraph 17 of Part 2 (The Council and District Council Members) of the Constitution.

No questions had been received.

29. To receive any petitions submitted by members of the public under paragraph 18 of Part 2 (The Council and District Council Members) of the Constitution.

No petitions had been received.

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

#### **a) Local Plan Regulation 18 - Consultation**

Councillor Fleming proposed and Councillor Thornton seconded, the recommendation from Cabinet. The report sought approval for Officers to formally withdraw the December 2018 Regulation 19 Proposed Submission version of the Local Plan, which was submitted to the Secretary of State in April 2019, before the Regulation 18 Consultation Draft was issued for consultation.

Resolved: That Officers formally withdraw the December 2018 Regulation 19 Proposed Submission version of the Local Plan, which was submitted to the Secretary of State in April 2019, before the Regulation 18 Consultation Draft be issued for consultation.

31. Matters considered by other standing committees:

**a) Parliamentary Boundary Review**

Councillor Eyre moved and Councillor Nelson seconded the recommendation from the Governance Committee which recommended that the revised proposals from the Boundary Commission for England for Parliamentary boundaries for the Sevenoaks District be noted; and that the Council submit a final consultation response to the Boundary Commission for England based on views collated from Members and agreed with the Chairman of the Governance Committee.

Resolved: That the

- a) revised published proposals from the Boundary Commission for England for Parliamentary boundaries for the Sevenoaks District Council, be noted; and
- b) Council submit a final consultation response to the Boundary Commission for England based on views collated from Members and agreed with the Chairman of the Governance Committee, be approved.

**b) Development Control Committee Procedures**

Councillor Eyre moved and Councillor Nelson seconded the recommendation from the Governance Committee which recommended that the amendments to part 7 of the Constitution, as set out in Appendix A to the report, take effect from 2023/24 municipal year.

Councillor Eyre spoke to the motion, advising that the working group included the Chairman of Development Control Committee supported by Officers who had assisted in going through the constitution line by line with the working group. Discussions took place on each line and changes were made where it was believed to be necessary.

It was moved by a Member and duly seconded that the motion be amended to include the wording “with the sole proviso that the two instances of the words ‘three minutes’ in paragraph 3.33 set out in Appendix A be amended to read ‘four minutes’”.

Debate took place on the amendment with some Members expressing that the current three minutes did not provide enough time for the speakers to get their point across and the extended time would allow this. Other Members expressed

that even being provided with four minutes to speak, speakers would always overrun. Other Members drew attention to other ways in which the public can get their views to the Members of the Committee.

A vote took place on the amendment and it was lost.

The Chairman put the original motion to the vote.

Resolved: That the amendments to part 7 of the Constitution, as set out in Appendix A to the report, take effect from 2023/24 municipal year.

**c) The Council's Policy Framework**

The report set out that the Council's Policy Framework which set out the policies and strategies which were required to be adopted by Full Council and at this time there were no changes to be agreed.

It was moved by Cllr Eyre and seconded by Councillor Nelson that the report be noted.

Resolved: That the report be noted.

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

**a) Christmas Parking 2022**

It was moved by Councillor Fleming and seconded by Councillor McArthur that the cost in terms of loss of income for free parking on a selected date in 2022 for off-street parking be met from the supplementary estimates.

Resolved: That the cost in terms of loss of income for free parking be met from the supplementary estimates.

**b) Appointments to Other Organisations 2022/23 - Non Executive**

Councillor Fleming moved and Councillor Dickins seconded the report which recommended that Cllr Pender be appointed as the Council's representative on the Outside Organisation - The Council for the Voluntary Service North West Kent (CVSNWK) for the municipal year 2022/23.

Resolved: That Cllr Pender be appointed as the Council's representative on the Outside Organisation - The Council for the Voluntary Service North West Kent (CVSNWK) for the municipal year 2022/23.

**c) Draft Calendar of Meetings 2023/24**

Councillor Fleming proposed and Councillor Dickins seconded the report which sought approval for the draft calendar of meetings 2023/24.

## Council - 15 November 2022

Resolved: That the draft calendar of meetings for 2023/24 be approved subject to formal adoption at the Annual Meeting on Council on 23 May 2023.

### d) Members' Allowances Scheme - Annual Updating 2022/23

It was moved by Councillor Fleming and seconded by Councillor Dickins that the recommendation within the report which set out that Members' allowances for 2022/23, be updated by 5.76%. An increase would not apply to travelling expenses but was in line with the provision for Officer pay set out in the National Joint Council for Local Government Services pay award.

Cllr Fleming spoke to the motion stating that Members decided to link the increase to officer pay previously and normally the increase would have been at a percentage figure. However, as this year the agreement was a set figure which did not fit the Council's constitution or many other Constitutions up and down the country. As a result an average percentage increase was what most other councils were also doing. The change was one made annually and he hoped that next year it would be in line with the constitution.

Some Members spoke to the motion expressing their concerns with the increase when there were residents who were facing financial pressures. Other Members expressed that the proposal was consistent with the principles as set out within the constitution. As officers had been given a fixed lump sum rather than a percentage increase, the principle was not being amended.

In summing up Councillor Fleming responded to comments made reiterating that the Constitution had been changed to avoid Members having to decide on their allowances, and it was a taxable income. He reminded Members that they had the choice to decide if they wanted to receive an allowance and the increase.

Resolved: That Members' allowances for 2022/23, except for travelling expenses, be updated by 5.76% in line with the provision for Officer pay set out in the National Joint Council for Local Government Services pay award.

### 33. To consider any questions by Members under paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution, notice of which have been duly given.

Two questions had been received from two Members in accordance with paragraph 19.3 of Part 2 The Council and District Council Members) of the Constitution.

Question 1: Cllr Dr Canet

"There is an increasing number of older people living in our district, as shown by the recent census, most of us will want to keep a measure of our independence especially as Kent County Council is under a lot of pressure to meet Adult Social Care needs. What is Sevenoaks District Council doing to enable suitable housing to be built in the district to meet the needs of private owners? Many of us would like

## Council - 15 November 2022

to be able and must in future help each other. Developments similar to Rockdale could be a solution.”

Response: Leader of the Council

“If by Older people Cllr Dr Canet is talking about the over 65’s then between 2015 and 2020 the district saw a less than 1% increase in the number of older people, however as with all age groups we continue to see an increasing need for housing of all types and tenures

As with the Housing Strategy 2022-2027, the Targeted Review of Local Housing Needs (2022) and Older Persons Housing Study (2022) form the key evidence that informs the housing policies in the emerging Local Plan.

These studies identify a requirement for around 1,000 new units of specialist older persons accommodation over the plan period to 2040. The Older Person’s Housing Study (2022) shows that while 67% of older people want to stay living in their existing home with help and support when needed, there are also significant numbers (24%) who would like to move to a more suitable home - in a suitable location with access to transport, broadband, shops, healthcare and other amenities - if one were available.

It is widely recognised that there is huge diversity in what older people are looking for and that many could afford to buy on the open market. However, it is evident that there is a gap in supply.

A new Local Plan policy that specifically considers housing for older people will address the gap. It will ensure that a sufficient supply and range of housing and accommodation suitable for older people (both market and affordable) is delivered over the Local Plan period 2022-2040 in order to meet the specific needs of this group and to assist in the creation of mixed, balanced and inclusive communities. The new policy sets out a number of criteria that applicants will be expected to meet including making sure that the proposed development is in a well-connected and sustainable location, that it incorporates high quality design principles in order to offer attractive alternatives to the current home, that it meets the required accessibility standards and has access to private or communal outdoor space.

The emerging Local Plan (entitled Plan 2040: A new Local Plan for Sevenoaks District) will undergo public consultation starting Wednesday 16th November and running to Wednesday 11th January 2023. We would love as many of our residents as possible to get involved, and in particular those who have an interest in housing for older people to comment on the proposed policy.

For households who wish to remain in their homes, we will continue to provide support through the provision of Disabled Facilities Grants and other discretionary grants which are set out in the Council’s Private Sector Housing Assistance Policy.

I am sure Cllr Dr Canet will agree that those Wards without the national planning constraints that cover the vast majority of the district will need to do more to provide all the housing types needed going forward and I am also sure she will be doing all she can to bring appropriate sites forward in her own ward.”

Supplementary question: Cllr Dr Canet

How do you think the planning department can meet these needs?

Response: Leader of the Council

The Leader advised that 67% of older people who took part in the survey want to stay in their own homes and at some point they would need support to stay. There was a growing number that would want to move and the local plan looked at how to support that going forward.

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

Question 2: Cllr Streatfeild

“An important source of financial support for rural businesses was removed when the West Kent Leader programme came to an end last year, could the leader of the council outline what support the District is going to put in place for rural businesses in Penshurst Fordcombe and Chiddingstone and across the District and will it be better than the Leader programme?”

Response: Leader of the Council

“The West Kent Leader programme was considered as one of the most successful in the country, in fact towards the end of the programme we continued to have such a strong pipeline of projects that we applied for the underspend from other areas, although this wasn’t possible due to EU Leader rules it showed just how positively the programme was seen by our rural businesses and communities.

The LEADER Programme closure report has recently been shared with Finance & Investment Advisory Committee and Improvement & Innovation Advisory Committee and the positive outcomes from this scheme were recognised by partners across Kent and provide an excellent example of how to support our rural areas, which is why we intend to build on LEADERS legacy and use these findings to inform future programmes.

In July the UK Shared Prosperity fund was announced by Government with an allocation of £1million funding for the District to assist in Levelling up local areas with the requirement to submit an investment plan by 1 August 2022. Whilst we still await approval to begin spending on this programme, the submitted investment plan includes a range of projects to support businesses, town centres, communities and residents throughout the District. The range of schemes will be further discussed with Town and Parish Councils and local stakeholders to ensure that the schemes are promoted in local areas and that specific local needs are included wherever possible.

In addition on 3 September the Rural England Prosperity fund (REPF) was announced which provided an additional allowance for rural areas, for Sevenoaks District this amounts to £501,000 which requires an addendum to the UKSPF

investment plan to be submitted by end November. Cabinet discussed proposals on 10 November and agreed the proposal to use this funding to work with West Kent Districts (Tonbridge and Malling Borough and Tunbridge Wells Borough) to develop a follow on to the LEADER scheme using the lessons learned from previous delivery to design the new programme.

The REPF funding is Capital funding with no allowance for administration therefore economies of scale in terms of the animation and administration of the funding can be made by working across the West Kent area as per the LEADER scheme, the geography also makes sense to many rural businesses. However it should be noted that all Sevenoaks allocation will be ring fenced for spend in Sevenoaks District.

This scheme has the support of local rural landowners, a number of rural businesses who were consulted including the previous LEADER Executive Group. Letters of support have been received from all 3 of the District MP's who were supportive of both the use of funding in this way and the collaboration across West Kent area.

The definition of rural for the purposes of this scheme is towns, villages and hamlets with under 10,000 population and market hub towns with a population of up to 30,000 that provide services to local rural areas, therefore giving coverage across the District.

Government approval to commence spend is expected in early 2023 with a view to the scheme being launched in April 2023 running through to March 2025. The scheme will support businesses and community organisations with Capital grant funding, and interventions include supporting businesses, community organisations, the visitor economy sector, cultural and heritage sector and rural circular economy projects. Whilst the details are still being confirmed the expectation is for an intervention rate of 50% and grants in the region of up to £25,000, levels based on the evaluation of the LEADER scheme.

It has been noted that the administrative burden on applicants should be appropriate for the size of funding and that support to develop and submit applications would be advisable.

Local councillors will be asked to assist with promotion of the scheme within their areas to ensure as many local businesses and organisations are aware of the opportunity as possible.

Supplementary question: Cllr Streatfeild

Please could you confirm that the £25,000 limit to allegedly leverage private capital, how effective do you think that's going to be at that scale?

Response: Leader of the Council

The Leader advised that the conclusion report on the LEADER programme showed that even grants at that level managed to access other funding, and often the funding that was found for LEADER, brought the greatest benefit was some of the



smaller grants. This was why when there was only a limited resource looking on the history of the projects that came through LEADER but were also in the pipeline should LEADER have continued, looked at £25,000 being the appropriate figure for us to get the most bang for our buck.

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

Question 3: Cllr Clayton

“Data on the national website <https://www.gov.uk/government/statistical-data-sets/env18-local-authority-collected-waste-annual-results-tables> shows that in the year ended March 2021 Sevenoaks District Council:

- recycled 36.6% of domestic waste collected
- collected 414kg of waste per person across the District
- had 'residual household waste' of 616 kg per household across the District.

By comparison, figures for the 4 top collection authority Districts in England (most around the M25) are

- 62 to 64% recycled
- 325 to 389 kg collected per person
- 335 to 404 kg residual waste per household

Our nearest neighbours (Tunbridge Wells, Tonbridge and Tandridge) show the following performance:

- 48 to 60% recycled
- 355 to 415 kg collected per person
- 379 to 480kg residual waste per household

This data shows Sevenoaks:

- generates much more domestic waste than most other councils (getting on for 40% more)
- recycles well below the national average, and almost 30% less than the best
- has 'residual waste per household' about 70% above the most successful recycling councils; over 250 kilos per household, or about 12,000 tones of extra unrecycled waste every year across the District

Does the Council recognise the importance of this in Sevenoaks Districts' overall carbon footprint, and how far will the impact be reduced by 2030?”

Response: Leader of the Council

“What of course the figures don't show is household typography and recent history which has an enormous impact on waste figures. Since the pandemic we have seen approximately a 20% increase in the collection weights of household waste, mirroring more people being at home, creating and disposing of more waste locally.

When you look at waste to landfill figures Sevenoaks doesn't even register on the scale with a figure below 1%, with a maximum figure for English Districts of over 50% of waste going to landfill.

As Cllr Clayton will be aware, the UK Waste hierarchy places recovery and recycling above disposal, we have entered a period where the Sevenoaks district disposes of less than 1% of the waste collected

In the examples given in the question, it is worth remembering that in 2019 Tonbridge & Malling and Tunbridge Wells both entered into a new waste contract, this I think they would agree did not start well and got worse during the pandemic period, a quick google will tell you that some residents were, for an extended period, making their own arrangements including taking waste to the municipal tip and also in some cases engaging external contractors to pick up their domestic waste, none of this will have entered their figures.

Sevenoaks District Council continued to collect waste and recycling throughout the pandemic, something I am sure Cllr Claytons residents were grateful of.

It is also worth noting that although these councils offer separate food waste collections that audits show similar amounts of food waste entering the residual waste stream between all authorities, this shows that Sevenoaks residents are either, less wasteful of food overall or are composting and re-using any food waste, again a step higher than simply recycling in the waste hierarchy.

Similarly, with glass, those neighbouring councils collecting glass at the doorstep versus our 40 site disposal scheme, a scheme that sees almost no glass entering the Sevenoaks waste stream through the residual waste route, however due to some recycling sites within the district sitting outside our control and operated privately, Sainsbury's Otford Road as an example, and with both glass and food being higher weight recycling we don't benefit from all this tonnage when it comes to our overall 'recycling' figures.

We will continue to work with residents and business to achieve at the most preferred end of the UK Waste hierarchy, prevention, and re-use, whilst also making sure none of the district's residual waste is disposed of and is instead recovered or recycled, these actions will have a positive impact in terms of the district overall journey to Net Zero

Supplementary Question: Cllr Clayton

How much of the Districts waste through incineration ends up producing Co2 and how much can we get that down by - the district's current system is designed to reduce landfill it is not designed to reduce climate impact. When is that going to change?

Response: Leader of the Council

I answered the question I was asked and referenced to all of the references made by the Questioner in his question. This included neighbouring authorities information and provided Members with an explanation to the point that was trying to be made. The Questioner believed that our waste collection scheme was in some way inferior to our neighbours. Using the UK's waste hierarchy we would be looking at the upper end of the waste hierarchy reducing the impact of waste within the district, over that period and therefore having a positive impact on our net zero ambitions for the District.

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

## Council - 15 November 2022

34. To consider any motions by Members under paragraph 20 of Part 2 (The Council and District Council Members) of the Constitution, notice of which have been duly given.

No motions had been received.

35. To receive the report of the Leader of the Council on the work of the Cabinet since the last Council meeting.

The Leader of the Council reported on the work that he and the Cabinet had undertaken in the period of 4 July to 28 October 2022. The Leader took the opportunity to highlight the work ongoing with the LCWIP in what he hoped was the first he hoped of many and hopefully there would be funding for the North of the District and the work would be published soon. This was as well as looking at the possibility of an electric bike scheme within the work of the LCWIP which would be two positive moves within the Council's Net Zero 2030 ambitions.

In response to a question based on the electric bikes scheme the Leader advised that the scheme was not about providing bikes to individuals through long term lease or another similar method and so was not the scheme consulted on, but it did not write it off from being a future consideration.

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

Members noted the work presented by the Chairman of the Audit Committee, Cllr McGarvey. He highlighted the work of the Audit Committee emphasising that the work undertaken on Members' allowances would now show the amount claimed by each Member. He was hopeful the working group on the Statement of Accounts would be meeting soon.

37. Matters considered by the Cabinet and/or Scrutiny Committee (Continued)

### b) SDC Food Safety Plan 2022

With the Chairman's permission the Leader informed Members that it was highly unusual for a whole report and appendix to be exempt and it was not possible on this occasion to have information publically available and it would always be Officers and Members preference to have as much as possible in the public domain but on this occasion it had not been possible.

Resolved: That under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting when considering minute 34 b (agenda item 6b), on the grounds that likely disclosure of exempt information was involved as defined by schedule 12A, paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)).

## Council - 15 November 2022

It was moved by the Councillor Fleming and seconded by Councillor McArthur that the contents of the report be noted; and the SDC Food Safety Plan 2022, be adopted.

The Leader spoke to the motion advising that this was a good news story and highlighted the successes of the Environmental Health Team since returning as an in-house service.

Members discussed the exempted information.

Resolved: That the

- a) contents of the report, be noted; and
- b) Food Safety Plan 2022, be adopted.

THE MEETING WAS CONCLUDED AT 8.32 PM

CHAIRMAN