
CABINET

MINUTES of the Meeting held in the Council Chamber - Swale House on Wednesday, 5 November 2014 from 7.00 - 8.27 pm.

PRESENT: Councillors Mike Cosgrove, Duncan Dewar-Whalley, Gerry Lewin (Vice-Chairman, in the Chair), Ken Pugh, David Simmons, Mike Whiting, Ted Wilcox and John Wright.

OFFICERS PRESENT: Anne Adams, Natalie Earl, Brenden Fuggles, Joanne Hammond, Abdool Kara, Zoe Kent, Donna Price, Mark Radford, Sophia Ramm, Nick Vickers and Carole Williams.

ALSO IN ATTENDANCE: Councillors Andy Booth and Mike Henderson.

APOLOGY: Councillors Bowles.

323 MINUTES

The Minutes of the Meeting held on 8 October 2014 (Minute Nos. 274 – 279) were taken as read, approved and signed by the Chairman as a correct record.

324 DECLARATIONS OF INTEREST

Councillor David Simmons declared a Non-Pecuniary Interest in respect of Faversham Creek Neighbourhood Plan – Submission Consultation as he was a Member of Faversham Town Council and a member of the Neighbourhood Plan Steering Committee.

Councillor Ted Wilcox declared a Non-Pecuniary Interest in respect of Faversham Creek Neighbourhood Plan – Submission Consultation as he was a Member of Faversham Town Council.

Councillor Ken Pugh declared a Non-Pecuniary Interest in respect of Sheerness Heritage Centre as his wife was secretary of Sheppey Promenade. Upon the advice of the Monitoring Officer, Councillor Pugh left the meeting for this item as the interest was a disclosable pecuniary interest.

PART A MINUTES FOR CONFIRMATION BY COUNCIL

325 REVIEW OF FEES AND CHARGES

Cabinet Member for Finance

Cabinet considered the report of the Head of Finance and the above Cabinet Member which set out the proposed level of fees and charges to be levied for the next financial year 2015/16 for submission to Council.

The Cabinet Member for Finance introduced the report and referred Members to the tabled paper, which set out the recommendations arising from the Scrutiny Committee's review of fees and charges and the Cabinet's response.

The Chairman requested that the recommendations from the Scrutiny Committee be considered in order.

Councillor Andy Booth, Chairman of the Scrutiny Committee, introduced the first recommendation relating to car park Fixed Penalty Notices (FPNs).

Cabinet Members expressed their support for the proposals but noted that the maximum level of penalty which can be levied was set nationally.

The Cabinet Member for Environmental and Rural Affairs undertook to ascertain whether the timescales for the penalties could be altered. The Chairman proposed that delegation be given to the Head of Finance in consultation with the Cabinet Member for Environmental and Rural Affairs to review this, and upon being put to the vote this was agreed.

A Member considered that the Council should be lobbying central Government to allow Local Authorities to have more freedom over their charges; and raised concern at the administration costs for the Council in chasing unpaid fines.

The Chairman of the Scrutiny Committee introduced the second recommendation relating to Environmental FPNs.

The Cabinet Member for Environmental and Rural Affairs advised that the Council took the issue of littering, graffiti and dog fouling seriously and was already charging the maximum penalty allowed in legislation. He advised that officers were exploring the number of FPNs issued and whether capacity could be increased within the team to target this issue.

The Cabinet Member for Housing acknowledged that this was a significant issue for local residents and suggested greater use of social media to improve awareness and catch people committing offences.

The Cabinet noted that no further action could be taken on this recommendation.

The Chairman of the Scrutiny Committee introduced the third recommendation relating to waste carrier offences.

The Cabinet Member for Localism, Sports, Culture and Heritage suggested that the Council lobbies Government through the Local Government Association to request greater freedoms in charging for offences to better represent the views and concerns of local residents.

The Cabinet noted that no further action could be taken on this recommendation.

A Member of the Scrutiny Committee introduced the fourth recommendation relating to householder planning advice charges and considered that the Cabinet's response did not reflect the request being made by the Committee.

The Cabinet Member for Planning undertook to follow up this issue with the Member and report back to Council.

With regard to licences for scrap metal dealers, the Chief Executive explained that the Council cannot make a profit on the licence and the fee had to cover real costs incurred in administering the licence.

The Head of Finance confirmed that a number of further questions had been raised at the Scrutiny Committee meeting and responses were being prepared for the Council meeting.

RECOMMENDED:

- (1) That the proposed fees and charges for 2015/16 as set out in the report be approved for submission to Council.**
- (2) That the recommendations from the Scrutiny Committee be noted and that the proposed increases relating to car park FPNs, environmental FPNs and waste carrier offences are not approved, for the reasons set out in the tabled paper. The recommendation relating to scrap metal dealers to be approved for consideration by Council.**
- (3) That delegation be given to the Head of Finance and the Cabinet Member for Environmental and Rural Affairs to ascertain whether the Council can change the timescales for penalties within legislation but not increase the charges and if so, to include this in the recommendations to Council.**
- (4) That delegation be given to the Head of Finance and the Cabinet Member for Planning to review the Scrutiny Committee's proposal relating to householder planning advice charges and include a response in the report to Council.**

326 COUNCIL TAX SUPPORT SCHEME 2015-16**Cabinet Member for Finance**

Cabinet considered the report of the Head of Service Delivery and the above Cabinet Member which analysed the current scheme's effect on collection and benefit claimants and recommended the percentage reduction from Council Tax Support (CTS) that should be set for 2015/16.

The Cabinet Member for Finance referred Members to the tabled Community Impact Assessment which outlined the final results from the consultation. He thanked the Assistant Revenue and Benefits Manager for her work.

The Assistant Revenue and Benefits Manager explained that the scheme had been reviewed by a Welfare Reform Group comprising officers and Members. The Group felt was clear that the CTS Scheme had worked well for 2014/15 and it was therefore recommended that it be continued for 2015/16.

The Cabinet Member for Environmental and Rural Affairs raised concern with recommendation (2), and the possible unintended consequences of reducing the short term empty discount from three months to one month. He suggested that a one month turnaround of tenants was very tight and that private landlords may increase the rent to cover this. He considered that the Council should not be discouraging Private Sector Landlords, in view of the Borough's housing shortage.

The Cabinet Member for Housing acknowledged the Member's comments but considered that this proposal may encourage a quicker turnaround of tenants which would be beneficial.

RECOMMENDED:

- (1) That the Council Tax Support (CTS) Scheme for 2015/16 be kept the same as 2014/15 and CTS continues to be reduced by 15%.**
- (2) That the short term empty discount is reduced from 3 months to 1 month.**

- (3) That a 50% premium is charged on properties that have been empty for more than two years.*

PART B MINUTES FOR INFORMATION

327 REVIEW OF COMMUNITY ASSET TRANSFER POLICY

Cabinet Member for Localism, Sport, Culture and Heritage

Cabinet considered the report of the Head of Property Services and the above Cabinet Member which set out the revised Community Asset Transfer Policy, the reasons for the changes and sought adoption of the revised version.

A Member raised concern that the recommendations made by the Policy Development and Review Committee had been ignored and asked Cabinet to reconsider the two recommendations made by the Committee and incorporate them into the report.

The Cabinet Member for Localism, Sport, Culture and Heritage referred the Member to the explanation as set out in paragraph 3.3. of the report.

In response to a query from the Cabinet Member for Housing, the Head of Property Services undertook to include Newington Car Park within the list of Swale Borough Council owned Community Assets.

RESOLVED:

- (1) That the revised Community Asset Transfer Policy be adopted.*

328 FAVERSHAM CREEK NEIGHBOURHOOD PLAN - SUBMISSION CONSULTATION

Cabinet Member for Planning

Cabinet considered the report of the Head of Planning and the above Cabinet Member which updated Cabinet on the stage reached by the Faversham Creek Neighbourhood Plan, outlined the next steps, and sought agreement for the Neighbourhood Plan to go out for its six week consultation.

A Member asked that it was made clear through the consultation process that any responses would be collated and sent to the independent examiner for review alongside the Plan.

The Senior Planner confirmed that original copies of the responses were sent, as well as a summary, and they would be used by the independent examiner to determine the programme and content of the Independent Examination.

RESOLVED:

- (1) That the submitted Neighbourhood Plan meets the requirements in the legislation and it can therefore go out to a six week consultation.*

329 SHEERNESS HERITAGE CENTRE**Cabinet Member for Localism, Sport, Culture and Heritage**

Cabinet considered the report of the Head of Property Services and the above Cabinet Member which set out proposals for a new 25 year lease of Sheerness Heritage Centre with a consortium called Promenade.

Councillor Ken Pugh left the meeting for this item.

The Cabinet Member for Localism, Sport, Culture and Heritage congratulated officers and Trustees for their hard work. He reminded Members that a Trustees Event, aimed at all prospective and current trustees across all organisations, was being held on 13 November 2014.

RESOLVED:

- (1) That a new 25 year lease be entered into with Sheppey Promenade on the terms set out in the report.***
- (2) That delegated authority be given to the Head of Economy and Community Services and the Head of Property Services to agree any terms not finalised at the time of the report, in consultation with the Cabinet Members for Finance and Localism.***

330 QUINTON HALL ASSET TRANSFER**Cabinet Member for Localism, Sport, Culture and Heritage**

Cabinet considered the report of the Head of Economy and Community Services and the above Cabinet Member, which set out options for a community asset transfer of Quinton Hall to the Ichtus Trust.

The Cabinet Member for Finance spoke in support of the proposals thanked the Head of Property Services and praised Christine Fordham for the hard work and dedication she had shown in securing the property for the community.

In response to a question, the Head of Property Services confirmed that the valuation of the land had determined that it was unsuitable for development and it had therefore been valued as open space at a nominal value.

RESOLVED:

- (1) That Quinton Hall be transferred to the Ichtus Trust on a 125 year lease.***
- (2) That authority be delegated to the Head of Economy and Community Services and the Head of Property Services to negotiate the final terms of the lease based on the Head of Terms in Appendix II to the report, in consultation with the Cabinet Member for Localism and the Cabinet Member for Finance.***
- (3) That the Council supports the Trust financially by providing a tapered grant of £2,800 in 2014/15, £2,000 in 2015/16 and £800 in 2016/17.***

331 DEVELOPER CONTRIBUTIONS ENHANCED BUS SERVICE TO MORRISONS**Cabinet Member for Planning**

Cabinet considered the report of the Head of Planning and the above Cabinet Member, which sought authority to award a contract for enhanced bus services to Morrisons, Neats Court, Queenborough to Arriva, pursuant to an obligation under the Section 106 agreement.

RESOLVED:

(1) That authority be given to award a contract (in response to a tender) to Arriva for the provision of additional bus services which would improve the sustainability of the Morrisons' supermarket development pursuant to the requirements of a Section 106 planning obligation.

332 LOCAL ENGAGEMENT FORUM UPDATE**Cabinet Member for Localism, Sport, Culture and Heritage**

Cabinet considered the report of the Head of Economy and Community Services and the above Cabinet Member, which set out the discussion, outcomes and recommendations from the recent Local Engagement Forums (LEFs) held during September 2014.

The Cabinet Member for Localism, Sport, Culture and Heritage encouraged Members to suggest topics as agenda items for future LEF meetings.

RESOLVED:

(1) That the discussion and outcomes from the three Local Engagement Forums held during September 2014 be noted.

333 MINUTES OF THE LOCAL DEVELOPMENT FRAMEWORK PANEL HELD ON 28 OCTOBER 2014**RESOLVED:**

(1) That the recommendations in Minute No. 308 be approved.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee.