
CABINET

MINUTES of the Meeting held in the Council Chamber - Swale House on Wednesday, 4 February 2015 from 7.00 - 8.25 pm.

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

OFFICERS PRESENT: David Clifford, Joanne Hammond, Abdool Kara, Len Mayatt, Donna Price, Mark Radford, Dave Thomas, Graeme Tuff, Nick Vickers and Phil Wilson.

ALSO IN ATTENDANCE: Councillor Andy Booth, Councillor Angela Harrison, Councillor Mike Henderson, Councillor Adam Tolhurst, Councillor Roger Truelove, Councillor Ghlin Whelan and Councillor Tony Winckless.

APOLOGY: Councillor Ken Pugh.

463 MINUTES

The Minutes of the Meeting held on 3 December 2014 (Minute Nos. 382 – 387) were taken as read, approved and signed by the Chairman as a correct record.

464 DECLARATIONS OF INTEREST

No interests were declared.

PART A MINUTES FOR CONFIRMATION BY COUNCIL

465 MEDIUM TERM FINANCIAL PLAN AND 2015/16 REVENUE AND CAPITAL BUDGETS

Cabinet Member for Finance

Cabinet considered the report of the Head of Finance and the above Cabinet Member which set out the Council's Medium Term Financial Plan and Revenue and Capital Budget proposals for 2015/16.

The Cabinet Member for Finance introduced the report and advised that the draft proposals had been considered by the Scrutiny Committee on 28 January 2015 and no recommendations had been made.

A Member referred to paragraph 3.15 and asked what the borrowing of up to £6m would be for; the nature of the borrowing – internal or external; and what was the business case and expected return?

The Cabinet Member for Finance advised that there was no detailed information available at the moment but the request was an increase, rather than an addition, to the £3m borrowing approved at Council in July 2014.

In response to a question regarding the budget increase to cover a full-time Regeneration Director post, the Chief Executive explained that this provided the Council with the flexibility to increase the post to a full-time position in the future. If it was decided by Members that the budget was not required specifically for the Regeneration Director post it could be used flexibly to fund other staff to support regeneration projects.

The Leader explained that it was vital for the Council to find ways of maintaining a revenue stream due to the reduced revenue support grant received from central Government.

The Head of Finance drew Members' attention to the comments submitted by Faversham Business Partnership (FBP) on the draft 2015/16 budget and Medium Term Financial Plan. He advised that the Council was required to consult the business community on the draft budget proposals and this was the only response that had been received. The Head of Finance advised that, with Members' agreement, he would co-ordinate a response to FBP in consultation with the Cabinet Member for Finance and Council officers. He confirmed that, in his opinion, there was nothing within the submission which required Cabinet to amend their budget proposals.

The Leader welcomed the feedback from FBP but expressed his disappointment that it had not been submitted in time to be considered as part of the budget setting process.

In response to questions from a Member, the Head of Commissioning and Customer Contact confirmed that the growth item in relation to electronic procurement systems was a combination of increased use of the Council's procurement systems and payment for advertising on external systems; and the additional waste contract monitoring activity related to an additional officer post.

With regard to the replacement of recycling credits with enabling payments from Kent County Council, the Head of Commissioning and Customer Contact undertook to provide a detailed response to the Member.

The Leader thanked the Cabinet Member for Finance, Head of Finance and Finance Team for their hard work in producing this report.

RECOMMENDED:

- (1) That the 2015/16 Revenue and Capital Budgets be approved.***
- (2) That the proposed Council Tax at Band D for 2015/16 of £159.93 (zero increase) be approved.***
- (3) That the Medium Term Financial Plan funding position be noted.***
- (4) That the Capital Strategy be approved.***
- (5) That the additional amount of Council Tax for Parish Precepts be noted.***
- (6) That the Minimum Revenue Provision (MRP) Statement as set out in Appendix IX be approved.***
- (7) That authority be delegated to the Head of Finance in consultation with the Leader and the Cabinet Members for Finance and Regeneration to approve an in-year change to the budget and policy framework to allow for funding to be provided for the investment up to a maximum borrowing of £6m.***
- (8) That the comments from Faversham Business Partnership on the draft 2015/16 budget and Medium Term Financial Plan be noted.***

466 TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2015/16**Cabinet Member for Finance**

Cabinet considered the report of the Head of Finance and the above Cabinet Member which set out the Treasury Management Strategy Statement and Investment Strategy 2015/16 for approval.

In response to a question, the Head of Finance confirmed that the Council would not receive higher interest rates for depositing money for longer periods, and the maximum duration for investment term deposits would be 12 months.

RECOMMENDED:

- (1) That the Treasury Management Strategy Statement and Investment Strategy for 2015/16 be approved.***
- (2) That the proposed inclusion of Treasury Bills, highly rated overseas banks for increased deposits, use of CCLA Property Fund, pooled corporate and absolute return funds to levels specified be agreed.***

467 CORPORATE PLAN 2015-2018**Leader**

Cabinet considered the report of the Policy and Performance Manager and the Leader which sought Council's agreement to adopt a new corporate plan to cover the period 2015-2018.

The Leader thanked the Policy and Performance Manager for his work on the refreshed Corporate Plan, which he considered reflected the Administration's wishes and beliefs for the future of the Borough.

A Member made the following comments: the three priorities were not clear targets for a Corporate Plan document; they did not help with a vision for the Borough; and very few external consultation responses had been received.

The Leader considered that the three priorities and the medium term objectives beneath them were measurable as set out in the Plan, and built on the Council's Medium Term Financial Plan.

The Cabinet Member for Localism, Sport, Culture and Heritage considered that there were clear objectives under each corporate priority; the targets and aspirations in the Plan were correct; and there were many achievements over recent years for the Council to be proud of.

The Chief Executive explained that the Corporate Plan was a high-level document; individual projects, Performance Indicators and service targets would be contained within other documents, such as service plans and specific strategies.

RECOMMENDED:

- (1) That the text at Appendix I be adopted as the Council's Corporate Plan for the period 2015-2018.***

- (2) That the table at Appendix II be adopted as the Council's high-level action plan, to sit immediately below the Corporate Plan objectives in 2015/16, and to be reviewed annually thereafter.*
- (3) That delegated authority be given to the Chief Executive, in consultation with the Cabinet Member for Performance, to confirm and where necessary amend indicators and targets in the corporate performance indicator set for 2015/16, based on the three-year targets adopted by Council in May 2013 (Minute No. 16, 2013/14)*

PART B MINUTES FOR INFORMATION

468 QUEENBOROUGH ALLOTMENT TRANSFER

Cabinet Member for Localism, Sport, Culture and Heritage

Cabinet considered the report of the Head of Commissioning and Customer Contact and the above Cabinet Member which sought approval to complete the freehold transfer of the three allotment sites in Queenborough to Queenborough Town Council.

A Member questioned whether the clawback clause had been agreed by Queenborough Town Council? The Cabinet Member for Localism, Sport, Culture and Heritage advised that the final terms of the freehold transfer were still being negotiated and he could not advise further at this time.

RESOLVED:

- (1) That the freehold transfer of the three allotment sites in Queenborough to Queenborough Town Council be agreed.*
- (2) That authority be delegated to the Head of Commissioning and Customer Contact, in conjunction with the Cabinet Members for Finance and Localism, Sport, Culture and Heritage to agree the final detailed terms of the freehold transfer.*

469 SWALE FISHERMAN'S ASSOCIATION - LEASE

Cabinet Member for Localism, Sport, Culture and Heritage

Cabinet considered the report of the Head of Commissioning and Customer Contact and the above Cabinet Member which sought approval to agree a twenty year lease with Swale Fisherman's Association for the nine fishing vessel berths, operational quayside, and fisherman's store at Queenborough.

The Cabinet Member for Localism, Sport, Culture and Heritage paid tribute to former Councillor Mike Haywood for his work on this project.

RESOLVED:

- (1) That Swale Fisherman's Association be offered a twenty year lease for the nine fisherman's berths, quayside and fisherman's store at Queenborough. To include a break clause which can be invoked after ten years if required.*

- (2) That authority be delegated to the Head of Commissioning and Customer Contact, in conjunction with the Cabinet Members for Finance and Localism, Sport, Culture and Heritage to agree the final terms of the 20 year lease.***

470 DRAFT TREE POLICY

Cabinet Member for Environment

Cabinet considered the report of the Head of Commissioning and Customer Contact and the above Cabinet Member which set out details of a new draft Tree Policy and identified the next steps for consultation and adoption.

The Cabinet Member expressed his thanks to officers, and advised that the draft Tree Policy had been considered by the Policy Development and Review Committee (PDRC) in January 2015.

A Member requested that consideration be given to the title of the document as the Policy was about health and safety, maintenance of Council-owned trees, and risk assessments, rather than a policy for planting of trees and biodiversity.

The Cabinet Member for Regeneration expressed sympathy for this view and suggested that the Council should be engaging with national organisations to preserve and track tree numbers in the Borough.

The Cabinet Member for Housing considered that this Policy was a wise and cautious approach for the Council, particularly for insurance purposes, and it was an important part of the Council's duty to maintain the trees.

The Leader suggested that the PDRC may wish to consider undertaking a review that looked at increasing biodiversity and tree numbers as part of a future work programme.

RESOLVED:

- (1) That the report be noted and the proposed consultation be agreed.***

- (2) That authority be delegated to the Head of Commissioning and Customer Contact, in conjunction with the Cabinet Member for Environment to agree the final Tree Policy following consultation.***

471 SOUTH THAMES GATEWAY BUILDING CONTROL PARTNERSHIP: BUSINESS PLAN 2015-2018

Cabinet Member for Planning

Cabinet considered the report of the Head of Planning and the above Cabinet Member which set out the draft South Thames Gateway Building Control Partnership Business Plan for 2015-18.

The Cabinet Member for Planning considered that the report was a good example of the openness and transparency of the Partnership, demonstrating value for money and increasing fee earning opportunities at decreasing cost to the Council. He advised that the Partnership's bid to the Government's Transformation Challenge Fund had been unsuccessful, but work would continue to develop the Partnership. He advised that, subject to Council's approval of the new Corporate Plan for 2015-2018, Swale's corporate priorities as set out in the document would be amended.

RESOLVED:

- (1) That the draft South Thames Gateway Building Control Partnership Business Plan for 2015-2018 be agreed.**

472 EU WASTE FRAMEWORK DIRECTIVE**Cabinet Member for Environment**

Cabinet considered the report of the Head of Commissioning and Customer Contact and the above Cabinet Member which set out a proposed statement on the form of a TEEP assessment to comply with the European Union Waste Framework Directive 2008.

The Cabinet Member for Environment set out the background to the report and proposed the recommendations.

The Cabinet Member for Localism, Sport, Culture and Heritage congratulated the Cabinet Member for Environment and the Head of Commissioning and Customer Contact for their hard work and the substantial savings achieved through the new waste contract.

A Member considered that the EU Directive was unreasonable and it had led to a waste of time and money in producing this assessment. The Cabinet Member for Environment acknowledged the sentiment, but considered that it had provided officers with an opportunity to review the contract and recycling figures and as such had been a valuable process.

RESOLVED:

- (1) That the report be noted and that the proposed technically, environmentally and economically practical "TEEP" assessment be adopted.**

473 LOCAL ENGAGEMENT FORUMS DECEMBER 2014**Cabinet Member for Localism, Sport, Culture and Heritage**

The Cabinet Member for Localism, Sport, Culture and Heritage introduced the report which drew together notes of the discussion, outcomes and recommendations of the recent Swale Local Engagement Forums. He welcomed the increased amount of public attendance at the meetings, and also advised that the date of the Faversham Local Engagement Forum had changed from 24 February 2015 to 4 March 2015.

RESOLVED:

- (1) That the discussion and outcomes of the three Local Engagement Forums held during December 2014 be noted.**

474 SCRUTINY COMMITTEE RECOMMENDATIONS ON DISCRETIONARY HOUSING PAYMENT POLICY**Cabinet Member for Finance**

The Cabinet Member for Finance thanked the Scrutiny Committee for their review of the Discretionary Housing Payment Policy, and drew attention to the Cabinet's response to the recommendations, as set out in Appendix I to the report.

The Chairman of the Scrutiny Committee thanked Cabinet for their response.

A Member referred to a recent newspaper article in relation to Discretionary Housing Payments, which she considered was misleading to residents. The Cabinet Members for Housing and Finance undertook to follow this up with the Media Officer.

RESOLVED:

(1) That the response to the Scrutiny Committee's recommendations as attached in Appendix I be agreed.

475 SCRUTINY COMMITTEE RECOMMENDATIONS ON MID KENT IMPROVEMENT PARTNERSHIP GOVERNANCE AND COMMUNICATIONS

Leader

The Leader welcomed the Joint Overview and Scrutiny Task and Finish Group report on Mid Kent Improvement Partnership (MKIP) communications and governance. He advised that in accordance with the Council's procedures, the report would be noted and the Cabinet's response to each of the recommendations would be presented to the next Cabinet meeting.

A Member of the Task and Finish Group commented on the success and the value of the review. He considered that there were significant governance and IT issues and the recommendations could have been blunter with regard to the work that needed to be done.

The Leader advised that there was a Joint Overview and Scrutiny meeting at Maidstone Borough Council on 23 February 2015 to consider Planning Services. He noted that the MKIP Member Briefing arranged for March 2015 only had one Member signed-up so far and he encouraged attendance.

RESOLVED:

(1) That the report be noted and a response to the recommendations be submitted to the Cabinet Meeting on 11 March 2015.

476 MINUTES OF THE SWALE JOINT TRANSPORTATION BOARD MEETING HELD ON 8 DECEMBER 2014

Cabinet considered the recommendations from the Swale Joint Transportation Board (JTB) meeting held on 8 December 2014.

The Vice-Chairman of the JTB advised that the Chairman of the Board had raised concerns regarding Recommendation 1 of Minute No. 391, in relation to waiting restrictions in South Road and Preston Street, Faversham. It was agreed that this item would be referred back to the next JTB meeting for further consideration.

RESOLVED:

(1) That the recommendations in Minute Nos. 391 (2) and 392 be approved.

(2) That recommendation one in Minute No. 391 be referred back to the JTB for further consideration.

Chairman

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