
CABINET

MINUTES of the Meeting held in the Council Chamber - Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 30 May 2018 from 7.00 - 8.35 pm.

PRESENT: Councillors Sarah Aldridge, Bowles (Chairman), Mike Cosgrove, Duncan Dewar-Whalley, Alan Horton, Gerry Lewin (Vice-Chairman) and David Simmons.

OFFICERS PRESENT: Alister Andrews, Katherine Bescoby, Robin Harris, Zoe Kent, Mike Marsh, Sarah Porter, Glyn Pritchard, Mark Radford and Nick Vickers and Nick Vickers.

ALSO IN ATTENDANCE: Councillors Cameron Beart, Andy Booth, Tina Booth, Mike Henderson, James Hunt, Nigel Kay, Bryan Mulhern, Roger Truelove, Ted Wilcox and Tony Winckless.

29 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

30 MINUTES

The Minutes of the Meeting held on 7 March 2018 (Minute Nos. 522 - 531) were taken as read, approved and signed by the Chairman as a correct record.

31 DECLARATIONS OF INTEREST

Councillor Mike Henderson declared a Disclosable Non Pecuniary interest in respect of the report regarding Council Leisure Centres Contract Extension and Facility Improvements, as he was a Swale Borough Council appointed trustee of the Faversham Swimming Pool Management Committee.

Councillor Andy Booth declared a Disclosable Non Pecuniary interest in respect of the report regarding Council Leisure Centres Contract Extension and Facility Improvements and clarified that he was present at the meeting for that item in his capacity as Chairman of Swale Community Leisure. He also introduced Mr David Harcourt, Executive Officer of Swale Community Leisure.

32 Part A Minutes for Recommendation to Council FIXED PENALTY NOTICE FEE FOR LITTERING AND GRAFFITI

Cabinet Member for Environment and Rural Affairs

Cabinet considered the report of the Environmental Response Manager and the above Cabinet Member which advised that recent legislation had allowed revised levels to be set for environmental Fixed Penalty Notices (FPN's). The Cabinet Member recommended that this was set at £120 for the reasons set out in paragraph 4.3 of the report. He drew attention to the implications in the report and

the increase in provision of litterbins which had been funded from the surplus income from FPN's.

In response to a question regarding how the £120 figure had been arrived at, it was confirmed that this was based on estimated payment rates, taking affordability into consideration, and that guidance from the Department for Environment, Food and Rural Affairs was still awaited.

Recommended:

(1) That the Fixed Penalty Notice for litter, graffiti and fly posting be increased to £120 from 1 July 2018.

PART B MINUTES FOR DECISION BY CABINET

33 DISCRETIONARY HOUSING PAYMENT POLICY

Cabinet Member for Finance and Performance

Cabinet considered the report of the Revenues and Benefits Manager (Technical and Financial) and the above Cabinet Member which advised that the Council was awarded an annual specific grant from Central Government to provide payments to those Housing Benefit claimants who had a shortfall between their rent and their Housing Benefit. The Cabinet Member advised that the policy had been reviewed to take account of the welfare reform changes.

Resolved:

(1) That the Discretionary Housing Payment policy be adopted.

34 REVISION OF THE HOUSING ASSISTANCE POLICY

Cabinet Member for Housing and Safer Communities

Cabinet considered the report of the Environmental Health Officer (Residential) and the above Cabinet Member. The report asked the Cabinet to agree a revised policy in order to assist with delayed hospital discharge (bed blocking), and to provide more assistance to enable particularly vulnerable people to live independently at home for longer.

The Cabinet Member drew attention to the change in the title of the Cabinet Portfolio, which should be reflected throughout the document, and welcomed the updates to the policy which would give additionally flexibility to help people to stay in their homes, as set out in the report.

Discussion ensued, during which attention was drawn to the Staying Put service and the amendments to the policy in respect of means testing. The Cabinet Member for Housing and Safer Communities agreed to consider Members' suggestions regarding the potential to standardise equipment, to collaborate more in the design of new developments/dwellings and options for families to top up a grant application.

The Chief Executive congratulated the team on their sterling work in getting to this position, and these sentiments were echoed by the Leader.

Resolved:

(1) That the amendments to the Housing Assistance Policy be agreed.

(2) That the Head of Resident Services, in consultation with the Cabinet Member for Housing and Safer Communities, be given delegated authority to make further minor changes to the policy and switch funds between approved categories in the light of demand and expenditure considerations and to make minor changes and revisions to eligibility criteria arising from changes to benefit/tax credit regimes without the need for formal policy re-adoption.

35 TENANCY STRATEGY REFRESH

Cabinet Member for Housing and Safer Communities

Cabinet considered the report of the Strategic Housing and Health Manager and the above Cabinet Member. The report presented an updated tenancy strategy, which had been refreshed to refer to amendments to the private rented sector housing cost data, updated housing register data, information on the new Shared Ownership Affordable Homes Programme introduced in 2016, and included the requirements of the Welfare and Work Act 2016.

The Cabinet Member advised that the policy set out how registered providers should conduct their business and welcomed the updated policy. He drew attention to the aims of the policy as set out in section 5.1 of the strategy, praised the team and referred to the public consultation and the comments received from the Policy Development and Review Committee (PDRC) that were set out on page 79 of the report.

In response to a question regarding the monitoring of registered providers, the Cabinet Member drew attention to page 77 of the report and agreed to provide a written answer.

Resolved:

(1) That the Tenancy Strategy be adopted.

36 DIGITAL STRATEGY

Cabinet Member for Finance and Performance

Cabinet considered the report of the Transformation Manager and the above Cabinet Member, which presented a Digital Strategy for adoption. The strategy summarised the direction the Council was taking with regard to offering a greater range of digital services, and to improve services for residents and businesses. It was acknowledged that the direction was 'digital by choice' so that services were

available to those who were not technology savvy or who did not have access to the technology.

A discussion ensued regarding the current Council website not being fit for purpose, and progress being made on the project to replace it. Another Member asked what was being done to help introduce high speed communications to hard to reach communities, and the Cabinet Member for Finance and Performance advised that they were working extremely hard regarding this. It was also suggested that further consideration could be given to specific technology for those with disabilities, which the Cabinet Member agreed to consider.

The Deputy Cabinet Member for Finance and Performance gave an update on progress being made with the Council's website and the implementation phase, which included recruiting a temporary member of staff, to ensure that the new website was ready by November 2018. Details of the enhancements were given and the Transformation Programme Manager was thanked for her work on this project.

The Chief Executive confirmed that the strategy was 'digital by choice'; that Strategic Management Team had agreed to allocate additional temporary resource to the project; and it was important for it to be right before the new website was launched.

Resolved:

(1) That the Digital Strategy be adopted.

37 SCRUTINY COMMITTEE REVIEW OF DEVELOPMENT MANAGEMENT

Cabinet Member for Planning

The Cabinet Member drew attention to the report submitted by the Scrutiny Committee, and noted that the matter regarding the delegations to the Head of Planning had been considered by the General Purposes Committee and agreed by full Council. However, in accordance with the Constitution, the report was presented to the Cabinet and there would be a report back to the next Cabinet Meeting. He expressed his gratitude to the Scrutiny Committee for their work on this topic.

Discussion ensued during which Members thanked the Scrutiny Committee, the Task and Finish Group and the Policy and Performance Officer for their work and support with the review, and it was suggested that this was a topic the Scrutiny Committee may wish to revisit in six months time. Another Member considered that whilst the result was not as hoped for, the review had highlighted some areas in the current rules that had not been followed.

Resolved:

(1) That the report of the Scrutiny Committee on Development Management be noted and the recommendations responded to at a subsequent Cabinet meeting.

38 APPOINTMENTS TO OUTSIDE BODIES

Leader

Cabinet considered the report of the Democratic and Electoral Services Manager and the Leader. The Leader drew attention to the tabled paper, which set out details of the nominations being put forward to the various outside bodies. In respect of the Health Overview and Scrutiny Committee, he confirmed that the nominations were made by Kent Leaders, and that East Kent and West Kent had made nominations. An appointment would be made to Swale Community Leisure in the next few weeks.

Resolved:

(1) That the appointments to outside bodies, as set out in the Appendix to these Minutes, be agreed for the 2018/19 municipal year.

39 OPEN SPACES AND PLAY STRATEGY 2018-2022

Cabinet Member for Environment and Rural Affairs

Cabinet considered the report of the Leisure and Technical Services Manager and the above Cabinet Member, which presented the Open Spaces and Play Strategy for adoption. The Cabinet Member introduced the report, drawing attention to the stages undertaken to reach this stage, in particular the 2016 consultant's report, approval of a draft strategy in October 2017 for public consultation, and consideration by the PDRC. The Cabinet Member referred to the number of recommendations made by the PDRC as set out on page 156 of the report and thanked them for their time and effort in considering the strategy.

Discussion ensued regarding the timing of creation of open spaces and play areas in new developments, use of section 106 funding and the need to make sure they were properly introduced and integrated. Another Member welcomed the report and asked whether there were adequate open spaces within all communities, rather than across the borough as a whole. The Cabinet Member responded by saying there was a quantum but he was not sure if the quality in some places was fit for purpose, however, the strategy would be reviewed every year to align with the Local Plan, particularly as housing allocations were changing. He also confirmed that officers were taking an active role in discussions with parish councils, giving examples of discussions taking place.

Resolved:

(1) That the Open Spaces and Play Strategy 2018 – 2022 be adopted.

40 COUNCIL LEISURE CENTRES CONTRACT EXTENSION AND FACILITY IMPROVEMENTS**Cabinet Member for Health and Wellbeing**

The Chairman drew attention to the exempt paper and the need to exclude the press and public if Members wished to discuss the contents of it.

The Cabinet considered the report of the Leisure and Technical Services Manager and the above Cabinet Member, which set out the processes undertaken to review the service and arrive at recommendations to extend the current Leisure Centre Management contract for 5.5 years, with £2m of Council capital funds for improvements and repairs. The Cabinet Member introduced the report drawing attention to the fact that the current contract expired in 2019, and the need for the review. The report set out 6 options and short and long term approaches, and the Cabinet Member explained why option 4 was recommended, as set out in the report. Work on long term options needed to start immediately alongside the wider regeneration of Sittingbourne and Sheerness. The Cabinet Member drew attention to the removal of the parking subsidy and that discussions had been taking place with Faversham Pools Management Committee.

Discussion ensued regarding the Strategy on the following themes:

- whether the removal of the parking subsidy would discourage participation;
- that a car parking subsidy had never been provided in Faversham;
- disappointment expressed by a Member that the current contract was being extended, and the need to ensure that where possible equipment was maintained rather than replaced;
- the need to recognise the role that leisure facilities played in diverting youth away from crime; and
- the need for improved marketing, including upgrading the leisure centre websites, to attract additional members;

The Chairman of Swale Community Leisure spoke in support of the proposals and that he was proud of the efforts that the team had made to make the leisure offer the best it could be. He referred in particular to the increase in patronage and the fact that following their pledge to get every child swimming by age 11, use of the Sheppey swimming pool by schools had increased from 2 schools to 14 schools.

Other Members spoke in support of the proposals, referring to the history of the arrangements for the leisure centres, changes in government policy, the need to listen to residents and to take steps to refresh the facilities in the medium term, whilst considering longer term options, and also ensuring good value.

The Chairman invited the Executive Officer of Swale Community Leisure to speak. Mr Dave Harcourt spoke in support of the proposals, referring to the approach that would be taken moving forward, which would save money whilst also with investment in facilities to encourage fitter, healthier and active people in Swale. He welcomed the opportunity to work with the Council on long term options.

The Leisure and Technical Services Manager answered questions regarding the removal of the subsidy in the car park and likely press coverage of this, drawing on

experience from work on similar projects elsewhere. He drew attention to recommendation 9 and the need to liaise closely with all leisure providers in the Borough to plan for the long term future of leisure provision.

Resolved:

(1) That a five and a half year extension of the current Leisure Management Contract with Swale Community Leisure starting on 1 October 2019 based on the agreed Heads of Terms variations and Swale Community Leisure financial offer, as set out in the exempt report, be approved.

(2) That the £2million of Council capital funding already allocated in the budget be used for the Leisure Centre capital improvements, as summarised in Appendix I.

(3) That the removal of subsidised car parking for users of the Leisure Centres from 1 October 2018 be approved.

(4) That delegated authority be given to the Head of Property in consultation with the Cabinet Member for Finance and Performance to finalise negotiations and complete the transfer of the management of Central House to Swale Community Leisure ending at the same time as resolution 1 above.

(5) That delegated authority be given to the Head of Commissioning and Customer Contact to commission Serco to manage and complete the proposed capital works up to a sum of £2m of building improvements on behalf of the Council and using the existing Works Procurement Agreement.

(6) That the revision of the current agreement between the Council and Serco Leisure Operating Limited to deliver all repairs and maintenance works for the leisure centre sites including the common parts/systems within Central House for the 5.5 year contract extension starting 1 October 2019 be approved.

(7) That delegated authority be given to the Head of Commissioning and Customer Contact and the Head of Legal Partnership, in consultation with the Cabinet Member for Health and Wellbeing and the Cabinet Member for Finance and Performance to complete and sign off the final contract extension documents and variations as detailed in the Heads of Terms set out in the exempt report.

(8) That delegated authority be given to the Head of Property in consultation with the Cabinet Member for Finance and Performance to issue new leases for the relevant property and land in line with the contract extension period.

(9) That work continues on future leisure options and a report to come back by Spring 2019 with a detailed appraisal of options 5 & 6 'long term provision for Swale's leisure centres'.

41 EXEMPT REPORT - COUNCIL LEISURE CENTRES CONTRACT EXTENSION AND FACILITY IMPROVEMENTS

There was no discussion on this item, therefore the resolution to exclude the press and public was not passed.

Chairman

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