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## CABINET

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**MINUTES** of the Cabinet Meeting held remotely via Skype on Wednesday, 23 September 2020 from 7.00 - 8.25pm.

**PRESENT:** Councillors Mike Baldock (Vice-Chairman), Monique Bonney, Ben J Martin, Richard Palmer, Roger Truelove (Chairman) and Tim Valentine.

**DEPUTY CABINET MEMBERS:** Councillors Derek Carnell, Alastair Gould, Hannah Perkin, Julian Saunders, Sarah Stephen, Eddie Thomas and Ghlin Whelan.

**OFFICERS PRESENT:** Anne Adams, Martyn Cassell, David Clifford, Jo Millard, Graeme Tuff, Claudette Valmond, Nick Vickers and Emma Wiggins.

**ALSO IN ATTENDANCE:** Councillors Cameron Beart, Lloyd Bowen, Roger Clark, Steve Davey, Tim Gibson, Alan Horton, Ken Ingleton, Carole Jackson, Elliott Jayes, Denise Knights, Benjamin A Martin, Pete Neal, Ken Rowles, David Simmons, Tony Winckless and Corrie Woodford.

**APOLOGY:** Councillor Angela Harrison.

### 121 MINUTES

The Minutes of the Meeting held on 8 July 2020 (Minutes Nos. 723 – 733) were taken as read, approved and signed by the Chairman as a correct record.

### 122 INTRODUCTION

The Leader explained that the Cabinet meeting would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392.

In welcoming all Members and members of the public, the Leader explained which Swale Borough Council officers were in attendance.

### 123 DECLARATIONS OF INTEREST

Councillor Ben J Martin declared a non-pecuniary interest in respect of Item 4 as he was a Trustee of Faversham Pools.

Councillor Tim Valentine declared a non-pecuniary interest in respect of Item 4 as he was a Trustee of Faversham Pools.

### 124 FINANCIAL MANAGEMENT REPORT: APRIL – JUNE 2020

The Leader introduced the report which set out the revenue and capital projected outturn position for 2020/21 as at the end of June 2020. He said that whilst the

current financial position was more optimistic than it had been, the Council faced financial challenges and should continue to be cautious.

The Leader said that the projected overspend from April to June 2020 had reduced from £4.1m to just under £2.6m. He highlighted the variance in table 1 on page 6 of the report which was mostly due to additional housing costs and losses of income and costs in parking and planning. The Leader drew attention to table 3 on page 7 of the report which gave an overall overspend of £3.29m, reduced to £1.225m with Government grant assistance, but he stressed it was still a serious impact.

In drawing attention to table 4 on page 9 of the report, the Leader highlighted the financial support given to Faversham Swimming Pool and Swale Community Leisure and he said that the expected Government support for loss of fees and charges of £650k would decrease the revised forecast to £700k. The Leader stressed that the figures were a projection, and the outcome could be worse. He warned that there would be serious financial challenges in 2020/21.

The Leader spoke about the funding received from Government and explained that the Council only received £76k in the first grant, but then received a further £1.5m and £318k, totalling £1.895m altogether.

Finally, the Leader referred to the urgent update which sought Cabinet agreement that Council continued to participate in the Kent Business Rates Pool. He highlighted the benefits of the Council remaining in it.

A Member spoke of the importance of supporting recreational facilities and urged other Members to lobby to give more financial support to the leisure industry during the Covid-19 crisis.

**Resolved:**

- (1) That the total projected revenue overspend of £2,555,000 be noted.***
- (2) That the projected capital underspend of £6,400 and expenditure of £2,075,031 as detailed in paragraph 3.30 and Table 10 appendix I be noted.***
- (3) That the transfer of £1m from the Business Rates Volatility Reserve to the Special Projects Fund as detailed in paragraph 3.26 be approved.***
- (4) That the transfer of £100k from the General Fund to the Pension/Redundancy Fund as detailed in paragraph 3.26 be approved.***
- (5) That the additional Government funding received by the Council in response to the coronavirus pandemic be noted.***
- (6) That the council should in principle participate in a county wide business rates pool but delegate to the Chief Financial Officer in consultation with the Leader and Cabinet Member for Finance the authority to change this decision if there was a significant change in circumstances.***

**125 PROCUREMENT OF UTILITY SUPPLIES**

The Leader introduced the report which sought to enter into a one year contract for energy supply and to agree to purchase green electricity and gas for the duration of the contract as detailed in paragraph 3.4 of the report.

***Resolved:***

***(1) That the current arrangement for energy purchasing via the Laser Energy buying Group continue for the period 1 October 2020 – 30 September 2021.***

***(2) To purchase “green” electricity and gas for the duration of the proposed contract.***

**126 FAVERSHAM RECREATION GROUND – REFRESHMENT KIOSK LEASE**

The Leader reminded Members that if discussion on the confidential appendix for this item was necessary, the meeting would go into closed session.

The Cabinet Member for Environment introduced the report which set out the proposals for a lease of part of The Lodge at Faversham Recreation Ground, Faversham to HatHats Coffee Faversham Ltd. He explained that restoration of the Lodge from the Heritage Lottery Fund (HLF) had provided a refreshment kiosk and HatHats Coffee Faversham Ltd were the only company who had expressed an interest to manage it. He said that HatHats Coffee Faversham Ltd had extensive experience of managing a similar facility successfully at Reculver Country Park for Canterbury City Council.

A Member spoke in support of the important project and was pleased it was near completion. He asked for clarity on the definition of ‘pop-up’ as in paragraph 3.1 of the report, asked who would maintain the toilet facilities and sought reassurance that the 10-year lease was appropriate in relation to the upkeep of the equipment. In response, the Greenspaces Manager explained that ‘pop-up’ related to the company’s ability to provide facilities such as an ice-cream bike near the play area or facilities to provide tea and coffee for events. He said the toilet facilities would be the responsibility of Swale Borough Council (SBC) for maintenance and the concessionaire for opening/closing and cleaning, and he was confident in the company, given their success at Reculver and the terms of the lease. A Member added that properly maintained equipment would last for 15-20 years and most electrical catering equipment had a 10-year guarantee.

A Member asked whether the terms of the lease would preclude other organisations holding one-off catering events at the recreation ground? The Greenspaces Manager said that the company had requested a restriction on other commercial activity in order to protect their investment, but the exact wording of the lease was still being worked on to enable charity events to continue.

***Resolved:***

***(1) That the lease with HatHats Coffee Faversham Ltd be agreed.***

**(2) That delegated authority be given to the Head of Property Services to agree final terms in consultation with the Cabinet Member for Environment.**

**(3) That the Head of Mid Kent Legal Services be authorised to complete the necessary legal formalities in due course.**

## 127 OUTSIDE BODIES NOMINATIONS MADE BY CABINET

The Chairman introduced the report which set out nominations for outside bodies. As there were two nominations for the Optivo Kent General Panel, a vote was taken, and this was in favour of Councillor Ben J Martin.

### **Resolved:**

**(1) That the Cabinet makes appointments to outside bodies for the municipal year 2020/21 as set out in Appendix I to the report, subject to Councillor Ben J Martin being nominated as the representative on Optivo Kent General Panel.**

## 128 RECOMMENDATIONS FROM THE LOCAL PLAN PANEL MEETINGS HELD ON 9 JULY, 30 JULY AND 3 SEPTEMBER 2020

The Chairman invited the Cabinet Member for Planning to speak on Minute No. 31 (2) to give more clarity to the recommendation. He explained that Central Government had set unrealistic housing number targets and option C was the only viable option that gave the ability to deliver on the coalition priorities as option D had too much housing in the east of the Borough and option B would encourage piecemeal development. He added that whilst he had concern over windfall sites, guidance would be given to smaller developers and option C gave more control on what, how and where housing was built in the future.

In the discussion that followed, Members raised issues including:

- Option C was a reluctant compromise;
- the reference to option D as the second preferred option should be removed;
- accepted the need for more housing but option C would change the character of Faversham;
- should consider a more proportionate and equitable option;
- must do what was right for the whole Borough;
- referred to Sheppey and Sittingbourne, situated within the former Thames Gateway, historically having more development than Faversham;
- concerned about lack of infrastructure if option C was agreed;
- more data was required to consider option C;
- SBC wanted control of how and where development was, and it needed to be proportionate, realistic, deliverable and meet local need;
- option C was difficult but was the best SBC could do and it would meet the affordable housing figures;
- against option C and should look at adapting option B; and
- option C was the 'least worst'.

The Cabinet Member for Planning said that option C was a steer to give an idea which sites could be included in the Local Plan and that windfall sites would more likely be in the west and rural areas of the Borough, not Faversham. He added that he was expecting the figure of 3,000 allocated to Faversham in option C to drop.

The Leader proposed an amendment to Minute No. 31 (2) from the Local Plan Panel held on 30 July 2020: That option C was the preferred option and would form the basis of a development strategy for the Local Plan Review. This was seconded by the Cabinet Member for Community. On being put to the vote, Members agreed.

**Resolved:**

***(1) That the recommendations in Minute Nos. 738, 739 and 740 from the Local Plan Panel meeting held on 9 July 2020 be agreed.***

***(2) That the recommendations in Minute No. 31 from the Local Plan Panel meeting held on 30 July 2020 be agreed, subject to an amendment to 31 (2): That option C was the preferred option and would form the basis of a development strategy for the Local Plan Review.***

***(3) That the recommendations in Minute Nos. 68, 69 and 70 from the Local Plan Panel meeting held on 3 September be agreed.***

**129 RECOMMENDATIONS FROM THE SWALE JOINT TRANSPORTATION BOARD MEETING HELD ON 7 SEPTEMBER 2020**

**Resolved:**

***(1) That the recommendations in Minute Nos. 76, 77, 78 and 80 be agreed.***

**130 EXCLUSION OF PRESS AND PUBLIC**

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

**131 EXEMPT APPENDIX - DRAFT HEADS OF TERMS OF LEASE OF KIOSK AND PUBLIC TOILET, THE LODGE PREMISES, RECREATION GROUND, WHITSTABLE ROAD, FAVERSHAM**

There was no discussion on the Exempt Appendix.

Chairman

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Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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