



## AGENDA

### SCRUTINY COMMITTEE MEETING

Date: Thursday, 23 September 2021

Time: 7.00 pm

Venue: Virtual Meeting Via Skype\*

Membership:

Councillors Lloyd Bowen (Chairman), Steve Davey, Mike Dendor (Vice-Chairman), Oliver Eakin, Tim Gibson, James Hall, Carole Jackson, Denise Knights, Pete Neal, Hannah Perkin, Ken Pugh and Corrie Woodford.

Quorum = 4

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Pages

#### Information for the Public

\*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website on Wednesday 22 September 2021.

#### Privacy Statement

**Swale Borough Council (SBC) is committed to protecting the privacy and security of your personal information. As data controller we ensure that processing is carried out in accordance with the Data Protection Act 2018 and the General Data Protection Regulations. In calling to join the meeting your telephone number may be viewed solely by those Members and Officers in attendance at the Skype meeting and will not be shared further. No other identifying information will be made available through your joining to the meeting. In joining the meeting you are providing the Council with your consent to process your telephone number for the duration of the meeting. Your telephone number will not be retained after the meeting is finished.**

**If you have any concerns or questions about how we look after your personal information or your rights as an individual under the Regulations, please contact the Data Protection Officer by email at [dataprotectionofficer@swale.gov.uk](mailto:dataprotectionofficer@swale.gov.uk) or by calling 01795 417179.**

1. Apologies for Absence and Confirmation of Substitutes
2. Minutes

To approve the [Minutes](#) of the Meeting held on 21 July 2021 (Minute Nos.

166 - 171) as a correct record.

### 3. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary Interests (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

### Part One - Substantive Items

- |    |   |         |
|----|---|---------|
| 4. | Planning Support - Erroneous Planning Decisions | 5 - 30  |
| 5. | Financial Management Report                     | 31 - 52 |

The Committee is asked to consider the Financial Management Report Quarter 1 2021/22.

- |    |                               |         |
|----|-------------------------------|---------|
| 6. | Performance Monitoring Report | 53 - 62 |
|----|-------------------------------|---------|

The Committee is asked to consider the Performance Monitoring Report Quarter 1.

### Part Two - Business Items

The Committee is asked to consider the Forward Plan with a view to identifying possible items for pre-decision scrutiny.

### **Issued on Tuesday, 14 September 2021**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Scrutiny Committee, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

**Chief Executive, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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<b>Scrutiny Committee</b>	
<b>Meeting Date</b>	23 September 2021
<b>Report Title</b>	Planning Support – Erroneous Planning Decisions
<b>Lead Officer</b>	Larissa Reed – Chief Executive
<b>Classification</b>	Open
<b>Recommendations</b>	1. That the Committee notes the background and actions being taken to remedy the publication of 5 erroneous planning decisions.

## **1 Purpose of Report and Executive Summary**

- 1.1 To provide the Committee with the background to the recent publication of 5 erroneous planning decisions and an update on action being taken to ensure that lessons are learnt, and processes improved to safeguard against any future incident.

## **2 Background**

- 2.1 The Planning Support Manager was alerted on Thursday 19 August at 14:15pm of an issue with regards to a decision notice that was placed on Public Access (PA) which clearly contained content that was inappropriate.
- 2.2 The ICT team, who provide technical support for the system were contacted to investigate the origin of the document and it was immediately removed from public view. The document had been placed on PA at 11:53am and was removed 14:37pm.
- 2.3 The ICT team were quickly able to establish that the system configuration was erroneously set to save documents being worked on within the Test system to the Live Document Management System (DMS). When decision notices are saved into the live DMS they are automatically published onto PA and viewable by the public.
- 2.4 Whilst the system configuration was immediately rectified this meant that the testing that had been carried out in the test system had placed 6 erroneous decisions onto the live PA site. All 6 erroneous decisions were removed by just after 3pm.
- 2.5 Email notifications of the decisions were not sent to those tracking the applications and knowledge of the decisions was limited to anyone that had independently gone into PA to view details of the applications in the period from 11.53am to 3pm. The council has no means of tracking if or how many individuals might have viewed the decisions.

2.6 Of the 6 erroneous decisions 5 related to Swale Borough Council:

21/500150/FULL - The Wheatsheaf, 90 East Street, Sittingbourne

21/500204/FULL - Old House At Home, 158-162 High Street, Sheerness

21/500173/FULL - Land East Of Hawes Woods, High Oak Hill (Happy Pants)

21/500306/FULL - 25 Chaucer Road, Sittingbourne

21/500222/FULL - Grove End Farm, Bredgar Road, Tunstall

2.7 To understand the legal implications and options for progressing the erroneous decisions a legal view was sought from Mid Kent Legal Services which initially identified two possible options.

1, To hold that in the absence of any authority to make a decision the decision notices were ultra vires and therefore are not valid/binding decisions.

2, To hold that the decision notices, albeit issued in error, represent a legally binding decisions and seek to quash the decisions through the process of judicial review before issuing the correct decisions.

2.8 To gain clarity regarding the risks associated with each option Counsel opinion was sought with advice received on the 25<sup>th</sup> August. That advice firmly advised against option 1 with option 2 held to be the quickest, easiest, cheapest and cleanest means to resolve the error.

2.9 The legal advice cited relevant caselaw supporting the argument that if a planning permission has been granted, there is no power to “withdraw” that planning permission on the basis that there has been an administrative error at some stage in the decision making process and that developers are generally entitled to rely on a grant of planning permission as valid and lawful unless a court has decided otherwise.

2.10 There are also numerous examples of local planning authorities issuing decisions by mistake with the Courts having shown a willingness to quash these decisions in order to correct the mistake by means of Judicial Review.

2.11 In line with that advice Mid Kent Legal Services were directed to commence proceedings for Judicial Review and a letter sent to the applicants affected to apologise for the error and outline the council’s intention to quash the erroneous decision. Copy provided as appendix A.

2.12 In progressing option 2 there was a requirement for the council to place the erroneous decision back on PA, including the inappropriate comments.

2.13 The timing of the letter to applicants, re publishing on PA of erroneous decision notices, member briefing and press release was coordinated and completed on the 7<sup>th</sup> September, with Judicial Review claims issued in the High Court on the 10<sup>th</sup> September.

- 2.14 The legal process is expected to take 2-3 months, with no requirement for a physical hearing. The cost is estimated at £8,270.
- 2.15 Given the significant impact of the error an investigation into the incident is being undertaken to identify any structural or process related weaknesses in the system. That Investigation is continuing and will report interim findings by the 17<sup>th</sup> September.
- 2.16 Without prejudice to the investigation report and any recommendation that may follow, the Planning Support Manager has discussed the error with the member of staff that entered the inappropriate comments within the erroneous decisions, an experienced member of staff who has previously undertaken similar testing (successfully) in the past.
- 2.17 In undertaking the testing the member of staff had no notification or indication that their work was not contained completely within that Test system. Nevertheless, they fully recognise the inappropriateness of the wording and deeply regret the impact that their action has had on the Council and Planning Support Service.
- 2.18 The incorrect system configuration appears to stem from an error which happened at some point in the last few months when files were copied from one part of the system to another. This error created two separate commands within the system to post saved documents into the live DMS.
- 2.19 As part of standard operating procedure when preparing for testing, the ICT service created a mirror of the live system to copy across to the test system. In keeping with that procedure ICT deleted the known command instructing the system to save documents to the live DMS.
- 2.20 However, ICT did not delete (because they did not know about) the second, erroneous, command. Therefore, this command remained active in the test system and so, unknown to the user, acted to publish the test information as soon as it was saved.
- 2.21 ICT have since amended their standard procedures to perform a more comprehensive check of system configurations when preparing test files.
- 2.22 The question of precisely how this second, erroneous, command came to be present in the system is still under investigation. This investigation is being carried out with the support of the external software provider.

### **3. Service Background**

- 3.1 The Mid Kent Planning Support Service is one of a number of shared services operating through Mid Kent Services (MKS) and has been operational since 2014.

- 3.2 The single combined planning support shared service is formalised with the relationship and responsibility of the partners (Swale BC and Maidstone BC) captured within a Collaboration Agreement.
- 3.3 The stated intention within the agreement is for the Authorities to work together on a non-commercial basis with neither party to hold itself as the agent or servant of the other.
- 3.4 The service, initially shared with Maidstone and Tunbridge Wells did experience significant issues with performance during a difficult implementation phase (resulting in Tunbridge Wells withdrawing) but has for the past 5 years performed well, with performance routinely reported to members through the corporate performance monitoring arrangements within Swale BC.

Appendix C shows the current and previous performance of the Mid Kent Planning Service.

- 3.5 Additional oversight of service performance, along with that of other shared services is provided through the governance arrangements for Mid Kent Services which sees performance and cost scrutinised on a quarterly basis through a Shared Service Board (S151 Officers) and Executive Board (CEO's).
- 3.6 Oversight of delivery and direction of Mid Kent Services is provided by the MKS Board (Leaders) with all decision making referred to individual sovereign authorities.
- 3.7 There have been no performance or service issues concerning planning support raised through these forums since 2016 and the regular liaison meetings with the Head of Planning and representatives from the planning team (essentially the client for planning support) report a generally high level of satisfaction with the service received.
- 3.8 The service validates on average 1800 planning applications each year for Swale BC and consists of a shared team (transferred from Swale and Maidstone BC) of 15 FTE.

#### **4. Appendices**

- 4.1 The following documents are to be published with this report and form part of the report:
  - Appendix A: Letter to applicants
  - Appendix B: copy of decision notices
  - Appendix C: Performance data

#### **5 Background Papers**

None



Please ask for: Stephen McGinnes  
Tel No: 01622 602310  
Our Ref:  
Your Ref:  
Date: 07 September 2021

**BY EMAIL TO:**

Dear

I am writing to advise you that regrettably an error has been made in the processing of the above application.

On 19 August, testing was carried out on a change to the computer systems that sits behind the Public Access site viewed by applicants and residents. During this testing a 'dummy' decision notice was incorrectly published on the public access site. I must emphasise that the 'dummy' decision was aimed at reviewing the format and appearance of the decision notice, and in no way reflected a considered decision on your application which was yet to be determined by a planning officer or the council's planning committee.

As soon as the mistake was discovered, the notices were temporarily removed from the Public Access site, (before the notifications to interested parties were sent out) while the matter was referred to senior officers in the council and to take advice on how to deal with the situation.

As part of the ongoing investigation into what happened, legal advice has been received indicating that these decision notices – albeit published in error – need to be formally quashed through a legal process before a further decision, having undergone proper consideration and process can be published.

The most expedient lawful way for us to deal with these erroneous decisions so that we can re-make them correctly is through the council requesting a judicial review.

There is a statutory duty to publish planning decisions on the planning register. Unfortunately, this will unavoidably mean that we will need to republish the erroneous decision notice, including the unfortunate and inappropriate comments on them, pending the outcome of the judicial review proceedings.

Councils judicially reviewing their own planning decisions is not uncommon and can be a relatively straightforward process, providing the process is not contested. It is likely that

these will be settled promptly by way of consent order, which the judge will be asked to approve and which will be the basis for him to quash the decisions. The process is expected to take around 2-3 months, and we will of course be covering the costs involved ourselves.

Once the council has gone through this legal process and the erroneous decisions are quashed, the council will proceed to determine the application properly and issue the correct decision notice as quickly as possible.

I can only apologise for this error and the delay in the processing of this application that this has caused.

We will keep you informed of the process and if you have any queries regarding this matter then please do not hesitate to contact either myself or Caroline Pieri Planning Support Manager at [caroline.pieri@midkent.gov.uk](mailto:caroline.pieri@midkent.gov.uk) .

Yours Sincerely

A handwritten signature in black ink, appearing to read 'S. McGinnes'.

Stephen McGinnes  
Director of Mid Kent Services



Mr Forad Miah  
C/O Richard Baker Partnership  
FAO: Mr Richard Baker  
31 Highsted Road  
Sittingbourne  
Kent  
ME10 4PS

19 August 2021

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mr Forad Miah</b>
<b>DEVELOPMENT TYPE:</b>	<b>All other minor development</b>
<b>APPLICATION REFERENCE:</b>	<b>21/500306/FULL</b>
<b>PROPOSAL:</b>	<b>Change of use of butchers to a hot food takeaway with delivery service, including installation of extraction fan and alterations to shop front.</b>
<b>ADDRESS:</b>	<b>25 Chaucer Road Sittingbourne Kent ME10 1EZ</b>

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The Council hereby **REFUSES** Planning Permission for the above for the following Reason(s):

- (1) Just dont
- (2) No.



**James Freeman**  
**Head of Planning Services**  
**Swale Borough Council**

**IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES**

## NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ( [planningappeals@midkent.gov.uk](mailto:planningappeals@midkent.gov.uk) ) and Planning Inspectorate ( [inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk) ) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



Mr M McAllister  
C/O Kent Design Partnership  
FAO James Batson  
Grove Dairy Farm  
Bobbing Hill Bobbing  
Sittingbourne  
ME9 8NY

19 August 2021

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mr M McAllister</b>
<b>DEVELOPMENT TYPE:</b>	<b>Large Maj Dwellings</b>
<b>APPLICATION REFERENCE:</b>	<b>21/500204/FULL</b>
<b>PROPOSAL:</b>	<b>Demolition of existing public house and erection of a mixed-use building providing commercial floor space and 12 no. flats with associated parking, amenity space and cycle storage.</b>
<b>ADDRESS:</b>	<b>Old House At Home, 158-162 High Street, Sheerness, Kent, ME12 1UQ</b>

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The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (1) why
  - (2) am
  - (3) I
- 

**MKPS – Working in Partnership with:** Swale Borough Council

**Please Note:** All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: [planningsupport@midkent.gov.uk](mailto:planningsupport@midkent.gov.uk)

Access planning services online at: [www.swale.gov.uk](http://www.swale.gov.uk) or submit an application via

[www.planningportal.co.uk](http://www.planningportal.co.uk)

- (4) doing
- (5) this
- (6) am
- (7) I
- (8) the
- (9) chosen
- (10) one

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit [https://www.planningportal.co.uk/info/200126/applications/60/consent\\_types/12](https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12) and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



**James Freeman**  
**Head of Planning Services**  
**Swale Borough Council**

**Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website <https://www.swale.gov.uk/building-control>**

**IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES**



## NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ( [planningappeals@midkent.gov.uk](mailto:planningappeals@midkent.gov.uk) ) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



Pauline Panton & Philip Bartholomew  
C/O Hobbs Parker  
FAO: Mr Jonathan Lee  
Romney House  
Monument Way  
Orbital Park  
Kent  
TN24 0HB

19 August 2021

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Pauline Panton &amp; Philip Bartholomew</b>
<b>DEVELOPMENT TYPE:</b>	<b>Change of use</b>
<b>APPLICATION REFERENCE:</b>	<b>21/500222/FULL</b>
<b>PROPOSAL:</b>	<b>Change of use of agricultural barn to provide storage for seeds and crop protection products, precision farming services and office space.</b>
<b>ADDRESS:</b>	<b>Grove End Farm, Bredgar Road, Tunstall, Sittingbourne, Kent, ME9 8DY</b>

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The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (1) 1
  - (2) 2
  - (3) 3
- 

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[www.planningportal.co.uk](http://www.planningportal.co.uk)

- (4) 4
- (5) 5
- (6) 6
- (7) 7
- (8) 8
- (9) 9
- (10) 10
- (11) 11
- (12) 12
- (13) 13
- (14) 14
- (15) 15
- (16) 16
- (17) 17
- (18) 18
- (19) 19
- (20) 20

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit [https://www.planningportal.co.uk/info/200126/applications/60/consent\\_types/12](https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12) and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



**James Freeman  
Head of Planning Services  
Swale Borough Council**

**Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website**  
<https://www.swale.gov.uk/building-control>

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The Happy Pants Ranch  
FAO Miss Amey James  
High Vistas  
Hill Green Road  
Yelsted  
Sittingbourne  
Kent  
ME9 7UT

19 August 2021

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>The Happy Pants Ranch</b>
<b>DEVELOPMENT TYPE:</b>	<b>Large Major Other</b>
<b>APPLICATION REFERENCE:</b>	<b>21/500173/FULL</b>
<b>PROPOSAL:</b>	<b>Retrospective application for change of use of land from agricultural to animal rescue including new stock fencing and gates, mobile field shelters, small animal houses, shipping containers for storage, associated boundary treatment and stationing of a mobile caravan for use as a residential unit for staff.</b>
<b>ADDRESS:</b>	<b>Land East Of Hawes Woods High Oak Hill Iwade Road Newington Kent</b>

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The Council hereby **REFUSES** Planning Permission for the above for the following Reason(s):

- (0) Your proposal is whack
- (0) No mate, proper whack



**James Freeman**  
**Head of Planning Services**  
**Swale Borough Council**

**IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES**

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This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ( [planningappeals@midkent.gov.uk](mailto:planningappeals@midkent.gov.uk) ) and Planning Inspectorate ( [inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk) ) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



Mr Popat  
C/O Mr Graham Parkinson  
1 Haileybury Road  
Orpington  
BR6 9EZ  
United Kingdom

19 August 2021

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mr Popat</b>
<b>DEVELOPMENT TYPE:</b>	<b>Minor Dwellings</b>
<b>APPLICATION REFERENCE:</b>	<b>21/500150/FULL</b>
<b>PROPOSAL:</b>	<b>Partial demolition of existing public house and erection of a two/three storey side extension to form 4no. 2 bedroom duplex flats and 3no. 2 bed flats. Retention of existing public house use in the form of a micropub and retention of existing 2 bed flat above (7no. new flats in total) including provision of parking and amenity space.</b>
<b>ADDRESS:</b>	<b>The Wheatsheaf, 90 East Street, Sittingbourne, Kent, ME10 4RT</b>

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The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (1) Complete works within 3 years
  - (2) Incy
- 

**MKPS – Working in Partnership with:** Swale Borough Council

**Please Note:** All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: [planningsupport@midkent.gov.uk](mailto:planningsupport@midkent.gov.uk)

Access planning services online at: [www.swale.gov.uk](http://www.swale.gov.uk) or submit an application via

[www.planningportal.co.uk](http://www.planningportal.co.uk)

- (3) Wincy
- (4) Spider

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit [https://www.planningportal.co.uk/info/200126/applications/60/consent\\_types/12](https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12) and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



**James Freeman**  
**Head of Planning Services**  
**Swale Borough Council**

**Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website <https://www.swale.gov.uk/building-control>**

**IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES**

## NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

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- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

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If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ( [planningappeals@midkent.gov.uk](mailto:planningappeals@midkent.gov.uk) ) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

## Swale

Indicator	Quarter	2016/17	2017/18	2018/19	2019/20	2020/21	Target
% of decision notices issued in 1 working day or less	Q1	100	99.1	100.0	99.7	100.0	90%
	Q2	99.7	99.7	100.0	100.0	100.0	
	Q3	99.5	99.7	100.0	100.0	100.0	
	Q4	100	100	100.0	100.0	100.0	
% of enforcement cases logged within 1 day	Q1	91.9	92.3	94.3	98.15	96.5	90%
	Q2	92.1	97.1	92.5	89.8	94.2	
	Q3	95.7	92.3	96.2	94.9	92.9	
	Q4	95.8	92.86	96.8	92.8	90.41	
% of MKPS Appeal Questionnaires within target	Q1	100	100.0	92.3	100.0	86.7	90%
	Q2	100	100.0	92.8	100.0	94.7	
	Q3	100	92.3	100.0	81.8	83.3	
	Q4	90	88.8	100.0	86.7	100.0	
Average number of working days to validate (majors*, minors and others)	Q1	4	3	4	4	2	5
	Q2	3	3	2	2	3	
	Q3	2	3	2	2	3	
	Q4	3	3	2	2	2	
% of majors*, minors and others validated in time	Q1	82.5	93.4	72.9	74.1	97.2	80%
	Q2	83.8	91.5	96.8	95.3	93	
	Q3	96.2	87.5	96.0	96.3	95.3	
	Q4	82.7	88.6	94.7	94.6	95.8	
Average number of working days to validate all other application types	Q1	2	3	4	3	2	5
	Q2	3	3	2	2	2	
	Q3	3	3	2	3	3	
	Q4	3	3	2	2	2	
% of all other application types validated in time	Q1	94.3	82.8	74.9	89.5	97.9	80%
	Q2	89.4	92.8	97.0	97.1	95.7	
	Q3	89.7	86.8	96.4	88.8	94.4	
	Q4	82.9	86.22	95.75	91.6	96.3	

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# Agenda Item 5

<b>Scrutiny</b>	<b>Agenda Item: 5</b>
<b>Meeting Date</b>	23 September 2021
<b>Report Title</b>	Financial Management Report – First Quarter 2021/22
<b>Cabinet Member</b>	Cllr Roger Truelove, Leader and Cabinet Member for Finance
<b>SMT Lead</b>	Phil Wilson, Head of Finance and Procurement
<b>Head of Service</b>	Phil Wilson, Head of Finance and Procurement
<b>Lead Officer</b>	Phil Wilson, Head of Finance and Procurement, Caroline Frampton, Principal Accountant
<b>Key Decision</b>	Yes
<b>Classification</b>	Open
<b>Forward Plan</b>	Reference number:
<b>Recommendations</b>	<ol style="list-style-type: none"><li>1. To note the projected revenue overspend of £392,000.</li><li>2. To note the capital expenditure of £968,000 as detailed in paragraph 3.13 and Appendix I Table 7.</li><li>3. To note the transfer of £1.043m from the 2020/21 underspend to the Covid Recovery Fund as detailed in paragraph 3.9.</li><li>4. To note the delegation to the Chief Executive of the authority to top up the Pension and Redundancy Fund as set out in paragraph 3.10.</li><li>5. To note the additional Government funding received by the Council in response to the coronavirus as detailed in paragraph 3.3.</li><li>6. To note the capital variances and their funding as detailed in paragraph 3.15 and Appendix I Table 7 refers.</li><li>7. To note paragraph 3.14 regarding the Swallows Leisure Centre.</li></ol>

## 1. Purpose of Report and Executive Summary

1.1 This report sets out the revenue and capital projected outturn position for 2021/22. The report is based on service activity up to the end of June 2021 and is collated from monitoring returns from budget managers.

1.2 The headline figures are:

- Projected revenue overspend on services of £392,000 - Table 1;
- Projected net impact of the Coronavirus pandemic of £769,000 as at end of June 2021.

## **2. Background**

- 2.1 The Council operates a budget monitoring process at Head of Service level, with regular reports to the Leader and Cabinet Member for Finance and the Strategic Management Team.
- 2.2 Financial monitoring reports are presented to Cabinet on a quarterly basis, as well as to Scrutiny Committee.

## **3. Proposals**

### **Revenue Outturn**

- 3.1 As at the end of June 2021 the forecast revenue overspend projected to 31 March 2022 is £392,000.



**Table 1 - Projected Variance by Service at 30 June 2021**

<b>Service</b>	<b>Service Manager</b>	<b>Working Budget £</b>	<b>Projected Outturn £</b>	<b>Projected Variance £</b>
Chief Executive	L. Reed	263,320	206,320	(57,000)
Policy, Communications & Customer Services	D. Clifford	1,245,620	1,215,620	(30,000)
Democratic and Electoral Services	D. Clifford	1,053,570	1,079,570	26,000
Director of Regeneration	E. Wiggins	167,550	167,550	0
Housing, Economy & Community	C. Hudson	3,995,080	4,086,080	91,000
Planning	J. Freeman	899,180	825,180	(74,000)
Commissioning, Environment & Leisure	M. Cassell	6,287,290	6,695,290	408,000
Finance	P. Wilson	770,760	770,760	0
Revenues & Benefits	Z. Kent	362,860	405,860	43,000
Property	A. Adams	678,650	664,650	(14,000)
Licensing & Resilience	D. Fackrell	26,530	26,530	0
Environmental Health	T. Beattie	521,610	561,610	40,000
Information Technology	C. Woodward	1,361,710	1,361,710	0
Internal Audit	R. Clarke	184,220	184,220	0
Human Resources	B. Sandher	432,090	432,090	0
Legal	P. Narebor	516,780	463,780	(53,000)
Sittingbourne Regeneration	Corporate	0	0	0
STC - Cinema/Hotel/Restaurants	Corporate	(795,590)	(795,590)	0
STC - Retail Park	Corporate	(474,810)	(474,810)	0
Contributions to Reserves for services shown above (Table 2)	P. Wilson	0	84,000	84,000
Corporate Items	Corporate	2,571,580	2,669,580	98,000
<b>NET REVENUE SERVICE EXPENDITURE</b>		<b>20,068,000</b>	<b>20,630,000</b>	<b>562,000</b>
<b>Financed by:</b>				
Revenue Support Grant		(116,000)	(116,000)	0
Other Government Grants		(1,377,000)	(1,547,000)	(170,000)
Business Rates		(8,642,000)	(8,642,000)	0
New Homes Bonus		(1,028,000)	(1,028,000)	0
Collection Fund Surplus		(50,000)	(50,000)	0
Council Tax Requirement		(8,855,000)	(8,855,000)	0
<b>TOTAL FINANCING</b>		<b>(20,068,000)</b>	<b>(20,238,000)</b>	<b>(170,000)</b>
<b>NET EXPENDITURE</b>		<b>0</b>	<b>392,000</b>	<b>392,000</b>

3.2 The revenue overspend of £392,000 includes three anticipated contributions to reserves, which will be made at year-end in order to comply with statute and previous Cabinet decisions, and these are detailed below:

**Table 2: Transfer to Reserves from Ringfenced Services and non Ringfenced Services**

<b>Service</b>	<b>Description</b>	<b>£'000</b>
<b>Ringfenced Services:-</b>		
Revenues and Benefits	The net saving at year end will be transferred to the Revenues and Benefits reserve.	119
Local Planning & Conservation	The overspend on the local plan will be transferred to the reserve at year-end to be used solely to fund Local Plan associated work in accordance with previous Cabinet decisions.	(35)
<b>Total Ringfenced Services</b>		<b>84</b>
<b>Non Ringfenced Services:-</b>		
<b>Environment &amp; Leisure</b>	Proposed to use reserves to fund the loss of income claims re Leisure Centres (Covid) (reported in service line in Table 1)	(320)
<b>Total Non Ringfenced Services</b>		<b>(320)</b>
<b>TOTAL</b>		<b>(236)</b>

3.3 It is estimated that the Council will receive additional Government Covid funding of £170k of sales, fees and charges income for 2021/22. This is included in the forecasts in Table 1.

### **Business Rates**

3.4 The Council collects business rates and distributes them to preceptors including the Government, Kent County Council (KCC), the Fire Authority and the Council and this is accounted for in the Collection Fund. The original forecast for 2021/22 was that the Council would collect £53m in total in 2021/22. Later the Government announced new reliefs on business rates for retail, local newspapers and nurseries which would reduce the income from business rates by £7m, but this will be offset by Government grants.

3.5 The Council budgeted that its share of the total business rates collected for 2020/21 would be £8.642m. There is a complicated system of levies and tariffs, and any deficit on the Collection Fund for 2021/22 will be allocated to each preceptor as a cost in future years.

3.6 The Business Rates Collection Fund has set aside £12m for appeals, of which the Council's share is £5m.

## Improvement and Regeneration Funds

3.7 Table 3 below details the first quarter position on a number of reserve funds.

**Table 3: Improvement and Regeneration Funds**

	Balance as at 1 April 2021	Topping Up of Funds 2021/22	Fund Committed as at 1 April 2021	Funds committed after 1 April 2021 (Appendix I Table 7) 2021/22	Anticipated Balance Unallocated as at 30/6/2021
<b>Funds</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Improvement and Resilience	1,000	0	0	(55)	945
Covid Recovery	0	1,043	0	0	1,043
Special Projects	1,055	1,000	(828)	(65)	1,162
Performance	271	0	(122)	(25)	124
Communities	411	0	(52)	(4)	355
Pension & Redundancy	52	0	0	0	52
Regeneration	149	0	0	0	149
Local Loan Fund	175	0	0	0	175
<b>TOTAL</b>	<b>3,113</b>	<b>2,043</b>	<b>(1,002)</b>	<b>(149)</b>	<b>4,005</b>

3.8 Table 6 in Appendix I details the new allocations from the above funds to date.

3.9 Cabinet on 14 July 2021 agreed to the allocation of the 2020/21 surplus of £1,043,000 to the Covid Recovery Fund. In addition the Special Projects Fund has been topped up by £1m.

3.10 It is proposed that the Pension & Redundancy Fund is topped up by £50,000. The General Fund position as at 1/4/2021 was £4,484,000. Cabinet on 14 July 2021 agreed the following, 2020/21 rollovers £294,000, litigation costs £113,000, transfer to the Covid Recovery Fund of £1,043,000 and top up of the General Reserve of £178,000. This leaves a balance on the General Fund of £2,856,000. The minimum level of the General Fund is £1.5m.

## Capital Expenditure

3.11 This section of the report details actual capital expenditure to end of June 2021 and highlights any variations between the revised 2021/22 capital budget and the projected outturn.

3.12 The revised budget includes the following approvals:-

- capital rollovers of £5,880,664 from 2020/21 as agreed by Cabinet 14 July 2021;

- St Anne's Footbridge Lighting £41,250 – to be met from Special Project Funding;
  - Master's House £1.55m – to be met from the Minster Cliff capital receipt £850,000, £250k grant funding and the balance of £450k will be taken from the Improvement & Recovery Funds as agreed by Cabinet 17/3/2021 (minute 564/3/2021);
  - Sheerness War Memorial – £60,000 payment is a grant and £16,000 is a loan. To be funded from the Sheerness Improvement Fund of £250,000 (Cabinet Report 16/12/20 minute 350/12/2020).
- 3.13 Actual expenditure to end of June 2021 was £967,692. This represents 4% of the revised budget. Further details are set out in Table 7 of Appendix I.
- 3.14 In July 2020 Cabinet were informed about the need for replacement of the roof at Swallows Leisure Centre. Initial projections were a project cost of between £800k to £1 million. £743k was earmarked in the capital programme at Cabinet in September 2020. The replacement project has been successfully completed and residents are now enjoying the facilities again. This is despite the restrictions and complications experienced through the pandemic and further inclement weather that both led to delays. The final project account is expected to be £835,091 therefore additional capital of £81,740 will be allocated funded through the use of the Leisure centre repairs reserve. £10,351 was funded in 2020/21 from internal resources.
- 3.15 The following projects totalling £596,740 (of which £86,700 is internal funding) required approval by Cabinet for funding in 2021/22:-
- Faversham Recreation Ground Improvement £16,000 – this is fully funded from external grant;
  - CCTV Monitoring Control Centre at Multi Storey Car Park (MSCP) £5,000 – to be met from CCTV Renewals & Reserves Fund;
  - Winter Warmth Grants £7,000 – this is fully funded from external grant;
  - Queenborough & Rushenden Klondyke Land £487,000 – this is fully funded from External Grant;
  - Swallows Leisure Centre Roof £81,740 – funded from reserves (refer to paragraph 3.14 above).
- 3.16 Table 4 below summarises the capital expenditure to date compared to the revised budget.

**Table 4: Capital Programme Expenditure**

	<b>2021/22 Revised Budget</b>	<b>2021/22 Actual to Date</b>	<b>2021/22 Projected Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Commissioning, Environment & Leisure	1,933	70	98
Housing, Economy & Community Services	18,251	843	499
Property	4,612	55	0
Information Technology	350	0	0
<b>Total Capital Programme</b>	<b>25,146</b>	<b>968</b>	<b>597</b>
<b>Total funded by the Council</b>	<b>19,072</b>	<b>196</b>	<b>87</b>
<b>Total Partnership funded</b>	<b>6,074</b>	<b>772</b>	<b>510</b>
<b>% Spent to date compared to Revised Budget</b>			<b>4</b>

**Payment of Creditors**

3.17 For April to June 2021, 98.6% of invoices from suppliers were paid within 30 days of receipt of invoice against the target of 97%.

**Sundry Debtors**

3.18 Tables 8.1 and 8.2 in Appendix I analyse the sundry debt outstanding.

**4. Alternative Options**

4.1 None identified – this report is largely for information.

**5. Consultation Undertaken or Proposed**

5.1 Heads of Service and Strategic Management Team have been consulted in preparing this report.

**6. Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	Good financial management is key to supporting the Corporate Plan objectives.
Financial, Resource and Property	As detailed in the report
Legal, Statutory and Procurement	None identified at this stage.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	The report identifies a wide range of expenditure headings which support the Council's Climate and Emergency Action Plan.
Health & Wellbeing	None identified at this stage.

Issue	Implications
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The Council's overall financial position is a key risk in the Council's Corporate Risk Register.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

## 7. Appendices

7.1 The following documents are published with this report and form part of the report:

- Appendix I: Financial Report 2021/22

## 8. Background Papers

[Revenue Budget and Capital Programme 2021/22](#)

<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>
<b>CHIEF EXECUTIVE – Cllr R Truelove (Larissa Reed)</b>	
<b>Other Variances:</b>	
Salary underspend	(39)
Special Projects & Swale Stars	(15)
Other net savings	(3)
<b>TOTAL</b>	<b>(57)</b>
<b>POLICY, DEMOCRATIC SERVICES, COMMUNICATIONS AND CUSTOMER SERVICES – Cllr R Truelove (David Clifford)</b>	
<b>Policy, Communications &amp; Customer Services:</b>	
<b>Other Variances:</b>	
Salary underspend – Policy – a reorganisation is underway and therefore no variance has been reported at this stage	-
Salary underspend – Customer Service Centre	(24)
Contract underspend – Kent County Council Sheerness Gateway no underspend forecast at this stage	-
Other variances	(6)
<b>Sub Total</b>	<b>(30)</b>
<b>Democratic Services and Electoral Services:</b>	
<b>Other Variances:</b>	
Salary underspend – Democratic Services & Electoral Services – a reorganisation is underway and therefore no variance has been reported at this stage	-
Democratic Services – Members Allowances & Travel – additional costs	26
<b>Sub Total</b>	<b>26</b>
<b>TOTAL</b>	<b>(4)</b>
<b>DIRECTOR OF REGENERATION – (Emma Wiggins)</b>	
<b>Other Variances:</b>	
Nil variance	-
<b>TOTAL</b>	<b>-</b>
<b>HOUSING, ECONOMY AND COMMUNITY SERVICES – Cllr B Martin, Cllr J Saunders, Cllr R Palmer, Cllr M Bonney, Cllr A Harrison (Charlotte Hudson)</b>	
<b>Economy &amp; Community Services:</b>	
<b>Other Variances:</b>	
Nil variance	-
<b>Sub-total</b>	<b>-</b>
<b>Housing:</b>	
<b>Other Variances:</b>	
Homelessness – temporary accommodation houses overspend	13
Homelessness – other overspend	79

Table 5 – Significant Variances

APPENDIX I

<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>
Private Sector Housing – net variations	(1)
<b>Sub-total</b>	<b>91</b>
<b>TOTAL</b>	<b>91</b>
<b>PLANNING - Cllr M Baldock (James Freeman)</b>	
<b>Other Variances:</b>	
Planning Fees income Including potential fee income from New Garden Community applications at Highsted Park	(378)
Appeal Costs – see note below	-
Development Control / Services – salaries overspend offset by additional planning fees income	70
Spatial Planning Team – salaries underspend offset by additional agency expenditure	(15)
Planning consultation advice	50
Transport consultation advice	50
Legal advice on major applications and other plans	50
Other specialist advice	50
Local Plan overspend. This will be funded from the Local Plan reserve	35
Conservation, Design and Heritage staff - overspend	14
Other	-
<b>TOTAL</b>	<b>(74)</b>
<b>N.B. The overspend on the local plan will be met from the ring-fenced reserve to be used solely to fund Local Plan associated work.</b>	
<i>The Council did not approve a planning application for a housing development at Wises Lane. Settlement of costs is expected be £85k.</i>	
<b>COMMISSIONING, ENVIRONMENT AND LEISURE – Cllr Saunders, Cllr A Harrison, Cllr R Palmer (Martyn Cassell)</b>	
<b>Coronavirus Related Variances:</b>	
<b>Parking Management:</b>	
Car Parks pay and display – income shortfall	600
Parking season tickets – income shortfall	35
Parking Penalty Charge Notices (PCN's) – income shortfall	33
Parking Enforcement – deficit relating to on-street parking	69
Parking – mileage costs	(2)
Multi-Storey Car Park – income shortfall	40
<b>Leisure &amp; Sports Centres:</b>	
Swallows and Sheppey Leisure Centres - Loss of income (LOI) claims	320
To be offset by reserves	(320)
<b>Public Conveniences</b> – additional equipment costs	5



Table 5 – Significant Variances

APPENDIX I

<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>
<b>Other Variances:</b>	
<b>Environmental Response Team:</b>	
Section 96 of the Clean Neighbourhoods and Environment Act of 2005 advises that income must be spent on 'qualifying functions'. Any surplus will be transferred to the ring-fenced account at year end	0
<b>Cemeteries:</b>	
Premises expenditure	4
<b>Client &amp; Amenity Services:</b>	
Head of Service and Client and Amenity Services – salary & staff costs savings	(15)
<b>Coast Protection/Harbour &amp; Quays and Seafront – net underspend</b>	(4)
<b>Commissioning, Customer Contact, Contracts &amp; Procurement:</b>	
Other	(1)
<b>Animal Welfare/Dog Warden Service – net overspend</b>	5
Highways – net underspend	(1)
<b>Leisure &amp; Sports Centres:</b>	
Other – net overspend	3
<b>Recycling &amp; Waste Minimisation, Refuse Collection and Street Cleansing:</b>	
Garden Waste collections – additional income	(222)
Wheeled Bins purchase – additional expenditure (increasing replacements needed of original bins). <i>Intend to use the 'Wheeled Bins Repairs &amp; Renewals Reserve' to fund costs of £150,000 this year.</i>	0
Variations to Contract – savings	(20)
Special Collections – additional income (incl. bulky waste)	(49)
Other – net savings	(12)
<b>Public Conveniences:</b>	
Public Conveniences – cost savings on premises expenses	(17)
Contract cost additional expenditure	16
<b>Parks &amp; Open Spaces, Sports Pitches, Countryside &amp; Country Parks, Allotments and Pest Control:</b>	
Play areas – equipment maintenance & purchase	2
Other – net costs	(8)
<b>Parking Management:</b>	
Parking Partnership – additional costs with Maidstone Borough Council.	7
Multi-Storey Car Park additional income from season tickets	(64)
Other – net costs	4
<b>TOTAL</b>	<b>408</b>

<b>Service – Cabinet Member (Head of Service)</b>	
<b>FINANCE – Cllr R Truelove (Phil Wilson)</b>	
<b>Other Variances:</b>	
Nil variance reported	-
<b>TOTAL</b>	<b>-</b>
<b>REVENUES &amp; BENEFITS – Cllr R Truelove (Phil Wilson)</b>	
<b>Coronavirus Related Variances:</b>	
Reduced income – Mid Kent debt recovery due to courts being shut (this is the worst case scenario) and assumes there will be no profit distribution for 2021/22	159
<b>Other Variances:</b>	-
Department for Works and Pensions (DWP) additional housing benefit grants (*)	(99)
DWP Housing Benefit Admin Subsidy Grant increase (*)	(20)
Net Other Costs	3
<b>TOTAL</b>	<b>43</b>
N.B. A net saving of (£119k) as detailed (*) will be transferred to reserves at year end	
<b>PROPERTY SERVICES – Cllr M Bonney (Emma Wiggins)</b>	
<b>Other Variances:</b>	
Property salary underspend due to vacant post which is unlikely to be filled in 2021/22	(34)
Net Other Costs	20
<b>TOTAL</b>	<b>(14)</b>
<b>LICENSING &amp; RESILIENCE PLANNING –Cllr R Palmer, Cllr R Truelove (Della Fackrell)</b>	
<b>Other Variances:</b>	
Other net variances	-
<b>TOTAL</b>	<b>-</b>
<b>ENVIRONMENTAL HEALTH – Cllr J Saunders (Tracey Beattie)</b>	
<b>Other Variances:</b>	
Shared Service costs – 2021/22 Budget reported service savings for the Air Quality Project Officer.	40
<b>TOTAL</b>	<b>40</b>
<b>INFORMATION TECHNOLOGY – Cllr R Truelove (Chris Woodward)</b>	
<b>Other Variances:</b>	
Nil variance reported	-
<b>TOTAL</b>	<b>-</b>

<b>Service – Cabinet Member (Head of Service)</b>	
<b>INTERNAL AUDIT – Cllr R Truelove (Rich Clarke)</b>	
<b>Other Variances:</b>	
Nil variance reported	-
<b>TOTAL</b>	<b>-</b>
<b>HUMAN RESOURCES – Cllr R Truelove (Bal Sandher)</b>	
<b>Other Variances:</b>	
Nil variance reported	-
<b>TOTAL</b>	<b>-</b>
<b>LEGAL – Cllr R Truelove (Patricia Narebor)</b>	
<b>Other Variances:</b>	
Legal shared service – reduced costs	(43)
S106 additional income – additional income	(10)
External legal fees	-
<b>TOTAL</b>	<b>(53)</b>
<b>CONTRIBUTIONS TO/FROM (-) RESERVES FROM SERVICES SHOWN ABOVE (Table 2)</b>	
Local Plan	(35)
Revenue Services	119
<b>TOTAL</b>	<b>84</b>
<b>CORPORATE ITEMS</b>	
<b>Other Variances:</b>	
Net interest	13
Insurance – additional properties and increases in the All Risks portfolio	46
Other net staff costs	40
Other net savings	(1)
<b>TOTAL</b>	<b>98</b>
Net Financing variations – additional Covid grants	(170)
<b>NET EXPENDITURE (Overspend)</b>	<b>392</b>

The forecast salary variances identified in Table 5 above are collated in the table below and total £19k underspend on the total salary/ agency budget of £13.6m.

<b>Service</b>	<b>£'000</b>
Salary underspend - Chief Executive	(39)
Salary underspend – Customer Service Centre	(25)
Salary overspend – Housing	47
Salary overspend - Development Management/Enforcement	70

**Table 5 – Significant Variances****APPENDIX I**

<b>Service</b>	<b>£'000</b>
Salary underspend – Spatial Planning	(15)
Salary overspend - Conservation, Design and Heritage	14
Salary underspend - Commissioning, Environment & Leisure	(27)
Salary underspend – Property due to vacancies	(34)
Salary underspend – Legal	(50)
Net other staff costs including pension costs	40
<b>Total</b>	<b>(19)</b>

Table 6 – 2021/22 New allocations from Funds

APPENDIX I

	£'000
<b>Special Project Fund</b>	
Wild Estuary	37,080
Application for Play Area Refurbishment	28,000
<b>Total Special Project Fund Approved as at 30 June 2021</b>	<b>65,080</b>
<b>Improvement and Resilience Fund</b>	
Early Childhood Development Pilot Project	39,916
Digital review of Visit Swale and digital media channels (Twitter and Facebook)	5,000
Sheppey Community Bus	10,000
<b>Total Improvement and Resilience Fund Approved as at 30 June 2021</b>	<b>54,916</b>
<b>Performance Fund</b>	
Consultancy costs for writing Waste, Recycling and Street Cleansing specification ready for retender	25,000
<b>Total Performance Fund Approved as at 30 June 2021</b>	<b>25,000</b>
<b>Communities Fund</b>	
Sittingbourne Community Hub – Capacity and Demand Report	1,375
20's Festival Community Grant Support	3,000
<b>Total Communities Fund Approved as at 30 June 2021</b>	<b>4,375</b>
<b>Total All Funds as at 30 June 2021</b>	<b>149,371</b>

**Table 7 – Capital Programme 2021/22**

Capital Scheme	Funding SBC/ Partnership (P)	2021/22 Original Budget £	2020/21 Rollovers (Agreed by Cabinet 14/07/21) £	Other Approvals (refer to paragraph 3.12 in Report) £	2021/22 Revised Budget £	2021/22 Actual to Date £	2021/22 Projected Variance for Year £	Notes
<b>Commissioning, Environment &amp; Leisure - M. Cassell</b>								
Gunpowder Works Oare, Faversham - S106	P	0	9,000	0	9,000	0	0	
New Play Area - Iwade Schemes – S106	P	0	45,000	0	45,000	0	0	
Minster Leas Promenade Resurfacing – External Grant	P	0	79,970	0	79,970	0	0	
Modular Toilet Kiosk – Minster Leas – Reserves	SBC	0	24,355	0	24,355	0	0	
Milton Creek Country Park Access Road – Reserves	SBC	0	40,000	0	40,000	0	0	
Barton’s Point Coastal Park – Replacement Bridge – Capital Receipts	SBC	0	148,406	0	148,406	0	0	
Faversham Recreation Ground Outdoor Gym equipment – S106	SBC	0	4,937	0	4,937	0	0	
Faversham Recreation Ground Improvement - S106	P	0	0	0	0	15,804	15,804	(A)
Open Spaces Play Equipment - S106 (Budget only)	P	100,000	356,000	0	456,000	0	0	
Leisure Centres (Budget Only)	SBC	0	293,850	0	293,850	0	0	
Swallows Leisure Centre - Capital Works (Swallows roof)	SBC	0	0	0	0	14,792	81,740	(B)
Play Improvements - Reserves	SBC	0	150,000	0	150,000	0	0	
Play Improvements - Capital Receipts	SBC	50,000	0	0	50,000	0	0	
Play Improvements, Diligent Drive – Reserves	SBC	0	18,000	0	18,000	0	0	
Public Toilets Refurbishment, Forum, Sittingbourne – Reserves	SBC	0	42,084	0	42,084	0	0	

**Table 7 – Capital Programme 2021/22**

Capital Scheme	Funding SBC/ Partnership (P)	2021/22 Original Budget £	2020/21 Rollovers (Agreed by Cabinet 14/07/21) £	Other Approvals (refer to paragraph 3.12 in Report) £	2021/22 Revised Budget £	2021/22 Actual to Date £	2021/22 Projected Variance for Year £	Notes
Modular Public Toilets Kiosk, Milton Creek Country Park, Sittingbourne – Reserves	SBC	0	84,281	-84,281	0	0	0	
Public Toilets and Showers, Bartons Point, Sheppey – Reserves	SBC	0	100,000	84,281	184,281	0	0	
Wheeled Bins – Repairs & Renewals Reserve	SBC	35,000	251,000	0	286,000	0	0	
Beach Huts – Capital Receipts	SBC	0	60,000	0	60,000	0	0	
St Anne's Footbridge Lighting – Reserves	SBC	0	0	41,250	41,250	39,512	0	(C)
<b>Total Commissioning, Environment &amp; Leisure</b>		<b>185,000</b>	<b>1,706,883</b>	<b>41,250</b>	<b>1,933,133</b>	<b>70,108</b>	<b>97,544</b>	
<b><u>Housing, Economy &amp; Communities Services - C. Hudson</u></b>								
Disabled Facilities Grants (DFG) Mandatory Grants – External Grant	P	2,062,800	1,238,463	0	3,301,263	261,997	0	
DFG Discretionary Grants – External Grant	P	0	1,927,530	0	1,927,530	0	0	
CCTV - Repairs & Renewals Reserve	SBC	15,000	30,000	0	45,000	0	0	
CCTV Monitoring Control Centre at MSCP – Reserves	SBC	0	0	0	0	4,959	4,959	(D)
Sittingbourne Town Centre – internal / external borrowing	SBC	0	659,331	0	659,331	2,500	0	
Winter Warmth Grants – External Grant	P	0	0	0	0	6,779	6,779	(E)
Footpath contribution - High St, Sittingbourne – S106	P	0	5,660	0	5,660	0	0	
Faversham Creek Basin Regeneration Project (swing bridge) – Capital Receipts	SBC	0	200,000	0	200,000	0	0	

**Table 7 – Capital Programme 2021/22**

Capital Scheme	Funding SBC/ Partnership (P)	2021/22 Original Budget £	2020/21 Rollovers (Agreed by Cabinet 14/07/21) £	Other Approvals (refer to paragraph 3.12 in Report) £	2021/22 Revised Budget £	2021/22 Actual to Date £	2021/22 Projected Variance for Year £	Notes
Local Authority Housing Company – internal / external borrowing	SBC	11,750,000	0	0	11,750,000	3,300	0	
Queenborough & Rushenden Klondyke Land – External Grant	P	0	0	0	0	487,445	487,445	(F)
Sheppey Hall Improvements – Reserves	SBC	40,000	0	0	40,000	0	0	
Thistle Hill Comm Centre, Solar PV installation – Reserves	SBC	20,000	0	0	20,000	0	0	
Sheppey Improvement Fund – Capital Receipts	SBC	250,000	0	(76,000)	174,000	0	0	(G)
Sheppey Improvement Fund - Sheerness War Memorial – External Grant made	SBC	0	0	60,000	60,000	60,000	0	(G)
Sheppey Improvement Fund - Sheerness War Memorial – Loan made	SBC	0	0	16,000	16,000	16,000	0	(G)
Land Regeneration/Improvement Works at Dolphin Barge Museum and Skatepark – Reserves	SBC	37,920	0	0	37,920	0	0	
Land Regeneration/Improvement Works at Dolphin Barge Museum and Skatepark – Capital Receipts	SBC	14,140	0	0	14,140	0	0	
<b>Total Housing, Economy &amp; Communities Services</b>		<b>14,189,860</b>	<b>4,060,984</b>	<b>0</b>	<b>18,250,844</b>	<b>842,980</b>	<b>499,183</b>	



**Table 7 – Capital Programme 2021/22**

Capital Scheme	Funding SBC/ Partnership (P)	2021/22 Original Budget £	2020/21 Rollovers (Agreed by Cabinet 14/07/21) £	Other Approvals (refer to paragraph 3.12 in Report) £	2021/22 Revised Budget £	2021/22 Actual to Date £	2021/22 Projected Variance for Year £	Notes
<b><u>Property</u></b>								
Swale House Refurbishment	SBC	3,000,000	62,400	0	3,062,400	0	0	
Sheppey Capital Investments – Capital Receipts	SBC	850,000	0	-850,000	0	0	0	(H)
Redevelopment of Master’s House, Sheerness – Capital Receipts	SBC	0	0	850,000	850,000	54,604	0	(H)
Redevelopment of Master’s House, Sheerness – External Grants	P	0	0	250,000	250,000	0	0	(H)
Redevelopment of Master’s House, Sheerness – Reserves	SBC	0	0	450,000	450,000	0	0	(H)
<b>Total Property</b>		<b>3,850,000</b>	<b>62,400</b>	<b>700,000</b>	<b>4,612,400</b>	<b>54,604</b>	<b>0</b>	
<b><u>ICT - C. Woodward</u></b>								
I.T. MKIP Payment – Reserves	SBC	299,300	50,397	0	349,697	0	0	
<b>Total ICT</b>		<b>299,300</b>	<b>50,397</b>	<b>0</b>	<b>349,697</b>	<b>0</b>	<b>0</b>	
<b>Total Capital Programme Funded by SBC</b>	<b>SBC</b>	<b>16,361,360</b>	<b>2,219,041</b>	<b>491,250</b>	<b>19,071,651</b>	<b>195,667</b>	<b>86,699</b>	
<b>Total Capital Programme Funded by Partners</b>	<b>P</b>	<b>2,162,800</b>	<b>3,661,623</b>	<b>250,000</b>	<b>6,074,423</b>	<b>772,025</b>	<b>510,028</b>	
<b>Total Capital Programme</b>		<b>18,524,160</b>	<b>5,880,664</b>	<b>741,250</b>	<b>25,146,074</b>	<b>967,692</b>	<b>596,727</b>	

**NOTES TO TABLE 7:-**

- A – to be funded from external grant.
- B – to be met from Leisure reserves £82k (refer to paragraph 3.14).
- C – to be funded from Special Project Fund bid £41,250.
- D – to be met from CCTV reserve.

E – to be funded from external grants.

F – to be funded from external grants.

G – to be funded from the Sheerness Improvement Fund of £250k.

H - Master's House, Sheerness – low carbon refurbishment – Cabinet approved scheme 17 March 2021 (minute 564/03/2021). To be funded from the £850,000 capital receipts from Minster Cliffs, £250,000 Carbon Grant and the balance of £450,000 to be met from the Improvement & Resilience Fund. Total approved funding is £1.55m.

Table 8.1 – Sundry Debt Outstanding (including not due) by due date

	June 2021 £'000	June 2020 £'000
Not due (less than 1 month)	412	341
1-2 months	311	7
2-6 months	84	130
6-12 months	116	237
1-2 years	44	57
2-3 years	26	28
3-4 years	20	11
4-5 years	8	4
5-6 years	-	25
6 years +	29	34
<b>Total</b>	<b>1,050</b>	<b>874</b>
<b>Total due (over 1 month)</b>	<b>638</b>	<b>533</b>
<b>% Total over 1 month</b>	<b>61</b>	<b>61</b>

1 -2 months includes Kent Waste Management £298k (KCC).

2 - 6 months includes £14k relating to Kent Auto Salvage and £16k related to KCC.

6 – 12 months £64k relating to Biffa Municipal.

2 – 3 years includes £9k car loan; £5k relating to charges on property.

3 - 4 years include £4k relating to charges on property.

6 years + includes £24k relating to charges on property. The balance are rent deposit debts which are being paid off via payment plans.

It should be noted that these tables include debts raised for all our grants receivable from Kent County Council, the NHS, etc.

Table 8.2 – Sundry Debt Outstanding (including not due) by Service

	June 2021 £'000	June 2020 £'000
Property	123	262
Commissioning, Environment & Leisure	439	60
Housing, Economy & Communities	206	274
Legal	5	7
Environmental Health	17	18
Planning	4	19
Communications	1	0
Other	255	234
<b>Total</b>	<b>1,050</b>	<b>874</b>

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<b>Scrutiny Meeting</b>	
<b>Meeting Date</b>	23 September 2021
<b>Report Title</b>	<b>Performance Monitoring – 2021/22 Quarter 1</b>
<b>Cabinet Member</b>	Cllr Roger Truelove, Leader and Cabinet Member for Finance
<b>SMT Lead</b>	David Clifford, Head of Policy, Communications and Customer Services
<b>Lead Officer</b>	Tony Potter, Policy and Performance Support Officer

## **1 Purpose of Report and Executive Summary**

- 1.1 This report presents the quarterly performance management report for the first quarter of 2021/2022 (April – June 2021) as previously reported to SMT and informal Cabinet (attached as Appendix I).

## **2 Background**

- 2.1 This is the first performance report for the current financial year as explained within the report attached.

## **3 Proposal**

- 3.1 Scrutiny are asked to **note** the Performance Management Report for 2021/2022 Q1 as attached at Appendix I.

## **4 Appendices**

- 4.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Performance Management Report: June 2021

## **5 Background Papers**

- Previous SMT performance reports

## Appendix 1

SMT Meeting		Agenda Item:
Meeting Date	3 August 2021	
Report Title	Performance Management Report: June 2021	
Cabinet Member	Cllr Roger Truelove, Leader and Cabinet Member for Finance	
SMT Lead	David Clifford, Head of Policy, Communications and Customer Service	
Head of Service	David Clifford, Head of Policy, Communications and Customer Service	
Lead Officer	Tony Potter, Policy and Performance Officer	
Recommendations	That SMT <i>notes</i> the latest performance position	

### 1 Purpose of Report and Executive Summary

- 1.1 This is the quarterly performance report for the period ending June 2021, summarising the Council's performance against the corporate indicators for the first quarter of the financial year to 30 June 2021.
- 1.2 At the end of June **81% of all indicators are Green**, **6% are Amber**, and **13% are Red**. This is a five percentage point improvement on the same period last year, and seventeen percentage point improvement on the previous year-end result.
- 1.3 More detail on each of the performance indicators on which this report is based can be found in Appendix I and accessed online at <http://www.swale.gov.uk/monthly-performance-monitoring/>.

### 2 Background

- 2.1 This report follows on from the previous year-end report for 2020-2021 and subsequent monthly reports.
- 2.2 SMT are asked to **note** the following:

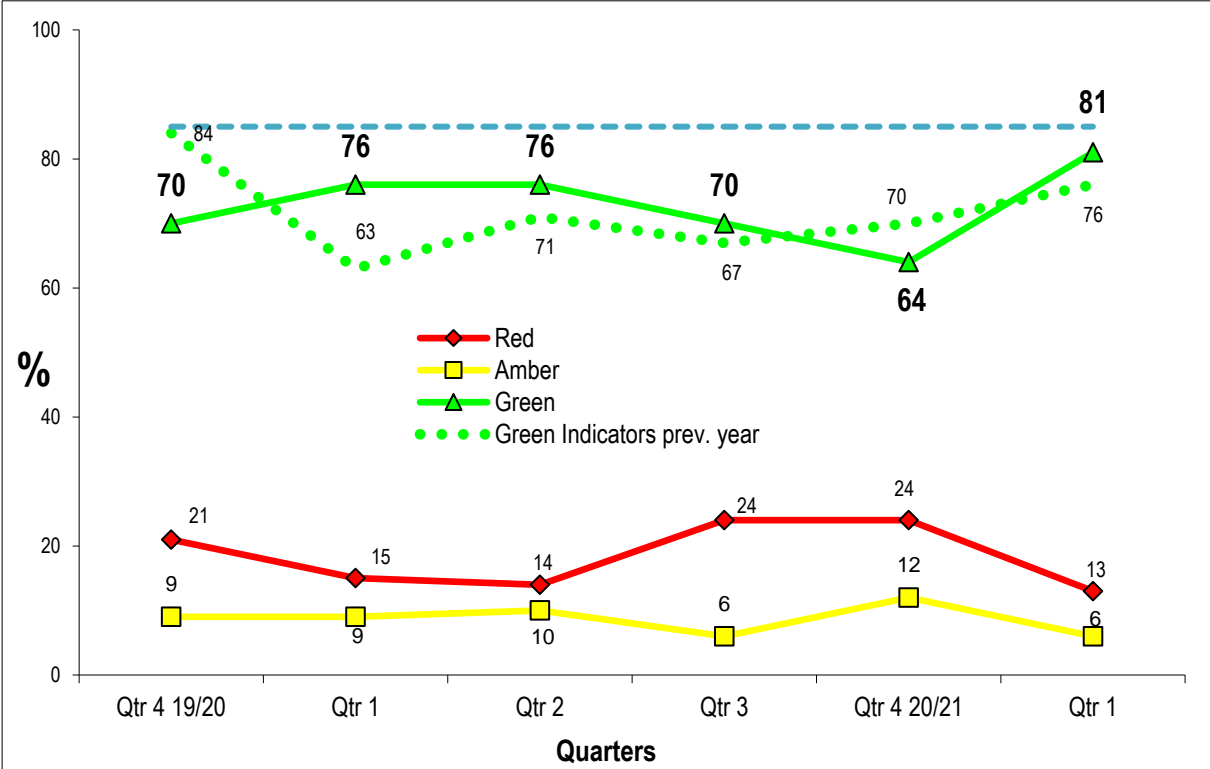
#### Year-to-date performance – all corporate indicators

- 2.3 Combining both monthly and quarterly KPI performance results together, shows that for Quarter 1:
  - twenty-six indicators (**81%**) are meeting target (**Green**);
  - two indicators (**6%**) are within 5% of meeting target (**Amber**); and
  - four indicators (**13%**) are more than 5% adrift of target (**Red**).

2.4 The status of all indicators is attached as Appendix I

2.5 Chart 1 below tracks the year-to-date progress of all corporate indicators for the current and previous four quarters.

Chart 1: Percentage of all corporate indicators achieving target at 30 June 2021



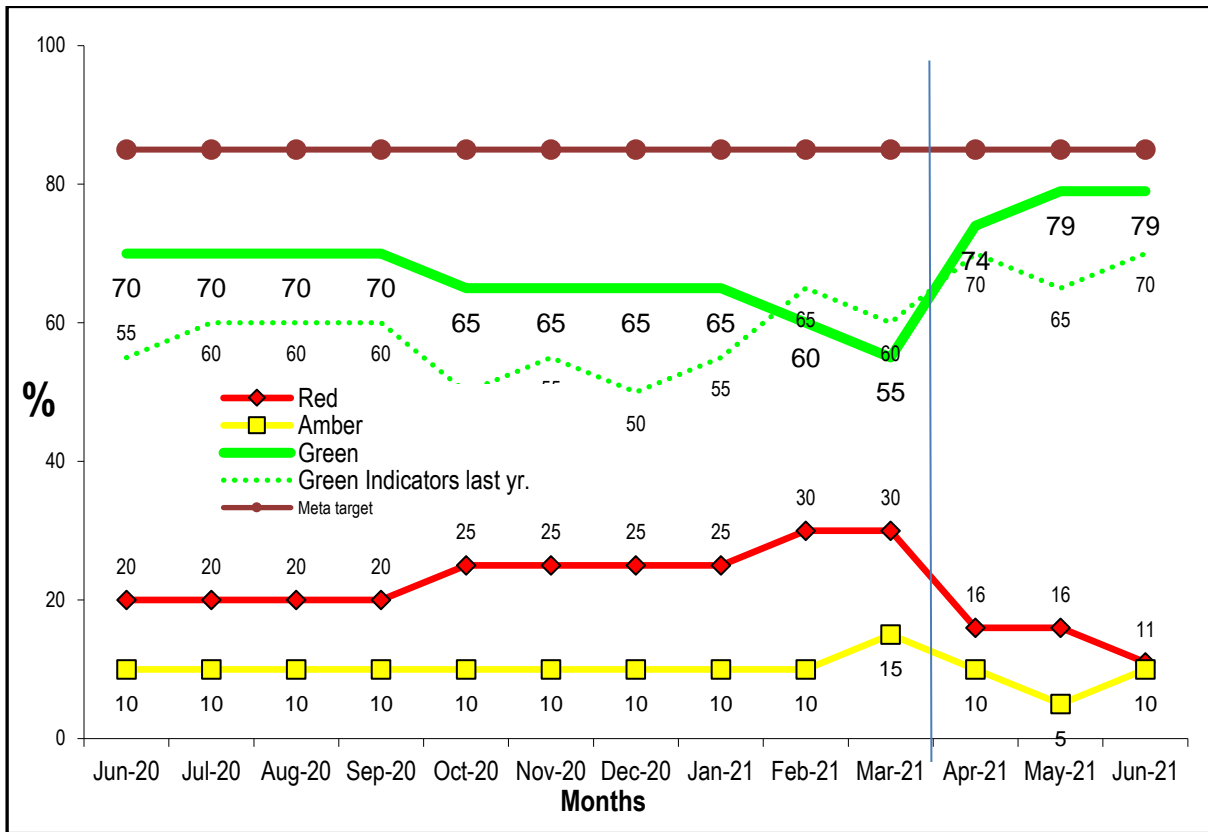
**Year-to-date performance – monthly indicators**

2.6 A summary of performance against the 19 corporate indicators which are routinely reported on a monthly basis, shows that for the year to 30 June:

- fifteen indicators (79%) are meeting target (Green);
- two indicators (10%) are within 5% of target: (Amber); and
- two indicators (11%) are more than 5% adrift of target (Red).

2.7 Chart 2 below tracks the year-to date progress of monthly reported indicators. The current outcome is 9% better than the same period last year and 24% higher than the year end value for 2020/21

Chart 2: Percentage of all monthly indicators achieving target at 30 June 2021









**Red and amber indicators this period**

2.8 There are four year-to-date red indicators this month, as detailed in Table 1, together with related commentary.

Table 1: YTD Red indicators as at 30 June 2021







This period	Last period	Ref	Description	YTD	21-22 target	Managers Commentary
🔴	🔴	LI/DC/D CE/007	Planning Enforcement - Informing complainant within 21 days	76.1 %	95%	Whilst performance is still below target it has improved this month and is anticipated to improve further next month. Imbalance in individual officer's workloads (based on areas of the Borough) are being corrected to ensure officers are able to cope with the workload and meet targets whilst the team is understaffed. The number of applicants applying for the 3 vacant posts is very low. They are currently being short-listed but the positions may need to be re-advertised. Any successful candidate is unlikely to be in post until September at the earliest



		LI/LS/L CC01	Percentage of all Local Land Searches completed in 5 working days	88.9 %	95%	For June there was a 25% increase in demand for Searches across the partnership as a result of higher property sales, possibly driven by the Stamp Duty holiday and lock down easing. We have also been trying to fill a vacancy since October which was filled in June. This will help us to get back onto target for Quarter 2
		LI/EH/0 01	Percentage of Planning consultations responded to in 21 days	80.65 %	90%	There have been a high number of planning applications in Q1 which have required additional research and discussion with developers. Officers have liaised with Development Control to prioritise applications to ensure that they meet Planning performance indicators. Plus an increase in reactive noise complaint work due to the opening of the hospitality economy which does mean officer time is diverted from planning responses. We are currently seeking to streamline work processes to deal with the issues highlighted.
		LI/EH/0 02	Food Hygiene – The percentage of food inspections completed that were due.	52.6 %	90%	The number of food businesses open during Q1 reflect the government Roadmap during step 1,2 and 3. Not all businesses due an inspection had opened from the Lockdown. The situation is acknowledged by the FSA and taken into account with the Recovery Programme plan it has proposed for the next 18 months to September 2022.

2.9 For information, Table 2 details the two indicators which are currently Amber.

Table 2: YTD Amber indicators at 30 June 2021

YTD Status	This period	Last period	Ref	Description	YTD	2021/22 target	Variance
			BV218a	Abandoned vehicles - % investigated within 24hrs	96.2%	99.75%	3.8% of target
			NI 191	Residual household waste per household	135kgs	132kgs	2.3% of target

## Monitored performance indicators (MPIs)

- 2.10 Nine monthly and eight quarterly performance indicators are monitored as opposed to managed and reported separately as detailed in Table 3 below.
- 2.11 Please note that crime performance stats are normally reported one to two months in arrears. Currently the latest report available is up to the end of May 2021.

*Table 3: Monitored performance indicators as at 30 June 2021*






Freq.	Ref	Description	Previous value	Current value
Monthly	NI 156	Number of households living in temporary accommodation	269	281
	LI/CSC/006	Long-term working days lost due to sickness absence	0.99 days	1.44 days
	LI/CC/MON16	% of fly-tipping incidents attended to within 3 working days	91%	100%
	LI/EC/MON10	Swale Means Business – Website analytics	194	273
	LI/EC/MON11	No. of Visitor Economy Businesses supported by ECS	16	14
	LI/EC/MON28	Swale VCS – Number of enquiries received	9	9
	LI/EC/MON2	No. of enquiries to the business support service	253	239
	LI/HO/MON9	Rough Sleepers in Accommodation	38	36
	LI/DC/DE/006	Refused Planning Applications	14.9%	11%

Quarterly	NI 155	Number of affordable homes delivered	79	36
	LI/CSC/006	Complaints escalated to Stage 2	6%	7%
	CSP/001	All crime per 1000 population	95.5	95.9
	HO/MON7	Percentage of households who secured accommodation for 6+ months when prev. duty ended	56%	50%
	HO/MON8	Percentage of households who secured accommodation at the end of relief duty	31%	30%
	EC/MON33	Safeguarding training (% of all staff fully trained)	62.7%	56.2%
	LI/CEL/001	No. of visits to Council owned or supported leisure centres	0	62,287
	LI/CSC/001	% of contacts transacted digitally compared to other methods of contact to Customer Services	43%	54%

## Planning performance designation

- 2.12 In 2013 DCLG (now MHCLG) introduced a measure to manage authorities' underperformance in the quality and timeliness of decision making on Major (and later added Non-Major) planning applications.
- 2.13 'Designation' will occur when an indicator exceeds set thresholds over a two year rolling period, with additional penalties applied for failing to report at all. Current performance and thresholds are as indicated in Table 4.
- 2.14 As can be seen from Table 4, based on current performance Swale will not be in a position of Designation.

Table 4: Rolling two-year designation performance at 30 June 2021

Status	Indicator	Designation criteria	Threshold	Most recent assessment	Current assessment
	Percentage of major applications determined in 13 weeks	Lower % than threshold	<b>60%</b>	85.8% (03/2021)	85.6%
	Percentage of major planning applications overturned at appeal (= overturns / total major applications)	Higher % than threshold	<b>10%</b> (11/106)	2.8% (03/2021)	3.8% (4/104)
	Percentage of non-major applications <sup>(1)</sup> determined in 8 weeks	Lower % than threshold	<b>70%</b>	94.1% (12/2020)	92.9%
	Percentage of non-major applications overturned at appeal (= overturns / total non-major applications)	Higher % than threshold	<b>10%</b> (169/1695)	1.4% (03/2019)	4.2%** (64/ 1536)
	Number of missed quarterly returns to DCLG	More than threshold	2	0	0

(1) Non-major applications are defined as minor developments plus 'Change of Use' and 'Householder Developments' (PS2 codes 13-21)

\*\* Manually calculated worst case estimate

## 3 Proposals

- 3.1 SMT are asked to **note** the contents of this report.

## 4 Alternative Options

- 4.1 There are no alternative options as this report is for noting only.

## 5 Consultation Undertaken or Proposed

- 5.1 Heads of Service and relevant senior managers have been consulted in preparing this report.

## 6 Implications

Corporate Plan	Without putting in place appropriate performance management arrangements the Council may not be able to demonstrate how it achieves the corporate plan and its objectives.
Financial, Resource and Property	None specific to this report.
Legal and Statutory	The Council continues to have a statutory duty to report certain performance-related information to central government and its departments. In addition, as part of the emerging transparency agenda, there is a requirement to make performance information available to the community. Swale publishes regular monthly performance reports on its website at <a href="http://www.swale.gov.uk/monthly-performance-monitoring/">http://www.swale.gov.uk/monthly-performance-monitoring/</a> .
Crime and Disorder	There are no direct crime and disorder implications.
Environmental Sustainability	There are no direct sustainability implications. However, there are a number of sustainability related indicators featured in the Council's current set of performance indicators.
Health and Wellbeing	There are no direct health and wellbeing implications, although many aspects of Council performance will have a bearing on the health and wellbeing of residents.
Risk Management and Health and Safety	Not managing performance appropriately may result in the Council not achieving its priorities, resulting in risk to its reputation.
Equality and Diversity Implications	There are no direct equality and diversity implications. However, there are a number of equality and diversity related indicators featured in the Council's current set of performance indicators.

## 7 Appendices

The following documents are to be published with this report and form part of the report

- Appendix I: KPI performance overview YTD

## 8 Background Papers

### 8.1 Previous performance reports

KPI performance overview YTD

Appendix I

Monthly Performance Indicators Record of monthly results reported MONTHLY (Colour = YEAR TO DATE)		21/22 Target	Apr 21	May 21	Jun 21	July 20	Aug 20	Sep 20	Oct 20	Nov 20	Dec 20	Jan 21	Feb 21	Mar 21	2021 Outcome		
BV8	Percentage of invoices paid on time (within 30 days)	97%	G	G	G	G	G	A	G	G	A	G	G	G	99.7%		
BV9	Percentage of Council Tax collected	94	G	G	G	G	G	G	G	G	G	G	G	G	95.5%		
BV10	Percentage of Non-domestic Rates collected	90	G	G	G	G	G	G	G	G	G	G	G	G	93.4%		
BV12b	Short term working days lost due to sickness absence	3.2 days	G	G	G	G	G	G	G	G	G	G	G	G	1.0 days		
BV78a	Speed of processing – new Housing /Council Tax Benefit claims	20 days	G	G	G	G	G	G	G	G	G	G	G	G	12.9 days		
BV78b	Speed of processing - changes of circumstances for HB/CTB claims	9days	G	G	G	G	G	G	G	G	G	G	G	G	5.4 days		
BV109a	Processing of planning apps: Major Applications (within 13 weeks)	89%	G	R	G	G	G	G	G	A	G	G	A	R	88.2%		
BV109b	Processing of planning apps: Minor Applications (within 8 weeks)	82%	G	G	G	G	G	G	G	G	G	G	G	G	91.7%		
BV109c	Processing of planning apps: Other Applications (within 8 weeks)	91%	G	G	G	G	G	G	G	G	G	G	G	G	98.8%		
BV218a	Abandoned vehicles - % investigated within 24hrs	99.75%	A	A	A	A	G	A	G	G	G	A	A	A	98.4%		
LI/DC/DCE/004	Percentage of delegated decisions (Officers)	86.5%	G	G	G	G	G	G	G	A	G	G	G	G	91.5%		
LI/DC/DCE/007	Planning Enforcement - Informing complainant within 21 days	95%	R	R	R	R	R	R	G	G	G	A	R	R	84.7%		
LI/IC/CSC/002	Percentage of abandoned calls	8.5%	G	G	G	G	R	G	G	G	G	G	G	G	6.5%		
LI/IC/CSC/004	Percentage of calls to Customer Contact Centre answer. in 20secs	75%	R	G	A	R	R	R	R	R	G	G	R	R	66.7%		
LI/LS/LCC01	Percentage of all Local Land Searches completed in 5 working days	95%	R	A	R	G	G	G	R	R	G	G	G	G	94.3%		
LI/CC/01	Number of missed bins per annum	2301	G	G	R	R	R	R	R	R	G	G	G	G	3489		
LI/TBC/02	Proportion of Major Planning Applications overturned at appeal	10%	G	G	G	G	G	G	R	G	G	G	G	G	2.0%		
LI/191	Residual household waste per household	528kgs	G	G	R	R	G	G	R	G	R	R	G	R	504kgs		
LI/192	Percentage of household waste sent for reuse, recycling and comp	42%	A	G	G	A	R	R	R	R	R	R	R	R	41.6%		
MONTHLY INDICATOR RESULTS (x 19)			YEAR TO DATE (Colour)			14G	15G	15G	14G	14G	14G	13G	13G	13G	13G	11G	
			PERIOD TOTAL (TEXT)			2A	1A	2A	2A	2A	2A	2A	2A	2A	2A	2A	2A
						3R	3R	2R	4R	4R	4R	5R	5R	5R	6R	6R	
						14G	15G	13G	13G	13G	13G	13G	13G	15G	15G	14G	13G
						2A	2A	2A	2A	0A	2A	0A	2A	1A	2A	2A	1A
						3R	2R	4R	5R	7R	5R	7R	5R	4R	6R	6R	

Monthly MPis – Monitored Performance Indicators (no targets / performance not managed)		20/21 Mthly Ave.	A-M-J / Q1			J-A-S / Q2			O-N-D / Q3			J-F-M / Q4			
NI 156	Number of households living in temporary accommodation	279	279	269	281	270	285	280	279	278	283	299	287	292	
BV12a	Long-term working days lost due to sickness absence	0.44	0.44	0.51	0.99	1.44	1.50	1.88	2.35	2.7	3.28	3.80	4.06	4.49	5.29
LI/CC/MON16	% of fly-tipping incidents attended to within 3 working days	95%	95%	97	91	100	99.4	95	93	94	100	75	94	98.5	98.0
LI/EC/MON10	Swale Means Business – Website analytics	323	323	586	194	273	481	193	228	250	185	159	405	304	650
LI/EC/MON11	No. of Visitor Economy Businesses supported by ECS	29	29	44	16	14	2	4	1	3	42	25	31	27	76
LI/EC/MON28	Swale VCS – Number of enquiries received	23	23	20	9	9	15	12	8	13	25	14	25	22	30
LI/EC/MON2	No. of enquiries to the business support service	372	372	438	253	239	128	108	32	51	450	344	816	586	697
LI/HO/MON9	Rough Sleepers in Accommodation	54	54	43	38	36	59	56	47	50	50	52	47	52	46
LI/DC/DCE/006	Refused Planning Applications	16.6%	16.6%	21.9	14.9	11.0	16.7	19.3	11.1	25.0	11.0	14.9	19.7	23.3	19.6

Quarterly Performance Indicators Record of quarterly results reported QUARTERLY (Colour = YEAR TO DATE)		21/22 Target	Q1	Q2	Q3	Q4	2020/21 Outcome
LI/ICT/0006	Website availability	99%	G	G	G	G	99.8
BV79b(i)	Percentage of Recoverable Overpayments Recovered (HB) that are recovered during period	80%	G	G	G	G	100.0
LI/CSC/003	Complaints responded to within 10 working days	90%	G	R	G	G	92.9
LI/HS/01	Number of long-term empty homes brought back into use	90	G	G	R	R	74
NI188	Planning to Adapt to Climate Change	3	G	G	G	G	3
NI195i	Improved street and environmental cleanliness: Litter % at Grade B standard	95%	G	X	G	G	96
NI195ii	Improved street and environmental cleanliness: Detritus % at Grade B standard	93%	G	X	R	G	90
LI/EH/001	Percentage of Planning consultations responded to in 21 days	90%	R	X	G	G	94.7
LI/EH/002	Food Hygiene – The percentage of food inspections completed that were due.	90%	R	X	R	R	52.0
LI/IA/004	Audit recommendations implemented	95%	G	G	G	G	100
LI/CEL/002	Percentage of beach huts occupied	75%	G	G	G	G	88.5
LI/CEL/003	Percentage of disabled parking bay applications processed within 3 months	95%	G	G	G	G	100
LI/PAR/001	Civil enforcement officer accuracy rate	98%	G	G	G	G	99.8
YEAR TO DATE (Colour)			11G 0A 2R	8G 1A 0R	10G 0A 3R	10G 1A 2R	
QUARTERLY TOTAL (TEXT)			11G 0A 2R	8G 0A 1R	11G 0A 2R	11G 0A 2R	

Quarterly MPIs – Monitored Performance Indicators (no targets / performance not managed)		20/21 gtr. ave	Q1	Q2	Q3	Q4
NI155	Number of affordable homes delivered (gross / target)	70	36	99	204	283(75)
LI/CSC/006	Proportion of complaints escalating from Stage 1 (Service Unit) to Stage 2 (Chief Executive)	6%	7%	8%	5%	6%
CSP/0001	All crime per 1000 population	100.7	95.9	105.6	99.6	94.8
HO/MON7	Percentage of households who secured accommodation for 6+ months when prev. duty ended	58%	50%	57%	67%	56%
HO/MON8	Percentage of households who secured accommodation at the end of relief duty	26%	30%	36%	24%	31%
EC/MON33	Safeguarding training (% of training modules completed)	53.3%	56.2%	48.8%	48.5%	62.7%
LI/CEL/001	No. of visits to Council owned or supported leisure centres	18,247	62,287	31,741	4,753	0
LI/CSC/001	% of contacts transacted digitally compared to other methods of contact to Customer Services	50%	54%	50%	54%	43%

COMBINED INDICATOR RESULTS (x32)	YEAR TO DATE (Colour)	26G 2A 4R	22G 3A 4R	23G 2A 8R	21G 4A 8R
	PERIOD TOTAL (TEXT)	24G 2A 6R	21G 2A 6R	26G 1A 6R	24G 1A 8R

**SWALE BOROUGH COUNCIL  
FORWARD PLAN AND NOTICE OF KEY DECISIONS**

**October 2021 - January 2022**

**Notes:**

A key decision is defined as 'an Executive decision which is likely to (a) result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.'

The key decision threshold, confirmed by Council, is set at £100,000 (this relates to (a) of the definition above).

Where the decision will be made by Cabinet, the Members of the Cabinet are:

**Councillor Roger Truelove** – Leader and Cabinet Member for Finance

**Councillor Mike Baldock** – Deputy Leader and Cabinet Member for Planning

**Councillor Richard Palmer** – Cabinet Member for Community

**Councillor Monique Bonney** - Cabinet Member for Economy and Property

**Councillor Julian Saunders** - Cabinet Member for Environment

**Councillor Angela Harrison** – Cabinet Member for Health and Wellbeing

**Councillor Ben J Martin** – Cabinet Member for Housing

**Councillor Tim Valentine** – Cabinet Member for Climate and Ecological Emergency

Subject to any prohibition or restriction on their disclosure, copies or extracts of any documents listed below can be viewed at Swale House, East Street, Sittingbourne, Kent, ME10 3HT. Please contact Democratic Services to arrange a time to view the documents or to request copies by post by e-mailing [democraticservices@swale.gov.uk](mailto:democraticservices@swale.gov.uk) or by telephone on: 01795 417330. Fees may be charged in accordance with the Council's Fees and Charges policy.

Other documents relevant to the decision item may be submitted to the decision maker; please contact Democratic Services (contact details above) to request details of these documents as they become available.

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	<p>Draft Planning Enforcement Strategy and Charter – 2021</p> <p>To consider and agree this new document following an 8 week consultation period, noting that the document aims to inform Councillors and the local community on helping them to understand how planning enforcement works given the constraints and regulations on how officers handle cases.</p>	Cabinet 22 September 2021	Non-Key	Open		<p>Councillor Mike Baldock - Cabinet Member for Planning</p> <p>Andrew Jeffers</p>
	<p>SBC Holding Company 1 Limited</p> <p>To change the named Directors on the company for Swale Borough Council.</p>	Cabinet 22 September 2021	Non-Key	Open		<p>Councillor Monique Bonney - Cabinet Member for Economy and Property</p> <p>Phil Wilson</p>
	<p>Masters House Award of Contract</p>	Cabinet 22 September 2021	Key	Open		<p>Councillor Monique Bonney - Cabinet Member for Economy and Property</p> <p>Jeremy Pilgrim</p>
	<p>Community Asset Transfer - The Walled Garden, Faversham</p> <p>To grant a 25-year lease to Brogdale CIC on a peppercorn rent to develop and manage the asset for community benefit.</p>	Cabinet 22 September 2021	Non-Key	Open		<p>Councillor Richard Palmer - Cabinet Member for Community</p> <p>Lyn Newton</p>



Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	<p>Cashless Payments in Off-Street Car Parks</p> <p>To approve to enter into a joint contract with Maidstone Borough Council and the preferred cashless parking supplier following a tender process on behalf of the Swale/Maidstone Parking Partnership.</p>	Cabinet 22 September 2021	Key	Open		<p>Councillor Richard Palmer - Cabinet Member for Community</p> <p>Jeff Kitson</p>
	<p>Listing Criteria for Local Heritage list</p> <p>To adopt the listing criteria for the purpose of developing a borough wide local heritage list following any appropriate changes made to it in relation to public consultation.</p>	Cabinet 22 September 2021	Key	Open		<p>Councillor Mike Baldock - Cabinet Member for Planning</p> <p>Jhilmil Kishore</p>
	<p>Financial Management Report: April - June 2021</p> <p>This report shows the revenue and capital projected outturn for 2021/22 as at the end of period 3, covering the period from April to June 2021.</p>	Cabinet 22 September 2021	Non-Key	Open		<p>Councillor Roger Truelove - Leader and Cabinet Member for Finance</p> <p>Phil Wilson</p>
	<p>Minor Maintenance and cleansing of public conveniences' contract extension</p> <p>To approve an extension to the existing contract as per the terms</p>	Cabinet 22 September 2021	Key	Open		<p>Julian Saunders</p> <p>Alister Andrews</p>

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	and conditions of the contract.					
	Recommendations from the Local Plan Panel meeting held on 8 September 2021	Cabinet 22 September 2021	Non-Key	Open		Councillor Mike Baldock - Cabinet Member for Planning  James Freeman
	Award of Arboriculture Contract  Decision to award to winning company following recent tender evaluation.	Cabinet 22 September 2021	Key	Open		Councillor Julian Saunders - Cabinet Member for Environment  Jay Jenkins
	Award of Grounds Maintenance Contract  To award to winning company following recent tender evaluation.	Cabinet 22 September 2021	Key	Open		Councillor Julian Saunders - Cabinet Member for Environment  Jay Jenkins
	Recommendations from the Swale Joint Transportation Board meeting held on 6 September 2021	Cabinet 22 September 2021	Non-Key	Open		
	Swale House refurbishment - Award of Contracts	Cabinet 27 October 2021	Key	Open		Councillor Monique Bonney - Cabinet Member for Economy and Property  Jeremy Pilgrim

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	<p>Queenborough &amp; Rushenden Twyford Pumping Station – HIF Funded Contractor Appointment</p> <p>To approve the appointment of a contractor to deliver the HIF funded Twyford Pumping Station works as part of the Queenborough &amp; Rushenden regeneration scheme.</p>	Cabinet 27 October 2021	Key	Open		<p>Councillor Monique Bonney - Cabinet Member for Economy and Property</p> <p>Debbie Townrow</p>
	<p>Recommendations from the Local Plan Panel meeting held on 7 October 2021</p>	Cabinet 27 October 2021	Non-Key	Open		<p>Councillor Mike Baldock - Cabinet Member for Planning</p> <p>James Freeman</p>
	<p>Review of Fees and Charges 2022/23</p> <p>The report invites Cabinet to consider the proposals for the level of fees and charges to be levied for the next financial year 2022/23 for submission to Council. Charges will take effect from 1 April 2022.</p> <p>It will be proposed to Council at the meeting on 12 January 2022.</p>	Cabinet 27 October 2021	Non-Key	Open		<p>Councillor Roger Truelove - Leader and Cabinet Member for Finance</p> <p>Phil Wilson</p>
	<p>Milstead Conservation Area Appraisal and Management Plan</p> <p>To adopt the appraisal and</p>	Cabinet 27 October 2021	Non-Key	Open		<p>Councillor Mike Baldock - Cabinet Member for Planning</p> <p>Simon Algar</p>

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	management plan document for development management purposes following any appropriate changes made to it in relation to public consultation.					
	Sittingbourne Conservation Area Appraisal and Management Plan  To adopt the appraisal and management plan document for development management purposes following any appropriate changes made to it in relation to public consultation.	Cabinet 27 October 2021	Key	Open		Councillor Mike Baldock - Cabinet Member for Planning  Simon Algar
	<b>Commissioning and Procurement Policy</b> To adopt the new Commissioning and Procurement Policy.	<b>Cabinet</b> <b>27 October 2021</b>	<b>Non-Key</b>	<b>Open</b>		<b>Councillor Roger Truelove - Leader</b>  <b>Charlotte Knowles</b>
	Awarding of Contract - Pay Unit Replacement in Off-Street Car Parks  To approve to enter into a contract with the preferred pay unit supplier following a tender process.	Cabinet 8 December 2021	Key	Open		Councillor Richard Palmer - Cabinet Member for Community  Jeff Kitson
	Safeguarding Policy Refresh 2021 This report is to seek approval from Cabinet to adopt the revised Safeguarding Policy.	Cabinet 8 December 2021	Non-Key	Open		Councillor Angela Harrison - Cabinet Member for Health and Wellbeing  Steph Curtis

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	Healthy and Active Lives Framework To agree the final draft version of the framework and go out for an eight-week consultation.	Cabinet 8 December 2021	Non-Key	Open		Councillor Angela Harrison - Cabinet Member for Health and Wellbeing  Russell Fairman
	Medium Term Financial Plan and 2022/23 Budget This report set out the Council's Medium Term Financial Plan and proposals for the 2022/23 Budget.	Cabinet 8 December 2021	Non-Key	Open		Councillor Roger Truelove - Leader and Cabinet Member for Finance  Phil Wilson
	Recommendations from the Local Plan Panel meeting held on 25 November 2021	Cabinet 8 December 2021	Non-Key	Open		Councillor Mike Baldock - Cabinet Member for Planning  James Freeman
	Recommendations from the Swale Joint Transportation meeting held on 6 December 2021	Cabinet 8 December 2021	Non-Key	Open		
	Recommendations from the Local Plan Panel meeting held on 27 January 2022	Cabinet 9 February 2022	Non-Key	Open		Councillor Mike Baldock - Cabinet Member for Planning  James Freeman

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	<p>Treasury Management Strategy Statement and Investment Strategy 2022/23</p> <p>This report sets out and seeks approval of the proposed Treasury Management Strategy and Investment Strategy for the Council in 2022/23. It will be proposed to Council at the meeting on 23-2-22.</p>	Cabinet 9 February 2022	Non-Key	Open		<p>Councillor Roger Truelove - Leader and Cabinet Member for Finance</p> <p>Phil Wilson</p>
	<p>Medium-Term Financial Plan and 2022/23 Budget</p> <p>This report set out the Council's Medium-Term Financial Plan and proposals for the 2022/23 Budget.</p> <p>It will be proposed to Council at the meeting on 23 February 2022 as an appendix to the Council Tax Resolution.</p>	Cabinet 9 February 2022	Non-Key	Open		<p>Councillor Roger Truelove - Leader and Cabinet Member for Finance</p> <p>Phil Wilson</p>
	<p>Financial Management Report: April - December 2021</p> <p>This report shows the revenue and capital projected outturn for 2021/22 as at the end of period 9, covering the period from April to December 2021.</p>	Cabinet 16 March 2022	Non-Key	Open		<p>Councillor Roger Truelove - Leader and Cabinet Member for Finance</p> <p>Phil Wilson</p>
	<p>Healthy and Active Lives Framework</p> <p>To adopt the final version fo the framework to guide internal work</p>	Cabinet 16 March 2022	Non-Key	Open		<p>Councillor Angela Harrison - Cabinet Member for Health and Wellbeing</p>

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	and support external partners.					Russell Fairman
	Recommendations from the Swale Joint Transportation Board meeting held on 28 February 2022	Cabinet 16 March 2022	Non-Key	Open		
	Recommendations from the Local Plan Panel meeting held on 24 March 2022	Cabinet	Non-Key	Open		Councillor Mike Baldock - Cabinet Member for Planning  James Freeman

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