



AGENDA

COUNCIL MEETING

Date: Wednesday, 28 July 2021

Time: 7.00 pm

Venue: West Faversham Community Centre, Bysing Wood Road, Faversham, Kent ME13 7RH*

RECORDING NOTICE

Please note: this meeting will be recorded and the recording will be published on the Council's website.

At the start of the meeting the Chairman will confirm if all or part of the meeting is being audio recorded. The whole of the meeting will be recorded, except where there are confidential or exempt items.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained in accordance with the Council's data retention policy.

Therefore by entering the Chamber and speaking at Committee you are consenting to being recorded and to the possible use of those sound records for training purposes.

If you have any queries regarding this please contact Democratic Services.

Quorum = 16

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 27 July 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 or by calling 01795 417179.

1. Emergency Evacuation Procedure

The Mayor will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures. The Mayor will inform the meeting that: There is no scheduled test of the fire alarm during this event. If the alarm does sound, please leave the building quickly without collecting any of your possessions, using the doors signed as fire escapes, and assemble in the car park at the front of the building. Await instructions from the Fire Marshal before entering the building. Should anyone require assistance in evacuating the building, please make the volunteer staff in the front office aware of any special needs so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Meeting held on 23 June 2021 (Minute Nos. 109 - 117) as a correct record.

4. 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 Mayor 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.

5. Mayor's Announcements

6. Leader's Statement

7. Questions submitted by the Public

To consider any questions submitted by the public. (The deadline for questions is 4.30 pm on the Wednesday before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

8. Questions submitted by Members

To consider any questions submitted by Members. (The deadline for questions is 4.30 pm on the Monday the week before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

9. Motion for free Saturday parking in town centres

To help town centre traders, this council would support the piloting of a scheme to allow free parking on Saturdays. Council therefore requests the cabinet member to undertake the necessary work to determine whether such a pilot is feasible and to bring a report to a future council meeting for a decision.

Proposed by: Councillor Oliver Eakin

Seconded by: Councillor Mike Whiting

10. Motion - Southern Water

This Council notes that

- Southern Water (SW) has recently been fined a record £90m for deliberately dumping between 16 billion and 21 billion litres of raw sewage into the seas off North Kent and Hampshire over a 7 year period.
- The judge in the case stated that these offences show a shocking and wholesale disregard for the environment, for precious and delicate ecosystems and coastlines, for human health and for fisheries and other legitimate businesses that operate. He also stated that the company had a history of criminal activity because of its previous and persistent pollution of the environment.
- The dumping afforded the company considerable financial advantages at a time when infrastructure in the 17 wastewater treatment works (including 4 in Swale) investigated was crumbling

and SW did not maintain, repair or replace vital machinery

- This criminal activity has put the health of residents and visitors to Swale at risk through the contamination of the seas of the North Kent coast and the contamination of local sea food, damaged the reputation of local beaches and the local environment and harmed local businesses involved with the harvesting of sea food.
- The water industry has accumulated debts of £48 billion since 1989 which cost £1.3 billion in annual interest. In that time the industry has paid £57 billion in shareholder dividends, while customer bills have increased by 40% above inflation.

It therefore resolves to

- Demand a meeting with SW to gain further information on the damage caused to the local environment, resident's health and the economy by SW's criminal activity and the actions that SW is taking locally to mitigate the impact of its criminal damage and ensure that local water treatment works are functioning legally safely.
- To write to Ofwat and the Environment Agency urging them to provide compensation to local authorities and local businesses that have suffered from the criminal activities of SW.
- To write to local MPs and the Department of the Environment asking that the current managements arrangements for the Water industry are revised so that private companies like SW cannot secretly pursue criminal activities over many years in order to avoid financial penalties and the cost of upgrading infrastructure.

Proposed by: Councillor Julian Saunders
Seconded by: Councillor Monique Bonney

11. Updated Cabinet Portfolio Responsibilities 7 - 12
12. Allocation of Committee Seats and Committee Appointments - report to follow
13. Exclusion of Press and Public

To decide whether to pass the resolution set out below in respect of the following item:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2.

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.

14. Request for Extended leave of Absence (EXEMPT) 13 - 16

Issued on Monday, 19 July 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 Council, please visit www.swale.gov.uk

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

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Council	
Meeting Date	28 July 2021
Report Title	Updated cabinet portfolio responsibilities
Cabinet Member	Cllr Roger Truelove – Council Leader
SMT Lead	David Clifford – Head of Policy, Communications and Customer Services (Monitoring Officer)
Head of Service	
Lead Officer	
Key Decision	No
Classification	Open
Recommendations	<p>Council is asked to:</p> <ol style="list-style-type: none"> 1. Note the updated cabinet portfolio responsibilities set out at Appendix I. 2. Note that the scheme of delegations set out in Part 3 of the constitution remains otherwise unchanged.

1 Purpose of Report and Executive Summary

- 1.1 This report provides council with an updated list of cabinet portfolio responsibilities following a recent change.

2 Background

- 2.1 Under s11 of the Local Government Act 2000, councils operating a leader-and-cabinet executive model must appoint a cabinet consisting of the leader and between two and nine further members of the council. The membership and responsibilities of the cabinet are within the gift of the leader, but the custom at Swale is for council to be notified of these.

3 Proposals

- 3.1 Council is now **recommended** to note the updated cabinet portfolio responsibilities set out at Appendix I, and to note that the scheme of delegations set out in Part 3 of the council's constitution remains otherwise unchanged.

4 Alternative Options

4.1 As the proposals in the report are for noting only, there are no alternative options.

5 Consultation Undertaken or Proposed

5.1 This is a matter for the leader to determine, and consultation has therefore been restricted to cabinet members.

6 Implications

Issue	Implications
Corporate Plan	The cabinet has primary responsibility for delivery of all the objectives in the corporate plan.
Financial, Resource and Property	The arrangements in Appendix I include cabinet portfolios with responsibility for finance and property matters.
Legal, Statutory and Procurement	Relevant legal considerations are outlined in the body of the report.
Crime and Disorder	The arrangements in Appendix I include a cabinet portfolio with responsibility for crime and disorder matters.
Environment and Climate/Ecological Emergency	The arrangements in Appendix I include a cabinet portfolio with responsibility for the environment and the climate and ecological emergency.
Health and Wellbeing	The arrangements in Appendix I include a cabinet portfolio with responsibility for health and wellbeing matters.
Risk Management and Health and Safety	No specific implications identified at this stage.
Equality and Diversity	No specific implications identified at this stage.
Privacy and Data Protection	No specific implications identified at this stage.

7 Appendices

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

- Appendix I: Cabinet portfolio responsibilities

8 Background Papers

8.1 There are no background papers.

CABINET PORTFOLIOS (February 2021)**Leader and Finance (Cllr Roger Truelove; Deputy for Finance: Cllr Derek Carnell)**

- Cross-party and cross-portfolio issues, including code of conduct
- Regional and national issues including relationships with central government, Kent County Council and other Kent districts
- Strategic business planning and organisational reform, including business improvement, digitisation and shared services
- Medium-term financial strategy, budget setting, budget management and VfM
- Overall risk management, including management of financial and health/safety risks
- Customer services and complaints
- Communications, including website
- Commissioning and procurement, including negotiating on new contracts
- Revenues and benefits, council tax collection and council tax support
- Human resources, including employee relations and welfare
- Support services including Internal Audit, Legal and ICT
- Members' and officers' learning and development
- Performance management
- Council-related health and safety
- Emergency planning and business continuity

Deputy Leader and Planning (Cllr Mike Baldock) (Deputy: Cllr Alastair Gould)

- Deputy to the Leader
- Constitutional reform
- Building and development control, including planning enforcement
- Local plan and associated policy framework, Gypsy and Traveller area assessment, neighbourhood planning
- Heritage, conservation and closed churchyards
- Section 106 and Community Infrastructure Levy
- Land charges
- Highways and transportation matters

Climate and Ecological Emergency (Cllr Tim Valentine) (Deputy: Cllr Ben A. Martin)

- Climate and ecological emergency
- Air quality management
- Electric vehicle strategy
- Championing active travel
- Strategic green and blue policy, including Green Grid

Community (Cllr Richard Palmer) (Deputy: Cllr Elliott Jayes)

- Crime, disorder and antisocial behaviour issues, including CCTV and the Community Safety Partnership
- Relationships with the voluntary and community sector and parish and town councils
- Schools liaison, the Youth Forum and other relevant partnerships
- Licensing matters
- On and off-street parking facilities and enforcement including Joint Transportation Board processes
- Armed Forces Covenant and War Memorial management
- Promotion of special projects

Economy and Property (Cllr Monique Bonney) (Deputy: Cllr Sarah Stephen)

- Economic development, including inward investment, business engagement and the Swale Economy and Regeneration Partnership
- Tourism, concessions and beach huts
- Council and community asset management
- Regeneration projects, including relationship with Homes England
- Town centre management and markets
- Learning and skills, including further education, apprenticeships and adult and community learning
- Sea fronts, coastal resorts, harbours and quays
- External funding (including any grants received)

Environment (Cllr Julian Saunders) (Deputy: Cllr Eddie Thomas)

- Climate and ecological emergency
- Major contracts: street cleansing, refuse collection, recycling and public conveniences
- Flooding, sea defences and coastal protection
- Greenspaces development and operations including grounds maintenance, cemeteries, woodlands, urban and country parks
- Environmental response, including fly-tipping, contaminated land, animal welfare, pollution control (including noise and pests), illegal encampments and littering FPNs

Health and Wellbeing (Cllr Angela Harrison) (Deputy: Cllr Hannah Perkin)

- Health and social care matters, including health inequalities, public health, relationships with CCGs and liaison with adult social care
- Children and young people, including liaison with children's social care
- Child and vulnerable adult safeguarding
- Promoting social inclusion
- Environmental health enforcement issues including food hygiene and public-focused health and safety
- Leisure and sport, including management of current contracts and relationships with relevant trusts
- Play area and outdoor fitness equipment - development and maintenance
- Relevant partnerships including Health and Wellbeing Board, Local Children's Partnership Group, Early Years District Advisory Board and the Mental Health Action Group
- Equality and diversity

Housing (Cllr Ben J Martin) (Deputy: Cllr Ghlin Whelan)

- Housing advice, homelessness prevention, housing register and all housing-related services and strategies
- Affordable and social housing, including liaison with registered providers and developers
- Disabled facilities grants, home improvement and Staying Put
- Empty dwellings, and bringing them back into use
- Private sector housing support and enforcement, and landlord accreditation scheme

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