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## POLICY AND RESOURCES COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 13 July 2022 from 7.09 - 9.43 pm.

**PRESENT:** Councillors Mike Baldock (Chair), Monique Bonney (Vice-Chair), Lloyd Bowen, Mike Dendor, Tim Gibson, Mike Henderson, Alan Horton, James Hunt (Substitute for Councillor David Simmons), Julian Saunders, Bill Tatton, Roger Truelove, Tim Valentine, Mike Whiting and Corrie Woodford.

**OFFICERS PRESENT:** Billy Attaway, Zoe Kent and Larissa Reed.

**OFFICERS PRESENT (Virtually):** David Clifford and Kellie MacKenzie.

**ALSO IN ATTENDANCE (Virtually):** Councillors Steve Davey, Alastair Gould, Ken Ingleton, Elliott Jayes, Ben J Martin and Ken Rowles.

**APOLOGIES:** Councillors Derek Carnell and David Simmons.

### 188 **Order of Business**

The Chair altered the order of business as minuted.

### 189 **Emergency Evacuation Procedure**

The Chair outlined the Emergency Evacuation Procedure.

### 190 **Minutes**

The Minutes of the Meeting held on 8 June 2022 (Minute Nos. 59 - 65) were taken as read, approved and signed by the Chair as a correct record.

### 191 **Declarations of Interest**

No interests were declared.

### 192 **Water supply disruption on Sheppey - Urgent Item**

The Chief Executive gave an update following the recent water shortage on the Isle of Sheppey being declared as a major incident. She explained that due to a burst water pipe near the Kingsferry Bridge, residents on the Isle of Sheppey were without water until it was fixed. Southern Water (SW) had fixed the initial leak, but upon fixing this, they had discovered a second leak was present and this was the reason that water had not yet been turned back on. The Chief Executive said that several Council staff had been redeployed temporarily to set-up an emergency centre at Swale House and to give water to residents on the Isle of Sheppey. She informed Members that the Council were liaising with several government organisations through the Kent Resilience Forum meetings and SW to get regular updates on the situation. She added that vulnerable people were receiving water and staff would be redeployed until Tuesday 19 July 2022 if necessary, but

she hoped the situation would be resolved by Sunday 17 July 2022 and staff could return to their normal jobs.

Members were invited to ask questions and make comments which included:

- Complimented the Chief Executive and officers at the Council for the swift response, updates and providing aid to the residents of the Isle of Sheppey;
- considered the Council did not have enough staff to provide water to all the residents on the Isle of Sheppey and should ask the army for help;
- requested an update on the bridge closure;
- why were the Kent Fire & Rescue service pumping water onto the Isle of Sheppey?;
- frustrated at SW's response to the leak and the locations of the water stations;
- could the Council consider asking local housing agencies for help?;
- had voluntary groups been asked to help?;
- could the Chief Executive ask Swallows Leisure centre if they could extend their opening hours at the weekend if the situation had not improved by then?;
- concerned that once this situation had resolved SW would pump all the sewage back into the sea;
- SW were too concerned about their reputation, rather than the residents of the Isle of Sheppey;
- once this situation had resolved the Council needed to invite Southern Water to a future committee meeting to find out what happened and their future plans on preventing this situation happening again;
- the road network to deliver water was vulnerable and could the Council consider a different method of getting water onto the Isle of Sheppey?;
- a similar incident occurred in 2016 at a lower scale, and SW should have reviewed their pipes then to ensure it did not happen again;
- did the Council have a list of emergency centres if the residents of the Isle of Sheppey needed to be evacuated?;
- situations like this caused financial implications and the Council had reserves to cover this, but expected SW to compensate the Council, residents and any other business impacted from this; and
- emergency training should be given to Councillors on how to respond to these situations and the media for any future emergencies that could occur.

The Chief Executive explained that the Military could only be called upon once the situation had reached certain criterion and the decision would be made by Government. She explained that the Kent Fire & Rescue service and Kent County Council (KCC) Highways & Transportation were in discussion to close the bridge so that a water pump could be placed on it to provide the Isle of Sheppey with some water for livestock, prison and vulnerable sites. However, there were some late sudden decisions that resulted in a last-minute closure of the bridge and mixed with some traffic collisions caused issues on the road. She added that the Kent Fire & Rescue service had contingency plans of their own which included delivering water by boat if that was needed.

The Chief Executive picked up Members' queries on local housing agencies and volunteering groups providing assistance to Council staff and explained that the voluntary groups were represented on the tactical command group and they were the link to coordinate the volunteer groups. They created plans for the voluntary sectors, and then the voluntary groups did what they could to fulfil the plan. She added that although the local housing agencies had vans and people that could help on the Isle of Sheppey, they

still had to do their normal job, providing support to those in social housing, so it was difficult for them to redeploy staff to provide aid.

In response to queries on the emergency centres, the Chief Executive confirmed that there were a list of emergency centres and officers that were available if the Isle of Sheppey needed to be evacuated. She confirmed that the list included those centres that were suitable for vulnerable people with medical needs and those centres that could provide basic temporary accommodation.

The Chair proposed that the committee gave a vote of thanks to Council staff and the volunteers that worked around-the-clock to provide assistance to the residents on the Isle of Sheppey, and this was seconded by Councillor Mike Whiting.

The Chair proposed that no matter the cost, the resources that were needed to combat this emergency were to be made available to the Chief Executive, and this was seconded by Councillor Monique Bonney.

Councillor Roger Truelove proposed that Swale Borough Council (SBC) condemned SW's response to this emergency for the failure to ensure sufficient water for residents, their lack of response over previous years, failures to learn from previous emergencies and, failure to have a proper emergency plan in place. This was seconded by Councillor Mike Whiting.

The Chair proposed that SBC approached SW for reparation, and worked with KCC to scrutinise SW's approach to the water disruption on the Isle of Sheppey. This was seconded by Councillor Monique Bonney.

**Resolved:**

- (1) That the Policy and Resources Committee thanked Council staff and the volunteers that worked around-the-clock to provide assistance to the residents of the Isle of Sheppey.***
- (2) That all the resources needed to combat the emergency were to be made available to the Chief Executive.***
- (3) That Swale Borough Council condemned Southern Waters response to the emergency for the failure to ensure sufficient water supply for residents, their lack of response over previous years, failures to learn from previous emergencies and, failure to have a proper emergency plan in place.***
- (4) That Swale Borough Council and Kent County Council had a joint meeting to scrutinise Southern Water's approach to the water disruption on Isle of Sheppey.***

**193 Proposed Constitution Amends**

The Monitoring Officer introduced the report setting out each recommendation one by one to be considered at the next Full Council. He explained that the first recommendation was for officers to be notified in sufficient time for any amendments to their reports going to service committees. The constitutional working group had discussed this recommendation and said it would give officers time to properly consider the amendment before it went to the service committee.

Councillor Mike Henderson proposed an amendment to remove 'and seconder' from the second line of 3.1.17 in the constitution (as at paragraph 3.4 of the report) as some

Members who sat on the Committee were a smaller political party and could struggle to find a seconder for their amendments. This was seconded by Councillor James Hunt.

Members discussed the amendment and made comments which included:

- Did not feel it was necessary as any member of the committee could ask another Member to second a future amendment regardless of the political party they represented; and
- expected amendments to be rare and thought if members wanted to make amendments they could always ask other committee Members to second.

On being put to the vote the amendment was carried.

The Chair proposed the remainder of recommendation one as set-out in the report and this was seconded by Councillor Alan Horton. On being put to the vote recommendation one was carried.

The Monitoring Officer introduced the second recommendation which sought a change to Head of Planning delegations. The recommendation proposed that the Head of Planning write to town or parish councils to advise them where they had made a representation that was not based on appropriate planning considerations.

The Chair advised that the following amendments, as set out bold, had been put forward to Members in advance of the meeting.

*“(1) The delegated powers in [2.18.15.1] above shall not be exercised in the following circumstances: [...] Applications where the decision of the Head of Planning would conflict with any written representation received within the specified representation period from:*

- (i) Any Member of the Borough Council;*
- (ii) A statutory consultee;*
- (iii) A Parish or Town Council;*

*Provided that any such representations from **any of the** above are, in the opinion of the Head of Planning, based upon relevant planning considerations.*

*(2) Where the head of planning determines that a representation from (i) above is not based on relevant planning considerations, **the Member will be advised.***

*(3) Where the head of planning determines that a representation from (iii) above is not based on relevant planning considerations, they will write to the town or parish council to advise them of this. **The ward Member(s) for the ward of which the parish falls within will also be notified.**”*

Members were invited to make comments on the amendments:

- From experience, some Parish Councils had brought applications to Planning Committee which were ‘a waste of time’ as they did not bring the application forward with material planning considerations;
- Parish Councils needed to have training to understand material planning considerations;
- Ward Members needed to follow the same rule as Parish Councils as Parish Councils could place more pressure on the Ward Member if they did not need to give material planning considerations to call applications in;

- when Parish Councils received a letter from Planning Services, the Ward Member should be notified also;
- it was the Ward Member's responsibility to ensure officers proposed the correct conditions on applications and they should be in regular contact with planning officers;
- felt that asking Members to give material planning considerations when calling items in could result in friction between Members and planning officers on difference of opinions; and
- if a Member was to give material planning considerations it could suggest that they were pre-determined.

The Committee voted on the amendment in three parts. Councillor James Hunt proposed the first amendment which was seconded by Councillor Mike Dendor. On being put to the vote the amendment was lost.

Councillor James Hunt proposed the second amendment and this was seconded by Councillor Mike Dendor. On being put to the vote the amendment was lost.

Councillor James Hunt proposed the third recommendation in the amendment, and this was seconded by Councillor Mike Dendor. Councillor Tim Valentine proposed that the word 'ward' and 'within' on the last sentence be removed, and the word 'of' be changed to 'in'. Councillor Mike Henderson proposed that the word 'urgently' be added at the end of the last sentence. Councillor James Hunt agreed with the changes and seconded the proposals. The final amendment to read as follows:

*"Where the Head of Planning determined that a representation from (iii) above was not based on relevant planning considerations, they would write to the town or parish council to advise them of this. The Member(s) for the ward in which the parish falls will also be notified urgently".* On being put to the vote the amendment was carried.

**Recommended:**

- (1) That the constitutional changes set out in paragraphs 3.4, 3.6 of the report be agreed subject to the amendment to remove 'seconder' at the end of the second line at 3.1.17 of the constitution.**
- (2) The words 'and seconder' from the second line of 3.1.7 be removed.**
- (3) That the constitutional changes set out in paragraphs 3.9 and 3,10 in the report be agreed.**
- (4) That the constitutional change set out in paragraph 3.11 be agreed subject to the change of wording as minuted.**

**194 Forward Decisions Plan**

**Resolved:**

- (1) That the report be noted.**

**195 Handover Report: Executive model to Committee System**

Referring to paragraph 3.13 of the report a Member sought clarification on the deadline which residents had to meet to submit their Energy Rebate, as on the website it had been advised that the deadline date was 31 July 2022. The Revenue and Benefits manager

confirmed that the deadline date was 31 July 2022. However, the Revenue and Benefits manager assured Members that if a household that was entitled to the energy rebate had not submitted a claim, a credit would be placed on their council tax account for them to reclaim.

**Resolved:**

- (1) That the report be noted.**

**196 Council Tax Reduction Scheme 2023/24**

The Chair proposed the recommendations set out in the report and was seconded by Councillor Alan Horton.

**Resolved:**

- (1) That delegation be given to the relevant officer to consult with the public and major precepting Authorities on the introduction of a new income banded / grid scheme for working age applicants with effect from 1 April 2023 to reduce the administrative burden placed on the Council by the introduction of Universal Credit to better target the overall level of support for the lowest income families.**

**197 Financial Management Report - Outturn 2021/22**

The Chief Executive introduced the report which set out the revenue and capital outturn position for 2021/22. She drew attention to page 30 of the agenda pack which showed the variances by service.

The Chair proposed the recommendations and was seconded by Councillor Alan Horton.

**Resolved:**

- (1) That the revenue underspend of £104,200 be noted.**  
**(2) That delegation be given to the Director of Resources to allocate the uncommitted underspends to the Budget Contingency Reserve.**  
**(3) That the capital slippage of £9,394,080 and capital expenditure of £6,082,880 against the Revised Budget as detailed in Table 4 and appendix I of the report be noted.**  
**(4) That the capital rollovers of £8,885,200 as detailed in appendix I of the report be approved.**

**198 Recommendations from the Swale Joint Transportation Board meeting held on 20 June 2022**

**Resolved:**

- (1) That the recommendations in Minute Nos. 112, 113 and 114 be agreed.**

**199 Recommendations from the Planning and Transportation Policy Working Group 6 July 2022**

**Resolved:**

- (1) ***That the recommendations in Minute Nos. 177 and 178 be agreed.***

200 **Adjournment of Meeting**

The Meeting was adjourned from 9.20 pm until 9.33 pm.

Chair

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