
Council

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 31 January 2024 from 7.00 pm - 8.34 pm.

PRESENT: Councillors Monique Bonney, Andy Booth, Lloyd Bowen, Hayden Brawn, Ann Cavanagh, Shelley Cheesman, Simon Clark, Charles Gibson, Tim Gibson, Kieran Golding, Alastair Gould, Angela Harrison, James Hunt, Carole Jackson, Mark Last, Peter Macdonald, Peter Marchington, Ben J Martin (Deputy Mayor), Charlie Miller, Lee-Anne Moore, Pete Neal, Tara Noe, Tom Nundy, Chris Palmer, Richard Palmer, Ashley Shiel, Julien Speed, Paul Stephen, Sarah Stephen (Mayor), Terry Thompson, Angie Valls, Karen Watson, Mike Whiting, Tony Winckless, Ashley Wise and Dolley Wooster.

PRESENT (VIRTUALLY): Councillors Lloyd Chapman, Elliott Jayes, Rich Lehmann and Mark Tucker.

OFFICERS PRESENT: Philippa Davies, Robin Harris and Larissa Reed.

OFFICERS PRESENT (VIRTUALLY): Samuel Brookfield, Martyn Cassell and Janet Hill.

APOLOGIES: Councillors Mike Baldock, Derek Carnell, Roger Clark, James Hall, Mike Henderson, Claire Martin and Hannah Perkin.

584 **Emergency Evacuation Procedure**

The Mayor outlined the emergency evacuation procedure.

585 **Minutes**

The Minutes of the Meeting held on 15 November 2023 (Minute Nos. 414 – 427) were taken as read, approved and signed by the Mayor as a correct record.

586 **Declarations of Interest**

No interests were declared.

587 **Mayor's Announcements**

The Mayor said that she had attended 110 events from May to December 2023, with 22 events taking place in December 2023 and she had attended three events so far this year. The majority of events had been in the Borough, and included:

- Presentation of end-of-year awards at Fulston Manor School, Sittingbourne;
- presentation of Challenger Troop awards;
- various Christmas lights events;
- opened a food festival and a fete;
- Tunstall tree festival;
- various Christmas parties;
- visited care homes;
- Christmas carol services;
- she had met the Gurkha who had climbed Mount Everest (out of Borough); and

- a recent event had raised £500 for her charities.

The Mayor explained that she now had a cadet from the Challenger Troop and looked forward to working alongside her. She said the Mayor's Civic Award Scheme was being launched on 1 February 2024 and she encouraged Members to submit nominations.

588 Questions submitted by the Public

There were no questions from the public.

589 Questions submitted by Members

The Mayor advised that six questions had been received from Members. Two of the questions (2 and 3) had since been withdrawn.

Question 1 – Councillor Lloyd Bowen

At the Planning Committee 12th Oct I commented regarding legal services attendance at Planning Committee, 'I note that legal services are not present this evening. I'm trying to understand why that is? Was that decision made by this committee and what the rationale was behind this?'

The chairman said he would send me a formal position statement and share that to the other planning committee members. I have yet to receive the response so I ask again.

Did the Planning Committee agree not to have legal services at all Planning Committee meetings and what rationale was presented to inform that decision?

This is after several meetings of the Planning Committee have taken place without legal services or advice being available if required.

Response – Councillor Mike Baldock, Chair of Planning Committee – response read out by the Mayor

Thank you for your question. It is standard and best practice for any organisation to make sure that it is using its resources effectively, and Swale Borough Council is no different. It is not the case that Legal no longer attend Planning Committee, but that representatives attend when agenda items may specifically benefit from their input.

In advance of each Committee meeting, Planning and Legal officers share with me as Chair their view as to whether Legal input may be of benefit, and together we agree which, if any, items merit Legal attendance. When Legal do attend, it is now for select items on an agenda, and not necessarily a whole meeting, with the underpinning rationale of making good use of valuable officer time.

Supplementary question

Constitutionally, could the Chair of the Planning Committee make that decision?

A written response would be sent.

Question 4 – Councillor Ashley Shiel

In the last year or so there's been some welcome commitments from government on biodiversity and nature restoration, something the Coalition Administration is supportive of. However, those announcements have come with scant, one-off funding. Can you write to the Government and state the need for a funding commitment to 2030 so local authorities can deliver in support of government biodiversity objectives?

Response – Councillor Rich Lehmann, Chair of Environment Committee - response read out by the Mayor

Thank you, Cllr Shiel. The Environment Committee discussed this issue late last year and has identified areas in which to bolster our wide-ranging strategies and policies relating to biodiversity and the ecological emergency.

In my position as Chair of the committee, I would be happy to write to Government to highlight the work we are planning, to stress our inability to commit to long term investment at a time when local government funding remains in a state of uncertainty, and also to request specific funding streams that can be used by authorities for this purpose.

Question 5 – Councillor Hayden Brawn

Following yet another government funding settlement which leaves councils adrift across the country, and which once more lasts just one year, will the Leader write to Swale's MPs with the support of all service committee chairs, asking them to call for multi-year future funding settlements to provide clarity and allow councils to properly plan ahead?

Response – Leader, Councillor Tim Gibson

It is once again disappointing that we have a one-year settlement as the provisional local government settlement falls well short of stemming the acute financial pressures resulting from the spending squeeze since 2015 coupled with rapid growth in demand for statutory services such as homelessness and the prolonged period of steep cost and inflation. The short-term nature of the funding settlement for district councils makes future budget planning incredibly difficult and this is heightened by the uncertainty on the reset of the localisation of business rates which forms a significant element of our funding.

The District Councils Network have lobbied on our behalf and members of the network were encouraged to write to our MPs to make representations to the secretary of state on the inadequacy of the provisional statement to inform the consultation on the provisional settlement. In my capacity as leader, I wrote to both our MPS to call for:

An increase in our core spending power to be achieved by either additional grant funding or an increase in the council tax referendum limit above 2099% or £5.

Great freedoms and flexibilities around centrally set fees and charges such as planning application and licensing.

Additional targeted support for immediate homelessness pressures.

Additional funding for and a long-term solution to the impact of the steep increase in the Internal Drainage Board Levies.

Question 6 – Councillor Ann Cavanagh

£8.74 million was the amount awarded to Swale by government in their funding settlement for 2015/16. By 2023/24 this had been cut in real terms by 45.4% to £4.77m. The settlement from government in December, given inflation over the previous year, barely stays steady. Does the Leader agree that it's time for Government to finally develop Fair Funding for councils?

Response – Leader, Councillor Tim Gibson

The fair funding review for local authorities is long overdue and is desperately needed to enable councils to prepare meaningful financial plans beyond the funding settlement period. The short-term nature of the current funding settlement means that the future financial planning position is based on estimated assumptions beyond the next financial year. The scale of the uncertainty is higher for district councils as many of the headline announcements are for councils that have a social care responsibility. Progression on the development of fair funding would be most welcome.

590 Leader's Statement

The Leader said:

“As late as it may be, it is the first time that we have all formally met this year, so could I wish everyone of you a happy new year, one that brings better things for all of us and the residents that we serve. Could I also take this opportunity on behalf of us all to welcome Charles Gibson the new member for Abbey Ward who is attending his first full council meeting this evening, welcome Charles. I would also like to send our good wishes to Cllr Mike Henderson who hasn't been particularly well of late.

We are currently reviewing the outcomes of a number of recent consultations at a time when, like most local authorities, we are facing unprecedented challenges with pressures on budgets and accordingly our own aspirations will need to be carefully balanced considering the need for efficiency savings and ensuring fiscal stability as a priority. As a Council we do of course remain committed to seeking and accessing external opportunities for funding and partnership working to support us in delivering improvements in our Borough and the services that we provide.

With the apparent endless narrative that the cost of living crisis is continuing far longer than anyone would want it to, in conjunction with Swale CVA and Faversham Community Networking Group, we have organised more of our 'One Swale Roadshows' to assist residents affected, providing signposting help and support. The Roadshows are partly funded by the UK Government's Household Support Fund and have become a popular, safe space for residents to receive unbiased, non-judgemental, confidential, free advice and support.

*This month's theme has been debt, financial support and benefits, however the themes are not singularly or mutually exclusive and guidance and advice on other issues is of course still be available. To date roadshows have been hosted in **Sheerness, Faversham, Leysdown** and **Kemsley** and will continue until the end of March, allowing*

for more targeted help to reach the people who need it.

I have spent considerable time lobbying for funding improvements for Swale and in particular I have been pushing for funding increases in areas that are having the greatest impacts on our budget and our residents. Homelessness and temporary accommodation has been a particular area of focus. In Swale we have seen a significant increase in the number of households in Temporary accommodation with an 84% increase since 2019 and we have the highest level of TA amongst Kent districts.

The wider level of concern was demonstrated at a recent District Councils Network summit that I attended on behalf of Swale, when 158 councils were represented and 86% of DCN member councils reported a “significant” increase in use of temporary accommodation. The increase in expenditure is a critical risk to the financial sustainability of many local authorities ourselves included and the pressure is particularly acute for district councils because housing costs constitute a far bigger proportion of our overall expenditure. We and our partner organisations have had success in recent years in moving the whole local system towards preventing homelessness, rather than just dealing with the consequences, but if funding is not addressed there is a real danger of a knock-on impact on other partners.

Following the summit I was invited to attend a Westminster event with a smaller group of Leaders of all political colours from across the Country where MP’s were lobbied on the issue and colleagues spoke passionately about the impact it was having in their Districts and the urgent need for change, we do of course eagerly await the outcomes of our concerted efforts.

It cannot be denied that we are facing the perfect storm with inadequate funding, loss of Private Sector Landlords due to interest rate rises, maintenance requirements and changes to tax rules. There is also of course the issue where initial Buy to Let landlords are approaching retirement age and selling as property investment supports their pension provision. In Swale like many areas Private Rented Sector is simply unaffordable to many and Landlords are preferring working tenants with access to a guarantor and a clean credit file.

Another key issue I have been actively involved in is lobbying for a fairer way of funding internal drainage boards (IDB) and I will be up in Westminster again in early February for a Special Interest Group cross party meeting with Ministers and MP’s to raise our concerns. As we have seen recently, incidents of heavy rainfall, flash flooding and coastal flooding have and are likely to increase due to climate change. The need for pumping stations and their operations will always remain a vital tool to reduce flooding impact for properties and agricultural land and we can’t overstate the value of the work that our drainage board does.

However just like households, Internal Drainage Boards have been affected by utility cost increases in terms of fuel and electricity. These challenges for IDB’s are likely to continue, pushing up operational costs resulting in higher levies to Councils including our own.

Prior to 2013/14 partial funding was provided by the Government’s Revenue Support Grant, however over time, the grant has been reduced and Council’s with IDBs have funded the levy and annual increases through the money that they receive through Council Tax which of course is capped. This means that Councils with IDBs are

therefore unable to generate the additional funds needed to meet the levy demands.

The current funding approach is adversely affecting Councils who are struggling to afford to pay the high levy demands and fund their statutory services and in many cases council tax increases will for a number of councils see the majority go to IDBs.

Councils like us are disproportionately impacted simply because they are in primary flooding areas and we are lobbying for a fundamental change to the approach to funding from Government.

Moving on we are backing the 'Make things right' campaign, set up to help people facing issues with their social housing. It will make sure that people know how to complain, understand their rights and feel empowered in the knowledge that their complaints will be heard.

The campaign aims to make sure people living in social housing know that their landlord is responsible for fixing issues such as mould and damp, leaks, broken locks, poor insulation and other general repairs. Following the tragic death of 2-year-old Awaab Ishak, it became more important than ever to hold landlords to account when they have clearly failed their tenants. The Social Housing Act is now law and Awaab's Law which was born out of his sad death in December 2020 remains a firm reminder of the importance for all tenants to have the right to live in safe and decent homes while being treated with fairness, dignity and respect. Given that 10% of social homes failed to meet the Decent Homes Standard last year, this is a serious wakeup call for landlords. Whilst there is a requirement to investigate hazards within 14 days, start fixing within a further 7 days, and make emergency repairs within 24 hours it would be so much better if the incidences didn't occur in the first place.

Finally a reminder that our new waste contract commences on 24th March when your Bin may be collected by Wheelie Wonka, Trash Gordon or even Binnie the Pooh and we will be providing information on the transition from old to new for residents and Members."

In response, the Leader of the Conservative Group also sent his best wishes to Councillor Charles Gibson and Councillor Mike Henderson. He referred to the challenges the Council faced, including the cost-of-living crisis and said the Council needed to help residents. He recognised the service that the 'One Swale Roadshows' brought and added that increased homelessness and temporary accommodation figures needed to be addressed. The Leader of the Conservative Group welcomed fairer ways to fund IDBs. He spoke on climate change and drew attention to the number of named storms there had been so far this year, with the impacts of these, including flooding. The Leader of the Conservative Group concluded by saying that residents of the Borough depended on a stable Council and whilst acknowledging the challenging year, hoped there was a brighter future for Swale.

Councillor Ben J Martin acknowledged the good wishes sent to Councillor Henderson and said he would pass these on. He agreed that the roadshows had been beneficial and said that homelessness needed to be looked at holistically. Councillor Martin said that not enough affordable housing was being built and more funding was needed from Central Government, and he said it was important to acknowledge that private rental also had issues.

Other Members were invited to respond and made points which included:

- Had lobbying helped with the housing situation?;
- the law should apply to both social and private housing associations;
- considered that keeping Council Tax levels artificially low in previous administrations had had consequences with the housing sector;
- welcomed the roadshows that had been organised, but concerned about the loss of the Kent County Council (KCC) community warden which would have a knock-on effect to residents; and
- would like to know the amount of money spent on temporary accommodation.

The Leader thanked Members for their comments. He stressed the need for financial stability and highlighted that local authorities across the country were struggling financially. The Leader spoke on the importance of social housing, and that this needed to be supported more by central government. He added that he hoped that lobbying was making a difference.

591 **Establishment of Committees**

The Leader introduced the report as set out in the agenda papers. He proposed the recommendation which was seconded by the Leader of the Conservative Group.

On being put to the vote, Members agreed unanimously to support the recommendation.

Resolved:

(1) That the Committees of the Council be established for the Municipal Year 2023/24 and their terms of reference as set out in Appendix I be agreed.

592 **Climate and Ecological Emergency Annual report 2023**

The Chair of the Environment Committee introduced the report as set out in the agenda papers and proposed the recommendation. He gave some background to this fifth annual report and said the aim was for the Borough to be net zero carbon by 2030. He reported that huge progress had been made, but it was now apparent that the aspirational 2025 target could not be met, and this was due in-part to external factors. The Chair of the Environment Committee gave an overview of the progress made so far and explained that going forward, the Action Plan would be re-visited. He thanked the Climate Change Officers for their work on the project.

On seconding the recommendation, the Vice-Chair of the Environment Committee reserved her right to speak.

Members were invited to speak and made points which included:

- It was disappointing that the Council was not going to meet its targets, but it needed to be acknowledged that these had been set higher than other local authorities;
- there were a lot of 'good news stories' in the report;
- more support from Central Government was needed;
- this was an excellent report;
- congratulations to the Chair, Vice-Chair and Environment Committee and the supporting officers for their work on this;
- clarification sought as to whether there was a revised date to meet the targets;

- noted that recycling figures were going down;
- there needed to be more car share opportunities for rural areas and the Isle of Sheppey;
- there were elements of the report that were impressive as well as some areas the Council could learn from;
- partnership working was important;
- the anti-idling campaign should be highlighted as there was an issue with school buses arriving early at schools and keeping their engines running;
- more broadleaved trees needed to be planted;
- suggested the Council worked with schools to introduce initiatives such as 'walking crocodiles';
- the Council was very aspirational in 2019, but the majority of the targets were beyond the Council's control;
- the Active Travel Co-ordinator role was a success and had enabled various projects to fruition;
- certainty over funding was necessary;
- Swale's road network was littered with rubbish, the Council needed partnership working to get the roads cleaned up;
- the Council needed to push for more cycle paths in the Borough;
- some Wards within the Borough were being left out of some initiatives; and
- bus services needed to be improved.

The Vice-Chair of the Environment Committee welcomed the high targets of the Action Plan. In terms of recycling, she said the Council monitored data to ensure services were focussed where they would be most effective. The Vice-Chair spoke on the importance of partnership working and the success of the Active Travel Co-ordinator role. She said that environment targets should be pushed through all committees, particular the Planning Committee.

On being put to the vote, Members agreed unanimously to support the recommendation.

Resolved:

(1) That the report be noted.

593 Recommendations for Approval

This item was withdrawn from the agenda.

Mayor

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