
Policy and Resources Committee

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 29 November 2023 from 7.00 pm - 10.34 pm.

PRESENT: Councillors Monique Bonney, Lloyd Bowen, Derek Carnell, Tim Gibson (Chair), Angela Harrison, Mike Henderson, James Hunt, Mark Last, Rich Lehmann, Richard Palmer, Mike Whiting, Ashley Wise and Dolley Wooster.

PRESENT (VIRTUALLY): Councillor Julien Speed.

OFFICERS PRESENT: Janet Dart, Lisa Fillery, Robin Harris, Joanne Johnson, Kellie MacKenzie, Adrian Oliver, Larissa Reed and Claire Stanbury.

OFFICERS PRESENT (VIRTUALLY): Martyn Cassell, Tony Potter and Emma Wiggins.

ALSO IN ATTENDANCE (VIRTUALLY): Councillors Shelley Cheesman, Simon Clark, James Hall and Peter Macdonald.

APOLOGY: Councillor Mike Baldock.

442 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

443 **Minutes**

The Minutes of the Meeting held on 18 October 2023 (Minute Nos. 356 – 372) were taken as read, approved and signed by the Chair as a correct record.

444 **Declarations of Interest**

Councillor Mike Henderson declared a disclosable Non-Pecuniary Interest in respect of Item 7 Financial Management Report – Half Year 2023/24 as he was Director and Trustee of Faversham Pools.

Part A Minute for Recommendation to Council

445 **Constitution Amendment: Various**

The Monitoring Officer introduced the report as set-out in the agenda papers.

The Chair invited questions from Members and points raised included:

Amendment 1

- This amendment would mean that Members would see reports that were even more out-of-date than they currently were so should remain with quarterly reports.

Amendment 2

- There was no mechanism in the proposed amendment for Members to ask to see

- specific reports;
- suggested that the proposal be included within the list of motions that could be given without notice;
- concerned that Members would not be able to input and request agenda items; and
- the wording was not clear and it should be referred back to the Constitution Working Group.

Councillor Angela Harrison moved the following motion: That Amendment 2 be referred back to the Constitution Working Group. This was seconded and agreed by Members.

Amendment 3

- Would prefer that the licensing training was offered to all Members, so Members that did not sit on the Licensing Committee could be called for the sub-committee;
- suggested that paragraph 2.4.3.4 was amended to any member of the Council that had received the relevant licensing training rather than just those that sat on the Licensing Committee;
- licensing training was important;
- understood that the Licensing Act 2003 Committee required the three Licensing Sub-Committee members to be drawn from the Licensing Committee;
- what licensing training did the Council deem suitable?;
- the Council's constitution should include what the definition of training was, so it was clear to Members;
- all members should be encouraged to attend licensing training;
- members did not need training to sit on the Licensing Committee as it was a policy committee; and
- a lot of these issues should be considered by the Member Development Working Group (MDWG) which worked specifically on training needs of Members.

The Monitoring Officer confirmed, that Section 9 of the Licensing Act 2003 required that Members of the Sub-Committee dealing with alcohol, entertainment and late-night refreshment had the relevant training and were taken from the Licensing Committee. Other types of licensing were dealt with under the General Licensing legislation and so membership could include any member of the Council. In response to concerns around training, he drew attention to the second recommendation in the report in respect of training and considered that the Council should have a holistic approach to training and that Democratic Services providing a report on overall training for Members.

The Chief Executive agreed to liaise with the Democratic and Electoral Services Manager about arranging a meeting of the MDWG which she was aware did struggle with attendance but would be able to cover the issues raised around training.

Councillor Lloyd Bowen moved the following amendment: That Amendment 3 be referred back to the Constitution Working Group. This was seconded and discussion ensued and Councillor Lloyd Bowen withdrew his amendment.

Councillor James Hunt moved the following amendment: That paragraph 2.4.3.4 be amended to read, the Licensing Committee shall have a Licensing Act Sub-committee comprising 3 members of the Licensing Committee who have received training on the relevant areas of licensing law. This was seconded, and on being put to the vote the amendment was agreed by Members.

Amendment 4

- Understood the rationale behind the increase of the value limit for contracts to £120,000 but considered it was too high and concerned about what the public perception would be.

In response the Director of Resources explained that £120,000 was in-line with the Council's Contract Standing Orders, and there were more robust measures in place for monitoring contracts.

Recommended:

- (1) That amendments 1 and 4 be recommended to Council for incorporation into the Constitution.**
- (2) That amendment 2 be referred back to the Constitution Working Group.**
- (3) That amendment 3 be recommended to Council for incorporation into the Constitution subject to the following amendment to 2.4.3.4: "The Licensing Committee shall have a Licensing Act Sub-Committee comprising 3 members of the Licensing Committee who have received training on the relevant areas of licensing law".**

Part B Minutes for Information

446 Election of Chair

During consideration of item 5, Constitution amendment: Various, the Chair was taken ill and as the Vice-Chair had given his apologies it was necessary to elect a chair.

The Chief Executive asked for nominations and Councillor Dolley Wooster nominated Councillor Angela Harrison. This was seconded by Councillor Richard Palmer. There were no other nominations.

Resolved:

- (1) That Councillor Angela Harrison be elected Chair for the rest of this meeting.**

447 Budget 2024/25 and Medium-Term Financial Strategy (MTFS) Forecasts

The Director of Resources introduced the report as set-out in the agenda papers.

The Chair invited questions from Members, and points raised included:

- Would like to know the value of all the Council's contracts in light of the proposed 5% increase to contract values;
- would Fees and Charges be reviewed, it was not clear from the report?;
- the proposed increases to parking fees were unfair;
- welcomed the breakdown of the council tax collected;
- welcomed the consultation and wondered how the Council would respond to points raised?;
- important that the public were encouraged to engage with the consultation

- regardless of their level of financial literacy;
- Members had a responsibility to ensure that their residents were aware of the consultation and encouraged to respond;
- Important to note that parking charges in Swale were low compared to the rest of Kent;
- stressed the importance that the Council liaised with businesses and residents on any proposed increases; and
- concerned regarding the proposed introduction of the £3 fee for parking after 7 pm; and
- it had been a difficult budget for Members and understood concerns in respect of parking increases, however the Council had few other options to raise income.

In response, the Director of Resources agreed to provide a written response in respect of the value of all the Council's contracts. The review of Fees and Charges was ongoing. The responses from the consultation would form part of the final budget papers, and the Council's response to any technical questions would be published. The Chief Executive explained that regarding the £3 after 7 pm parking fee, it was important that the Council could ensure it was workable with the technology the Council had and would be considered further by the Parking Policy Working Group.

Resolved:

- (1) That the draft 2024/25 revenue and capital budget forecasts be noted.***
- (2) That the Medium-Term Financial Strategy (MTFS) projections be noted.***
- (3) That the proposals for the fees and charges increases be noted.***
- (4) That the proposed budget consultation be approved.***

448 Financial Management Report - Half Year 2023/24

The Head of Finance and Procurement introduced the reported as set-out in the agenda papers.

The Chair invited questions from Members and points raised included:

- Would the increase in Local Housing Association (LHA) to the 30% percentile have any impact on the Council's Temporary Accommodation (TA) costs?;
- referred to page 81 of the report and asked if the utility contracts for leisure centres would be considered in the future?;
- was the overspend on the grounds maintenance at Barton's Point, Sheerness due to not having an operator at the café?;
- referred to page 79 of the report, and asked what was the reason for the drop in hackney carriage licences, and was there anything the Council could do to encourage people into that line of employment?;
- referred to the development management forecasting overspend of £462,000 on page 80 of the report, and in particular the £586,000 on staff and related costs. Concerned that the Council had a lot of agency staff, what was being done to recruit and fill posts and were the external consultants for recruitment an extra cost?;
- good clear report;
- welcomed the work undertaken to clear the backlog of rent reviews;
- had received good reports about the reconfiguration of the second floor of Swale

- House which improved the working area and encouraged staff to come into work;
- the LHA rates had a profound impact on the Council's finances and viability of affordable housing. It was a cost that should be met by Central Government;
- the Council should consider restoring the £20,000 removed from the Faversham pools small subsidy; and
- were the Council providing the correct support to retain staff and that all Members considered the budget and the human cost of decisions.

In response, the Director of Resources reported that the LHA change would not have an impact on the Council's TA costs, as the rates for TA were still set at the 2011 rates and would not be changing. The Leisure contract was due for renewal and the utility part would be included in the specification.

With regard to the drop in Hackney Carriage Licences, the Head of Finance and Procurement said that whilst the Covid-19 Pandemic may have caused the initial downturn the assumption was that the levels were not going to 'bounce-back' to pre-covid levels. The Chief Executive said that ultimately it was due to market forces and the Council's licensing team did not preclude people unless they did not pass the relevant tests.

The Head of Environment and Leisure explained that the Barton's Point overspend was expenditure of the Levelling-up grant and included repairs to the lake, trees and various other items and not from the absence of operator. This would be offset by the incoming grant from Government.

The Head of Regeneration, Economic Development and Property and Interim Head of Planning acknowledged that within Planning Services there was a greater reliance on interim agency staff than they would like and the increased costs were regrettable but necessary to stabilise the service. She reported there would be a restructure of planning services in 2024 and resilience and capacity was at its heart, the restructure would remove any reliance on interim agency staff. The Chief Executive added that there was a shortage of planning staff across Kent and the Joint Kent Chief Executives were launching a piece of work in consultation with Kent universities on what planning courses could be introduced.

In response to the query regarding the reinstatement of the Faversham Pools subsidy, the Chief Executive advised that the Member needed to send a request for an officer report on the proposal to the Chair of the Policy and Resources Committee to agree. She added that for 2023/24 budget they would need to use reserves and if it was for the 2024/25 budget it would be an amendment.

Resolved:

- (1) That the projected revenue position, which was balanced through a reduction of £500,000 in the amount to be taken from reserves be noted.**
- (2) That the capital expenditure of £1.4m against the budget as detailed in Table 2 and Appendix I be noted.**
- (3) That the transfers to reserves to create an insurance reserve and an investment smoothing reserve be approved.**

The Head of Finance and Procurement introduced the report as set-out in the agenda papers.

Resolved:

- (1) That the appointment of Reed Talent Solutions T/A Consultancy+ as a provider of Consultancy Services until 30 September 2027 be approved.**

450 Nightly Paid Temporary Accommodation Tender Outcome

The Head of Finance & Procurement introduced the report as set out in the agenda papers.

Resolved:

- (1) That the outcome of the tender process be noted.**
(2) That the waiver of contract standing orders be approved.

451 Draft Corporate Plan

The Policy and Engagement Officer introduced the report as set-out in the agenda.

The Chair invited questions from Members, and points raised included:

- Aware that the leader of the Council was committed to the Council being fiscally stable;
- the words “following the will of the people” needs to be included in some way;
- under the heading economy, the rail freight heads should refer to those at Ridham and Sheerness;
- refers to network rail and increased traffic congestion at Sittingbourne railway bridge, there are several so need to be specific about which one it is;
- the front cover photo did not represent the whole of the borough and needed to be changed;
- an aerial map of Swale as the front page would be good;
- referred to page 115 of the report and the Murston Heart project and suggested that a sentence be included that the Council had awarded them £100,000 funding;
- referred to page 112 of the report could the blank space be filled by a graph or similar;
- ashamed that a protocol was required on how Members should speak to officers;
- referred to page 124 Health and Housing and disappointed that there was no mention to Rainbow Homes. Did not consider the wording “tackle” homelessness should be included as the problem would never be resolved; and
- we managed to “tackle” homelessness during the Covid-19 Pandemic which showed what was possible.

Councillor Angela Harrison moved the following amendment: That the wording “but only with the support of the majority of residents” be added to the end of bullet point eight on page 118 of the report. This was seconded.

Members considered the amendment and points raised included:

- Supported the amendment and that it should have the support and backing of the local community;
- the phrasing of bullet point eight made it sound like the only way residents could be included in devolving power was to sit on Parish or Town Council, which was not the case. We should also add that voices can be heard via residents associations and other community groups;
- the only way currently power could be devolved was to Parish and Town Councils; and
- some wording in respect of community participation needed to be included within bullet point seven or eight where people could take ownership rather than devolvement of power.

On being put to the vote the amendment was agreed.

Following other comments raised regarding the amendment the Chief Executive said that the following wording could be included: "To ensure active and effective engagement mechanisms are in place so that all residents and communities have the opportunity to engage with the Council".

Resolved:

- (1) That the draft Corporate Plan 2023-2027 be submitted for a public consultation from 30 November 2023 to 25 January 2024 subject to the comments from Members as minuted and the following amendment, that the wording "but only with the support of the majority of residents" be added to the end of bullet point eight on page 118 of the report.**

452 Local Cycling & Walking Infrastructure Plan (LCWIP) - Rural Highways Review - Borden & Grove Park Ward

The Active Travel Coordinator introduced the report as set-out in the agenda papers.

The Chair invited members to ask questions and points raised included:

- Some outlying villages were included why not The Meads;
- no details given about where the local knowledge would come from?;
- should come back as an overarching policy as it was not currently clear what it was;
- how would it be resourced and paid for, it was not clear;
- referred to paragraph 5.2 and concerned that the Council had not spoken to the relevant multi-agencies to establish whether it was something that could be taken forward;
- at the recent Swale Joint Transportation Board where the item was first considered the Kent County Council (KCC) officers said that they already spoke with the multi-agencies and bus companies;
- was not only a one KCC area division issue;
- a good idea but not workable as set-out;
- agreed that the whole of Swale should be included;
- KCC and Highways England have failed to take account of Swale's rural and urban road networks and the Council needed to do something before it got worse;

- suggested that Members moved forward with the proposal recognising that it would need to expand; and
- would virtual meetings be permitted.

Councillor Monique Bonney moved the following amendment: That recommendation (1) be amended to read that the scope of the project be widened to include the rest of Swale. This was seconded and on being put to the vote the amendment was agreed.

Councillor Mike Whiting moved the following further amendments: That recommendation (2) be removed. The words “during the Key Street and Grovehurst roundabout works to endeavour to maintain the flow of traffic” be removed from recommendation (3). This was seconded and on being put to the vote the amendments were agreed.

In response the Chief Executive stated that the purpose of the proposal was to enable officers to speak to all the relevant parties, and to ensure local voices were heard on what changes to the road network would be ok and those which would cause issues. The meetings could be held virtually and officers considered that the LCWIP could be set-up within existing resources.

Resolved:

(1) That a Multi-Agency Task Force be formed and monitors the wider road network to ensure that the current programme of works that impact Swale and any future planned works, delivers the mitigations to allow for the regeneration of the shared space rural lanes and implement the interventions where and when appropriate.

(2) That the group assists Kent Highways and National Highways with traffic management plans by providing local knowledge to endeavour to maintain the flow of traffic.

(3) That the group liaises with large employers, logistics companies, public transport providers, Medway Council, Utilities, and other organisations, including schools to reduce the impact of congestion during the works.

453 **Overarching Enforcement Policy**

The Policy & Engagement Officer introduced the report as set-out in the agenda.

Resolved:

(1) That the overarching enforcement policy at Appendix I of the report be adopted.

454 **Forward Decisions Plan**

Resolved:

(1) That the Forward Decisions Plan be noted.

455 **Membership of KCC Enhanced Bus Partnership**

The Chair drew attention to the recommendation from the Planning and Transportation

Policy Working Group (PTPWG) held on 23 November 2023, which was tabled for Members.

Discussion ensued about whether the item should be deferred as the minutes from the PTPWG had not yet been published.

Councillor Mike Whiting moved the following motion: That subject to the minutes of the PTPWG being published the recommendation from the PTPWG be ratified. This was seconded and on being put to the vote the motion was agreed.

Resolved:

- (1) That following the publication of the PTPWG minutes of the meeting held on 23 November 2023, the recommendation that Councillors Karen Watson and Alastair Gould be nominated to sit on the Local Focus Group be ratified.**

456 South Thames Gateway Building Control Business Plan

The Head of Regeneration, Economic Development and Property and Interim Head of Planning introduced the report as set-out in the agenda papers.

A Member asked if there was any way the Council could influence central government to have a good level of control over the private building control companies. The Head of Regeneration, Economic Development and Property and Interim Head of Planning agreed to raise this with the Partnership.

Resolved:

- (1) That the draft South Thames Gateway Building Control Partnership Business Plan for 2024 – 2027 be noted.**

457 Exclusion of the Press and Public

There was no need to pass this resolution as Appendix I for item 15, South Thames Gateway Building Control Partnership Business Plan 2024 – 2027 was not discussed at the meeting.

458 Performance Monitoring Mid-Year Report - 2023/2024 (end of Q2)

The Chief Executive said that the Chair had agreed that the report be added as an urgent item and confirmed that it had been published prior to the meeting. Hard copies were tabled.

The Information and Business Improvement Manager introduced the report as set-out in the agenda papers.

In response to a question from a Member, the Head of Regeneration, Economic Development and Property and Interim Head of Planning confirmed that the planning enforcement team was now working at full capacity.

Resolved:

- (1) That the Corporate Performance Management Report at Appendix I of the report be noted.**

459 Adjournment of Meeting

The meeting was adjourned from 7.50 pm until 7.57 pm.

460 Suspension of Standing Orders

At 10 pm and 10.30 pm Members agreed to the suspension of Standing Orders in order that the Committee could complete its business.

Chair

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