

Agenda

Council Meeting

Date: Wednesday, 30 July 2025

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT

Quorum = 16

Pages

Recording and Privacy Notice

Swale Borough Council is committed to protecting the security of your personal information. As data controller we process data in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.

This meeting may be recorded. The recording will be retained in accordance with the Council's data retention policy and may be published on the Council's website. By entering the chamber and by speaking at a meeting, whether in person or online, you are consenting to being recorded and to the recording being published.

When joining a meeting online, your username will be visible to others in attendance. In joining the meeting you are consenting to us processing your username. You may use a pseudonym as your username but the use of an inappropriate name may lead to removal from the meeting.

If you have any questions about how we look after your personal information or your rights under the legislation, please email dataprotectionofficer@swale.gov.uk.

1. Emergency Evacuation Procedure

Visitors and members of the public who are unfamiliar with the building and procedures are advised that:

- (a) The fire alarm is a continuous loud ringing. In the event that a fire drill is planned during the meeting, the Chair will advise of this.
- (b) Exit routes from the chamber are located on each side of the room, one directly to a fire escape, the other to the stairs opposite the lifts.
- (c) In the event of the alarm sounding, leave the building via the nearest safe exit and gather at the assembly point on the far side of the car park. Do not leave the assembly point or re-enter the building until advised to do so. Do not use the lifts.
- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Annual Council Meeting held on 14 May 2025 (Minute Nos. 1 - 15) 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, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPIs) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

5. Mayor's Announcements

6. 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).

7. 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).

8. Leader's Statement

- | | | |
|-----|--|---------|
| 9. | Motion - Secondary School Places on Sheppey | 5 - 6 |
| 10. | Motion - Fighting back against censorship in our Libraries | 7 - 8 |
| 11. | Overnight vehicle issues at locations across Sheppey | 9 - 12 |
| 12. | Undertaking a Community Governance Review in Swale | 13 - 18 |
| 13. | Chief Executive's Objectives 2025/26 | 19 - 24 |
| 14. | Local Plan Review - Timetabling and Way Forward | 25 - 56 |
| 15. | Decisions from Urgent Decisions Committee | 57 - 60 |
| 16. | Independent Persons - extension of contracts | 61 - 64 |
| 17. | Exclusion of the 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3.

1. Information relating to any individual
2. Information which is likely to reveal to the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

- | | | |
|-----|--|---------|
| 18. | Decisions from Urgent Committee - Exempt Appendix | 65 - 70 |
| 19. | Independent Persons - Extension of Contracts - Exempt Appendix | 71 - 72 |

Issued on Tuesday, 22 July 2025

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 democraticservices@swale.gov.uk. To find out more about the work of the Council, please visit www.swale.gov.uk

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

Motion – Insufficient Provision of Secondary School places for Children residing on the Isle of Sheppey

This Council expresses its serious concern regarding the insufficient provision of secondary school places for children residing on the Isle of Sheppey.

On National Offer Day, more than 50 children were allocated school places in Faversham, Maidstone, or Canterbury-locations that are not reasonably accessible for families in the eastern end of the island. Despite the creation of additional school places on the island, very few, if any, of these have been offered to children from the eastern end of the island. Consequently, many families have been allocated places at schools approximately 27 miles from Leysdown, imposing significant travel burdens.

Parents have engaged in dialogue with Kent County Council councillors and the local Member of Parliament; however, these efforts have yet to yield satisfactory resolutions. Although successful appeals have marginally reduced the number of children without reasonable school offers, a substantial number remain affected. This situation not only disrupts the education of these children but is poised to deteriorate further due to ongoing housing developments, contrary to the sustainable development principles outlined in the National Planning Policy Framework.

This Council therefore calls upon Kent County Council, the Secretary of State for Education, and the Secretary of State for Housing to:

1. Undertake an urgent review and introduce a resolution to increase the capacity of secondary school provision on the Isle of Sheppey, prioritising accessibility for children living in the eastern parts of the island.
2. Ensure that school place allocations align with the National Planning Policy Framework's requirements for sustainable development, thereby mitigating undue travel burdens on students and families.
3. Collaborate with local stakeholders, including parents and community representatives, to develop a clear, long-term plan addressing current and projected educational infrastructure needs in the area.

Proposed: Councillor Lee-Anne Moore

Seconded: Councillor Tara Noe

This page is intentionally left blank

Motion: Fighting back against censorship in our Libraries

Council Resolves To:

- Call on Kent County Council to reaffirm its commitment to inclusive education and freedom of expression.
- Write to the Secretary of State for Education expressing concern about threatened censorship and requesting clear guidance that protects access to LGBTQ+ inclusive materials.
- Support school, charity and public libraries in maintaining diverse and inclusive collections, including age-appropriate LGBTQ+ literature where able.
- Celebrate and promote LGBTQ+ History Month and similar events that affirm the rights and dignity of all people, regardless of gender identity or sexual orientation.”

Proposed by: Councillor Charles Gibson

Seconded by: Councillor Hannah Perkin

This page is intentionally left blank

Full Council Meeting	
Meeting Date	30 July 2025
Report Title	Overnight vehicle issues at locations across Sheppey
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Martyn Cassell, Head of Environment and Leisure
Classification	Open
Recommendations	1. Council is asked to agree the charge of £15 per vehicle per night at Shingle Bank (including the areas of green opposite), and Shellness Road as recommended by Community and Leisure Committee and Policy and Resources Committee.

1 Purpose of Report and Executive Summary

- 1.1 The issues arising from overnight parking at various locations in Sheppey has been discussed by Community and Leisure Committee on 11 December 2024 and 5 March 2025, including the outcome of a public consultation.
- 1.2 As a result, the Community and Leisure Committee approved the implementation of an overnight charge at the Shingle Bank and surrounding areas at Minster and Shellness Road in Leysdown.
- 1.3 It was then further discussed at Policy and Resources Committee on 25 March 2025 where they agreed the budget for implementation.
- 1.4 This report is the final requirement which is to insert the overnight charge into the Council's Fee and Charges structure.

2 Background

- 2.1 In recent years, a number of complaints have been received from members of the public, Borough and Parish Councillors, regarding the presence of a large number of motorhomes, campervans and caravans parked along the Shingle Bank 'sea defence' in Minster and at Shellness in Leysdown.
- 2.2 Community and Leisure committee weighed up the costs of implementing an overnight charging scheme (costs of maintaining signage/enforcement against likely income) or permanently restricting access (likely one-off costs).
- 2.3 Having agreed to implement overnight charging and providing the budget to undertake the works, Full Council is the final stop to agree the amount to charge

per night. Public consultation, Community and Leisure committee and Policy and resources have all discussed what amount to charge and are recommending £15 per vehicle per night.

- 2.4 Considerations for setting the charge included finding a rate high enough to deter those wishing to stay in the locations for a long period of time, versus not putting short term visitors off. Furthermore, we do not want to take business away from local operators. The Council will also not be providing facilities that these specialist overnight destinations provide and so the fee proposed is lower than those.
- 2.5 The previous committees have discussed the costs of operating the scheme. These include one-off set-up costs, but also annual enforcement and maintenance of the locations. Taking the one-off costs away, we estimate it will cost £26,300 a year to operate (not including existing officer time in the relevant departments).
- 2.6 Taking the £15 per night fee it would therefore require 1753 paying customers per year to break even. This equates to an average of 5 payments per night. Unfortunately, there is no accurate way to work out demand. There has been a high number of vehicles staying at the locations overnight, however we anticipate that most of this is due to the location being free to stay. A full review will be undertaken after a year of operation to consider the operation and financial position in due course.
- 2.7 To meet the Community and Leisure Committee wish to try and implement this for the summer of 2025, the formal traffic order consultation has already been undertaken. It stated a charge of £15 per night. We have discretion to reduce the fee should Members wish to, but any increase above £15 would require a new consultation period.
- 2.8 The results of the formal traffic order consultation have now been received. There was a total of 24 responses, 6 objecting, 6 in support and 12 comments on the overall scheme that were neutral. No new information was presented with most topics having been discussed in the public consultation and committees. Therefore, as per the delegation given by Policy and Resources committee, officers can implement the scheme.

3 Proposals

- 3.1 Council is asked to agree the charge of £15 per vehicle per night at Shingle Bank (including the areas of green opposite), and Shellness Road as recommended by Community and Leisure committee and Policy and Resources committee.

4 Alternative Options Considered and Rejected

- 4.1 To not approve the fee and charge at all. This would mean the Community and Leisure Committee's decision to implement the overnight charging scheme could not be delivered and the problems encountered would continue.
- 4.2 To reduce the fee. This is not recommended as it would likely mean that the Council will be subsidising the operation.
- 4.3 To increase the fee. This would not enable us to implement the operation this summer but would potentially generate higher income.

5 Consultation Undertaken or Proposed

- 5.1 Community and Leisure committee considered a public petition and public consultation during their decision making.
- 5.2 The relevant town and parish councils were consulted ahead of the decision.

6 Implications

Issue	Implications
Corporate Plan	This report cuts across a range of corporate plan priorities in Community, Environment and Running the Council.
Financial, Resource and Property	Setting the fee at the right amount is vital to try and cover the estimated operational costs. The Civil enforcement fund is the back stop for the year 1 costs. No income from this venture has been budgeted for in the 25/26 revenue budget, so any income achieved will reduce the draw on the reserve. Following the first year of operation it will be reviewed by the relevant committee and budgets aligned.
Legal, Statutory and Procurement	As per the council's constitution fees and charges need to be agreed by Full Council. The Traffic regulation order process has been followed.
Crime and Disorder	Reports of anti-social behaviour have contributed to the raising of this matter at committee.
Environment and Climate/Ecological Emergency	Reports of inappropriate use of the locations such as littering, and disposal of human waste have been considered.
Health and Wellbeing	Those opposed to overnight charges state that they use the locations for leisure pursuits that improve their health and well-being. However, the congestion at the site may restrict others from enjoying the space.

Safeguarding of Children, Young People and Vulnerable Adults	Not applicable to this report.
Risk Management and Health and Safety	Not applicable to this report.
Equality and Diversity	Setting the fee may have an impact on those unable to afford the overnight charge.
Privacy and Data Protection	Not applicable to this report.

7 Appendices

7.1 Not applicable

8 Background Papers

8.1 [Sheppey Area Committee September 2024](#)

8.2 [Community and Leisure Committee – December 2024](#)

8.3 [Community and Leisure Committee – March 2025](#)

8.4 [Policy and resources Committee – March 2025](#)

COUNCIL	
Meeting Date	30 July 2025
Report Title	Undertaking a Community Governance Review in Swale
EMT Lead	Larissa Reed – Chief Executive
Head of Service	Larissa Reed – Chief Executive
Lead Officer	Larissa Reed – Chief Executive
Classification	Open
Recommendations	<p>That Council:</p> <ol style="list-style-type: none"> 1. Undertake a Community Governance Review in Swale. 2. That Council Agree the configuration of the Steering group as 2 Labour, 2 Conservatives, 2 SIA, 1 member each from Liberal Democrats, Reform and Green) plus the unaligned Independent member.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the process the council will need to undertake in order to create additional town and parish councils within the Borough.

2 Background

- 2.1 The Local Government and Public Involvement in Health Act 2007 (Chapter 3 of Part 4 of the 2007 Act) devolves the power to local authorities to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England. Before a Parish or Town Council can be created the Council is required to undertake a Community Governance Review (CGR).
- 2.2 Community Governance Reviews provide the opportunity for principal councils (SBC is the principal council), to review and make changes to community governance within their areas.
- 2.3 In addition to creating parishes, reviews also offer the chance to principal councils to consider the future of what may have become redundant or moribund parishes, often the result of an insufficient number of local electors within the area who are willing to serve on a parish council.
- 2.4 In addition to the principal council undertaking a review, Community governance reviews may also be triggered by local people presenting public petitions to the principal council to trigger community governance reviews. The 2007 Act allows principal councils to determine the terms of reference under which a community

governance review is to be undertaken. It requires the terms of reference to specify the area under review and the principal council to publish the terms of reference. If any modifications are made to the terms of reference, these must also be published.

- 2.5 Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.
- 2.6 The Borough of Swale is largely served by Town and Parish Councils, however there are some notable exceptions to this, the largest being Sittingbourne Town and some surrounding areas which, although are villages, are seen as some as being part of Sittingbourne Town (eg Murston)
- 2.7 The Swale Corporate Plan sets out a desire to hold Community Governance Reviews to enable the whole of the Borough to be covered by Town or Parish Councils.
- 2.8 The process to undertake a Community Governance Review is set out at Appendix A.
- 2.9 The process requires the council to set up a steering group. There are a number of options for this steering group.
 - One member from each political group
 - One member from each political group plus the unaligned independent member
 - A more politically balanced group (eg 2 Labour, 2 Conservatives, 2 SIA, 1 member each from Liberal Democrats, Reform and Green)
 - A more politically balanced group (eg 2 Labour, 2 Conservatives, 2 SIA, 1 member each from Liberal Democrats, Reform and Green) plus the unaligned independent member
- 2.10 **Timing of community governance reviews**

There is no requirement to carry out a Community Governance Review in any particular part of the electoral cycle, but there is good practice to suggest they link in with the electoral cycle so if there are any new councils formed they fall within the cycle (eg elections in May 2027). This is not to say that a new council may not be formed earlier but the tenure of the members will be shortened to fit in with the main electoral cycle of the principal council.
- 2.11 Under the act, there is a requirement to complete the review, within 12 months of the start of the community governance review. The review begins when the council publishes terms of reference of the review and concludes when the council publishes the recommendations made in the review
- 2.12 Section 93 of the 2007 Act allows principal councils to decide how to undertake a community governance review, provided that they comply with the duties in that Act which apply to councils undertaking reviews. Swale Borough Council as the

principal council will need to consult local people, and take account of any representations received in connection with the review. When undertaking the review it is important that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.

- 2.13 Under the 2007 Act the council is required to consult local government electors in any area under review, and others who may have an interest in the review. Other bodies might include local businesses, local public and voluntary organisations - such as schools or health bodies.
- 2.14 In addition, the council must take into account any representations received as part of a community governance review. We must also consider the wider picture of community governance in carrying out their reviews. In some areas there may be well established forms of community governance such as local residents' associations, or community forums which local people have set up and which help make a distinct contribution to the community. In undertaking a review, section 93(5) requires the council to take these bodies into account.

3.0 Alternative Options Considered and Rejected

Not to undertake a Community Governance Review. It would be possible to pause any Community Governance Reviews (except any which are the result of a petition). This has been discounted as it is a piece of work which is in the Corporate Plan

4.0 Consultation Undertaken or Proposed

The bodies which the principal council must consult under section 93 of the 2007 Act include other local authorities which have an interest in the review (It is unlikely we have any of these other than KCC)

There will be statutory and non statutory consultation periods during this piece of work. Officers will carryout roadshows, drop ins, will provide FAQ's and will work with KALC to ensure the consultation is robust and residents views are clearly articulated to members

5.0 Implications

Issue	Implications
Corporate Plan	The work required to carry out Corporate Governance Reviews is in the Corporate Plan
Financial, Resource and Property	The cost of undertaking the CGR will be in the region of £10,000. Although we have no specific budget to undertake this piece of work, we have an officer working on Local Government Reorganisation and they will lead this piece of work

Legal, Statutory and Procurement	The Local Government and Public Involvement in Health Act 2007 (Chapter 3 of Part 4 of the 2007 Act) devolves the power to local authorities to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England
Crime and Disorder	There are no direct crime and disorder implications of this proposal
Environment and Climate/Ecological Emergency	There are no direct Environmental Emergency implications of this proposal
Health and Wellbeing	Although there is not direct Health and Wellbeing impact of this decision, Town and Parish Councils are able to undertake work to improve Health and Wellbeing
Safeguarding of Children, Young People and Vulnerable Adults	There are no direct safeguarding implications of this proposal
Risk Management and Health and Safety	There are no direct health and safety implications of this proposal
Equality and Diversity	There are no direct Equality and Diversity implications of this proposal
Privacy and Data Protection	There are no direct privacy or data protection implications of this proposal

7 Appendices

- Appendix A: Proposed timetable for CGR

8 Background Papers

A research paper which was presented to Group Leaders. The contents of which have been transferred to this report.

Appendix A

Proposed Timetable	Outline of Action
Month 1	P&R makes recommendations to Council on the CGR process. Cross Party Member steering group is set up (informally agreeing ToR) (draft ToR at appendix B (these are not for agreement at the current time)
Month 1	Full Council approves recommendations from P&R, sets ToR for CGR, appoints Steering Group and agrees ToR for Steering Group. Kent County Council to be notified of intention to undertake review and sent ToR
Month 2/3	Meetings of CGR Steering Group to consider the proposed timetable for review, consultation methods and geography for CGR
Month 3-5 (Month 1 of 12 month required timescale)	Formal publication of ToR and launch of public consultation (12 months' timescale starts from now), timetable for review, consultation methods etc. Consultation period of 6 weeks All Parish and town councillors to be notified of intention to review and sent ToR MP's to be notified of intention to review and sent ToR Local groups and interested parties such as local businesses, local residents' associations, local public and voluntary organisations such as schools or health bodies to be informed.
Month 5/6 (Month 2/3 of 12 month required timescale)	CGR Steering Group considers submissions and develops draft recommendations for submission to P&R for approval by Full Council
Month 6/7 (Month 3/4 of 12 month required timescale)	Publish draft proposals (within Council Agenda).
Month 7/8 (Month 4/5 of 12 month required timescale)	Formal Publication of draft recommendations and launch of stage 2 of public consultation (6 weeks)
Month 9/10 (Month 6/7 of 12 month required timescale)	CGR Steering Group considers submissions and develops final recommendations for submission to P&R for approval by Full Council
Month 10/11	Full Council makes final decision and approves the creation of Community Governance Orders (CGO),

(Month of 12 month required timescale)	if any, in relation to any proposed parish / town councils.
Membership	Cross Party – need to agree the number
Officer Leads	Larissa Reed – Chief Executive Steph Curtis - Policy & Communities Manager Jo Millard – Electoral and Democratic Services Manager

COUNCIL	
Meeting Date	30 July 2025
Report Title	Chief Executives Objectives 2025/2026
EMT Lead	Larissa Reed – Chief Executive
Head of Service	Larissa Reed – Chief Executive
Lead Officer	Larissa Reed – Chief Executive
Classification	Open
Recommendations	That Council: 1. Notes the objectives set for the Chief Executive for the year 2025/2026

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the objectives which have been set by Leader and Leader of the opposition (in consultation with all the Group Leaders) for the Chief Executive for the year 2025-2026.

2 Background

- 2.1 Section 3.1.1 of the Council's constitution sets out that the objectives set for the Chief Executive should be noted by members at Annual Council.
- 2.2 This report did not come to Annual Council but is being considered at the first full Council meeting following Annual Council.
- 2.3 The Chief Executive's appraisal took place on 9 April 2025. The process is in 2 parts. A meeting was held between the Head of HR and the Group Leaders to discuss the performance of the Chief Executive and to discuss and agree objectives for the Chief Executive. A further meeting was then held between the Chief Executive and the Leader of the Council and Leader of the Official Opposition Group (supported by the Head of HR), to undertake the appraisal and formally set the objectives.
- 2.4 The objectives set for the Chief Executive are not an exhaustive list of the tasks that need completing, nor do they cover the day to day work the Chief Executive is expected to undertake. The objectives should be SMART (specific, measurable, achievable, relevant and time bound).
- 2.5 The objectives for the year 2025-2026 are set out in Appendix A.

3 Alternative Options Considered and Rejected

3.1 No other options were considered

4 Consultation Undertaken or Proposed

4.1 A meeting was held between the Head of HR and Group Leaders to discuss and agree the objectives.

5 Implications

Issue	Implications
Corporate Plan	All the objectives link to the delivery of the Corporate Plan
Financial, Resource and Property	All the work contained within the objectives will need to be delivered within the agreed budget of the council
Legal, Statutory and Procurement	None
Crime and Disorder	There are no direct crime and disorder implications of this report
Environment and Climate/Ecological Emergency	There are no direct Environmental Emergency implications of this report
Health and Wellbeing	There are no Health and Wellbeing implications to this report
Safeguarding of Children, Young People and Vulnerable Adults	There are no direct safeguarding implications of this report
Risk Management and Health and Safety	There are no direct health and safety implications of this report
Equality and Diversity	There are no direct Equality and Diversity implications of this report
Privacy and Data Protection	There are no direct privacy or data protection implications of this report

6 Appendices

Appendix A: Objectives for 2025-2026 for Chief Executive

7 Background Papers

None

This page is intentionally left blank

Objective (What is the desired result?)	Link to Priorities	Measurement (How will you know if you achieved it?)	Progress Review Date
<p>To ensure Swale's voice is heard in the Local Government Reorganisation work (LGR) and that a submission is made by 28 November 2025.</p> <p>Ensure that all members are involved in the submission.</p> <p>Ensure Parish and Town Councils are involved.</p> <p>Ensure meaningful consultation is undertaken with the public.</p>	<p>Running the Council</p>	<p>The council will have (or be part of a submission) for LGR, ensuring the voices of Swale are heard within the submission.</p> <p>Members, Parish and Town Councillors will feel they have had a say in the submission prepared.</p> <p>Public will feel they had the opportunity to be involved and their views shape the work the council undertakes</p>	<p>November 2025</p>
<p>To support Group Leaders to deliver a balanced budget and MTFS.</p> <p>Providing support for the s.151 Officer to enable her to focus on the budget element.</p>	<p>Running the Council</p>	<p>There is a budget that members feel is deliverable and that the majority of members can agree to.</p>	<p>November 2025</p>

To undertake Community Governance Reviews as required by members.	Running the Council	That local people will have decided whether they wish to have Parish Councils in their area and what the shape of those are.	November 2025
To work with members and officers to deliver good governance within the committee system, developing a successful way genuine scrutiny can take place.	Running the Council	That the move from P&R and 3 committees to P&R and two committees is undertaken smoothly and cross-party work is undertaken to review how scrutiny can best be undertaken.	November 2025
To undertake a review of Area Committees.	Running the Council	That arrangements are put in place which meet the needs of the public.	November 2025
Work with Town and Parish Councils and KALC on a process for asset transfer to ensure that assets for Swale are protected, whilst not negatively impacting on the income for Swale.	Running the Council	That assets which are important to a place are protected as we move to Unitary Councils.	November 2025

Council	
Meeting Date	30 th July 2025
Report Title	Local Plan Review - Timetabling and Way Forward
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Natalie Earl, Planning Manager (Policy)
Classification	Open
Recommendations	1. To agree the updated Local Development Scheme as set out under Option 1 in the appended Planning and Transportation Policy Working Group report.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the background to the recommendation made by Planning and Transportation Policy Working Group (PTPWG) during its meeting on 15th July 2025 and Policy and Resources Committee (P&R) on 21st July 2025 with regard to the Local Development Scheme.
- 1.2 The purpose of the PTPWG report was to set out the barriers to progressing the Local Plan in line with the current Local Development Scheme (LDS) and to present the options for overcoming them.
- 1.3 The report (at Appendix II) set out alternative options available to Members and the advantages, disadvantages and risks associated with those.
- 1.4 It further set out the Council's previous three decisions in relation to the emerging Local Plan:
 - ensuring the next Local Plan is adopted within the transition window (Policy and Resources Committee, 16th October 2024);
 - awaiting the Highsted Inquiry decision before progressing the Reg 18 consultation (Full Council, 4th December 2024); and
 - undertaking a draft Full Plan Regulation 18 consultation (Full Council, 24th July 2024).
- 1.5 A key factor is that at the Highsted Inquiry on 12th June 2025 the Inspector advised that the Inquiry would need to sit for a further 2 weeks. The Inquiry is now scheduled to end on 31st October 2025. This is a significant delay compared with the previous end date of 29th July. The report assessed the LDS options available in the light of this change.
- 1.6 Members discussed this report at the Planning and Transportation Working Group (PTPWG) meeting on 15th July 2025 and voted unanimously to recommended to Policy and Resource Committee to recommend to Full Council

to select Option 1 (Delay the Regulation 19 stage to July - September 2026, once the Highsted decision has been received. Reduce the scope of the Reg 18 stage to include a vision, objectives, portrait of the borough and Development Management policies, and schedule accordingly). The draft minutes can be seen at Appendix III.

- 1.7 It was subsequently discussed at the Policy and Resources Committee meeting on 21st July 2025 and Members unanimously voted in favour of the recommendation.
- 1.8 Policy and Resources Committee Members discussed a variety of issues including:
- The valuable discussion on the report at PTPWG
 - Option 1 is a sensible course of action but still has risks
 - Swale is in a far from ideal situation caused by circumstances outside of its control
 - Uncertainty around when the Highsted decision will be received
 - Swale need a Local Plan to assist with development management decisions, especially appeals
- 1.9 If Full Council agree the recommendation, a new LDS will be published as soon as practically possible.

2 Background

- 2.1 The PTPWG report set out the recent history of the progress of the Local Plan and the relevant decisions that have been taken in terms of timeframe, format and dependencies. It also set out the risks of not having an up to date Local Plan. This can all be seen in Appendix II.

3 Proposals

- 3.1 To agree the updated Local Development Scheme as set out under Option 1 in the appended Planning and Transportation Policy Working Group report.

4 Alternative Options Considered and Rejected

- 4.1 There are a number of alternative options for progressing the Local Plan which have been considered. These are set out and assessed in the appended Planning and Transportation Policy Working Group report.

5 Consultation Undertaken or Proposed

- 5.1 All formal stages of a Local Plan go through public consultation stages with the public, Parish/Town Councils, Statutory and non-Statutory consultees and local interest groups. The draft [Statement of Community Involvement](#) sets out the Council's proposed approach.
- 5.2 There has been no specific consultation on the options within this report beyond the discussion by PTPWG on 15th July 2025 and P&R on 21st July 2025.

6 Implications

Issue	Implications
Corporate Plan	<p>The Local Plan supports the delivery of all Corporate Plan priorities:</p> <ul style="list-style-type: none">• Community• Economy• Environment• Health and housing• Running the Council <p>The Plan contains a specific objective to 'progress a Local Plan with local needs and capacity at its heart.'</p>
Financial, Resource and Property	<p>The Local Plan work programme is fully funded across a combination of base budget, committed reserves and a contribution from the Government's Local Plans Delivery Fund.</p> <p>Some of the rejected options would have incurred additional costs which were unbudgeted (additional modelling and assessment for multiple workstreams, and extra staff capacity).</p>
Legal, Statutory and Procurement	<p>Preparation of a Local Plan is carried out under a national legislative and regulatory framework.</p> <p>Officers will seek Legal advice on the approach and timings of the recommended LDS, given the unique circumstances regarding Highsted Inquiry.</p>
Crime and Disorder	<p>There are no direct crime and disorder impacts arising from this decision. However, once drafted there will be policies within the Local Plan intended to positively impact crime and disorder within Swale.</p>
Environment and Climate/Ecological Emergency	<p>The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making and these assess the environmental impact of the Local Plan as a whole. Some scenarios would allow innovative climate change policies.</p>
Health and Wellbeing	<p>There are no direct health and wellbeing impacts arising from this decision. However, once drafted there will be policies within the</p>

	Local Plan that will positively affect the health and wellbeing of local residents.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The risks of the decision required and of the available options are set out in the main body of this report.
Equality and Diversity	None identified at this stage, although the Local Plan Review itself will be subject to equality impact assessments at key stages as advised by the policy team.
Privacy and Data Protection	None 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: Policy and Resources Committee report 21st July 2025

Appendix II: Planning and Transportation Policy Working Group report 15th July 2025

Appendix III: Draft Planning and Transportation Policy Working Group Minutes 15th July 2025

8 Background Papers

- 8.1 [Agenda Reports Pack](#) and [Minutes](#) for Policy and Resources Committee on Wednesday, 16 October 2024, 7.00 pm
- 8.2 [Agenda Reports Pack](#) and [Minutes](#) for Full Council on Wednesday, 4 December 2024, 7.00 pm
- 8.3 [Agenda Reports Pack](#) and [Minutes](#) for Full Council on Wednesday, 24 July 2024, 7.00 pm

Policy and Resources Committee	
Meeting Date	21 st July 2025
Report Title	Local Plan Review - Timetabling and Way Forward
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Natalie Earl, Planning Manager (Policy)
Classification	Open
Recommendations	1. To recommend the updated Local Development Scheme to Full Council as set out under Option 1 in the appended Planning and Transportation Policy Working Group report.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the background to the recommendation made by Planning and Transportation Policy Working Group during its meeting on 15th July 2025 with regard to the Local Development Scheme.
- 1.2 The purpose of that report was to set out the barriers to progressing the Local Plan in line with the current Local Development Scheme (LDS) and to present the options for overcoming them.
- 1.3 The report (at Appendix I) set out alternative options available to Members and the advantages, disadvantages and risks associated with those.
- 1.4 It further set out the Council's previous three decisions in relation to the emerging Local Plan:
 - ensuring the next Local Plan is adopted within the transition window (Policy and Resources Committee, 16th October 2024);
 - awaiting the Highsted Inquiry decision before progressing the Reg 18 consultation (Full Council, 4th December 2024); and
 - undertaking a draft Full Plan Regulation 18 consultation (Full Council, 24th July 2024).
- 1.5 A key factor is that at the Highsted Inquiry on 12th June 2025 the Inspector advised that the Inquiry would need to sit for a further 2 weeks. The Inquiry is now scheduled to end on 31st October 2025. This is a significant delay compared with the previous end date of 29th July. The report assessed the LDS options available in the light of this change.
- 1.6 Members discussed this report at the Planning and Transportation Working Group (PTPWG) meeting on 15th July 2025 and voted unanimously to

recommended to Policy and Resource Committee to recommend to Full Council to select Option 1 (Delay the Regulation 19 stage to July - September 2026, once the Highsted decision has been received. Reduce the scope of the Reg 18 stage to include a vision, objectives, portrait of the borough and Development Management policies, and schedule accordingly).

2 Background

- 2.1 The PTPWG report set out the recent history of the progress of the Local Plan and the relevant decisions that have been taken in terms of timeframe, format and dependencies. It also sets out the risks of not having an up to date Local Plan. This can all be seen in Appendix I.

3 Proposals

- 3.1 To recommend the updated Local Development Scheme to Full Council as set out under Option 1 in the Planning and Transportation Policy Working Group report.

4 Alternative Options Considered and Rejected

- 4.1 There are a number of alternative options for progressing the Local Plan which have been considered. These are set out and assessed in the appended Planning and Transportation Policy Working Group report.

5 Consultation Undertaken or Proposed

- 5.1 All formal stages of a Local Plan go through public consultation stages with the public, Parish/Town Councils, Statutory and non-Statutory consultees and local interest groups. The draft [Statement of Community Involvement](#) sets out the Council's proposed approach.
- 5.2 There has been no specific consultation on the options within this report beyond the discussion by PTPWG on 15th July 2025.

6 Implications

Issue	Implications
Corporate Plan	<p>The Local Plan supports the delivery of all Corporate Plan priorities:</p> <ul style="list-style-type: none"> • Community • Economy • Environment • Health and housing • Running the Council <p>The Plan contains a specific objective to 'progress a Local Plan with local needs and capacity at its heart.'</p>
Financial, Resource and Property	<p>The Local Plan work programme is fully funded across a combination of base budget, committed reserves and a contribution from the Government's Local Plans Delivery Fund.</p> <p>However, some of the options available will incur additional costs which are unbudgeted (additional modelling and assessment for multiple workstreams, and extra staff capacity).</p>
Legal, Statutory and Procurement	<p>Preparation of a Local Plan is carried out under a national legislative and regulatory framework.</p> <p>Officers will seek Legal advice on the approach and timings of the recommended LDS, given the unique circumstances regarding Highsted Inquiry.</p>
Crime and Disorder	<p>There are no direct crime and disorder impacts arising from this decision. However, once drafted there will be policies within the Local Plan intended to positively impact crime and disorder within Swale.</p>
Environment and Climate/Ecological Emergency	<p>The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making and these assess the environmental impact of the Local Plan as a whole. Some scenarios would allow innovative climate change policies.</p>
Health and Wellbeing	<p>There are no direct health and wellbeing impacts arising from this decision. However, once drafted there will be policies within the</p>

	Local Plan that will positively affect the health and wellbeing of local residents.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The risks of the decision required and of the available options are set out in the main body of this report.
Equality and Diversity	None identified at this stage, although the Local Plan Review itself will be subject to equality impact assessments at key stages as advised by the policy team.
Privacy and Data Protection	None 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: Planning and Transportation Policy Working Group report 15th July 2025

Appendix II: Draft Planning and Transportation Policy Working Group Minutes 15th July 2025 (To follow)

8 Background Papers

- 8.1 [Agenda Reports Pack](#) and [Minutes](#) for Policy and Resources Committee on Wednesday, 16 October 2024, 7.00 pm
- 8.2 [Agenda Reports Pack](#) and [Minutes](#) for Full Council on Wednesday, 4 December 2024, 7.00 pm
- 8.3 [Agenda Reports Pack](#) and [Minutes](#) for Full Council on Wednesday, 24 July 2024, 7.00 pm

Planning and Transportation Policy Working Group	
Meeting Date	15 th July 2025
Report Title	Local Plan Review - Timetabling and Way Forward
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Natalie Earl, Planning Manager (Policy)
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the exceptional level and prohibitive nature of work required to meet the milestones in the current Local Development Scheme (LDS) 2. To select a revised Local Development Scheme for recommendation to Policy and Resources Committee 3. To support bringing forward an advisory visit from the Planning Inspectorate.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to set out the barriers to progressing the Local Plan in line with the current Local Development Scheme (LDS) and to present the options for overcoming them.
- 1.2 It sets out alternative options available to Members and the advantages, disadvantages and risks associated with those.
- 1.3 The report sets out the Council's previous three decisions in relation to the emerging Local Plan:
 - ensuring the next Local Plan is adopted within the transition window (Policy and Resources Committee, 16th October 2024);
 - awaiting the Highsted Inquiry decision before progressing the Reg 18 consultation (Full Council, 4th December 2024); and
 - undertaking a draft Full Plan Regulation 18 consultation (Full Council, 24th July 2024).
- 1.4 At the Highsted Inquiry on 12th June 2025 the Inspector advised that the Inquiry would need to sit for a further 2 weeks. The Inquiry is now scheduled to end on 31st October 2025. This is a significant delay compared with the previous end date of 29th July.
- 1.5 This report assesses the LDS options available in the light of this change.

2 Background

- 2.1 This section sets out the recent history of the progress of the Local Plan and the relevant decisions that have been taken.

Timeframe:

- 2.2 At Full Council on 15th November 2023 the recommendation of the Policy and Resources Committee *‘to defer a decision as to a timescale for the future stages of the Local Plan Review until such time as the national planning landscape is clearer, but independent of this process, to proceed to develop the evidence base regarding local development need and potential, with this process to be wholly reflective of local circumstance rather than central targets’* was agreed.
- 2.3 The key dates in the agreed LDS are as follows:

Local Plan Stage	Date
Publication of Regulation 18 draft Local Plan consultation	October to December 2025
Publication of submission draft Local Plan review for public Consultation (Reg 19)	April to June 2026
Submission of Plan for Examination (with results of the public consultation) Reg 22	July to September 2026
Examination hearing sessions (Reg 24) *	January to March 2027
Main modifications consultation *	April to June 2027
Adoption, Full Council (Regulation 26) *	July to September 2027

* Indicative time frames as dates will be dependent on the availability of the Planning Inspectorate.

- 2.4 The 2024 National Planning Policy Framework (NPPF) put in place transitional arrangements to support progress of advanced plans in line with the Government’s objective of achieving ambitious Local Plans as quickly as possible. Plans that are submitted by December 2026 can be prepared against the current plan making legislation/guidance (the ‘transition window’). Members recommended continuing to prepare the Swale Local Plan under the transitional arrangements at Planning and Transportation Policy Working Group on 17th September 2024 and agreed under the minutes at P&R on 16th October 2024.
- 2.5 This paper discusses submitting the Local Plan under the transition window by December 2026 so that it can be prepared under the existing plan making system. The Government has proposed a new style Local Plan system to *“drive Local Plans to adoption as quickly as possible to achieve universal plan coverage across England.”*
- 2.6 Plans under the new system as set out by government are intended to be:
- Simpler to understand and use;

- More standardised and visual;
- Prepared more quickly and updated more frequently; (There will be a 30-month timeframe for planning authorities to prepare and adopt a Local Plan.)
- Supported by a push to advance the digitisation of the process;
- Focused only on 'locally important' matters - with the introduction of National Development Management Policies (which were due to be consulted on in Spring 2025 and are awaited at the time of writing this report.) This would not allow Swale-specific Development Management policies;
- Lighter in the amount of evidence required to develop a plan and defend it at examination (and therefore Swale may be unable to utilise all of the already completed evidence base); and
- Able to make use of 'supplementary plans' to help planning authorities react quickly to changes in their areas.

2.7 The formula used to set housing targets for Councils will be updated under the new framework to increase the overall target nationally and it is expected that Swale's target would increase accordingly, along with areas with high housing unaffordability and growth potential who will see their targets further increase.

2.8 Waiting to prepare and submit the Local Plan until the new system is brought in extends the risk of Swale not having an up to date Local Plan as set out in paragraphs 4.3 – 4.15 of this report.

2.9 There is current uncertainty regarding processes for adoption post the Local Government Reorganisation implementation date of April 2028.

Format:

2.10 There is some flexibility as to what style a Reg 18 consultation takes, especially when it is a repeated stage. At Council on 24th July 2024 members chose to produce a more detailed Reg 18 Local Plan, to include issues and options and that it would reflect a number of draft evidence documents produced to demonstrate mitigation for the levels of development proposed. It would be similar in these regards to a Reg 19 consultation.

2.11 One option available is to reduce the scope of the Reg 18 consultation, to include matters which do not depend on the Highsted decision. This could include the vision, objectives, the portrait of the borough and the Development Management (DM) policies.

2.12 Another option is to go straight to a Reg 19 consultation, which would include the vision, objectives, development management and strategic policies and development allocations. This would require the Reg 19 document to build on the previous consultations undertaken since the 2017 adopted Local Plan. This includes the 'Looking Ahead' document in April 2018, The Reg 19 Local Plan in February 2021 and the Issues and Preferred Options Reg 18 Local Plan in

October 2021. These are robust building blocks to have as a foundation as they provide a wealth of both stakeholder and public consultation responses.

Dependencies:

- 2.13 The LDS was amended in respect of the Highsted planning applications call-in at Policy and Resources Committee on 27th November 2024. The tabled update, as requested by members, provided an assessment of the benefits and disadvantages of delaying the Regulation 18 draft Plan consultation until a decision had been made by the Secretary of State on the two planning applications for Highsted Park.
- 2.14 Members agreed the LDS at Full Council on 4th December 2024 which had been amended to take into account the Highsted Park applications call-in. Whilst the decision itself doesn't state that the publication of a Reg 18 Local Plan should wait until after the Council received the Highsted decision, that was the expectation driving the decision.
- 2.12 The officer assessment of the likely timescale for the Highsted decision is 2 – 3 months for the Planning Inspector to conclude her report and a further 2 – 3 months for the Secretary of State to issue her decision. This assessment of timeframe acknowledges the pace the Secretary of State has indicated she is keen to see for significant decisions, and as such does not necessarily reflect previous experience. The Inspector has not commented on this timeframe.
- 2.13 The current LDS is no longer viable due to the extension of the Highsted Inquiry to late autumn. This would require triple-tracking / or attempting to predict the outcome of the Highsted Inquiry during the preparation and consultation stage of the Reg 18 and (as a minimum) the preparation stage of Reg 19. The resultant workload for members, officers and stakeholders, as well as the additional cost requirements and implications for public input, make this unviable

Other:

- 2.14 During a regular meeting between officers and the Ministry of Housing, Communities and Local Government (MHCLG) in early July, the value and timing of the new PINS advisory visits was discussed. These are informal discussions chaired by an experienced Inspector on a without prejudice basis with the aim of assisting Local Authorities to prepare effectively for the examination process. Often these are back-ended in the process, in the lead up to a Reg 19 consultation / before Examination. Discussion suggested that given the move towards a Reg 18 of a different style and content, resulting from highly unusual local circumstance, it could be beneficial to bring this forward. MHCLG also highlighted that a significant number of Local Authorities are aiming to submit within the transition window, so PINS may not have capacity at the later stages.

3 Proposals

- 3.1 To note the exceptional level and prohibitive nature of work required to meet the milestones in the current Local Development Scheme (LDS).

- 3.2 To select a revised Local Development Scheme for recommendation to Policy and Resources Committee
- 3.3 To support bringing forward an advisory visit from the Planning Inspectorate.

4 Alternative Options Considered and Rejected

- 4.1 There are a number of alternative options for progressing the Local Plan which have been considered. These are set out below with their advantages and disadvantages /risks and implications for LDS milestones:

- **Option 1:** Delay the Regulation 19 stage to July - September 2026, once the Highsted decision has been received. Reduce the scope of the Reg 18 stage to include a vision, objectives, portrait of the borough and Development Management policies, and schedule accordingly.
- **Option 2:** Prepare one or two highly caveated Reg 18 draft Local Plan scenarios with draft housing allocations based on assumptions as to the Highsted decision and consult prior to the Highsted outcome.
- **Option 3:** “Triple track” a draft Reg 18 document with draft housing allocations to suit all eventualities (Highsted North agreed, both agreed, both refused) and consult prior to the Highsted outcome. (The Inspector has stated at the Inquiry that she doesn’t see the Southern scheme coming forward alone so that option has not been considered.)
- **Option 4:** Retain the LDS programme in its current form (in terms of format and timing between milestones) and begin the Reg 18 consultation preparation work only once the Highsted decision is made.
- **Option 5:** Omit the Reg 18 stage and move straight to preparing one or two highly caveated Reg 19s, or a “Triple Track” Reg 19 at the currently scheduled Reg 19 date.
- **Option 6:** Delay the Regulation 19 stage to July - September 2026, once the Highsted decision has been received and omit the Regulation 18 consultation stage.

Further options were deemed not viable enough to progress and were discounted early on.

- **Option 7 (Rejected):** Condensing the timeframe of any of the LDS milestone stages further.
- **Option 8 (Rejected):** Retaining the LDS as published (see section 2.13)

- **Option 9 (Rejected):** As per options 2 and 3 above, but launching the Reg 18 consultation only once the Highsted decision has been reached. This would mean submitting after the transition window, and potentially adopting post Local Government Reorganisation.

Table I: Options Available to Progress the Local Plan

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
Option 1 Delay the Regulation 19 stage to July - September 2026, once the Highsted decision has been received. Reduce the scope of the Reg 18 stage to include a vision, objectives, portrait of the borough and Development Management Policies, and schedule accordingly.	<ul style="list-style-type: none"> Shows a commitment to producing a Local Plan and therefore reduces risk of Secretary of State intervention. Allows Swale to set out a degree of vision (excluding strategic policies or allocations) for housing, the economy, the environment, infrastructure, at the earliest stage. Avoids the additional time and cost of duplicated workstreams or “triple tracking”, and significantly reduces the risk of officer capacity not meeting workload demands (subject to no unforeseen circumstances impacting staffing). Provides an early opportunity for the public and stakeholders to engage with elements of the Local Plan. No risk of needing to return the recently awarded Government grant to support delivery of the Reg 18 stage of Local Plan work. There would be no policy vacuum on DM policies (but it would still exist for strategic policies and draft allocations). It allows the Local Plan to be submitted under the transitional window and under the current planning system and therefore avoids potentially having to redo / disregard, 	<ul style="list-style-type: none"> A Reg 18 Local Plan of this nature would have ‘low weight’ in planning decisions and ‘moderate weight’ post consultation stage in decision making for assessing planning applications. The Reg 18 would not help Swale’s 5year housing land supply position as it will not include draft allocations. A Reg 18 of the format described adds no certainty for developers and investors as it has no spatial elements. The previously identified policy vacuum/‘planning by appeal’ situation would continue until the Reg 19 is published. As the 5 Year Housing Land Supply position would be unlikely to change during this period, the Council could be more vulnerable to planning appeals and speculative applications. The recommendation would leave the Council with around four months extra with no Reg 18 Local Plan and therefore no emerging Local Plan of any weight. Reputationally it could look like the Council were delaying preparation. Stakeholders and the public would get one less opportunity to contribute and comment on allocations. However, this is balanced by a number of 	Reg 18 consultation Jan-Feb 2026 Reg 19 consultation July – Sep 2026 Submission of Plan for Examination (Reg 22) Q4 2026 Examination Hearing* Sessions Q2 2027 Main mods consultation* Q3 2027 Adoption* Q4 2027 * Indicative time frames as dates will be dependent on the availability of the Planning Inspectorate

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
<div data-bbox="94 743 136 901" data-label="Page-Header">Page 41</div>	<p>large sections of the evidence base and policy drafting.</p> <ul style="list-style-type: none"> • It reduces the decision-making and workload burden for both members and officers and reduces the risk that resource and capacity can't be secured to meet demand. • Would not require a high volume of extraordinary PTPWG, Committee and Full Council meetings. • Has the advantage of presenting a single scenario for the public and stakeholders to comment on, so is more likely to lead to better understanding and higher quality engagement. • It would utilise the work that both officers and Members have already undertaken on the Development Management (DM) policies. 	<p>consultation opportunities since Bearing Fruits.</p> <ul style="list-style-type: none"> • If anything significant is raised on allocations/ strategic policies by consultees at Reg 19, there are reduced options to address. 	
<p>Option 2 Prepare one or two highly caveated Reg 18 draft Local Plan scenarios with assumptions as to the Highsted decision and consult prior to the Highsted outcome</p>	<ul style="list-style-type: none"> • Conforms with all existing member decisions. • Shows a commitment to producing a Local Plan and therefore reduces risk of Secretary of State intervention. • Would be submitted under the transition window and under the current planning system. • Provides an early opportunity for the public and stakeholders to engage with elements of the Local Plan. 	<ul style="list-style-type: none"> • There is no firm basis for making an assumption as to the outcome of the Highsted Inquiry, which would continue to run alongside this work. It could be seen as inappropriate to predict the Inspector and Secretary of State's decisions. The wrong predictions would lead to significant abortive work and major changes would have to be made for Reg 19. • It has the potential to confuse and alienate the public. 	<p>As currently published – see paragraph 2.3 above.</p>

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
<div data-bbox="94 714 136 876" data-label="Page-Header">Page 42</div>	<ul style="list-style-type: none"> Allows Swale to set out its vision for housing, the economy, the environment, infrastructure, etc for the borough at the earliest stage. No risk of needing to return the recently awarded Government grant to support delivery of the Reg 18 stage of Local Plan work. 	<ul style="list-style-type: none"> Members would need to choose the proposed development sites very rapidly during early summer 2025. Implications and confusion of holding a public discussion on development sites for the Local Plan before a Highsted decision is received. Extra, duplicated work undertaken. This would require running two parallel sets of work (i.e. two preferred growth options/ two sets of HELAA choices) and duplication in terms of time and cost of the required evidence base/technical studies that sit alongside that – such as the Sustainability Appraisal, transport modelling, Strategic Flood Risk Assessments, Air Quality Assessments, etc. A headline estimate of the additional cost of these pieces of work alone is c. £100,000 - £150,000. There is currently no allocated budget for this. 	
Option 3 “Triple track” a Reg 18 draft Plan document with draft housing allocations in a Reg 18 Local Plan to suit all eventualities and	<ul style="list-style-type: none"> Conforms with all existing member decisions. Shows a commitment to producing a Local Plan and therefore reduces risk of Secretary of State intervention. Would be submitted under the transition window and under the current planning system. 	<ul style="list-style-type: none"> Extra, triplicated work undertaken. This would require running three parallel sets of work (i.e. three preferred growth options/three HELAA choices) and triplication in terms of time and cost of the required evidence base/technical studies that sit alongside that – such as the Sustainability Appraisal, transport modelling, Strategic Flood Risk 	As currently published – see paragraph 2.3 above.

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
consult prior to the Highsted outcome	<ul style="list-style-type: none"> Provides an early opportunity for the public and stakeholders to engage with elements of the Local Plan. Allows Swale to set out its vision for housing, the economy, the environment, infrastructure, etc for the borough at the earliest stage. No risk of needing to return the recently awarded Government grant to support delivery of the Reg 18 stage of Local Plan work. 	<p>Assessments, Air Quality Assessments, etc. A headline estimate of the additional cost of these pieces of work alone is c. £150,000 -200,000. There is currently no allocated budget for this.</p> <ul style="list-style-type: none"> Members would need to choose the proposed development sites under a pressured timeframe during early summer 2025. It has the potential to confuse and alienate the public and it could be seen as the Council weakening its resistance to the Highsted application. It could be a reputational concern as it could appear that the Council was now “supporting” Highsted. There is a risk of the Council not being seen as leading its own policy creation. There could be a risk the public and stakeholders won’t engage and/or the quality of engagement will be lower/focus will be diverted because of the multiple options and the magnified consideration and input they require. It will be challenging to explain the narrative to people. Statutory consultees may scale back their responses due to the increased workload this option could require and/or not be able to deliver timely and useful feedback. A large number of Local Authorities are planning to submit 	

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
		<p>Reg 18 and Reg 19 Local Plans before December 2026 so statutory consultees will be under pressure.</p> <ul style="list-style-type: none"> • It would require all of the relevant working groups and committees (PTPWG, Policy and Resources and Full Council) to fully understand and support the additional work and departure from usual process and to accommodate extra meetings. • Impact on staff wellbeing/workload. Extra resources would be required to deliver this option which would come at an unbudgeted cost. There would be a high risk of staff capacity not meeting demand. 	
<p>Option 4 Retain the LDS programme in its current form (in terms of format and timing between milestones) but begin the Reg 18 consultation preparation work only once the Highsted decision is made.</p>	<ul style="list-style-type: none"> • Allows the Council to progress with certainty around Highsted. • Avoids the additional time and cost of multiple workstreams, and significantly removes the risk of officer capacity not meeting workload demands (subject to unforeseen circumstances). • Would not require a high volume of extraordinary PTPWG, Committee or Full Council meetings. • Has the advantage of presenting a single scenario for the public and stakeholders to comment on, so is more likely to lead to better understanding and higher quality engagement. 	<ul style="list-style-type: none"> • Would not meet the December 2026 submission deadline so may require significant change to the volume and nature of preparatory work to fit with the new system. • The Council potentially may need to return the recently awarded Government grant to support delivery of the Reg 18 stage of Local Plan work as it would no longer be submitting within the submission window. • Reputationally it could look like the Council were delaying preparation. • The policy vacuum would persist, leading to potentially more planning appeals and the risk of inappropriate 	<p>The milestones within the existing LDS would be retained, but the programme shifted to accommodate a later commencement of the Reg 18 stage. These would be set once the Highsted outcome is known.</p> <p>Members would have the option to introduce a longer period between the Reg 18 and Reg 19 consultation periods, as the gap within the</p>

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
	<ul style="list-style-type: none"> Provides two full opportunities for the public and stakeholders to engage. 	<ul style="list-style-type: none"> development, alongside the associated staff resources and costs. Risks the process going beyond the scheduled date for Local Government reorganisation. 	existing LDS is at the lower end of usual process, and was determined linked to the transition window.
Option 5 Omit the Regulation 18 stage and move straight to a “Triple Track” Reg 19 at the currently scheduled Reg 19 date.	<ul style="list-style-type: none"> Shows a commitment to producing a Local Plan and therefore reduces risk of Secretary of State intervention. Would be submitted under the transition window and under the current planning system. Allows Swale to set out its vision for housing, the economy, the environment, infrastructure, etc for the borough prior to local government reorganisation. 	<ul style="list-style-type: none"> Extra, duplicated work undertaken. This would require running three parallel sets of work (i.e. three preferred growth options/three HELAA choices) and duplication in terms of time and cost of the required evidence base/technical studies that sit alongside that – such as the Sustainability Appraisal, transport modelling, Strategic Flood Risk Assessments, Air Quality Assessments, etc. A headline estimate of the additional cost of these pieces of work alone is £150,000 - £200,000. There is currently no allocated budget for this. Members would need to choose the proposed development sites for the multiple options under a relatively pressured timeframe. It has the potential to confuse and alienate the public and it could be seen as the Council weakening its opposition to the Highsted application. It could be a reputational concern as it could appear that the Council was now “supporting” Highsted. 	As currently published – see paragraph 2.3 above.

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
		<ul style="list-style-type: none"> • There is a potential risk of the Council not being seen as leading its own policy creation. • There could be a risk the public and stakeholders won't engage and/or the quality of engagement will be lower/focus will be diverted because of the multiple options and the magnified consideration and input they require. It will be challenging to explain the narrative to people. • Stakeholders and the public would get one less opportunity to contribute. However, this is balanced by a number of consultation opportunities since Bearing Fruits. • Statutory consultees may scale back their responses due to the increased workload this option could require and/or not be able to deliver timely and useful feedback. A large number of Local Authorities are planning to submit Reg 18 and Reg 19 Local Plans before December 2025 so statutory consultees will be under pressure. • It would require all of the relevant working groups and committees (PTPWG, Policy and Resources and Full Council) to fully understand and support the additional work and departure from usual process and to accommodate extra meetings 	

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
Page 4 Option 6: Delay the Regulation 19 stage to July - September 2026, once the Highsted decision has been received and omit the Regulation 18 consultation stage.		<ul style="list-style-type: none"> • Impact on staff wellbeing/workload. Extra resources would be required to deliver this option which would come with a cost. There would be a risk of capacity not meeting demand. • The Council may potentially need to return the recently awarded Government grant to support delivery of the Reg 18 stage of Local Plan work. However, as the Council would still be working to submit a Local Plan within the submission window and still using the fund to exactly that effect, it would seem unlikely. • If anything significant is raised by consultees at Reg 19, there are fewer options to address. 	
	<ul style="list-style-type: none"> • It allows the Local Plan to be submitted under the transitional window and under the current planning system and therefore potentially avoiding having to redo and potentially disregard, large sections of the evidence base and policy drafting. • It allows the Council to wait for the Highsted decision, to progress with certainty, and reflect that within the Reg 19 Local Plan. • It avoids the additional time and cost of multiple workstreams and significantly 	<ul style="list-style-type: none"> • The previously identified policy vacuum/'planning by appeal' situation would continue until the Reg 19 is published in quarter 3 2026. As the 5 Year Housing Land Supply position would be unlikely to change during this period, the Council could be more vulnerable to planning appeals and speculative applications. • Less certainty for developers and investors in the short term. • Reputationally it could look like the Council were delaying preparing a Local Plan. 	Reg 19 consultation July – Sep 2026 Submission of Plan for Examination (Reg 22) Q4 2026 Examination Hearing* Sessions Q2 2027 Main mods consultation* Q3 2027 Adoption* Q4 2027

Option	Advantages	Disadvantages/Risks	Draft LDS Milestones
<div data-bbox="92 716 138 873" data-label="Page-Header">Page 48</div>	<p>reduces the risk of officer capacity not meeting workload demands</p> <ul style="list-style-type: none"> • It reduces the decision-making and workload burden for both members and officers and reduces the risk that resource and capacity can't be secured to meet demand. • It maintains a commitment to producing a Local Plan and therefore reduces the risk of Secretary of State intervention. • Allows Swale to set out its vision for housing, the economy, the environment, infrastructure, etc for the borough prior to local government reorganisation. • Would not require a high volume of extraordinary PTPWG, Committee or Full Council meetings. • Has the advantage of presenting a single scenario for the public and stakeholders to comment on, so is more likely to lead to better understanding and higher quality engagement 	<ul style="list-style-type: none"> • Stakeholders and the public would get one less opportunity to contribute and comment. This would be balanced by the number of consultation opportunities since Bearing Fruits. • If anything significant is raised by consultees at Reg 19, there are fewer options to address. • The Council may potentially need to return the recently awarded Government grant to support delivery of the Reg 18 stage of Local Plan work. However, as the Council would still be working to submit a Local Plan within the submission window and still using the fund to exactly that effect, it would seem unlikely. 	<p>* Indicative time frames as dates will be dependent on the availability of the Planning Inspectorate</p>

Risks of Delaying/Not Having a Local Plan

- 4.3 There a number of potential risks of delaying and/or not having an up to date Local Plan.

Procedural Risks

Loss of Control of Development

- 4.4 There could be significant pressure to release greenfield sites through the development management process and the potential situation of 'Planning by Appeal' as by not having an up to date Local Plan it is more difficult to maintain a 5 year housing land supply. Such a position could result in negative planning outcomes which impact our communities, which would divert both staff and financial resources and would have the potential to undermine a future strategy associated with the Local Plan.
- 4.5 Delay could lead to intervention by central Government and that would mean a loss of Council control of development within Swale, both in terms of the Local Plan and potentially (although much less likely) the development management process. Councillors would have a reduced ability to influence the future strategy for growth in the borough, housing and employment allocations and development management policies depending on what stage the Local Plan was at when an intervention was made. Members could potentially have no decision-making role in the Local Plan as it is up to the Secretary of State how much input members would have in terms of their views being heard and influencing the direction of travel. Decisions on intervention would specifically be informed by, "*the extent to which authorities are working co-operatively to put strategic plans in place, and the potential impact that not having a plan has on neighbourhood planning activity*"). Authorities would have an opportunity to put forward any exceptional circumstances before action was taken. Swale would put forward a case that the call-in of the Highsted application was an exceptional circumstance and that despite it, the Council had continued to work on the required evidence base documents and make progress.
- 4.6 There is also a risk with intervention that there would be pressure to adopt a Local Plan as quickly as possible and therefore a 'no frills' approach could be taken that wouldn't allow Swale to be ambitious in terms of affordable housing, net zero policies, biodiversity net-gain or have locally distinct policies around design, for example. It has been raised at Planning Committee by members that Swale is being held back in being innovative and getting more from development - particularly from a climate perspective - by the lack of a Local Plan.
- 4.7 Swale's Supplementary Planning Guidance and Documents (SPG and SPDs), such as The Parking Standards SPD and The Sittingbourne Town Centre SPD,

could have less weight in planning decisions as the Local Plan that they have their 'policy hook' to would be out of date. These documents expand on the policies contained in the adopted Local Plan providing further guidance on specific topic areas which aid stakeholders in translating the policies into sustainable development proposals. (This has not yet been raised by any planning inspectors at appeals in Swale.)

- 4.8 If the Government did send in a team to take over the production of the Local Plan, they would charge the Council for that time and resource. In house staff would remain but would work together with the team that MHCLG introduce. Therefore, costs would be in addition to current staffing costs.
- 4.9 Swale's ability to proceed with Compulsory Purchase Orders (CPOs) could also be compromised as the process requires an up-to-date Local Plan as the basis for action. (Noting that Swale has no current plans for any CPOs.)

On The Ground Consequences

Social/Infrastructure Costs

- 4.10 New development, when properly planned for through Local Plan allocations, mitigates its impact in infrastructure terms, and frequently these mitigations bring wider community benefit, such as new schools, health facilities, green spaces, sports provision and active travel provision. In the absence of new housing associated with a Local Plan, these benefits would not be delivered comprehensively or cohesively, as there would also be a lack of coordination of S106 monies and a risk of receiving no S106 monies at planning appeals. At an appeal a Council loses control of the content of the S106 as it is negotiated between the appellant and the Council as part of the appeal process. The Inspector could also remove contributions.
- 4.11 An up-to- date Local Plan is essential to ensure a co-ordinated approach to infrastructure delivery and the mechanism for securing scarce finances for new infrastructure. The current picture of public sector budgets places greater emphasis on the Local Plan as one of the most important sources of funding for the Council through planning contributions to deliver new essential infrastructure.
- 4.12 Future external funding bids for regeneration projects could be compromised as many would not have the required policy context. (Swale do not currently have any bids being worked on that rely on Local Plan policies.)
- 4.13 Evidence shows that when a Council does not have an up-to-date Local Plan more planning applications are received from speculative applicants and this can lead to more planning appeals and the resultant pressures on officer time and

appeal costs both in terms of officer time, expert witness costs (and potentially award of costs.)

Reputational costs

- 4.14 A policy vacuum from the lack of an up-to-date Local Plan or an emerging Local Plan can result in a lack of certainty for both the public and private sectors, and undermine investor confidence.
- 4.15 There is a risk that the public will perceive the Council as failing in its duty to positively prepare a Local Plan. However, some members of the community may perceive it as the Council doing the 'right thing' in terms of resisting imposition.

5 Consultation Undertaken or Proposed

- 5.1 All formal stages of a Local Plan go through public consultation stages with the public, Parish/Town Councils, Statutory and non-Statutory consultees and local interest groups. The draft [Statement of Community Involvement](#) sets out the Council's proposed approach.
- 5.2 There has been no specific consultation on the options within this report.

6 Implications

Issue	Implications
Corporate Plan	<p>The Local Plan supports the delivery of all Corporate Plan priorities:</p> <ul style="list-style-type: none"> • Community • Economy • Environment • Health and housing • Running the Council <p>The Plan contains a specific objective to 'progress a Local Plan with local needs and capacity at its heart.'</p>
Financial, Resource and Property	<p>The Local Plan work programme is fully funded across a combination of base budget, committed reserves and a contribution from the Government's Local Plans Delivery Fund.</p> <p>However, some of the options available will incur additional costs which are unbudgeted (additional modelling and assessment for multiple workstreams, and extra staff capacity).</p>
Legal, Statutory and Procurement	Preparation of a Local Plan is carried out under a national legislative and regulatory framework.

	Officers will seek Legal advice on the approach and timings of the recommended LDS, given the unique circumstances regarding Highsted Inquiry.
Crime and Disorder	There are no direct crime and disorder impacts arising from this decision. However, once drafted there will be policies within the Local Plan intended to positively impact crime and disorder within Swale.
Environment and Climate/Ecological Emergency	The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making and these assess the environmental impact of the Local Plan as a whole. Some scenarios would allow innovative climate change policies.
Health and Wellbeing	There are no direct health and wellbeing impacts arising from this decision. However, once drafted there will be policies within the Local Plan that will positively affect the health and wellbeing of local residents.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The risks of the decision required and of the available options are set out in the main body of this report.
Equality and Diversity	None identified at this stage, although the Local Plan Review itself will be subject to equality impact assessments at key stages as advised by the policy team.
Privacy and Data Protection	None 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: **Member Decisions Remaining For Local Plan Adoption**

8 Background Papers

- 8.1 [Agenda Reports Pack](#) and [Minutes](#) for Policy and Resources Committee on Wednesday, 16 October 2024, 7.00 pm
- 8.2 [Agenda Reports Pack](#) and [Minutes](#) for Full Council on Wednesday, 4 December 2024, 7.00 pm
- 8.3 [Agenda Reports Pack](#) and [Minutes](#) for Full Council on Wednesday, 24 July 2024, 7.00 pm

Planning and Transportation Policy Working Group

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Tuesday, 15 July 2025 from 7.03 pm - 7.35 pm.

PRESENT: Councillors Monique Bonney, Hayden Brawn (Vice-Chair), Ann Cavanagh, Charles Gibson (Chair), Kieran Golding, James Hunt, Peter Marchington and Mike Whiting.

OFFICERS PRESENT: Billy Attaway, Natalie Earl, Joanne Johnson and Onawale Kuforiji.

OFFICER PRESENT (VIRTUALLY): Stuart Watson.

ALSO IN ATTENDANCE (VIRTUALLY): Councillors Simon Clark and Ashley Wise.

APOLOGIES: Councillors Mike Baldock, Alastair Gould and Julien Speed.

1 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

2 **Minutes**

The Minutes of the Meeting held on 13 March 2025 (Minute Nos. 742 – 748) were taken as read, approved and signed by the Chair as a correct record.

3 **Declarations of Interest**

No interests were declared.

4 **Local Plan Review - Timetabling and Way Forward**

The Planning Policy Manager introduced the report which set out the barriers to progressing the Local Plan in line with the current Local Development Scheme (LDS) and the options available to Members. The Planning Policy Manager highlighted the three previous decisions made in relation to the emerging Local Plan and said that the Highsted Park Inquiry had been extended to end on 31 October 2025, which meant there was a significant impact on completing the required work in line with the existing LDS.

The Chair invited Members to make comments, and these included:

- It was important the Council continued work on the local plan;
- the option of having a planning inspector visit the borough for a pre-discussion would be beneficial;
- reviewing the options and timeframes, option 1 was the most sensible one as the other options required more work, would cost more and created uncertainty;
- was the advisory visit from the planning inspectorate free?;
- was not convinced that the Highsted Park Inquiry would be finished by 31 October 2025, but important that the Local Plan work was moved forward;
- policy work could be progressed, but recognised any allocations would prove difficult;
- did officers know when the advisory visit would take place?;

- needed to ensure that any questions submitted to the planning inspectorate were the right sort of questions;
- any policy work carried out needed to have the wording carefully considered as it was clear during inquiry hearings that some current Council policy had not been specific enough;
- could officers gain legal advice in the early stages to check that options being progressed were the best options available to the Council?;
- needed to include enough time to make any changes following legal advice and for the working group to consider those changes;
- could officers provide an update to any policy relating to Suitable Alternative Natural Greenspace (SANGS)?;
- SANGS had a lot of opportunities that were not currently being utilised and had a wider benefit to the borough, not just the area that was being developed;
- at what point were officers looking at viability work?; and
- could members have an updated breakdown of the progress of the evidence base?

The Planning Policy Manager responded to points raised about the advisory visit from the Planning Inspectorate and said that the visit would be free. However, any questions that were asked to the planning inspectorate needed to be in-depth and as detailed as possible to get as much information advice from the inspectorate as possible. The Planning Policy Manager said that the visit from the inspectorate could be organised as soon as possible as currently not many authorities were utilising the visits. She added that under the new system an authority was entitled to two visits from the planning inspectorate so, if needed, the Council could request another visit at a later stage if required.

In response to the workload and timescales of completing the policy work, the Planning Policy Manager said that the timescales were tight but the policy team was now fully staffed and hoped that the team could complete the extra work required. She noted that an update on the evidence base would be shared.

The Head of Place said that the advisory visit with the planning inspectorate could be actioned quickly and agreed that officers would look at all available options to ensure the members of the working group had the opportunity to view the questions being asked to the inspectorate before they were submitted.

The Head of Place informed the working group that officers had spoken to the Ministry of Housing, Communities and Local Government (MHCLG) who had said that given the special circumstances of Swale, seeking legal advice on the approach and timings of the LDS was recommended.

With regards to the tight timescales and extra work potentially needed, the Head of Place said that officers had been successful in securing a grant from the government to help fund work required on the Local Plan. A proportion of the allocation was being held to fund up to six months of interim staff support, subject to the LDS agreed.

Resolved:

- (1) That the exceptional level and prohibitive nature of work required to meet the milestones in the current Local Development Scheme (LDS) be noted.***
- (2) That an advisory visit from the Planning Inspectorate be bought forward.***

Recommended:

- (1) That the Policy and Resources Committee agree to Option 1, as set out in the report, to progress the Local Development Scheme.***

Chair

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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

This page is intentionally left blank

Council meeting	
Meeting Date	30 July 2025
Report Title	To note the decisions from the Urgent Decisions meeting held on 27 June 2025 to agree the additional costs of the Highsted Park Inquiry.
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	
Classification	Open with restricted appendix
Recommendations	Council is asked to note the decisions made by the Urgent Decisions Committee.

1 Purpose of Report and Executive Summary

- 1.1 This report asks Council to note the decisions made by the Emergency Committee on 27 June 2025 as set out below:

- (1) That the additional estimated costs for the Highsted Inquiry be noted.
- (2) That it be agreed that the balance of any additional costs be drawn from reserves, should officers be unable to find compensatory in-year savings, in consultation with Group Leaders.
- (3) That all Contract Standing Orders (procurement) waivers necessary to enable the timely procurement of the required services be endorsed.
- (4) That legal opinion be sought on the process of the Secretary of State calling-in the application.

The report to the Urgent Decisions Committee can be viewed here: [Agenda for Urgent Decisions Committee on Friday, 27 June 2025, 9.30 am](#)

2 Background

- 2.1 The Highsted Park planning applications (referred to as Land to the West of Teynham and Land South and East of Sittingbourne - references 21/503906/EIOUT and 21/503914/EIOUT respectively) were called in by the Secretary of State on 7th November 2024.
- 2.2 The applications were scheduled for Public Inquiry, to be sat in four separate sittings lasting a total of twelve weeks across March – July 2025. The Council has no budget for Public Inquiries, and no planning budget suitably sized to accommodate such costs and on this basis, on 20th December 2024, the Urgent Decisions Committee met to agree the approach to the Inquiry and the related costs.
- 2.3 On 12th June 2025, the Planning Inspector indicated that the Highsted Inquiry might need to be extended by two weeks and on 20th June 2025, twelve

additional days were scheduled, with the Inquiry now due to conclude on 31st October 2025.

- 2.4 The additional sitting time incurs costs that are outside of the budget agreed by the Urgent Decisions Committee, so further member consideration was required and on 27 June 2025, the Urgent Decisions Committee agreed the recommendations set out above.

3. Proposals

Council is asked to note the decisions agreed by the Urgent Decisions Committee.

4 Alternative Options

- 4.1 The report is for noting only.

5 Consultation Undertaken or Proposed

- 5.1 The report is for noting only and consultation is not appropriate .

6 Implications

Issue	Implications
Corporate Plan	Robustly putting the case of the Council to the Inquiry will contribute to ensuring homes and jobs are delivered in line with providing the right homes and employment opportunities in the right places. If the Secretary of State does grant planning permission it is important to ensure the Borough's priorities, including in relation to the environment, health and housing are met through negotiating adequate conditions and planning obligations to mitigate the impacts of the development
Financial, Resource and Property	The Urgent Decisions Committee agreed in December 2024 to allocate funds to the Inquiry. Putting forward the Council's case has significantly impacted the Council's finances. The Council is now required to host the Inquiry over an additional period and this will exacerbate this, both in terms of actual costs (e.g. Legal representation), but also the officer time required to prepare for, support and service the Inquiry. There will be consequences in terms of meeting room availability for other purposes.
Legal, Statutory and Procurement	Involvement in the Inquiry will require the drafting of section106 agreements that would be secured as part of any planning permission issued by the Secretary of State for the related sites. Without this, affordable housing and other infrastructure such as health care facilities and schools needed to mitigate the impacts of the development would not be secured if planning permission was granted. The Council has secured legal

	representation in putting forward the Council's case to the Inquiry for the original Inquiry period. External consultants required as witnesses have been procured through the Council's procurement protocols
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	The Council's case to the Inquiry being agreed would mean development in the countryside and harmful ecological impacts are avoided. Should the Secretary of State grant permission it is important that adequate conditions and planning obligations are secured to mitigate the impacts of the development (including reductions in carbon emissions).
Health and Wellbeing	The Council's case to the Inquiry being agreed would help to direct development to more sustainable locations. Should the Secretary of State grant permission it is important that adequate conditions and planning obligations are secured to mitigate the impacts of the development (including securing sports facilities, open space and ensuring provision is made for additional health care facilities to meet the demands of the development)
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	Robustly putting forward the Council's case to the Inquiry reduces the risks associated with costs associated with unreasonable behaviour (which can be awarded where reasons for refusal are not defended). Should the Secretary of State grant permission it is important that adequate conditions and planning obligations are secured to mitigate the impacts of the development, including remediation of contaminants.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	No 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 **EXEMPT**: Additional Highsted Inquiry Costs – Options and Estimates.

8. Background Papers

- 8.1 Reports to the Planning Committee – [7th November 2024](#)
8.2 Report to the Urgent Decisions Committee – [20th December 2024](#)

This page is intentionally left blank

Council Meeting	
Meeting Date	30 July 2025
Report Title	Independent persons – extension of contracts
EMT Lead	Robin Harris, Monitoring Officer
Head of Service	
Lead Officer	Jo Millard, Democratic and Electoral Services Manager
Classification	Open with restricted appendix
Recommendations	1. That Council extend the period of appointment of Patricia Richards and Christopher Webb as Independent Persons for a further four years to September 2029.

1 Purpose of Report and Executive Summary

- 1.1 In accordance with the provisions of the Localism Act 2011 (the Act), the Council on 16 May 2012 agreed the adoption of a new Code of Conduct for members and co-opted members. In September 2017, Council formally approved the appointment of Patricia Richards and Christopher Webb to the positions of Independent Persons for a four-year period. These appointments were extended in 2021 for a further four years to September 2025.
- 1.2 The purpose of this report is to seek Council approval to extend the period of appointment of Patricia Richards and Christopher Webb as Independent Persons for a further four years to September 2029.

2 Background

- 2.1 Appendix I provides a summary of Patricia's and Christopher's professional and other experience, together with an outline of why they wish to continue in the role.

3 Proposals

- 3.1 The Act requires the Council to have in place arrangements under which, firstly, standards complaints can be investigated and, secondly decisions on complaints can be made. As part of that process, the Act envisaged a new role for an 'Independent Person'.
- 3.2 The Council is required to appoint at least one Independent Person. Although not members of the Standards Committee, the Independent Persons' views are to be sought and taken into account by the Committee when considering complaints about the conduct of a member or co-opted member of the authority.
- 3.3 Since the current Code of Conduct was adopted there have been ten complaints about members which have reached the stage of formal consideration by the Standards Committee, thereby requiring the Independent Persons' involvement.

- 3.4 The appointment of the Independent Persons was made after the positions had been advertised to the general public and Patricia and Christopher were appointed following submission of expressions of interest and a formal interview process. Moving forward, Patricia Richards and Christopher Webb have indicated their willingness to continue in their roles.
- 3.5 The position carries a Special Responsibility Allowance of £1,000 p.a.
- 3.6 This option would negate the time and expense of re-advertising and interviewing for the position in the circumstances where the Council already has two proven candidates.

4 Alternative Options

- 4.1 The Council could re-advertise and interview for the positions, but this would incur additional time and expense.
- 4.2 The Council could reappoint only one Independent Person to satisfy the requirements of the Localism Act. This is not recommended as previous experience has shown that failure to build in resilience can cause delay in dealing with complaints due to non-availability and can leave the Council vulnerable should the Independent Person choose to step down from the position.

5. Consultation Undertaken or Proposed

Consultation has taken place with the Chairman of the Standards Committee.

6 Implications

Issue	Implications
Corporate Plan	The appointment and extension of the Independent Persons enables the Council to demonstrate good governance and discharge its duty to promote and maintain high standards of conduct.
Financial, Resource and Property	The remuneration for the post is included in the budget for statutory committees
Legal, Statutory and Procurement	Section 28 of The Localism Act 2011 prescribes the procedure that a local authority must follow if it wishes to appoint one or more Independent Persons. There is nothing in the Act which prohibits the extension of appointments of Independent Persons.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.

Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	Risks of non-compliance with legal requirements will be mitigated by the actions suggested in the recommendations to the report.
Equality and Diversity	No adverse equality or diversity implications, procedures apply equally to everyone.
Privacy and Data Protection	There are no implications as the personal information contained in the report is in the exempt appendix and is therefore compliant with data protection legislation.

7 Exempt Appendices

- 7.1 Appendix I: **Confidential** – details of individual persons recommended for extension as Independent Persons.

8 Background Papers

- 8.1 None.

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank