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## SCRUTINY COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 9 September 2015 from 7.00 - 9.15 pm.

**PRESENT:** Councillors Mike Baldock, Andy Booth (Chairman), Lloyd Bowen (Vice-Chairman), Derek Conway, Mike Dendor, Mick Galvin, Mike Henderson, Ken Ingleton, Peter Marchington, Ben Stokes and Roger Truelove.

**OFFICERS PRESENT:** Katherine Bescoby, David Clifford, James Freeman, Jo Millard, Bob Pullen, Nick Vickers and Emma Wiggins.

**ALSO IN ATTENDANCE:** Councillors Dewar-Whalley and Gerry Lewin.

**APOLOGIES:** Councillors Prescott and Mike Whiting.

### 202 MINUTES

The Minutes of the Meeting held on 21 July 2015 (Minute Nos. 111 – 119) were taken as read, approved and signed by the Chairman as a correct record.

### 203 DECLARATIONS OF INTEREST

Councillor Mike Henderson declared a Disclosable Pecuniary Interest in respect of the tender award for the Front Brents Flood Defence Bund project which was referred to in the Forward Plan. He advised that if this subject was discussed, he would leave the meeting for the duration of that discussion.

### 204 CALL-INS

#### **Appendix I, Table 4: £20,000 – fund S106/Community Infrastructure Levy Monitoring Software in 2015/16**

The Chairman invited the Cabinet Member for Planning and the Head of Planning Services to provide further information on the S106/Community Infrastructure Levy (CIL) Monitoring Software required by Planning Services.

The Cabinet Member for Planning advised that the system proposed was a more effective data storage system that could be used for monitoring the collection of funds from Section 106 and CIL; the current software that monitored S106 monies was becoming out of date and could not be used to monitor CIL, which was a new requirement. Up to 5% of monies collected from Section 106 and CIL could be used to offset the cost.

The Head of Planning Services explained that the software did more than just monitoring; the system proposed was on a Uniform/IDOX platform which would fully integrate with existing systems, and would be used to administer the Community Infrastructure Levy when introduced in the next 12 to 18 months.

In response to questions, it was confirmed that the current system could not manage CIL; the system would be used by Swale Borough Council and Maidstone

Borough Council who would have their own software; all options had been considered, including in-house options; many London Boroughs had introduced CIL using the proposed IT system; the income from CIL was considerable and the cost of the software was very small in comparison; the £20,000 up front cost and £8,000 annual management fee for 4/5 years was considered to be good value for money and the costs could be recovered through a maximum 5% charge against CIL income in the future. The system was compatible with existing IDOX software and ICT were supportive of the proposed system.

In response to further questions, the Head of Planning Services advised that the cost was fixed but other costs might be incurred, for example, if further templates were added. A concern was raised that the contract should be tight in order not to incur further extra charges. In response to a question concerning the ability to recharge the capital and maintenance costs, the Head of Planning Services confirmed that costs could be recovered from S106/CIL receipts. During the discussion it was also clarified that charges could be levied on permitted development as well as approved applications.

The Committee made no recommendations on this item.

#### **Appendix I, Table 4: £23,947 – Members’ Localism Grants – Budget underspend**

The Head of Economy and Communities advised that the majority of the £23,947 rolled forward was already committed funding for projects; it was proposed that the £7050 left would be used to maintain a grant allowance of £2400 per Councillor. This would leave £67 spare.

A discussion ensued regarding whether the £7050 rollover should be shared equally between Members, or whether the amount should be shared between new Members and re-elected Members who had spent all of their grant last year.

It was proposed by Councillor Mike Baldock, and seconded by Councillor Mike Henderson, that ‘£7050 be allocated amongst new Councillors and Councillors who spent their full amount last year.’

The Cabinet Member for Finance gave an example of how it was possible for applications not to be forthcoming, even though a Member had allocated some of their grant money to it. His preference would be to allocate the rollover across all Members for the benefit of the organisations.

During the discussion, a suggestion was made that the rollover money could be donated for a specific cause or preferred project but this was not supported. The suggestion was also made that perhaps the £7050 rollover should not be allocated at all. It was suggested that it would have been useful if the commentary in the report could have set out the unspent money and the allocated money.

The Chairman put the proposal to the vote, which was agreed. It was clarified that the Cabinet would meet to consider the Committee’s recommendation.

**RESOLVED:**

***That the Cabinet be advised that the Committee recommends that the £7050 be allocated amongst new Councillors and Councillors who spent their full amount last year.***

## **205 FINANCIAL MANAGEMENT REPORT**

The Cabinet Member for Finance introduced the report and clarified it covered up to the end of period 1. He highlighted the total forecast revenue underspend of £319,390 and capital expenditure of £119,800 although these figures could change throughout the year.

The Chairman took Members through the report page by page, starting with the Appendices.

The Head of Finance responded to a question regarding projected zero variance in some services and confirmed that this projected a break-even position, but that he would expect there to be some variation after 6 months of monitoring. He also agreed to provide a response to Members regarding the slight increase in the forecast for Planning Fees.

In response to questions concerning the anticipated overspend in Democratic Services, despite a vacant post for several months, Members were advised that there may be other issues in that service that would offset the figure over the year. In respect of the projected overspend due to the increased National Insurance (NI) on Members' travel, the Head of Finance advised that this was backdated and was a one-off; it had not been possible to budget for this in advance as it had been due to a change in legislation. The Head of Finance agreed to report with further information on this, including how far NI was backdated.

In response to a question regarding business rate appeals, the Head of Finance explained that there would be a full report on this to the Audit Committee.

A discussion ensued regarding the projected savings in Grounds Maintenance, and questions were asked on where these savings were being made. Concern was expressed regarding cleanliness of the Borough and tidiness of parks, open spaces and cemeteries and why the full budget was not being spent. The Cabinet Member for Finance agreed to feed the comments back to the Cabinet Member for Environmental and Rural Affairs for a response.

In response to a question regarding which budget the park ranger post was within, the Head of Finance advised that a report had been considered by the Strategic Management Team regarding staff restructuring in this service area.

### ***RESOLVED:***

***That the report be noted.***

## **206 REVIEWS AT FOLLOW-UP STAGE AND LOG OF RECOMMENDATIONS**

The Policy and Performance Officer introduced the item and highlighted item 1, Members shadowing service units. It was confirmed that information had been sent out to Members to encourage them to take up shadowing opportunities, and the meeting was advised that this would also be promoted by the Member Development Working Group.

A Member asked why Mid Kent Improvement Partnership (MKIP) papers were not made public as highlighted in item 13 of the report, and was advised that this had been recommended by the Scrutiny review but had been rejected by the Cabinet.

## 207 REVIEW PLANS

The Policy and Performance Officer referred to the three topics that had been suggested by the Committee for review. Draft review plans had been prepared based on comments made previously by the Committee, which were tabled at the meeting. The Committee considered each of the draft review plans in turn.

### Housing Services

Suggestions were made to improve the clarity of the objectives and to include the lack of availability of suitable housing to downsize to. It was also suggested that AmicusHorizon should be invited as a witness to this review.

### Leisure and Tourism

Members discussed the objectives and suggested additional areas to include in the review, such as those who stayed in Swale to visit other areas; the infrastructure impact on tourism; the inclusion of the wetlands on Sheppey and rural villages as tourist attractions; the cycle infrastructure; the lack of parking, in particular coach parking in tourist areas and public bus services. The review should also focus on leisure and tourism facilities for residents, not just visitors.

### Development Control

Members were asked what areas they would like the review to focus on. Members suggested a number of areas including planning enforcement; reports from highways; impact of outside bodies such as the Environment Agency; developer and Section 106 agreements; delays in determination of planning applications; communication and consultation with members of the public, Parish Councils and Members; consistency issues; responsibility for parcels of land on developments; defending planning appeals; conditions not being enforced or monitored; and accurate information not being available on-line.

During the debate, the Policy and Performance Officer explained the way in which reviews were conducted and agreed to prepare draft questions for the Committee to use as part of the reviews. There was also discussion regarding the timetable for the reviews and it was suggested that an additional meeting would be required in December.

The Policy and Performance Officer undertook to update the review plans, in consultation with the Chairman of the Scrutiny Committee.

**208 OTHER REVIEW PROGRESS REPORTS**

There were none.

**209 COMMITTEE WORK PROGRAMME**

The Policy and Performance Officer introduced the item and after some discussion by Members it was suggested that the Housing Review would start on 14 October with a briefing on Housing; the Development Control review would start on 14 November and an extra meeting would be arranged in December to start the Leisure and Tourism Review.

It was confirmed that the Director for Regeneration and the Cabinet Member for Regeneration would be attending the next meeting in October, as requested at the last Scrutiny Committee meeting, to update the Committee on Sittingbourne Town Centre regeneration.

**210 CABINET FORWARD PLAN**

The Policy and Performance Officer introduced the item which was included on the agenda for information. In response to a question the definition of a key decision was clarified.

Chairman

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