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AGENDA

SCRUTINY COMMITTEE MEETING

Date: Wednesday, 14 October 2015

Time: 7.00 pm

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

Membership:

Councillors Mike Baldock, Andy Booth (Chairman), Lloyd Bowen (Vice-Chairman), Derek Conway, Mike Dendor, Mick Galvin, Mike Henderson, Ken Ingleton, Samuel Koffie-Williams, Peter Marchington, Prescott, Ben Stokes and Roger Truelove

Quorum = 4

	Pages
1. Apologies for Absence and Confirmation of Substitutes	
2. Minutes	
To approve the Minutes of the Meeting held on 9 September 2015 (Minutes Nos. 202 - 210) as a correct record.	
3. Declarations of Interest	
Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.	
The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:	
(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.	
(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.	
Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Director of Corporate Services as Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.	

Part One - Substantive Items

4. Update on Sittingbourne Town Centre Regeneration 1 - 12
The Cabinet Member for Regeneration and the Director of Regeneration have been invited to attend (report added 7th October 2015).
5. Review of Housing Services 13 - 14
The Cabinet Member for Housing and Head of Resident Services have been invited to attend.
6. Council Tax Support Scheme 15 - 20
The Cabinet Member for Finance and the Revenues and Benefits Manager (Technical and Financial) have been invited to attend (report added 7th October 2015).

Part Two - Business Items

7. Report back on call-ins
The Chairman will provide a verbal report.
8. Reviews at follow-up stage and log of recommendations 21 - 22
The Committee is asked to review the updated log of recommendations (attached).
9. Review Plans 23 - 30
The Committee is invited to consider the updated review plans on:
- Planning Services (revised plan)
 - Tourism and Leisure (revised plan)
10. Other Review Progress Reports
The Committee is asked to consider updates on other reviews.
11. Committee Work Programme 31 - 32
The Committee is asked to review and discuss the Committee's Work Programme (attached) for the remainder of the year.
12. Cabinet Forward Plan 33 - 42
The Committee is asked to consider the Forward Plan with a view to identifying possible items for pre-decision scrutiny.

Issued on Monday, 5 October 2015

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 DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Scrutiny Committee, please visit www.swale.gov.uk

**Director of Corporate Services, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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14 October 2015		Agenda Item 4
<i>Update on Sittingbourne Town Centre regeneration</i>		
Lead Member:	Cllr Mike Cosgrove – Cabinet Member for Regeneration	
Report author:	Pete Raine – Director of Regeneration	
Recommendation		
That the Committee considers and notes the latest position on Sittingbourne Town Centre regeneration.		

1 Purpose of report and executive summary

- 1.1 The Committee has requested an update on Sittingbourne Town Centre regeneration and this report provides the latest state of play.

2 Background

- 2.1 There is a development project between Spirit of Sittingbourne LLC and Swale Borough Council to regenerate Sittingbourne Town Centre.
- 2.2 A development agreement between SBC and Spirit of Sittingbourne was signed in September 2012 and the Council has now satisfied all of the Council's conditions and Spirit has commenced satisfying their conditions.
- 2.3 This has resulted in them satisfying the initial conditions leading to a full planning application for phase 1 and an outline application for phase 2. The planning application was made at the end of 2013 and Planning Committee resolved to consent in March 2014. Many of the outstanding issues have been resolved.
- 2.4 Tesco have announced that they are withdrawing from development in Sittingbourne, have cancelled their planning application, and we understand that the Forum and former Industrial Park sites are being marketed.

3 Consideration

- 3.1 The latest state of play is as follows:
- Spirit and SBC continue to hold regular progress and high level meetings;
 - Spirit detailed planning application for phase 1 has been approved at committee and determination delegated to officers subject to resolution of outstanding matters and conclusion of section 106 agreement;

- Spirit continues to work on design revisions and may need to make a further planning application due to renewed interest from a hotel operator;
- Spirit continues to work on the interchange design to the front of Sittingbourne Station in order to provide designs that are acceptable to Kent Highways, Network Rail and South East trains. They estimate that once the highways designs are agreed and it will then take about 4 months to secure Network Rail and South East Trains approval;
- 34 High Street is currently being refurbished internally for ideas test to take up occupation and external proposals for place making have been submitted to the planning department for approval;
- Spirit continues to negotiate with Cinema operators and has secured heads of terms with a national cinema chain. Negotiations have now started on the agreement to lease and lawyers for both parties have been instructed;
- Spirit has started to market the restaurants and retail units in phase 1 and has interest from a number of operators and is confident that these elements will be taken up very quickly once the Cinema agreement has been signed;
- The Council has drawn proposals for a new footpath linking the multi storey car park on St Michael's Road to the High Street. An architects drawing has been commissioned and work is underway with Legal to prepare a footpath creation order;
- SBC Legal are working with Spirit to achieve vacant possession of sites for phase 1 in the Fountain Street area;
- A meeting has been held with Tesco on Sept 15th clarifying their plans for disposal of the site north of the railway line to a housebuilder. Major planning issues include provision of recreational infrastructure and the extent of the site affected by flood risk;
- LGF funding to support the highways and infrastructure works for Sittingbourne town centre has been successful but there is an outstanding issue for Spirit to resolve over timing for the drawdown of funds. They held detailed discussions with KCC on 16th September about how best to achieve the required drawdown due to the delayed programme; and
- The Council has agreed to appoint Huber Car Park systems as their preferred contractor for the Multi storey Car Park and will enter into a formal construction contract once the Spirit development goes unconditional. Huber has agreed to extend its tender by 6 months and will carry the risk of material cost increases and the Council has agreed to carry the risk of euro/£ fluctuations for elements that the contractor will have to pay for in Euros. In addition the Council has agreed to issue an order for £15k to allow detailed design and material specifications to be completed once an agreement to lease has been signed by a Cinema operator as part of the Spirit development.

3.2 A schedule of costs association with the regeneration of Sittingbourne town centre is at Appendix I and a map showing the phasing of the Masterplan is at Appendix II.

3.3 A synopsis of progress in implementing wider regeneration initiatives in Sittingbourne town centre is at Appendix III.

4 Appendices and background papers

4.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Expenditure on Sittingbourne town centre regeneration
- Appendix II: Spirit of Sittingbourne Phasing Plan
- Appendix III: Sittingbourne – Update for members on regeneration issues

5 Officer contact details

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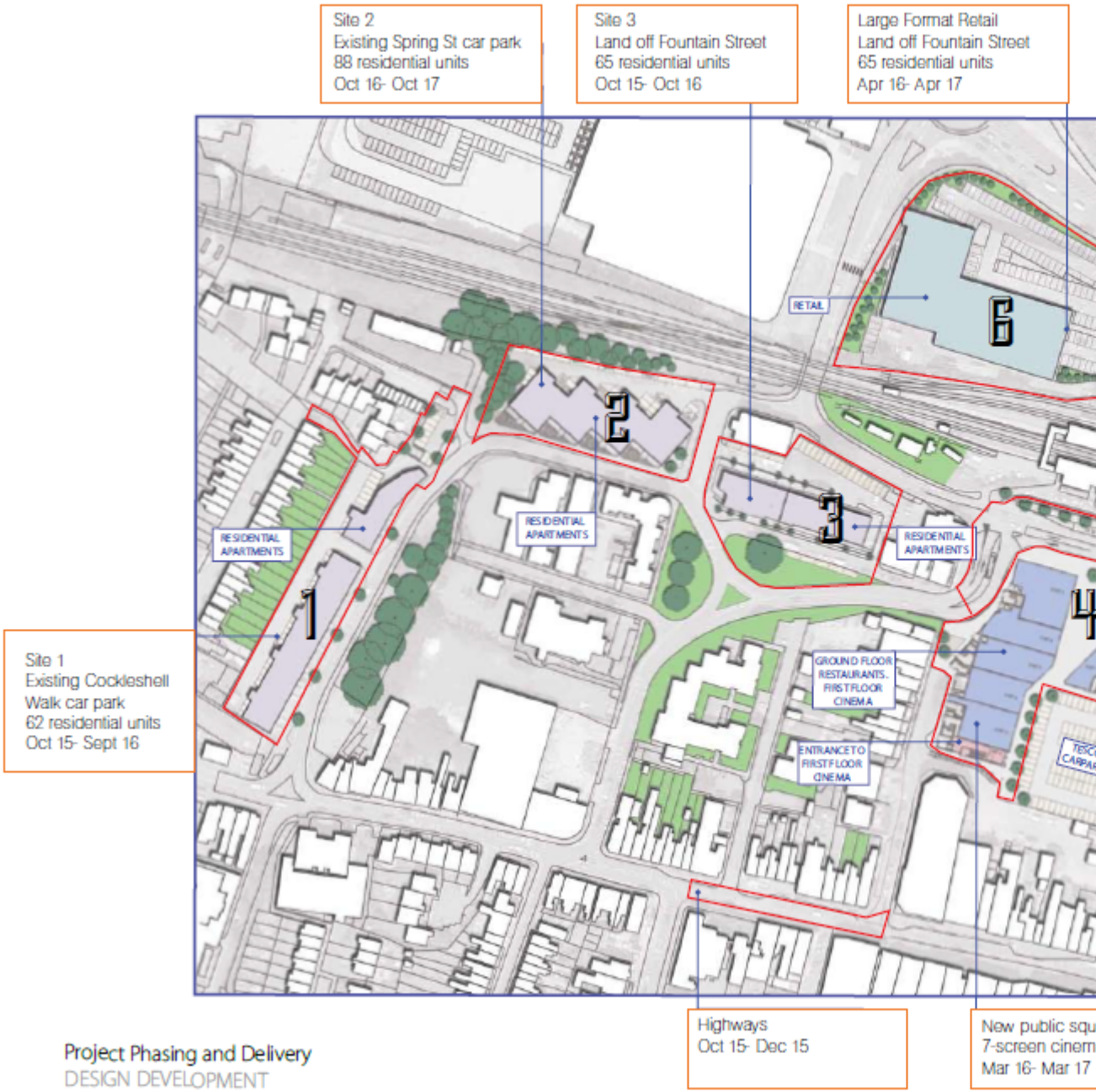
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Expenditure on Sittingbourne Town Centre regeneration

	2011/12	2012/13	2013/14	2014/15	2015 to date
Professional fees:					
Development Agreement and Heads of Terms (legal work)	£115,826.61	£104,987.63			
Title investigations	£19,476.20				
Procurement advice	£5,041.50				
General property advice	£51,647.34	£18,179.10	£4,856.00	£21,103.81	£400.00
Consultancy	£34,531.20	£37,282.15	£29,821.30	£41,274.50	£5,500.00
Advertising and promotion		£323.10			
Meeting expenses			£14.00	£736.03	£35.00
Printing				£140.00	
Total for year	£226,522.85	£160,771.98	£34,691.30	£63,254.34	£5,935.00

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THE MASTERPLAN



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SITTINGBOURNE – UPDATE FOR MEMBERS ON REGENERATION ISSUES

DRAFT September 2015

I thought that with my impending retirement it might be helpful to update all Members on where we are with our regeneration proposals for Sittingbourne Town Centre and with other wider issues concerning regeneration in the town.

The following is a point by point synopsis of where we are at the moment.

1. SPIRIT OF SITTINGBOURNE

1.1. Development Agreement

We have a Development Agreement with Spirit of Sittingbourne which will enable us to transfer our land to them when certain pre conditions have been met. They have now resolved almost all of the pre-conditions necessary for the land transfer with a small number of relatively minor and process driven exceptions. The two main conditions still to be satisfied are obtaining vacant possession of the land off Fountain Street, which should be a matter of mere mechanics, and having a signed Agreement to Lease with a reputable cinema operator.

Negotiations to achieve that are still ongoing, but Heads of Terms were agreed with a national cinema group on September 11th and the Agreement to Lease is being prepared by their respective legal teams. Upon completion of these matters and with a fully determined planning application subject to the outstanding matters identified below the Developer will then need to commit all of the necessary funding for phase 1. It is anticipated that the Agreement will go unconditional at the end of March 2016 and that construction work will commence immediately afterwards.

1.2 Planning Matters

You will be aware that members resolved to grant permission to the scheme back in March, provided that certain outstanding matters were resolved. We have been working through a long and fairly complicated list, but we are now left with resolving the S106 Agreement and with achieving certain relatively minor changes in design. However we are also dependent upon formal signoff from Kent County Council for highway matters and from Network Rail for the use of part of their land by the station for the public square and negotiations on both of those are progressing well.

1.3 Commercial Occupiers

I know that negotiations are at an advanced stage with restaurant tenants for the restaurant space surrounding the proposed cinema and also for retail occupiers of the big box retail site, recently vacated by Biffa.. For obvious reasons, we cannot release the names of the potential tenants until agreements have been duly drawn up and signed and legal work is ongoing with drafting heads of terms and agreements to lease.

1.4 Multi Storey Car Park

Members will know that we have committed ourselves to building a 310 space multi storey car park between the Tesco Forum Site and St Michaels Way in order to replace the car parking spaces which we will be losing because of the town centre development. We have appointed a German firm called Huber as our preferred contractor and were very pleased that their tender submission came in very professionally and below our budget.

As part of the project the Council is looking to provide a new footpath between St Michael's Road and numbers 48 and 50 the High street. This will help to support the Town Centre by providing a through route from the proposed multi storey site directly to the High Street and initial consultation is underway with the adjacent landowners and tenants and SBC Legal are preparing a footpath creation order for consideration by the Council.

2. BELL CENTRE

This long running saga remains an empty site now that Travelodge have formally stated that they do not intend to develop on it. The owners went into liquidation some two years ago and the official receiver has been trying to market the site but, as far as I am aware, with no success so far.

3. WETHERSPOONS

The Old Magistrates Court has now been converted by Wetherspoons, and I must say I think they have made an extraordinarily good job of it. It appears to be trading well and is an asset to the High Street.

4. THE MILL SITE

4.1 The remaining land on the Mill Site consists of two elements. The first is the land adjoining the existing Morrisons Supermarket, which is scheduled for around about 150 houses. Almost all planning obstacles have now been removed but the Section 106 remains to be finalised. There will still be a linear park separating the housing from Morrisons and there will be other contributions towards public realm.

4.2 The second element is on Lloyds Wharf, which is the land adjoining Milton Creek. There is outline consent for a leisure box and associated car parking, but as far as I am aware, no operator has come forward with any firm interest to develop.

4.3 On the rest of the Lloyds Wharf site there are plans for a Skate park, for which outline planning consent has been granted, and a Barge Museum, for which a planning application has been submitted which will shortly be determined. The intention therefore is to develop the entire site as a leisure complex, with a variety of different uses.

5. **FORMER MILTON PIPES SITE ON COOKS LANE**

A planning application for 162 houses and 80 flats has been submitted, is going through the planning process and will go before Committee by the end of the year.

6. **TESCO/SPENHILL LANDHOLDINGS**

Tesco are actively marketing the Forum and also their large landholding on the former Industrial Park north of the railway. I know that progress is being made, although the details must remain commercially confidential.

I hope this is a useful update.

With best wishes

Pete Raine Sept 28th 2015 updated 6th October 2015

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O&S REVIEW PLAN: PERFORMANCE REVIEW



About performance reviews

The objective of a performance review is to examine the reasons for apparent under-performance of a council service, to assess prospects for improvement, and to make recommendations to Cabinet where appropriate. The output of a policy review is always a report to Cabinet. Typical questions for this type of review are:

- Is this service genuinely under-performing, and if so why?
- Are there plans and systems in place which will help it improve?
- What more needs to be done?

The review needs to be tightly focused on a single service area which appears to be under-performing against performance indicators, planned actions, customer satisfaction or budget management. A performance review could also be conducted on a service run by one of the council's partners, but in this case the committee will need to be clear that it has sufficient powers to review the service and make recommendations for improvements – if it does not, then the issue should be treated as an information item.

Part 1: Business Case	
Subject:	<i>Housing Services</i>
Proposed by:	Scrutiny Committee
Length:	Expected to take [??] months from start to finish.
Objective	
<ul style="list-style-type: none"> ▪ To understand the reasons why the provision of temporary accommodation in Swale has been consistently problematic and how this can be overcome; ▪ To explore the causes of pressures on housing services (lack of availability of affordable private rented sector housing, low numbers of affordable houses being built in the Borough, lack of available properties for tenants to 'down-size' to) and possible measures for alleviating them; ▪ To review what effect the purchase of a property to house homeless families has had and whether this initiative should be extended; and ▪ To make recommendations to Cabinet as necessary. 	
Justification	
<p>The number of households contacting Swale's Housing Service for help is increasing. The number of homeless applications has increased from 104 in 2009/10 to 217 in 2013/14. The number of households placed into temporary accommodation has increased from 57 in 2009 to 76 in 2013/14. The number of households placed into bed and breakfast has increased over the past three years resulting in net expenditure rising from £69,373 to £222,046 (due in part to the reduction in the amount of Housing Benefit that can be claimed back on B&B costs). The total number of affordable homes built is decreasing year on year with only 73 delivered last year.</p>	
Evidence and information to be gathered	

Information around the lack of suitable temporary accommodation in Swale and lack of alternatives to bed and breakfast. Information on the reasons why more affordable homes are not being built in what is a growth area. Why the costs of renting privately are so high and why some landlords are unwilling to let to benefit dependent households. The role of registered social landlords.

Sources of information and evidence			
<i>Individual or organisation</i>	<i>Committee session</i>	<i>Task and finish panel, site visit, correspondence, or other method</i>	<i>To be decided</i>
Cllr John Wright, Cabinet Member for Housing; Amber Christou, Head of Resident Services.	√	X	X
Amicus Horizon	X	X	√
[Representatives from the Landlord Forum?]	X	X	√
Organisation(s) to be reviewed	If partners' activities are to be reviewed, what powers or influence does the committee have?		
X SBC only.			
Partner organisation only.			
X SBC working in partnership.			
Timing constraints	None.		

Part 2: Review Plan	
Review team	
Lead review member:	Whole Committee review
Other review members:	All members of the Committee
O&S support officer:	Bob Pullen, Policy and Performance Officer
SBC service liaison officer:	Amber Christou, Head of Housing
Key dates	
Date to begin evidence gathering:	14 October 2015
Date(s) of committee sessions (if any):	14 October 2015
Date for draft report to be presented to committee:	TBC
Note: Dates of committee session(s) and for the report to be presented to committee must be added to the committee forward plan.	

14 October 2015		Agenda Item 6
Council Tax Support Scheme 2016/17		
Lead Member:	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance	
Report author:	Zoe Kent	
Head of service:	Amber Christou	
Recommendations		
That the committee:		
1. considers the proposal for the 2016/17 Council Tax Scheme to be remain unchanged from the 2015/16 scheme and that the support scheme continues to be reduced by 15%.		

1 Purpose of report and executive summary

- 1.1 The purpose of this report is to analyse the current scheme's effects on collection and benefit claimants, and to consider the percentage reduction from CTS that should be set for 2016/17.

2 Background

- 2.1 The localisation of Council Tax Support (CTS) has now been in place since 1 April 2013. Prior to the start of the scheme, a Kent-wide scheme was agreed for a period of three years whereby all districts agreed to reduce CTS by 18.5%. This amount could be reduced to a lower percentage if the district took measures to reduce its empty property discounts. By reducing the short term empty property discount from six down to three months, and removing the long term empty property and second home discounts, the Borough was able to reduce CTS by 15% rather than 18.5%.
- 2.2 In the first year of the scheme the CTS reduction was set at 8.5%. The Council was able to reduce CTS by such a low amount due to the transitional grant that was awarded by DCLG. However, since 2014/15 the grant was withdrawn so the reduction from CTS was increased to 15%. In 2015/16 the short term empty property discount was reduced further from 3 months to 1 month and a 50% premium was charged for properties that have been empty for more than 2 years.
- 2.3 Analysis shows that all Kent districts have reduced the amount of CTS awarded based on the amendments they have made to their Council Tax discounts and any subsidy they have decided to make towards their scheme.

Table 1: *Kent district authorities CTS reduction percentages*

Council	2013/14 Reduction %	2014/15 Reduction %
Tonbridge & Malling	8.5	18.5
Tunbridge Wells	8.5	18.5
Maidstone	8.5	13.0
Sevenoaks	8.5	18.5
Dartford	8.5	18.5
Gravesham	8.5	18.5
Swale	8.5	15.0
Ashford	8.5	10.0
Shepway	8.5	18.5
Canterbury	5.0	5.0
Dover	6.0	6.0
Thanet	5.5	5.5

- 2.4 The tables below show the current caseload for CTS claimants. There has been a fall in the number of claimants over the past 12 months. This is likely to have occurred because there has been a reduction in the unemployment rate in the Borough due to the opening of new businesses such as the Neats Court development. The number of pensioners claiming has also decreased as the pension age has continued to increase. The CTS expenditure is a predicted figure during the year as awards are amended throughout the year. The total net expenditure figure as at 1 October 2015 was £9,705,260 compared with £9,985,740 as at 1 October 2014, a reduction of £280k (2.8%).

Table 2. CTS Caseload as at 1 October 2015

Working Age	7,105
Pension Age	5,039
Total	12,144

Table 3. CTS expenditure as at 1 October 2015

Working, Age	£5,300,235 (55%)
Pension Age	£4,405,025 (45%)
Total	£9,705,260

- 2.5 The amount of CTS awarded has continued to fall throughout the year. It is difficult to predict the final expenditure; however, unless there was a sudden rise in claims it is likely that the expenditure at the end of the year will be less than at the beginning. When CTS is awarded on 1 April for the financial year it is presumed that claimants will receive the amount due on 1 April for the whole of the year. As claimants move and have changes to their circumstances their CTS is either increased or reduced. As Council Tax is a relatively low cost per week (on

average £20 per week) when claimants start work they are often taken out of entitlement to CTS or entitled to very little. If a large employer was to move out of the area the amount of expenditure may increase. The grant towards CTS is now included within the Revenue Support Grant and we do not receive a grant based on our actual expenditure.

Table 4 2015/16 Expenditure

Table 4 shows the cost of the CTS scheme to the Borough and the major preceptors in 2014/15 and the predicted expenditure for 2015/16.

2014/15 Expenditure		2015/16 Predicted Expenditure	
Full Cost (without reduction)	£11,735,000	Full cost (without reduction)	£11,572,000
Cost with 15% reduction	£9,940,783	Cost with 15% reduction	£9,700,000

Table 5. Analysis of CTS payments received

Prior to April 2013 it was very difficult to predict how much council tax would be collected from benefit claimants of whom many would have been paying council tax for the first time. The Borough along with most other billing authorities took a cautious view and predicted a collection rate of 50%. It was felt that the collection rate reached 77.2% because CTS was only reduced by 8.5% during 2013/14 giving claimants a more manageable amount to pay during the first year of the scheme. However in 2014/15 when CTS was reduced by 15% a collection rate of 81.6% was achieved. This has shown that the claimants now understand that they are liable to make payments towards their Council Tax and are budgeting accordingly.

	C Tax to be paid by CTS claimants	Outstanding amount	Paid	Percentage paid
2013/14	£1,042,847	£238,182	£804,665	77.2%
2014/15	£1,767,378	£325,363	£1,442,015	81.6%
2015/16 as at 01.10.2015	£1,963,113	£968,902	£994,211	50.6%

3 Discussion and recommendations

- 3.1 It is proposed that the Council Tax Support scheme should be maintained as the current scheme reducing Council Tax Support by 15%. Claimants are now used to paying 15% towards their Council Tax, although we do have to work with a proportion of the claimants to ensure that they continue to make payments throughout the year. The collection rate as at 1 October 2015 (50.6%) shows that we should be on track to collect a similar percentage to 2014/15.

Table 8. *Costings*

Grant	£10,300,000	
Pensioner	£4,400,000	
Working age	£5,300,000	
Total CTS Award	£9,700,000	
Total cost if Council Tax increases by 2% including preceptors	£9,894,000	
Balance to SBC and the major preceptors	(£406,000)	
Impact on CTS claimants	Annual	Weekly
Band A	£146.77	£2.82
Band B	£171.23	£3.29
Band C	£195.70	£3.76
Band D	£220.16	£4.23
Impact on CTS claimants if C Tax increases by 2%	Annual	Weekly
Band A	£149.71	£2.88
Band B	£174.65	£3.36
Band C	£199.61	£3.84
Band D	£224.56	£4.32

3.2 Although we are still using the grant figure of £10,300,000 as the Revenue Support Grant figure this amount was only guaranteed as the proportion covering Council Tax Support expenditure for 2013/14 and 2014/15. Therefore as it is likely that the Borough's Revenue Support Grant will be reduced for 2016/17 extra income may need to be found to cover any shortfall towards the Council Tax Support scheme. An assumption has also been made that the major preceptors will increase their Council Tax by 2%. As the Borough's proportion of the Council Tax only equates to 11%, for illustrative purposes only an overall increase of 2% has been used. It is hoped that the difference between the cost of the scheme and the original grant (£406K) will cover the reduction in grant within the Revenue Support Grant.

3.3 In March 2015 single unemployed claimants within the Borough started to claim Universal Credit. As the roll out of Universal Credit increases it is likely that the Kent districts in conjunction with the major preceptors will look to redesign the CTS scheme to ensure that the budget is manageable and that the scheme is designed to encourage people to work.

4 Alternative options

4.1 The amount that CTS claimants are charged could be reduced so that the benefit claimants do not have to pay so much towards their Council Tax. The advantages to this would be lower charges to benefit claimants which should lead to lower recovery costs. The disadvantage would be less revenue for the Borough and the major preceptors, confusion for claimants if we had to increase the amount payable again from 2017/18 when the Kent wide agreement ends.

5 Consultation undertaken or proposed

- 5.1 Consultation has been carried out between the Kent districts and the major preceptors. As it is recommended that there will be no change to the scheme a public consultation has not taken place.

6 Appendices and background papers

None.

7 Officer contacts


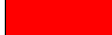



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OVERVIEW AND SCRUTINY LOG OF RECOMMENDATIONS

Cttee	Review title	Rec #	Summary of recommendation	Status	Head of service	Implementation target date	Notes
Scrutiny	Environmental enforcement	1	Members shadowing service units	Implemented	E. Wiggins	Complete	Regular notices placed in Members' weekly Despatch encouraging them to visit Service Units or shadow patrols.
Scrutiny	Environmental enforcement	2	Clearer briefing on who provides which services	Implemented	M.Radford	Complete	A Guide to Services was incorporated into the new Induction Guide for New Councillors following the May 2015 elections.
Scrutiny	Environmental enforcement	3	Recognise good work of Environmental Response Team	Implemented	E. Wiggins	Complete	Opportunities regularly being taken to publicise work of ERT, eg. local journalist from Faversham Times shadowing an Environmental Warden for a day.
Policy	Mental health	1	SBC to work closely with CCGs and GPs on MH provision	Implemented	A.Christou	Complete	SBC now forms part of North Kent Mental Health Commissioning Group for mental health services. Mental health representative appointed to Swale health and Wellbeing Board.
Policy	Mental health	2	SBC to assess impact of its services on those with MH	Implemented	A.Christou	Complete	Meeting with contract managers at the CCG and an assistant director at KMPT - closer partnership working including KMPT, CCG, Police, Prisons, Probation and KCC is taking place as operational and strategic levels and will be embedded into all services
Policy	Mental health	3	Stress importance of MH through local partners, inc KCC	Implemented	A.Christou	Complete	Both Health and Wellbeing Boards monitor MH service provision commissioned by the CCGs and Kent Public Health. C&C CCG have a mental health sub-group. SBC will continue to influence through these.
Policy	Mental health	4	Tackle particular problems of young people with MH issues	Implemented	A.Christou	Complete	SBC continues to be aware of the problems of young people in Swale and the potential impacts on mental health. SBC will continue to seek to influence Kent Public Health and CCG commissioning intentions.
Policy	Mental health	5	SBC to support voluntary sector in tackling MH issues	Implemented	A.Christou	Complete	There are now representatives from Mental Health Matters and from Swale CVS on the Swale Health and Wellbeing Board.
Policy	Mental health	6	SBC to work with media and others to combat MH stigma	Implemented	A.Christou	Complete	This is a highly specialised role that we consider should be led by Kent Public Health, which SBC will support as appropriate. SBC organised two training sessions on dementia friendly communities for frontline staff this month.
Policy	Mental health	7	SBC to use its community advocate role to meet MH challenges	Implemented	A.Christou	Complete	SBC will continue to work with the local MPs and other stakeholders to press for adequate resources for mental health services on Swale.
Policy	Mental health	8	SBC to provide a costed model of supported housing	Rejected	A.Christou	N/A	Mental Health Matters have opened two wellbeing cafes for people in mental health crisis. One in Sittingbourne, open Friday and Saturday evenings and one in Sheerness, open Friday evenings and Sunday afternoons
Scrutiny	MKIP Governance and Communications	1	Greater opportunities for pre-scrutiny before consideration of new shared service proposals.	Accepted	A.Kara	Ongoing	Opportunities already exist for pre-scrutiny. This should come off the register now as it will always be ongoing.
Scrutiny	MKIP Governance and Communications	2	That joint O&S task and finish groups should be convened to jointly review any major issues that arise in regard to shared service delivery.	Accepted	A.Kara	Ongoing	Opportunities already exist for this. This should come off the register now as it will always be ongoing.
Scrutiny	MKIP Governance and Communications	3	That the MKIP Board will notify the O&S functions of each authority when there are potential items of interest that a joint task and finish group could review on their behalf.	Rejected	A.Kara	N/A	It is for O&S to consider the potential items that it wishes to review, and it is not for Cabinet to presume what they might be. The Scrutiny Committee is welcome to review agenda and minutes of MKIP Board meetings.
Scrutiny	MKIP Governance and Communications	4	Creation of Mid Kent Services Director post should be considered favourably.	Accepted	A.Kara	Ongoing	This has been agreed in principle. Needs to be agreed formally by each council through the annual budget process for 2016/17.

Scrutiny	MKIP Governance and Communications	5	The role of the MKIP Programme Manager should be re-examined.	Implemented	A.Kara	Complete	An officer recruited under the Local Government Association's National Graduate Development Programme (NGDP) has been appointed to this role. He started in September 2015.
Scrutiny	MKIP Governance and Communications	6	That early consideration should be given to transferring the management of Planning Support and Environmental Health to the Mid Kent Service umbrella as soon as possible.	Rejected	A.Kara	N/A	These services are hosted/led by Maidstone BC and Tunbridge Wells BC respectively. The Planning Support service has been transferred to MKS; Environmental Health still under consideration.
Scrutiny	MKIP Governance and Communications	7	That a toolkit is created to assist managers in their role as internal clients of shared services.	Accepted	A.Kara	Ongoing	Already happening through the maturing of the Shared Service Boards and the role of the Mid Kent Service Director. A review of clienting arrangements is underway, to report by the end of the financial year.
Scrutiny	MKIP Governance and Communications	8	Shared services create a service catalogue for their service that will help internal clients to better understand the extent of the service they provide.	Accepted	A.Kara	Ongoing	This process is formally followed each year as part of agreeing the annual Service Level Plan and Service Plan. This should come off the register now as it will always be ongoing.
Scrutiny	MKIP Governance and Communications	9	That a joint Communication Plan is developed.	Accepted	MKIP Programme Manager	Ongoing	A plan has been developed and approved by the MKIP Board. The MKIP Support Officer is currently undertaking, and updating the progress on, the agreed actions.
Scrutiny	MKIP Governance and Communications	10	That the MKIP Board has responsibility for the effective implementation of an agreed Communication Plan and ensures its delivery is resourced appropriately.	Accepted	MKIP Programme Manager	Ongoing	The MKIP Support Officer will update the MKIP Board on the progress made at the next meeting on 17 December 2015.
Scrutiny	MKIP Governance and Communications	11	That communication should be improved between the newly created Shared Service Boards and MKIP Board regarding major service issues or options for change.	Accepted	A.Kara	Ongoing	Pathways for escalation of issues from Shared Service Boards to the MKIP Board, and vice versa, have been developed and implemented. This should come off the register as it will always be ongoing.
Scrutiny	MKIP Governance and Communications	12	That client representatives on the Shared Service Boards should ensure the outcomes of their meetings are effectively cascaded to relevant staff within each authority.	Accepted	A.Kara	Ongoing	Mark Radford provides a briefing note following each SSB meeting. This should come off the register now as it will always be ongoing.
Scrutiny	MKIP Governance and Communications	13	That future MKIP Board meetings should be held and papers published in accordance with the appropriate local authority access to information regulations.	Rejected	A.Kara	N/A	MKIP papers will only be placed on the internal Intranet facility, not published via the Council's external website. At the time of update, there has not been a formal MKIP Board meeting since March 2015.

Key to status	
	Pending: Awaiting cabinet decision on whether to accept or reject.
	Rejected: Recommendation not accepted by cabinet.
	Accepted: Recommendation accepted, still within target date for implementation.
	Implemented: Recommendation accepted, implementation complete.
	Overdue: Recommendation accepted, target date for implementation exceeded.

O&S REVIEW PLAN: PERFORMANCE REVIEW



About performance reviews

The objective of a performance review is to examine the reasons for apparent under-performance of a council service, to assess prospects for improvement, and to make recommendations to Cabinet where appropriate. The output of a policy review is always a report to Cabinet. Typical questions for this type of review are:

- Is this service genuinely under-performing, and if so why?
- Are there plans and systems in place which will help it improve?
- What more needs to be done?

The review needs to be tightly focused on a single service area which appears to be under-performing against performance indicators, planned actions, customer satisfaction or budget management. A performance review could also be conducted on a service run by one of the council's partners, but in this case the committee will need to be clear that it has sufficient powers to review the service and make recommendations for improvements – if it does not, then the issue should be treated as an information item.

Part 1: Business Case

Subject:	Development control
Proposed by:	Scrutiny Committee
Length:	Expected to take [??] months from start to finish.
Objective	
<ul style="list-style-type: none"> • To review the effectiveness of Swale Borough Council's development control function; and • As necessary, to make recommendations to Cabinet. 	
Justification	
<p>There are two separate ongoing strands of work which are related to this proposed review which this review needs to avoid duplicating – i.e.:</p> <ul style="list-style-type: none"> • Policy Development and Review Committee review of Planning Enforcement; and • Joint scrutiny review with Maidstone and Tunbridge Wells Borough Councils of Mid Kent Improvement Programme (MKIP) Planning Support Service. <p>The purpose of this review is to review a range of elements within the development control function which have concerned Members. These include:</p> <ul style="list-style-type: none"> • the usefulness of reports received from Kent County Council Highways; • the impact on the development control process of external bodies such as the Environment Agency; • developer and Section 106 agreements; • delays in determining planning applications; • communication and consultation with members of the public, parish/town 	

councils and Members;

- consistency issues;
- adoption of parcels of land on developments;
- defending planning appeals;
- monitoring and enforcement of planning conditions; and
- up to date and accurate information on planning applications being available on the Council's website.

The review is **not** concerned with the delays in processing planning applications, a backlog of casework and poor service to customers which resulted from the implementation of the shared planning support service with Maidstone and Tunbridge Wells Borough Councils.

Evidence and information to be gathered

[Evidence and information required to undertake the review]

Sources of information and evidence

<i>Individual or organisation</i>	<i>Committee session</i>	<i>Task and finish panel, site visit, correspondence, or other method</i>	<i>To be decided</i>
<ul style="list-style-type: none"> • Cllr Gerry Lewin, Deputy Leader and Cabinet Member for Planning; • James Freeman, Head of Planning Services. 	√	X	X
<ul style="list-style-type: none"> • Members of the Planning Committee 	√	X	X

Organisation(s) to be reviewed	If partners' activities are to be reviewed, what powers or influence does the committee have?
X SBC only.	
Partner organisation only.	
SBC working in partnership.	

Timing constraints	[Any external constraints affecting timing of review?]
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Part 2: Review Plan

Review team	
Lead review member:	Whole Committee review
Other review members:	Whole Committee review
O&S support officer:	Bob Pullen, Policy and Performance Officer

SBC service liaison officer:	James Freeman, Head of Planning Services
Key dates	
Date to begin evidence gathering:	TBC
Date(s) of committee sessions (if any):	TBC
Date for draft report to be presented to committee:	TBC
Note: Dates of committee session(s) and for the report to be presented to committee must be added to the committee forward plan.	

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About performance reviews

The objective of a performance review is to examine the reasons for apparent under-performance of a council service, to assess prospects for improvement, and to make recommendations to Cabinet where appropriate. The output of a policy review is always a report to Cabinet. Typical questions for this type of review are:

- Is this service genuinely under-performing, and if so why?
- Are there plans and systems in place which will help it improve?
- What more needs to be done?

The review needs to be tightly focused on a single service area which appears to be under-performing against performance indicators, planned actions, customer satisfaction or budget management. A performance review could also be conducted on a service run by one of the council's partners, but in this case the committee will need to be clear that it has sufficient powers to review the service and make recommendations for improvements – if it does not, then the issue should be treated as an information item.

Part 1: Business Case

Subject:	Leisure and tourism in Swale
Proposed by:	Scrutiny Committee
Length:	Expected to take [??] months from start to finish.
Objective	
<ul style="list-style-type: none"> • To review whether the Council is making the most of Swale's leisure and tourism offer in order to encourage people to visit the Borough; and • As necessary, to make recommendations to Cabinet. 	
Justification	
<p>One of the Council's high-level objectives under the 'Borough to be proud of' priority theme in the new Corporate Plan is to 'Enhance the Borough's economic and tourism offer'.</p> <p>Swale offers a range of leisure and tourism facilities which attract people from outside the Borough. These include:</p> <ul style="list-style-type: none"> - the holiday parks on the Isle of Sheppey; - self-catering, B&B and hotel accommodation; - walking, cycling and horse riding, particularly in the more rural and coastal areas; - rural villages and wetlands; - specific events such as festivals and carnivals; - history and heritage landmarks and events; - shopping, eating and drinking establishments; - our coast and water-based leisure; and 	

- sports venues.

The purpose of the review is to understand whether the Council and its partners are making the most of Swale's assets in order to encourage people to visit the Borough and help sustain local businesses and facilities.

Evidence and information to be gathered

- Evidence of how the Council promotes Swale's leisure and tourism facilities and how the effectiveness of this is evaluated;
- information on how the Council works with key partners (eg. Visit Kent, British Destinations Organisation etc) to promote Swale as a place to visit;
- how the Council works with businesses and others in the Swale leisure and tourism sector;
- the impact of infrastructure investment (eg. rail and cycling, lack of coach parking); and
- whether Swale is used as an overnight stopover point to other tourist destinations.

Sources of information and evidence

<i>Individual or organisation</i>	<i>Committee session</i>	<i>Task and finish panel, site visit, correspondence, or other method</i>	<i>To be decided</i>
<ul style="list-style-type: none"> • Cllr Mike Whiting, Cabinet Member for Localism, Culture, Heritage and Sport; • Cllr Mike Cosgrove, Cabinet Member for Regeneration; • Lyn Newton, Economy and Community Services Manager; • Len Mayatt, Leisure and Technical Services Manager. 	√	X	X
<ul style="list-style-type: none"> • Local businesses and other organisations in the Swale leisure and tourism sector. 	X	Site visits or postal survey?	X

Organisation(s) to be reviewed	If partners' activities are to be reviewed, what powers or influence does the committee have?
X SBC only.	
Partner organisation only.	
X SBC working in partnership.	

Timing constraints [Any external constraints affecting timing of review?]

Part 2: Review Plan

Review team

Lead review member:	Whole Committee review
Other review members:	
O&S support officer:	Bob Pullen, Policy and Performance Officer
SBC service liaison officer:	Lyn Newton, Economy and Community Services Manager

Key dates

Date to begin evidence gathering:	To be decided
Date(s) of committee sessions (if any):	To be decided
Date for draft report to be presented to committee:	To be decided

Note: Dates of committee session(s) and for the report to be presented to committee must be added to the committee forward plan.

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Scrutiny Committee work programme

Review title	Reviewers	Status	14-Oct	11-Nov	?? Dec	13-Jan	28-Jan	10-Feb	10-Mar
Quarterly budget monitoring	Committee	Live				2015/16 Quarter 2			
Quarterly performance monitoring	Committee	Live		2015/16 Quarter 1		2015/16 Quarter 2			
Scrutiny of 2016/17 Budget proposals	Committee	Live					2016/17 Budget scrutiny		
Scrutiny of 2016/17 Fees and Charges proposals	Committee	Live			Fees and charges 2016/17				
Update on Sittingbourne town centre regeneration	Committee	Live	√						
Housing Services	Committee	Live	√						
Council Tax scheme	Committee	Live	√						
Planning Services	Committee	Draft scope							
Leisure and Tourism	Committee	Draft scope		√					
MKIP Planning Services	Task and Finish	To be decided							

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**SWALE BOROUGH COUNCIL
FORWARD PLAN AND NOTICE OF KEY DECISIONS**

November 2015 - February 2016

Notes:

A key decision is defined as 'an Executive decision which is likely to (a) result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.'

The key decision threshold, confirmed by Council, is set at £100,000 (this relates to (a) of the definition above).

Where the decision will be made by Cabinet the Members of the Cabinet are:

Councillor Andrew Bowles - Leader

Councillor Kenneth Pugh - Cabinet Member for Community Safety and Health

Councillor David Simmons - Cabinet Member for Environmental and rural affairs

Councillor Duncan Dewar-Whalley - Cabinet Member for Finance

Councillor John Wright - Cabinet Member for Housing

Councillor Mike Whiting - Cabinet Member for Localism, Sport, Culture and Heritage

Councillor Ted Wilcox - Cabinet Member for Performance

Councillor Mike Cosgrove - Cabinet Member for Regeneration

Councillor Gerry Lewin - Deputy Leader and Cabinet Member for Planning

Subject to any prohibition or restriction on their disclosure, copies or extracts of any documents listed below can be viewed at Swale House, East Street, Sittingbourne, Kent, ME10 3HT. Please contact Democratic Services to arrange a time to view the documents or to request copies by post by e-mailing democraticservices@swale.gov.uk or by telephone on: 01795 417330. Fees may be charged in accordance with the Council's Fees and Charges policy.

Other documents relevant to the decision item may be submitted to the decision maker; please contact Democratic Services (contact details above) to request details of these documents as they become available.

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	<p>Environmental Health Service Enforcement Policy</p> <p>As a regulatory service environmental health needs to ensure that the steps that lead to formal enforcement action are in line with national guidance. This includes the Enforcement Concordat, the Regulators' Code issued in 2014 and relevant regulatory guidance specific to the offence. The enforcement policy is in line with these documents and reflects good practice.</p>	<p>Cabinet 4 November 2015</p>	<p>Non-Key This is not a key decision because is it not likely to result in the local authority incurring expenditure or savings in excess of £100,000 or to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.</p>	<p>Open</p>		<p>Cabinet Member for Environmental and Rural Affairs</p> <p>Tracey Beattie</p>
	<p>Sale of Land at Ceres Court, Murston</p> <p>This report seeks approval for the sale of a parcel of existing open space land to AmicusHorizon to be incorporated into their proposed redevelopment of the existing flats on the terms provisionally agreed.</p>	<p>Cabinet 4 November 2015</p>	<p>Non-Key This is not a key decision because is it not likely to result in the local authority incurring expenditure or savings in excess of £100,000 or to be significant in terms of its effects on communities living or working</p>	<p>Fully exempt</p>		<p>Cabinet Member for Finance</p> <p>Kent Parker</p>

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
			in an area comprising two or more wards or electoral divisions in the area of the local authority.			
	Health and Safety Policy Review The report will present a revised health and safety policy for Cabinet approval.	Cabinet 4 November 2015	Non-Key This is not a key decision because is it not likely to result in the local authority incurring expenditure or savings in excess of £100,000 or to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.	Open		Cabinet Member for Finance Emma Larkins
	Local Engagement Forum Update To note and consider the discussion and outcomes of the three Local Engagement Fora held during September 2015. To suggest topics as agenda items for future local Engagement Fora.	Cabinet 4 November 2015	Non-Key This is not a key decision as it is for information only.	Open		Cabinet Member for Localism, Sport, Culture and Heritage Brooke Buttfeld

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	Review of Fees and Charges The report invites Cabinet to consider the proposals for the level of fees and charges to be levied for the next financial year 2016/17 for submission to Council. Charges will take effect from 1 April 2016.	Cabinet 4 November 2015	Non-Key This is not a key decision as it will be considered and decided by full Council.	Open		Cabinet Member for Finance Nick Vickers
	Mid Kent Planning Support Review Following Tunbridge Wells Borough Council's decision to withdraw from the shared support service (subject to confirmation from Tunbridge Wells Borough Council Cabinet on 28 June 2015), the report will review options and way forward for Swale Borough Council.	Cabinet 5 November 2015	Key It is likely to result in the Council incurring expenditure above £100,000 or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates.	Open		Cabinet Member for Planning James Freeman
	Sittingbourne Town Centre - Footpath Creation Order The report identifies an existing ad-hoc walkway between St Michael's Road and the High Street that would be an ideal opportunity for the Council to provide a permanent public footpath linking the entrance to the proposed multi-storey car	Cabinet 2 December 2015	Non-Key This is not a key decision as it will be considered and decided by full Council.	Open		Cabinet Member for Regeneration Kathryn Carr

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	park with the high street. Part of the route is over unregistered land and a small section is owned by adjacent landowners so the Council will need to implement a footpath creation order in order to create a new public footpath.					
	Swale's Playing Pitch Strategy A draft playing pitch strategy for Swale has been developed out for consultation.	Cabinet 2 December 2015	Key It is significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.	Open		Cabinet Member for Localism, Sport, Culture and Heritage Len Mayatt
	Medium Term Financial Plan and 2016/17 Budget This report sets out the Council's Medium Term Financial Plan and proposals for the 2016/17 Budget.	Cabinet 2 December 2015	Key It is likely to result in the Council incurring expenditure above £100,000 or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates.	Open		Cabinet Member for Finance Nick Vickers

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	Minutes of the Swale Rural Forum held on 17 November 2015	Cabinet 2 December 2015	Non-Key This is not a key decision as it is for information only.	Open		Cabinet Member for Environmental and Rural Affairs Kellie MacKenzie
	Financial Management Report: April to September 2015	Cabinet 2 December 2015	Non-Key This is not a key decision as it is for information only.	Open		Cabinet Member for Finance Nick Vickers
	Faversham Recreation Ground - Proposed Heritage Lottery Fund Bid. The purpose of this report will be to seek Members agreed to a draft masterplan and bid to the Heritage Lottery Fund for approximately £1.6m to improve Faversham Recreation Ground.	Cabinet 6 January 2016	Key It is likely to result in the Council incurring expenditure above £100,000 or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates.	Open		Cabinet Member for Environmental and Rural Affairs Graeme Tuff

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	Minutes of the Local Development Framework Panel held on 3 December 2015 Non-Key – This is not a key decision as the making and adoption of the LDF will ultimately be considered and decided by full Council.	Cabinet 6 January 2016	Non-Key This is not a key decision as the making and adoption of the LDF will ultimately be considered and decided by full Council.	Open		Cabinet Member for Planning Gill Harris
	Local Engagement Forum Update To note and consider the discussion and outcomes of the three Local Engagement Fora held during December 2015. To suggest topics as agenda items for future local Engagement Fora.	Cabinet 3 February 2016	Non-Key This is not a key decision as it is for information only.	Open		Cabinet Member for Localism, Sport, Culture and Heritage Brooke Buttfield
	Award of Contract for Collection and Distribution of Mail To consider the award of contract for collection and distribution of mail.	Cabinet 3 February 2016	Key It is likely to result in the Council incurring expenditure above £100,000 or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates.	Open		Cabinet Member for Finance Anne Adams

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	Treasury Management Strategy Statement and Investment Strategy 2015/16 This report sets out and seeks approval of the proposed Treasury Management Strategy and Investment Strategy for the Council in 2016/17. It will be proposed to Council at the meeting on 17 February 2016.	Cabinet 3 February 2016	Non-Key This is not a key decision as it will be considered and decided by full Council.	Open		Cabinet Member for Finance Nick Vickers
	Medium Term Financial Plan and 2016/17 Budget This report sets out the Council's Medium Term Financial Plan and proposals for 2016/17 Budget.	Cabinet 3 February 2016	Non-Key This is not a key decision as it will be considered and decided by full Council.	Open		Cabinet Member for Finance Nick Vickers
	Financial Management Report: April - December 2015 This report shows the revenue and capital projected outturn for 2015/16 as at the end of period 9, covering the period from April to December 2015.	Cabinet 2 March 2016	Non-Key This is not a key decision as it is for information only.	Open		Cabinet Member for Finance Nick Vickers
	Minutes of the Local Development Framework Panel held on 11 February 2016 Non-Key – This is not a key decision as the making and adoption of the LDF will ultimately be considered and decided by full Council.	Cabinet 2 March 2016	Non-Key This is not a key decision as the making and adoption of the LDF will ultimately be considered and decided by full Council.	Open		Cabinet Member for Planning Gill Harris

Item	Decision item and background information	Decision maker, date of meeting	Key Decision	Will the report be exempt or have any exempt appendices?	List of the documents submitted to the decision maker	Lead Member and Lead Officer
	Minutes of the Swale Rural Forum held on 23 February 2016	Cabinet 2 March 2016	Non-Key This is not a key decision as it is for information only.	Open		Cabinet Member for Environmental and Rural Affairs Kellie MacKenzie
	Local Engagement Forum Update To note and consider the discussion and outcomes of the three Local Engagement Fora held during February/March 2016. To suggest topics as agenda items for future local Engagement Fora.	Cabinet 25 May 2016	Non-Key This is not a key decision as it is for information only.	Open		Cabinet Member for Localism, Sport, Culture and Heritage Brooke Buttfeld

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