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## CABINET

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 4 October 2017 from 7.00pm - 8.45pm

**PRESENT:** Councillors Bowles (Chairman), Mike Cosgrove, Duncan Dewar-Whalley, Alan Horton, Ken Pugh and David Simmons.

**OFFICERS PRESENT:** Anne Adams, Tracey Beattie, Martyn Cassell, James Freeman, Mike Marsh, Jo Millard, Donna Price, Mark Radford and Nick Vickers.

**ALSO IN ATTENDANCE:** Councillors Derek Conway, Mick Galvin, Nicholas Hampshire, Harrison, Mike Henderson, James Hunt, Bryan Mulhern, Roger Truelove, Ghlin Whelan and Tony Winckless.

**APOLOGY:** Councillor Gerry Lewin.

### 250 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

### 251 MINUTES

The Minutes of the meeting held on 6 September 2017 (Minute Nos. 189 – 198) were taken as read, approved, and signed by the Chairman as a correct record.

### 252 DECLARATIONS OF INTEREST

No interests were declared.

#### Part A Recommendations to Council

### 253 ADOPTION OF THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE DEFINITION OF ANTISEMITISM

#### The Leader

Cabinet considered the report of the Policy Manager and the above Cabinet Member which sought to adopt the International Holocaust Remembrance Alliance's definition of antisemitism.

#### **Recommended:**

***(1) That the International Holocaust Remembrance Alliance definition of antisemitism cited at 3.1 be adopted.***

#### Part B Reports for decision by Cabinet

### 254 INTERIM SWALE AIR QUALITY ACTION PLAN 2017

## **Cabinet Member for Environment and Rural Affairs**

Cabinet considered the report of the Mid-Kent Environmental Health Manager and the above Cabinet Member which sought to adopt the Swale Borough Council (SBC) (Interim) Air Quality Action Plan 2017 and to establish a Strategic Air Quality Steering Group (SASAG) to develop the final Strategic Air Quality Action Plan 2018 – 2022.

The Cabinet Member for Environment and Rural Affairs explained that the Air Quality Action Plan was previously five action plans merging together to form one strategic plan for the whole Borough, and was interim because the Plan would be going out to consultation. He drew attention to Table 6.1 on page 31 of the report and highlighted that measures 1 to 14 were new proposals to be evaluated. The Mid-Kent Environmental Health Manager added that SASAG would provide solid, measureable, objectives.

A Member stated that Air Quality Management Areas (AQMA's) had always been an important subject and asked what work had been carried out so far, and had there been any improvement? In response, the Cabinet Member for Environmental and Rural Affairs agreed that AQMA's had always been important and advised that a range of actions had been considered. He drew attention to page 11 of the document which included the Eco Stars Scheme 2015-16 of which SBC piloted the first scheme in the country. The Mid-Kent Environmental Health Manager added that SBC had delivered many Air Quality measures and outcomes including Travel Plans and Freight Travel Plans and had provided an Air Quality technical guidance document, working closely with Planning Services on new development.

In response to a question from a Member on whether the low emission taxi licensing scheme on table 6.1, section 8 of page 32 included Private Hire, the Mid-Kent Environmental Health Manager advised that it would be discussed with Licensing.

A Member questioned the timing of the consultation going forward and asked that the Faversham Society and 20's Plenty be added to the list of groups on page 26 of the plan. There was a discussion around the 20's Plenty scheme and the Leader stated that whilst he was in support of 20's Plenty, it may be imprudent to include it as reducing speed may make Air Quality worse. The Cabinet Member for Environment and Rural Affairs agreed that 20's Plenty supported road safety but not Air Quality. He added that there was no one single action that would cure or improve Air Quality and all impacts and consequences needed to be considered.

The Mid-Kent Environmental Health Manager confirmed that particulates were still being monitored at Ospringe and were shortly to be included in the St. Paul's Street, Sittingbourne continuous monitoring station.

### ***Resolved:***

***(1) That the Swale Borough Council (Interim) Air Quality Action Plan 2017 be adopted.***

**(2) That the establishment of a Strategic Air Quality Steering Group (SASG) to develop the final Strategic Air Quality Action Plan 2018-2022 be approved.**

**255 SWALE OPEN SPACES AND PLAY STRATEGY 2017 - 2022**

**Cabinet Member for Environment and Rural Affairs**

Cabinet considered the report of the Interim Head of Commissioning and Customer Contact and the above Cabinet Member, which set out the draft Open Spaces and Play Strategy 2017-2022 including its assessment recommendations, sought Members' approval in taking the strategy out to consultation and outlined its financial implications.

The Cabinet Member for Environment and Rural Affairs made a minor amendment to recommendation (2) by taking out the word 'final' in the second line of the recommendation, as the strategy was going out for consultation. He added that the technical reports and assessments carried out by the consultants was 60 pages long so was not included in the report, but would be combined into one document for the consultation. Finally, he advised that the consultation would include Parish and Town Councils and others on the stakeholder list.

A Member welcomed the strategy, stressed its importance and the need to address play areas but questioned the delay and lack of specific detail, particularly in relation to funding. In response, the Cabinet Member for Finance and Performance advised that Capital Improvements to play areas would be put forward at the budget setting process and added that over £2million was spent on the maintenance of open spaces including play areas, each year, including staffing and maintenance. Another Member welcomed the strategy but raised concern over management companies taking over public areas and the issues this might cause. A Member asked for the additional technical document as he wanted to consult residents as soon as possible whilst another Member referred to the need for additional cemetery provision in recommendation 1(e) and why this was based on demand rather than population. In response, the Cabinet Member for Environment and Rural Affairs acknowledged the delay, agreed to provide the technical report and advised that cemeteries were a non-statutory service. The Interim Head of Commissioning and Customer Services added that there had been a drop-off in numbers requiring the burial service so more land would be calculated by the average demand for the service and having this in there would allow them to draw down land from new developments. He stated that management companies would receive the same commuted sum to manage the play areas and he wasn't aware of any playgrounds being used for residents of the development only. The Head of Planning Services added that the specification in a Section 106 Agreement for managing a play area would be the same for a management company as it had been for SBC and if planning conditions were not met, the matter would be investigated by Planning Enforcement.

The Interim Head of Commissioning and Customer Contact advised that the 6 week consultation period would be on line. The Leader added that the strategy would be considered further by Cabinet as part of the budget process.

**Resolved:**

**(1) That the draft Open Spaces & Play Strategy 2017-2022 be noted, including its assessment recommendations:**

- a) Ensure low quality sites with a high community value are prioritised for future enhancement.**
- b) Ensure all sites assessed as high for quality and value are protected.**
- c) Destination (Strategic) sites should be recognised through protection and enhancement.**
- d) Recognise types of open space that are surplus to requirements and/or those of low quality and value and determine their future use using the criteria set out in the technical assessment data and national standards.**
- e) The need for additional cemetery provision should be led by demand rather than population calculations.**
- f) The Council will no longer adopt future open spaces from developers and organisations unless there is an overwhelming case to provide a strategic new open space or the protection of important natural habitat and biodiversity.**
- g) Promote alternative future management arrangements for open spaces**

**(2) That the Draft Open Spaces and Play Strategy 2017-2022 be taken out for consultation as detailed in the report, ahead of coming back for final adoption at Cabinet.**

**(3) That the financial implications of the Strategy, as set out in the financial table of the report, be considered as part of the Council's overall Medium Term Financial Plan and Capital Budget proposals, against the total available resources.**

## **256 CABINET RESPONSE TO SCRUTINY COMMITTEE REVIEW OF HOUSING SERVICES RECOMMENDATIONS**

### **Cabinet Member for Housing and Wellbeing**

Cabinet considered the report of the Head of Resident Services and the above Cabinet Member which set out the Cabinet response to the Scrutiny Committee Review of Housing Services Recommendations.

The Cabinet Member for Housing and Wellbeing thanked the Housing Review Task and Finish Group. He said that their proposals were noted and being addressed, and referred to the announcement that day of an increase in funds for social housing purposes from Central Government. The leader of the Housing Review Task and Finish Group, was pleased that Cabinet had agreed with five of the seven recommendations but sought expansion on the response to recommendation (c). A member referred to the potential financial issues that could arise out of Local Authorities having their own housing stock and raised concern about the additional costs the 2017 Homeless Reduction Act would cause.

A Member was disappointed with the action that SBC had taken to address the lack of social housing and suggested SBC should have invested in property. He also questioned how much of the new Housing grants announced by Central Government SBC would receive. A Member said that it was not the function of

SBC to be a housing landlord and investment should be made in revenue return. Another Member reminded Members that house prices had not always increased and there were geographical differences in the cost of houses.

The Cabinet Member for Housing and Wellbeing stated that SBC worked with Housing Associations to assist in building more social housing and that SBC were very successful at prevention and stopping homelessness. He explained that SBC had been offered up to 100 properties from Housing Associations and were currently using 56 properties. He continued by advising that whilst SBC were not building their own properties, consideration was currently being given to other buildings for temporary or permanent accommodation. Finally, the Cabinet Member for Housing and Wellbeing asked Members to advise him of any empty properties that they were aware of as SBC had access to cheap labour to renovate.

A Member referred to Recommendation (g) and suggested that a suitable Housing Strategy should be presented to the Secretary of State for Communities and Local Government.

There was a discussion on the changes in Housing Policy and the Chief Executive stated that it was a dysfunctional market with no single, simple solution. He referred to the decline in the number of private rental properties and said that SBC would work through the options available, access any funding opportunities and would do whatever was best for the Borough. The Chief Executive stressed that SBC must invest its scarce resources for the best value and that Housing was high on the list of priorities addressed by SBC. He praised the Housing Review Task and Finish Group.

**Resolved:**

**(1) That the responses to the Scrutiny's recommendations (a), (b), (e), (f) and (g) as set out in the report be agreed.**

**257 ISLE OF SHEPPEY SAILING CLUB - PROPOSED COMMUNITY ASSET TRANSFER**

**Cabinet Member for Finance and Performance**

Cabinet considered the report of the Chief Financial Officer and the above Cabinet Member which set out the Isle of Sheppey's Sailing Club's proposals to improve and expand its current operations, and sought approval for the granting of a 125-year lease under the Community Asset Transfer Policy.

A Member drew attention to paragraph 3.3 on page 80 of the report and said that widening the permitted uses clause was the right thing to do.

**Resolved:**

**(1) That a new 125 year lease with the Isle of Sheppey Sailing Club be agreed; and**

***(2) That the final terms of the lease be delegated to the Head of Property Services in consultation with the Cabinet Member for Finance and Performance.***

**258 MINUTES OF THE SWALE JOINT TRANSPORTATION BOARD MEETING - 11 SEPTEMBER 2017**

Cabinet considered the Minutes of the Swale Joint Transportation Board Meeting held on 11 September 2017.

***Resolved:***

***(1) That the recommendations in Minute Nos. 203, 204, 205, 206 and 207 of the Swale Joint Transportation Board meeting held on 11 September 2017 be agreed.***

**259 BUSINESS RATES LOCALISATION PILOT**

**Cabinet Member for Finance and Performance**

Cabinet considered the report of the Chief Financial Officer and the above Cabinet Member which sought delegation to determine whether the Council should participate in a bid to be a pilot for the full localisation of business rates in 2018/19.

The Cabinet Member for Finance advised that the scheme created potential to gain additional funding.

***Resolved:***

***(1) That responsibility be delegated to the Chief Financial Officer in consultation with the Leader and the Cabinet Member for Finance and Performance, to determine whether the Council should participate in a bid to be a pilot for the full localisation of business rates in 2018/19.***

**260 SOUTH THAMES GATEWAY BUILDING CONTROL PARTNERSHIP TO INCORPORATE CANTERBURY CITY COUNCIL BUILDING CONTROL**

**Cabinet Member for Planning**

Cabinet considered the report of the Head of Planning Services with the above Cabinet Member to approve the expansion of the South Thames Gateway Building Control Partnership through the inclusion of Canterbury City Council's building control service.

The Deputy Cabinet Member for Planning referred to the minor savings achieved as a result of the expansion.

***Resolved:***

***(1) That the expansion of the South Thames Gateway Building Control Partnership through the inclusion of Canterbury City Council's building control service be approved.***

**261 SALE OF SITES TO OPTIVO HOUSING****Cabinet Member for Finance and Performance**

Cabinet considered the report of the Head of Property Services which sought to obtain approval for the freehold transfer of the Council owned sites at Evergreen Close, Iwade and Colegates Close, Oare shown on Appendix I, to Optivo with a view to developing the land for new affordable housing provision.

The Cabinet Member for Finance and Performance advised that there was no access to the land as it was owned by Optivo, and this was a good opportunity for Optivo to generate more housing.

A Member suggested that Optivo could consider developing more land on the backs of properties with large curtilages.

A Member encouraged the consultation of Ward Members if land became available.

***Resolved:***

***(1) That the Council agrees in principle to transfer the freehold of the sites to Optivo for the sums set out in Appendix III of the report.***

***(2) That the Head of Property Services in consultation with the Cabinet Member for Finance and Performance be authorised to finalise the terms, and the Head of Legal Services be authorised to complete the necessary legal formalities in due course including advertising the proposed disposal of open space.***

**262 EXCLUSION OF THE PRESS AND PUBLIC**

It was not necessary to pass this resolution.

**263 EXEMPT APPENDICES: EXPANSION OF SOUTH THAMES GATEWAY BUILDING CONTROL PARTNERSHIP**

There was no discussion on this item.

**264 EXEMPT APPENDIX: SALE OF SITES TO OPTIVO**

There was no discussion on this item.

Chairman

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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