

## AGENDA

### SCRUTINY COMMITTEE MEETING

Date: Thursday, 22 March 2018

Time: 7.00 pm

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

Membership:

Councillors Andy Booth (Chairman), Lloyd Bowen (Vice-Chairman), Derek Conway, Mike Dendor, Mick Galvin, June Garrad, Mike Henderson, Ken Ingleton, Nigel Kay, Samuel Koffie-Williams, Ben Stokes and Roger Truelove and one vacancy.

Quorum = 4

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Pages

1. Fire Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Minutes

To approve the Minutes of the Meeting held on 25 January 2018 (Minute Nos. 457 - 461) 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 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.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

**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 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

#### 5. Financial Management Report 1 - 22

The Committee is asked to consider the Financial Management Report April – December 2017.

The Cabinet Member for Finance and Performance and the Chief Financial Officer have been invited to attend for this item.

#### 6. Sittingbourne Town Centre Regeneration Update 23 - 30

The Cabinet Member for Regeneration, the Director of Regeneration and the Sittingbourne Town Centre Regeneration Scheme Manager have been invited to attend for this item.

7. Planning Enforcement 31 - 50

The Cabinet Member for Planning, the Head of Planning Services and a Planning Enforcement Officer have been invited to attend for this item.

### **Part Two - Business Items**

8. Reviews at Follow-up Stage and Log of Recommendations 51 - 52

The Committee is asked to review the updated log of recommendations (attached).

9. Other Review Progress Reports 53 - 56

The Committee is asked to consider updates on other reviews.

10. Cabinet Forward Plan 57 - 66

The Committee is asked to consider the Forward Plan with a view to identifying possible items for pre-decision scrutiny.

11. Urgent Business Requests

The Committee is asked to consider any requests from Committee Members to commence a review.

12. Committee Work Programme 67 - 68

The Committee is asked to note the Committee's Work Programme (attached) for the remainder of the year.

### **Issued on Tuesday, 13 March 2018**

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](http://www.swale.gov.uk)

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

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<b>Scrutiny</b>		<b>Agenda Item:</b>
<b>Meeting Date</b>	22 March 2018	
<b>Report Title</b>	Financial Management Report – April – December 2017	
<b>Cabinet Member</b>	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance & Performance	
<b>SMT Lead</b>	Nick Vickers, Chief Financial Officer	
<b>Head of Service</b>	Nick Vickers, Chief Financial Officer	
<b>Lead Officer</b>	Phil Wilson, Financial Services Manager	
<b>Key Decision</b>	Yes	
<b>Classification</b>	Open	
<b>Forward Plan</b>	Reference number:	
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To note the projected revenue underspend on services of £781,000 (including £1,197,000 additional income (Table 1 refers)).</li>   <li>2. To note the capital expenditure of £8,619,200 to end of December 2017 (Paragraph 3.15 and Appendix II refers).</li> </ol>	

## 1. Purpose of Report and Executive Summary

- 1.1 This report invites Scrutiny to consider the revenue and capital projected outturn activity for 2017/18 as at the end of December 2017. The report is based on service activity up to the end of December 2017 and is collated from monitoring returns from budget managers.
- 1.2 The headline figures are:
- Total forecast revenue underspend of £781,000;
  - Capital expenditure of £8,619,200.
- 1.3 Once again the Council is offsetting a number of significant cost pressures through higher than budgeted income. This reinforces that the Council has to maintain a vigorous approach to its financial management.

## **2. Background**

- 2.1 The Council operates a monthly budget monitoring process at Head of Service level, which reports each month to the Strategic Management Team.
- 2.2 Financial monitoring reports are presented to Cabinet on a quarterly basis, as well as to Scrutiny Committee.

## **3. Proposals**

### **Revenue Outturn**

- 3.1 As at the end of December the total forecast revenue underspend is £781,000. The last reported variance to Cabinet in December 2017 (to end of period 6 – September) was an underspend of £465,000. This represents a movement of £316,000.
- 3.2 Table 1 details the significant service movements by type of variance.
- 3.3 Table 2 shows the outturn position by service.
- 3.4 Table 3 details the outturn position by directorate.
- 3.5 Table 4 details the line-by-line service variations.
- 3.6 The figures in the following tables are as follows - a minus figure “(x)” represents additional income or reduced expenditure and a positive figure “x” represents reduced income or additional expenditure.

**Table 1: Service Movements**

Service/Contract	Reason for Variance	Working Budget	Projected Variance (period 6)	Projected Variance (period 9)
		£'000	£'000	£'000
<b>Additional Income</b>				
Homelessness	Homelessness Prevention Grant underspend	(18)	-	(21)
	New Burdens Grant underspend	-	-	(84)
Parking Management	Additional income from pay & display fees	(1,715)	(253)	(250)
	Additional income from parking permits and PCNs – on street parking	(107)	(40)	(43)
	Additional income from season ticket income	(59)	(15)	(15)
Beach Huts	Additional income	(8)	(14)	(10)
Recycling & Waste Minimisation	Additional income from garden waste collections (brown bins)	(385)	(71)	(73)
Planning	Fees – additional planning income (See note * below)	(729)	(223)	(221)
Environmental Initiatives	Fixed penalty notices (FPNs) (offset by additional costs)	(6)	(46)	(68)
Housing – Stay Put Scheme	Disabled facilities grant fees	(61)	(50)	(40)
Housing Private Sector	Additional fees and charges	-	-	(26)
Property Management	Rental income	(321)	(60)	(61)
Refuse & Street Cleansing	Special collections & refuse sales	(46)	(16)	(30)
	Bulky waste collections	(77)	(12)	(5)
Community Safety	Community budgets – complex needs	-	(15)	0
Leisure, Sports, Open Spaces, Parks, Countryside and Allotments	Central House utility costs recharge	-	(11)	(11)
Democratic Services	Additional grant	-	(10)	(22)
External Legal Fees	Additional S106 fee income	(29)	-	(35)
Corporate Items	Recovery of overpayment of Housing Benefits	-	-	(130)
	External Interest	(111)	(7)	(22)
<b>Loss of Income:</b>				
Land Charges	Loss of income	(220)	36	27

Service/Contract	Reason for Variance	Working Budget	Projected Variance (period 6)	Projected Variance (period 9)
		£'000	£'000	£'000
<b>Other:</b>				
Net Income	Net additional income	-	(48)	(57)
<b>Total Net Income</b>		<b>-</b>	<b>(855)</b>	<b>(1,197)</b>
<b>Procurement/Shared Service Savings/Costs:</b>				
Public Convenience	Public conveniences cleaning contract	259	(45)	(44)
Grounds Maintenance	Contract costs – agreed recalculation of historic fuel and disposal costs. Total revision charge £61k, offset by £48k savings this year.	1,275	(50)	-
Sheerness Gateway	Contract savings	54	(30)	(34)
Leisure Services	Swale Community/SERCO Leisure	687	(30)	(9)
Street Cleansing	Contract savings	902	-	(16)
Planning	Building Control	78	(6)	(6)
Planning	Additional costs shared service	192	18	18
Refuse & Recycling	Contract costs on waste contract	2,448	-	18
Audit Shared Service	Additional costs shared service	157	12	12
Land Charges	Additional costs shared service	44	7	7
Legal Shared Service	Additional costs shared service (offset by additional external income)	-	-	18
IT Shared Service	Additional costs shared service	406	3	3
Environmental Health Shared Service	Additional savings shared service	416	5	(7)
Enforcement Service – Council Tax	Additional profit share shared service	(50)	-	(65)
HR Shared Service	Savings on shared service with Maidstone – refund from 16/17	254	(30)	(30)
<b>Total Procurement/Shared Service Savings/Costs</b>			<b>(146)</b>	<b>(135)</b>
<b>Additional Costs:</b>				
Homelessness	Net Bed and Breakfast	296	161	244
	Homelessness Houses	-	-	17
Planning	Additional legal and planning specialists for planning appeals	-	100	100
	Planning Enforcement Team – additional agency costs (*)	-	14	14
	Planning Development Management – additional staffing costs (*)	696	101	105



Service/Contract	Reason for Variance	Working Budget	Projected Variance (period 6)	Projected Variance (period 9)
		£'000	£'000	£'000
	Planning Development Management – additional agency costs (*)  (* ) All offset by additional planning income shown above in 'Other Income'	41	76	76
Legal	External Legal Costs	35	85	82
Refuse Collection	Purchase of wheeled bins	62	70	50
Environmental Initiatives	FPN – additional costs (see offsetting income above)	-	46	67
Property	Swale House – water rates	5	15	16
Corporate	Supply of insurance	357	26	26
Sittingbourne Town Centre Regeneration	Cancellation of invoice raised in 2016/17	-	-	82
Parking	Car Parks – rates/water rates	206	19	11
	Cash security & licences	-	23	39
	Park & ride	-	34	34
<b>Total Additional Costs</b>			<b>770</b>	<b>963</b>
<b>Underspends:</b>				
Salaries	Net employee costs (incl. agency) (excluding (*) shown above in planning and excludes Legal MKLS (included in net MKLS))	12,546	(176)	(285)
Community Halls and Centres	Alexander Centre grant	49	(49)	(49)
HR	Corporate training	101	(20)	0
Markets	Savings on rates	25	(18)	(17)
Arts Events & Activities	Remembrance & Commemoration	29	0	(16)
Corporate Items	Savings on finance lease	69	(13)	(13)
Chief Executive	Savings on corporate projects	14	(12)	(11)
Democratic Services	Members allowances	415	(17)	(27)
<b>Total Underspends</b>			<b>(305)</b>	<b>(418)</b>
<b>Total Variance</b>			<b>(536)</b>	<b>(787)</b>
<b>Other Net Overspends</b>			71	6
<b>Total Variance</b>			<b>(465)</b>	<b>(781)</b>

**Table 2: Projected Variance by Service**

		Working Budget £	Projected Outturn £	Projected Variance £
Chief Executive	M. Radford	354,950	339,950	(15,000)
Policy	D. Clifford	218,310	209,310	(9,000)
Economy & Communities	C. Hudson	2,497,200	2,306,200	(191,000)
Communications	S. Toal	265,350	276,350	11,000
Resident Services	A. Christou	1,071,260	1,089,260	18,000
Planning	J. Freeman	957,680	1,071,680	114,000
Commissioning & Customer Contact	M. Cassell	5,610,040	5,123,040	(487,000)
Director of Corporate Services/ Director of Regeneration/ Emergency Planning	E. Wiggins	428,270	294,270	(134,000)
Information Technology	C. Woodward	1,131,860	1,134,860	3,000
Audit	R. Clarke	159,380	171,380	12,000
Environmental Health	T. Beattie	528,420	521,420	(7,000)
Finance	N. Vickers	785,980	785,980	0
Human Resources	B. Sandher	381,000	351,000	(30,000)
Legal	P. Narebor	403,390	468,390	65,000
Democratic Services	K. Bescoby	970,260	927,260	(43,000)
Property	A. Adams	599,700	554,700	(45,000)
Contribution from General Fund		(116,000)	(116,000)	0
Corporate Items		2,103,950	2,060,950	(43,000)
<b>NET REVENUE SERVICE EXPENDITURE</b>		<b>18,351,000</b>	<b>17,570,000</b>	<b>(781,000)</b>
<b>Financed by:</b>				
Revenue Support Grant		(1,238,000)	(1,238,000)	0
Business Rates		(6,506,000)	(6,506,000)	0
New Homes Bonus		(2,743,000)	(2,743,000)	0
Contribution from Business Rates Reserves		(255,000)	(255,000)	0
Collection Fund Surplus		(140,000)	(140,000)	0
Council Tax Requirement		(7,469,000)	(7,469,000)	0
<b>TOTAL FINANCING</b>		<b>(18,351,000)</b>	<b>(18,351,000)</b>	<b>0</b>
<b>NET EXPENDITURE</b>		<b>0</b>	<b>(781,000)</b>	<b>(781,000)</b>

**Table 3: Projected Variance by Directorate**

		Working Budget £	Projected Outturn £	Projected Variance £
Chief Executive		354,950	339,950	(15,000)
Mid Kent Services		2,604,050	2,647,050	43,000
Commissioning & Customer Contact		5,610,040	5,123,040	(487,000)
Policy & Performance		218,310	209,310	(9,000)
Corporate Services		2,567,490	2,345,490	(222,000)
Regeneration		5,008,210	4,960,210	(48,000)
Corporate Items		1,987,950	1,944,950	(43,000)
<b>NET REVENUE SERVICE EXPENDITURE</b>		<b>18,351,000</b>	<b>17,570,000</b>	<b>(781,000)</b>

**Table 4: Main Variations by Service**

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
<b>CHIEF EXECUTIVE – Cllr A. Bowles (Mark Radford)</b>		
Chief Executive & Corporate Costs	(57)	£46k Underspend – net staff costs. £11k Underspend – special project costs.
Transformation Project	42	£42k Additional costs – net staff costs due to extension of Project Team. This is offset by underspends in Revenues and Customer Service Centre.
<b>TOTAL</b>	<b>(15)</b>	
<b>POLICY – Cllr A. Bowles (David Clifford)</b>		
Policy	(9)	£9k Underspend – net staff costs.
<b>TOTAL</b>	<b>(9)</b>	
<b>ECONOMY AND COMMUNITIES – Cllrs - All (Charlotte Hudson)</b>		
Environmental	(24)	£67k Additional costs - Environmental Initiatives, offset by: £68k Additional income - Fixed Penalty Notice fees received. £15k Underspend dog kennelling service. £6k Additional income Pest Control service. £2k Underspend unauthorised encampment clearance.
CCTV	5	£13k Overspend on monitoring service offset by: £8k Additional grant/contributions income.
Community Halls and Centres	(46)	£49k Underspend – no grant due to Alexander Centre this year. £3k Additional costs.
Community Safety	(37)	£32k Underspend – net staff costs. £5k Underspend – supplies & services.
Economy & Community Services, Cultural & Economic	(16)	£16k Underspend – net staff costs.
Members' Grants	(27)	£27k Underspend Localism grants (will be requesting to roll over £7k).
Economic Development	7	£5k Overspend - Net agency staff costs. £2k Overspend – Consultancy costs.
Learning, Business & Skills	(8)	£1k Overspend – salary costs. £9k Underspend – fees & services.
Tourism	6	£6k Overspend – salary costs.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Arts Events & Activities	(16)	£16k Underspend Remembrance and Commemoration budget (will be requesting to roll over £16k).
Markets	(17)	£17k Saving re rates. £13k Increased income re Sittingbourne and Faversham. £13k Reduced income Sheerness.
Sports Development	(18)	£10k Underspend – grants. £8k Saving – salary costs.
<b>TOTAL</b>	<b>(191)</b>	
<b>COMMUNICATIONS, PRINTING, ADVERTISING &amp; PROMOTION – Cllr A. Bowles (Sara Toal)</b>		
Communications	11	£13k Additional net staff costs – £39k staff vacancy savings are offset by £52k agency costs. £2k Additional income – advertisements.
<b>TOTAL</b>	<b>11</b>	
<b>RESIDENT SERVICES – Cllrs K. Pugh and D. Dewar-Whalley (Amber Christou)</b>		
Housing Options	163	£140k Additional net costs Homelessness Temporary Accommodation, net of grants. Being: £244k additional accommodation costs; £21k net savings from underspend of Homelessness Prevention Grant; £84k additional income – saving from underspend of New Burdens Grant; £1k residual Homelessness costs.  £17k Additional costs re Homelessness Houses (currently no budgets for utility costs, mileage and maintenance). £6k Overspend other Housing Options net costs (currently no budget for 'stand by' costs £4k and other net costs £2k).
Housing Development and Strategy	(9)	£6k Underspend net staff costs. £3k Additional income from KCC re the “Better Homes Active Lives” scheme.
Private Sector Housing	(13)	£6k Overspend net staff costs. £19k Additional income, recovery of costs.
Stay Put Scheme	(40)	£40k Additional income - Disabled Facility Grant fees. £4k Additional costs – net staff and agency staff. £2k savings – net miscellaneous costs and fees. £2k Additional income – donations received.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Housing Benefit and Council Tax Collection	(65)	£65k Additional income – MKS Debt Enforcement Partnership surplus for 2017/18.
Council Tax Benefit	-	Nil variance reported.
Revenue Admin	(18)	£18k savings – staff costs re Transformation Project Team. These savings reduce the cost of the Transformation Project.
<b>TOTAL</b>	<b>18</b>	
<b>PLANNING – Cllr G. Lewin (James Freeman)</b>		
Building Control/Dangerous Structures	(5)	£6k Underspend on contract costs. £1k Additional expenditure – dangerous structures.
Development Control	69	£221k Additional income – planning fees. £105k Additional costs – staffing costs (to be met from planning income). £90k Additional costs – agency costs (to be met from planning income). £100k Additional costs - planning specialists for planning appeals. £5k Saving – planning advertising.
Development Services	-	Nil variance reported.
Local Land Charges	34	£7k Additional costs on shared service. £27k Reduced income – local land charges.
Local Planning & Conservation	(2)	£2k Underspend. <b>N.B. Any underspend on the local plan will be transferred to the ring fenced reserve to be used solely to fund LDF associated work.</b>
Mid Kent Planning Service (MKPS)	18	£55k Additional costs on shared service. £37k Additional income - transfer from reserves – local land charges provision.
<b>TOTAL</b>	<b>114</b>	
<b>COMMISSIONING &amp; CUSTOMER CONTACT – Cllr D. Simmons (Martyn Cassell)</b>		
Highways SBC	(10)	£4k Saving – footway lighting electricity costs. £8k Additional expenditure – contractor costs. £14k Additional income – fees and contributions.

Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017		
Service – Cabinet Member (Head of Service)	£'000	Explanation
Commissioning & Customer Contact, Client & Amenity Services, Customer Service Centre and Technical Services	(132)	£34k Saving – staff costs re Transformation Project Team. These savings offset cost of Transformation Project under Chief Executive. £53k Underspend - net staff costs savings. £34k Underspend – KCC Gateway contract. £6k Underspend – Sheerness Gateway fees & services costs. £5k net Underspend other costs.
Parking Management	(232)	£250k Additional income – pay & display fees. £15k Additional income – season tickets. £34k Additional expenditure – planned Christmas park & ride schemes. £11k Additional expenditure – car park rates and water rates. £39k Additional expenditure – cash security and licences. £43k Additional income – on street parking permits and suspended parking bays. £8k Reduced expenditure – net. <b>NB. Any surplus re. on street parking will be transferred to the ring fenced on-street parking account under Section 55 of the Road Traffic Act 1984.</b>
Seafront and Harbour & Quays	(13)	£10k Additional income – beach hut licences. £3k saving – net staff costs.
Cemeteries and Closed Churchyards	(2)	£2k Additional expenditure – equipment. £2k Additional expenditure pest control. £1k Underspend – water costs. £5k Additional income – burials.
Grounds Maintenance	-	£48k Procurement savings offset by £48k Additional Expenditure – re Blenwood Grounds Maintenance contract and agreed recalculation of historic fuel and disposal costs (see also Leisure service below – full revised cost is £61k).
Contracts and Procurement	13	£13k Additional expenditure – net staff costs.
Recycling & Waste Minimisation	(75)	£73k Additional Income – garden waste bins. £2k Additional income – scrap metal.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Leisure, Sports, Open Spaces, Parks, Countryside and Allotments	1	£3k Additional expenditure – Sheerness Paddling Pool maintenance. £5k Additional expenditure – pest control. £5k Additional expenditure – equipment. £11k Additional income - utility costs recharge for Central House. £9k Contract savings - Leisure centres maintenance. £5k Reduced income – sports facilities. £7k Additional income – rents and wayleaves. £3k Savings – net other savings and income. £13k Additional Expenditure – re Blenwood Grounds Maintenance contract and agreed recalculation of historic fuel and disposal costs (see also Grounds Maintenance service above – full revised cost is £61k).
Refuse Collection / Street Cleansing/ Public Conveniences	(37)	£60k Contract savings – £44k re procurement of public conveniences cleaning and £16k re street cleansing. £18k Additional contract costs – refuse & recycling. £50k Additional expenditure - additional wheeled bins. £15k Additional income – sale wheeled bins. £15k Additional income – special collections. £5k Additional income – bulky waste collections. £3k saving – A249 litter picking contract. £3k saving – equipment, litter bins. £4k Additional Income – net other costs and income.
<b>TOTAL</b>	<b>(487)</b>	
<b>DIRECTOR OF CORPORATE SERVICES/REGENERATION – Cllrs D. Dewar-Whalley, A. Bowles and M. Cosgrove.</b>		
Director of Corporate Services	(121)	£121k Underspend – salaries.
Director of Regeneration	(13)	£13k Underspend – salaries.  Consultancy and legal fees costs are anticipated for the Sittingbourne Master Plan, requesting corporate funding as per previous years.
Emergency Planning	-	Nil variance reported.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Licensing	-	Nil variance reported. <b>N.B. Any surplus on Hackney Carriage Licensing will be transferred to the ring fenced reserve to be used solely to fund Hackney Carriage related work.</b>
<b>TOTAL</b>	<b>(134)</b>	
<b>IT SERVICES – Cllr D. Dewar-Whalley (Chris Woodward)</b>		
IT MKS	3	£3k Additional costs on shared service. Additional costs from MBC are anticipated in 2017/18. <b>N.B. Any variance at year-end on IT maintenance &amp; software will be transferred to the ring fenced reserve to be used solely to fund IT related expenditure in future years.</b>
<b>TOTAL</b>	<b>3</b>	
<b>ENVIRONMENTAL HEALTH – Cllr. D. Simmons (Tracey Beattie)</b>		
Environmental Health MKS	(7)	£7k Reduced costs on shared service.
<b>TOTAL</b>	<b>(7)</b>	
<b>INTERNAL AUDIT – Cllr D. Dewar-Whalley (Rich Clarke)</b>		
Audit Services	12	£12k Additional staff costs on shared service.
<b>TOTAL</b>	<b>12</b>	
<b>FINANCE – Cllr D. Dewar-Whalley (Nick Vickers)</b>		
Financial Services	0	Nil net variance reported.
<b>TOTAL</b>	<b>0</b>	
<b>HUMAN RESOURCES – Cllr D. Dewar-Whalley (Bal Sandher)</b>		
Human Resources	(30)	£30k Underspend – refund from 16/17 from MBC re secondment.
Organisational Development	-	Nil variance reported.
<b>TOTAL</b>	<b>(30)</b>	
<b>LEGAL – Cllr D. Dewar-Whalley (Patricia Narebor)</b>		
Legal MKLS	18	£18k Additional costs on shared service.
External Legal Fees	82	£82k Additional expenditure – mainly planning legal costs.
S106 Income	(35)	£35k Additional income.
<b>TOTAL</b>	<b>65</b>	



<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
<b>DEMOCRATIC SERVICES – Cllr A. Bowles (Katherine Bescoby)</b>		
Democratic Process	(52)	£27k Underspend – members' allowances. £11k Underspend – members' travel. £5k Underspend – members' training. £9k Underspend – net.
Elections & Electoral Registration	9	£22k Additional grant income offset by, £15k Additional costs fees & services £9k Additional costs external printing £7k Overspend – net.
<b>TOTAL</b>	<b>(43)</b>	
<b>PROPERTY SERVICES – Cllr D. Dewar-Whalley (Anne Adams)</b>		
Property Services	2	£2k Additional costs – electric car.
Administrative Buildings	17	£16k Additional costs – water at Swale House 16/17 and 17/18. £1k Reduced income – Central House.
Property Management	(64)	£61k Additional income – rental income and back dated rent. £3k Reduced Expenditure
Health & Safety	-	Nil variance reported.
Building Maintenance	-	<b>Any variance at year-end will be transferred to the Buildings Maintenance Fund for future years.</b>
<b>TOTAL</b>	<b>(45)</b>	
<b>NON-SERVICE BUDGETS</b>		
Contribution from General Fund	-	Nil variance reported.
Sittingbourne Town Centre Regeneration	82	Cancellation of sundry debtor raised in 2016/17 relating to Sittingbourne Town Centre Regeneration.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Corporate Items	(125)	<p>£13k Underspend - finance lease underspend.</p> <p>£22k Additional Income – external interest (net).</p> <p>£12k Additional Expenditure - net transfer to reserves – decriminalised parking and planning shared service (see notes above).</p> <p>£130k Additional Income – from recovery of over-payments of Housing Benefits.</p> <p>£28k Additional expenditure – £28k insurance premiums. Our public liability premium has increased as a result of changes announced by the Government in February 2017 to the discount rate used by courts to determine future losses in personal injury and fatal accident cases. In addition based on advice from our Insurers our employer and public liability levels have increased. The insurance of property has also increased.</p>
<b>TOTAL</b>	<b>(43)</b>	
<b>TOTAL NET REVENUE SERVICE EXPENDITURE</b>	<b>(781)</b>	

### **Business Rates**

- 3.7 The 2017/18 business rates are based on a new 2017 Valuation List. The effect was to be neutral at a national level, so as valuations have increased, the multiplier (which is applied to the rateable value to determine the cost of business rates for the year) was reduced. For local authorities the intention is for a neutral effect through an adjustment to the tariff paid to the Government. In the Budget on 8 March, the Chancellor announced that the Government would provide £300m to support those business most affected by the revaluation of business rates, which is due to take effect from April 2017.
- 3.8 The Council is due to collect £44m of business rates in 2017/18. Council has previously agreed to the establishment of a Business Rates Volatility Reserve, in order to assist the Council in managing the anticipated volatility in business rate income resulting from the introduction of business rate localisation from 2013/14. There are a number of causes of this volatility, such as new businesses opening, existing business growing or closing, rating appeals, and collection rates. The balance on the reserve is currently £1.4m.

- 3.9 The Council has set aside £7.8m for business rate appeals. This indicates how business rate income can vary greatly as a result of a decision made on business rate appeals.
- 3.10 HCLG have confirmed agreement to a business rate pool for 2017/18 consisting of KCC and ten districts / borough councils.

### Improvement and Regeneration Funds

- 3.11 Table 5 below details the position on a number of reserve funds as at the end of December 2017. Total budget not committed as at end of December 2017 is £649,000.
- 3.12 In December the Performance Fund was topped up by £150,000 as part of the Chief Financial Officer's delegated authority.
- 3.13 Appendix 1 details the approvals from the Improvement and Regeneration Funds during 2017/18. These total £406,164.

**Table 5: Improvement and Regeneration Funds**

<b>Funds</b>	<b>Balance as at 1 April 2017</b>	<b>Budget Top Up December 2017</b>	<b>Budget Committed as at 1 April 2017</b>	<b>Budget Committed April - December 2017 (refer to Appendix I)</b>	<b>Budget Not Committed as at end of December 2017</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Performance	534	150	415	244	25
Pension & Redundancy	205	0	0	0	205
Regeneration	687	0	392	150	145
Communities	116	0	30	12	74
Local Loan Fund	200	0	0	0	200
<b>TOTAL</b>	<b>1,742</b>	<b>150</b>	<b>837</b>	<b>406</b>	<b>649</b>

### Capital Expenditure

- 3.14 This section of the report details actual capital expenditure and highlights any variations between the revised 2017/18 capital budget and the projected outturn.
- 3.15 Actual expenditure to end of December 2017 is £8,619,200 (Table 6 below refers). This represents 73% of the revised budget (refer to Table 6). Further details by Head of Service are set out in Appendix II.

**Table 6: Capital Programme Expenditure (refer to Appendix II)**

	<b>2017/18 Revised Budget</b>	<b>2017/18 Actual to end of December 2017</b>	<b>2017/18 Projected Full Year Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Economy & Communities	8,245	6,876	0
Commissioning & Customer Contact	1,164	773	0
Environmental Services MKS	77	21	0
Finance	83	45	0
Resident Services	2,266	904	0
<b>Total SBC funded</b>	<b>8,188</b>	<b>6,729</b>	<b>0</b>
<b>Total Partnership funded</b>	<b>3,647</b>	<b>1,890</b>	<b>0</b>
<b>Total Capital Programme</b>	<b>11,835</b>	<b>8,619</b>	<b>0</b>
<b>% Spent to date compared to Revised Budget</b>		<b>73 %</b>	

3.16 The 2017/18 capital programme expenditure of £8,619,200 is funded as set out in Table 7 below. Further details are provided in Appendix II.

3.17 Appendix II details the movement from the Original 2017/18 to the Revised 2017/18 Budget.

**Table 7: Capital Programme Funding (refer to Appendix II)**

<b>Source of funding</b>	<b>2017/18 Revised Budget</b>	<b>2017/18 Actual to end of December 2017</b>	<b>2017/18 Projected Full Year Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Partnership funding (including S106 Grants)	3,647	1,890	0
Internal Borrowing	7,283	6,553	0
Earmarked Reserves	388	61	0
Long Term Debtors / Third Party Loans	0	31	0
Recycled Loans	0	5	0
Capital Receipts	517	79	0
<b>Total Funded</b>	<b>11,835</b>	<b>8,619</b>	<b>0</b>

### **Payment of Creditors**

3.18 The payment of creditors to end of December 2017 is 99% paid in 30 days against the target of 97%.

## Debtors

3.19 Tables 8 and 9 below analyse the sundry debt outstanding.

**Table 8: Debt outstanding by due date**

	<b>December 2017 (Period 9) £'000</b>	<b>September 2017 (Period 6) £'000</b>	<b>December 2016 (Period 9) £'000</b>
Not Due	514	561	274
1 – 2 Months	81	229	150
2 – 6 Months	52	50	50
6 – 12 Months	53	49	38
1 – 2 Years	24	21	40
2 – 3 Years	37	39	23
3 – 4 Years	9	24	24
4 – 5 Years	7	18	8
5 – 6 Years	1	2	15
6 + Years	36	37	63
<b>Total</b>	<b>814</b>	<b>1,030</b>	<b>685</b>
<b>Total Due</b>	<b>300</b>	<b>469</b>	<b>411</b>
<b>% Total Due</b>	<b>37%</b>	<b>46%</b>	<b>60%</b>

**Table 9: Total debt by Head of Service**

	<b>December 2017 (Period 9) £'000</b>	<b>September 2017 (Period 6) £'000</b>	<b>December 2016 (period 9) £'000</b>
Commissioning & Customer Contact	54	45	22
Property (see 3.20)	152	174	186
Residents Services	164	189	181
Legal MKLS	0	0	3
Economy & Communities	29	71	15
Planning	13	7	7
Communications	2	0	1
Environmental Health	2	18	1
Policy	0	7	0
Finance	0	0	105
Other (see 3.20)	398	519	164
<b>Total</b>	<b>814</b>	<b>1,030</b>	<b>685</b>

3.20 The total debt for Property of £152k includes £94k relating to one company. The total debt for Other of £398k includes £376k debt not due relating to S106 income.

## 4. Alternative Options

4.1 None identified – this report is for information.

## 5. Consultation Undertaken or Proposed

5.1 Heads of Service and Strategic Management Team have been consulted in preparing this report.

## 6. Implications

Issue	Implications
Corporate Plan	Good financial management is key to achieving our Corporate Plan priority of being “A council to be proud of”.
Financial, Resource and Property	As detailed in the report.
Legal and Statutory	None identified at this stage.
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.
Health & Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.

## 7. Appendices

7.1 The following documents are published with this report and form part of the report:

- Appendix I: Improvement & Regeneration Fund allocations as at the end of December 2017;
- Appendix II: Capital Programme – Projected outturn as at the end of December 2017.

## 8. Background Papers

8.1 The Budget 2017/18 and Medium Term Financial Plan 2017/18 to 2019/20.

**Improvement & Regeneration Fund Allocations 2017/18**  
**As at the end of December 2017**

	<b>Amount £</b>
<b>Performance Fund</b>	
Payment Card Industry Data Security Standard Compliance	80,000
Safeguarding Database Upgrade	14,250
CCTV Consultancy	8,250
Air Quality	30,607
Transformation Team	91,560
General Data Protection Regulations	19,800
<b>Total Approved as at December 2017</b>	<b>244,467</b>

	<b>Amount £</b>
<b>Regeneration Fund</b>	
Housing & Infrastructure Fund Submission	8,000
Economic Development Support Officer	43,024
Regeneration Officer (Town Centres)	51,784
Member Grants	47,000
<b>Total Approved as at December 2017</b>	<b>149,808</b>

	<b>Amount £</b>
<b>Communities Fund</b>	
Heritage Training	3,500
The Salt Giveaway	3,489
Volunteer Swale Awards	4,900
<b>Total Approved as at December 2017</b>	<b>11,889</b>

	<b>Amount £</b>
<b>Total Approved as at December 2017</b>	<b>406,164</b>

## Capital Programme 2017/18

CAPITAL MONITORING	Funding SBC / P (*see note below)	2017/18 Original Budget £	2017/18 Revised Budget £	2017/18 Actual to End of December 2017 £	2017/18 Projected Full Year Variance £	Notes
CCTV - Reserves - Repairs & Renewals	SBC	15,000	15,000	0	0	
Easthall Farm Community Centre - S106	P	0	507,740	302,152	0	
The Mill Project, Sittingbourne Skate Park - Capital Receipts	SBC	0	200,000	20,983	0	
The Mill Project, Sittingbourne Skate Park - S106	P	0	40,000	0	0	
Faversham Creek Basin Regeneration Project (swing bridge) - Capital Receipts	SBC	0	200,000	0	0	
STC - Multi Storey Car Park	SBC	0	96,248	0	0	
STC - Retail Properties	SBC	0	4,807,656	4,654,778	0	
STC - Other Assets	SBC	0	2,378,981	1,898,161	0	
<b>TOTAL ECONOMY &amp; COMMUNITIES</b>		<b>15,000</b>	<b>8,245,625</b>	<b>6,876,074</b>	<b>0</b>	
Cemeteries - Bell Road - Reserves	SBC	0	41,000	0	0	
Thistle Hill Community Woodland - Trim Trail - S106	P	0	35,000	35,012	0	
New Play Area - Iwade Schemes - S106	P	0	150,000	145,598	0	
Milton Creek Footpath & Viewing platform - Capital Receipts	SBC	0	17,390	17,351	0	
Gunpowder Works Oare Faversham - S106	P	0	9,000	0	0	
Faversham Recreation Ground Improvements - External Grant	P	0	145,440	63,747	0	
Newington Car Park Wall - Capital Receipts	SBC	0	11,260	0	0	
Car Park New Ticket Machines & Installation - Reserves	SBC	0	14,000	0	0	
Kemsley Recreation Ground - Sports Improvements - S106	P	0	20,640	1,046	0	
Resurfacing Promenade, The Leas – External Grant	P	0	104,660	14,540	0	



## Capital Programme 2017/18

	Funding SBC / P (*see note below)	2017/18 Original Budget £	2017/18 Revised Budget £	2017/18 Actual to End of December 2017 £	2017/18 Projected Full Year Variance £	Notes
<b>CAPITAL MONITORING</b>						
Car Park Information Boards - Reserves	SBC	0	24,360	800	0	
Stonebridge Pond Bridge, Faversham – Reserves	SBC	0	20,765	0	0	
Modular Toilet Kiosks - Reserves	SBC	0	30,000	0	0	
Milton Creek Access Road - Reserves	SBC	0	40,000	0	0	
Bridge Deck Replacement at Barton's Point Coast Park - Reserves	SBC	0	18,860	18,860	0	
New Play Area - Thistle Hill - S106	P	0	180,000	174,800	0	
Nursery Close/Q'Boro Lines Bridge Replacement – Reserves	SBC	0	1,735	1,735	0	
Olwade Recreation Ground Sports Provision - S106	P	0	280,325	280,325	0	
Beach Huts, Leysdown - Capital Receipts	SBC	0	19,260	19,595	336	
<b>TOTAL COMMISSIONING &amp; CUSTOMER CONTACT</b>		<b>0</b>	<b>1,163,695</b>	<b>773,409</b>	<b>336</b>	
Replacement of Air Pollution Monitoring Station - Capital Receipts	SBC	35,000	77,380	20,742	0	
<b>TOTAL ENVIRONMENTAL HEALTH</b>		<b>35,000</b>	<b>77,380</b>	<b>20,742</b>	<b>0</b>	
Disabled Facilities Grants - External Grant	P	1,664,800	2,174,090	867,643	0	
Disabled Facilities Grants - Reserves	SBC	0	92,100	0	0	
HRG - Housing Repair Grants Over 60	P	0	0	5,456	0	
RHB2 - Decent Home Loans Owner Occupier	SBC	0	0	31,047	0	
<b>TOTAL RESIDENT SERVICES</b>		<b>1,664,800</b>	<b>2,266,190</b>	<b>904,146</b>	<b>0</b>	
Adelante Payment Card Software - Reserves	SBC	0	82,500	44,862	0	
Cash Receipting System - Replacement	SBC	0	0	0	0	
<b>TOTAL FINANCE AND PERFORMANCE PORTFOLIO</b>		<b>0</b>	<b>82,500</b>	<b>44,862</b>	<b>0</b>	

### Capital Programme 2017/18

CAPITAL MONITORING	Funding SBC / P (*see note below)	2017/18 Original Budget £	2017/18 Revised Budget £	2017/18 Actual to End of December 2017 £	2017/18 Projected Full Year Variance £	Notes
TOTAL CAPITAL PROGRAMME (SBC Funded)		50,000	8,188,495	6,728,914	336	
TOTAL CAPITAL PROGRAMME (Partnership Funded)		1,664,800	3,646,895	1,890,319	0	
TOTAL CAPITAL PROGRAMME (Gross Total)		1,714,800	11,835,390	8,619,233	336	

SBC – internal funding from capital receipts and reserves.

\* P – S106 contributions and external capital grants.

#### Reconciliation of Original Budget to Revised Budget :-

	£
<b>Original Budget</b>	1,714,800
2016/17 rollovers	1,875,860
Cabinet Approvals/Authorised Virements	8,244,730
<b>Revised Budget</b>	<b>11,835,390</b>

## Sittingbourne Town Centre Regeneration Scheme

### Update to Scrutiny Committee 22<sup>nd</sup> March 2018

	Update
Construction	<ul style="list-style-type: none"><li>• The works on the old Princes Street depot site continues with the concrete slabs now cast for the service yard area around units 1 &amp; 2 and the hard surfaces and external road layout being constructed around unit 3. The works were delayed due to the snow event during week commencing 26<sup>th</sup> February 2018 and the works remain behind programme but the contractor is confident that the units will be ready for handover before the end of March 2018 with full practical completion before the end of April.</li><li>• Work has now started on the station end of Network Rail's main car park and the breakthrough from St. Michael's Road car park has been opened. There are still outstanding works to St. Michael's Road car park including lighting columns, CCTV, height restriction barrier and perimeter fencing however the full specification for all items has now been agreed by Network Rail and these items should be installed in the near future. Southeastern railways have a licence with Spirit to enable customers to utilise St. Michael's Road car park while the main car park works are ongoing.</li><li>• Dialogue continues between Spirit, and Network Rail regarding the Asset Protection (ASPRO) &amp; Station Change processes which allows Spirit to carry out work on Network Rail's property and defines the specification for the works and methodology. The LC7 (Land Disposal Policy Condition 7), has now been completed and has been sent to the Office of Rail &amp; Road (ORR) for sign off.</li><li>• Huber has now issued their construction phase plan, traffic management plan and programme and Spirit are in discussion with Southern Water, Clancy Docwra, Vodaphone and KCC regarding the water supply main &amp; communication diversions that need to take place at the start of the programme in April/May.</li><li>• Spirit is currently formulating their programme for the Forum car park works and will be liaising with Tesco's legal team to agree the start date during the first quarter of financial year 18/19.</li></ul>

Planning	<ul style="list-style-type: none"> <li>• Spirit has recently met with SBC Planning and SBC Scheme Manager to discuss the pre-commencement conditions for the leisure site.</li> <li>• SBC/Spirit has submitted information required to discharge some of the pre-commencement conditions relating to the MSCP and continues to work with the Planning team to satisfy the conditions.</li> </ul>
Utility Services	<ul style="list-style-type: none"> <li>• A meeting took place with Southern Water, Clancy Docwra, Spirit and SBC on 7<sup>th</sup> March regarding the necessary diversions for the MSCP. Spirit is currently programming this work with Kent County Council Streetworks team.</li> <li>• The Foul Water connection has now been installed across St. Michael's Road that will take effluent from the MSCP.</li> <li>• Spirit continue to work with BT, UKPN and Southern Water to discuss provision of their services and diversions for Phase 1 &amp; 2 Highways.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>• Spirit is maintaining the Developers risk register through all phases of the scheme.</li> <li>• The SBC specific Risk Register has been updated to reflect the current project risks.</li> </ul>
Communications	<ul style="list-style-type: none"> <li>• Spirit's communication team are awaiting final details from Spirit regarding a start date for Phase 2 of the Highway works.</li> <li>• Spirit is currently planning to issue a press release relating to site six and employment towards the end of April with the ribbon cutting event planned for June when the units start trading.</li> </ul>
SBC Team and Governance	<ul style="list-style-type: none"> <li>• The appointed QS/Employers Agent for the MSCP from Ian Sayer &amp; Co continues to assist with the pre-construction process.</li> </ul>

	<ul style="list-style-type: none"><li>• The monitoring surveyor from Ward Williams Associates continues to provide regular updates on the Retail development and Highways Works to the Head of Finance.</li><li>• Board meetings, Key Officer Group meetings and Internal Officer Group meetings continue.</li></ul>
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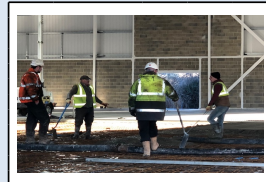
## Big Box Retail



5/1/18 - The electricity substation being energised.



5/1/18 - The Costa Cladding being installed to Unit 3



19/1/18 - The floor slab being poured in Unit 1 (Home Bargains)



8/2/18 - External concrete slabs being poured to the service area



21/2/18 - External slabs to the service yard being poured



21/2/18 - Construction of the pedestrian ramp off Eurolink Way



21/2/18 - Hard Landscaping being installed around Unit 3 (Costa)



6/3/18 - Ducting being installed in Milton Rd for the controlled crossing

**Works to be carried out**

Traffic Signals, Tactiles and Resurfacing in Milton Road

Resurfacing of the entrance bellmouth to site six

Hard & Soft Landscaping to site six including forming & resurfacing of the roadways & completion of the access ramp and access stairs from Eurolink Way

Lighting Columns & CCTV Installation to site six

## Big Box Retail



7/3/18 - Blockwork footpath and Cladding now substantially complete to Costa



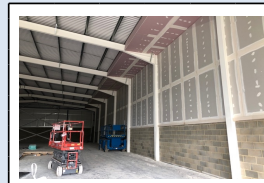
7/3/18 - Kerbing being laid to form the car parking areas



7/3/18 - Only one concrete slab remaining for the service yard area



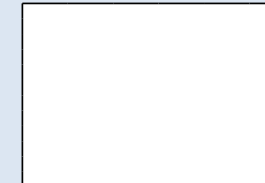
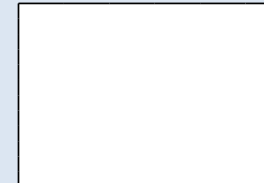
7/3/18 - Facing brickwork being installed to the ramp and staircase off of Eurolink Way



7/3/18 - Internal stud partition now installed between units 1 & 2



8/3/18 - Duct pit installed in Milton Road



**Works to be carried out**

Luminaires to be installed on lighting columns and the lighting columns energised

Southern Water diversion works

Vodafone diversion works

The installation of a pedestrian crossing island set to the East of the junction with Station Street

Footways to be completed around the MSCP entrance once the MSCP structure has been installed

Surface layer to be installed on the footway adjacent to their MSCP site

## St. Michael's Road & MSCP Site



10/1/18 - The new footway being constructed in St. Michael's Road



17/1/18 - The new footway being asphalted



26/1/18 - Footway being constructed to meet the new multi-storey car park vehicular entrance



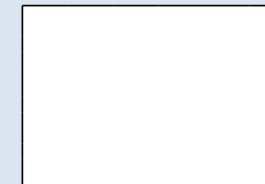
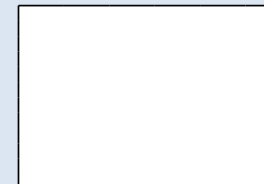
5/2/18 - Tree felling on the site of the new multi-storey car park



1/3/18 - Site investigation works being undertaken for contamination



1/3/18 - Lighting Columns installed in St. Michael's Road



**Works to be carried out**

Lighting Column installations

Height Restriction Barrier Installation

CCTV Installation

Perimeter Fencing Installation including adjacent footway resurfacing

## St. Michael's Road Car Park



3/1/18 - The entrance being constructed to St. Michael's Road Car Park



17/1/18 - The first day of asphaltting to St. Michael's Road car park



19/1/18 - Final day of asphaltting to St. Michael's Road car park



26/1/18 - Road marking being installed in St. Michael's Road car park



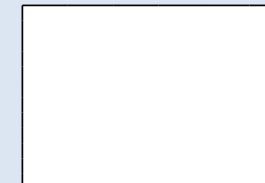
8/2/18 - Works start on the breakthrough area



13/2/18 - Formation installed and compacted for the breakthrough area



21/2/18 - The completed breakthrough area



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Network Rail Main Car Park



20/2/18 - Day 2 on site, excavation starts to the shrubbery bank for the retaining wall.



21/2/18 - The raised concrete slabbed area is broken up



21/2/18 - The roadway is fenced off so vegetation cut back can occur



6/3/18 - Ducting for electrical cables and manhole covers start to be installed



6/3/18 - Erith uncover an unknown circular metal structure encased in concrete



6/3/18 - The shrubbery bank is removed and an uncharted water pipe encountered



6/3/18 - The last tree being removed from the bank



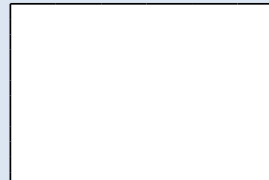
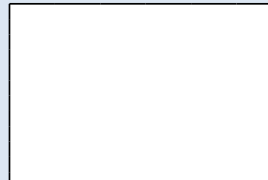
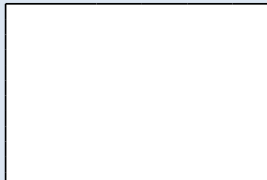
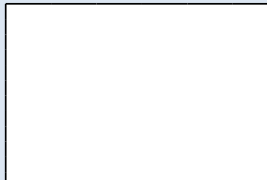
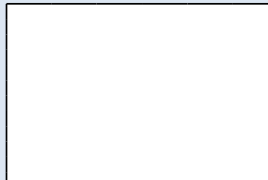
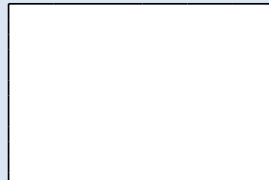
6/3/18 - Another unknown metal structure encountered that the water pipe is running through



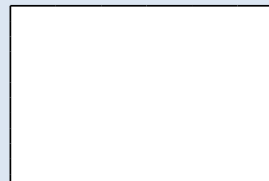
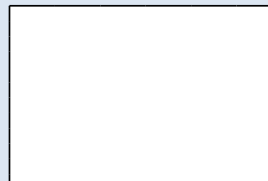
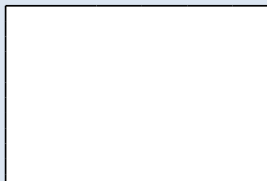
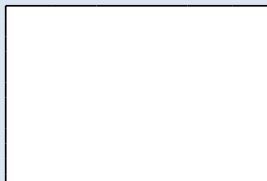
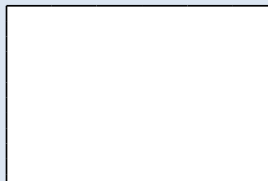
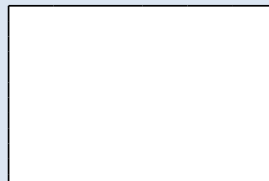
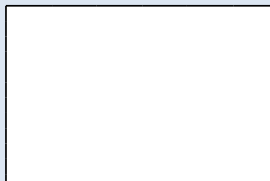
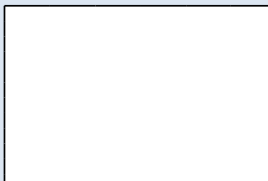
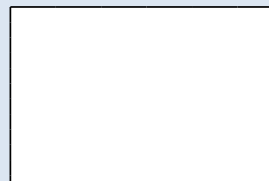
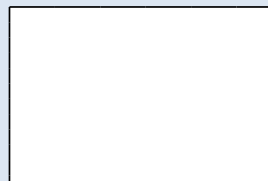
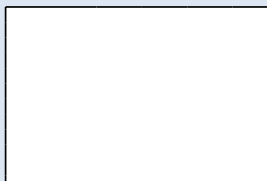
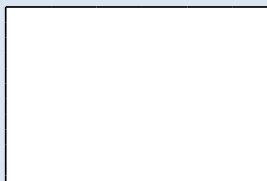
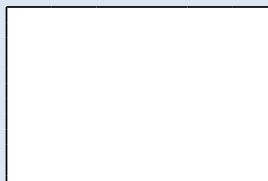
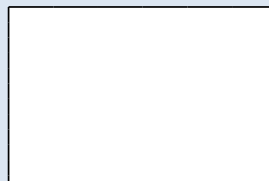
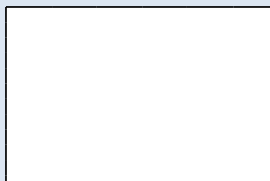
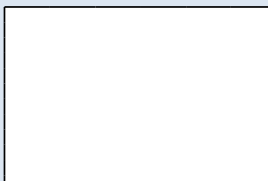
7/3/18 - The water pipe has been extended & relocated from the retaining wall location



7/3/18 - The electrical ducting and manholes have now been installed



- Works to be carried out**
- Retaining Wall to be cast and installed
  - Central kerbing to continue to be installed
  - Formation levels to be established and area resurfaced
  - Lighting Columns and CCTV to be installed
  - Car parking and drop off bays to be marked



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<b>Scrutiny Committee Meeting</b>	
<b>Meeting Date</b>	22 March 2018
<b>Report Title</b>	Planning Enforcement service
<b>Cabinet Member</b>	CIlr Gerry Lewin, Cabinet Member for Planning
<b>SMT Lead</b>	Emma Wiggins
<b>Head of Service</b>	James Freeman
<b>Lead Officer</b>	Andrew Jeffers
<b>Key Decision</b>	No
<b>Classification</b>	Open
<b>Recommendations</b>	1. To note the ongoing implementation of improvements in the Planning Enforcement Service.

## 1 Purpose of Report and Executive Summary

- 1.1 The purpose of the report is to show that previous concerns raised by members in relation to enforcement investigations have been addressed. To show how the newly enhanced team will deliver effective and timely investigations, utilising a multi agency approach in accordance with the recently adopted Strategy and Service Charter for Planning Enforcement October 2017 (Appendix I)
- 1.2 The content of this report may appear self critical at times however an honest, open, and realistic appraisal of past performance is essential to fully understand how the newly adopted investigation module has started to change both the standard of investigations and service delivery to our customers.

## 2 Background

- 2.1 The main areas of concern raised by members include:

**Enforcement team make up:** Dynamics, responsibility, and accountability.

**Communication:** A lack of effective communication to members of the public, Ward members, Parish Councils, Planning Committee Members and all other Borough Councillors.

**Monitoring of cases:** Failure on occasions to record accurate and up to date investigation notes on the uniform system. Failure to progress investigations to conclusion in a timely manner, failing to have a protocol in place allowing members to monitor, question or challenge investigations.

**Need to communicate changes and improvement achieved with up to date statistics:** It is recognised that progress of ongoing cases should be better communicated to all including Councillors and the general public and to identify methods in achieving this.

### **Enforcement Team make up**

- 2.2 As previously reported the resources of the enforcement team were increased in October 2017 from 2.8 FTE to 3.8 FTE. This includes effectively 2 full time investigators (Jeff Redpath and Laura Boozer), one part time investigator (Gemma Bryant), and a senior investigator (Carole Williams). The team is further currently helped out on a temporary basis by one full time agency contractor (George Mynehan).
- 2.3 Whilst each team member has their own skills and experience which they bring to the team, it is recognised that ongoing monitoring and training is required in the specific area of Planning Enforcement. This does at the same time provide an opportunity for the team to be developed to achieve results in line with the new investigation plan (Appendix II) and the Strategy and Service Charter. Nevertheless it has already been noted that the investment in the team has already shown a significant improvement in service delivery since October.
- 2.4 Each team member has been given responsibility for a specific area of the Borough. Whilst still in its infancy, it is envisaged that this will promote a more personal and knowledgeable response to all customers. Officers have been encouraged to attend Parish Council meetings to update them as commitments allow. For example officers have attended the meeting of Eastchurch Parish Council in February 2018 and fully updated them on all outstanding investigations in their area and received a very positive response.
- 2.5 The team comprises of the following individuals:

Jeff Redpath – responsible for Isle of Sheppey

Laura Boozer – responsible for Faversham area

Gemma Bryant – responsible for Sittingbourne and surrounding area

Carol Williams – responsible for providing overview of all areas with more high profile cases.

Whilst individuals are responsible for individual areas, it is recognised that it is still a team requirement that the whole borough receives a quality service, especially in the event of any temporary absence of a particular responsible officer.

### **Communication**

- 2.6 Effective communication to update all parties on all levels is one of the main areas of criticism. Whilst this is acknowledged it should be recognised that there were many factors which may have contributed to poor performance in the past.

This however has been addressed with the increased staffing levels, a change in culture, the investigation plan requirements, and the management review process of investigations. It has been noted that significant improvements have now been made.

Member Initial information regarding complaints.

- 2.7 At the point of registering a complaint an acknowledgement letter has always been automatically generated and sent to the complainant. This is now being updated and an internal letter will be generated to the ward member, this will detail the address of the complaint, the general circumstances of the matter in question, and identify the investigating officer. Personal details of the complainant will be withheld. The above process is currently being finalised with ITC and MKPS, as consideration is being given as to whether this information should be in hard copy form or e-mail. But should be introduced by the end of March 2018. The new investigation Plan ensures regular updates to complainants, members and Parish Councils through the new review of investigation process.
- 2.8 Since October 2017, following the initial site visit all cases are reviewed at team meetings (Every Thursday 10:00 am).At this point the investigating officer will receive advice on their initial findings, merits opinions from Area Planning Officers ensuring swift and immediate action where breaches are identified.
- 2.9 This would also be an ideal opportunity for any member who would like to attend and receive a detailed update by the team, to review photographic evidence, or provide helpful local knowledge or information. This form of assistance would be welcome.
- 2.10 All cases over 3 months old will receive an enhanced level of review. This is undertaken by the senior enforcement officer or relevant area planning officer. This will ensure that all lines of enquiry are being pursued, necessary enforcement action is taken without delay, and all parties are fully updated.

Parish Council updates

- 2.11 Parish Councils are now far more informed. Immediate responses to enquiries are promoted as good practice. Good working relationships are being forged with the Parish Clerks to fully update their respective Councils. Again this is in its early stages and will continue to improve over time.
- 2.12 Personal contact with Parish Councils is encouraged to address issues and update them on a regular basis.

Complainant updates

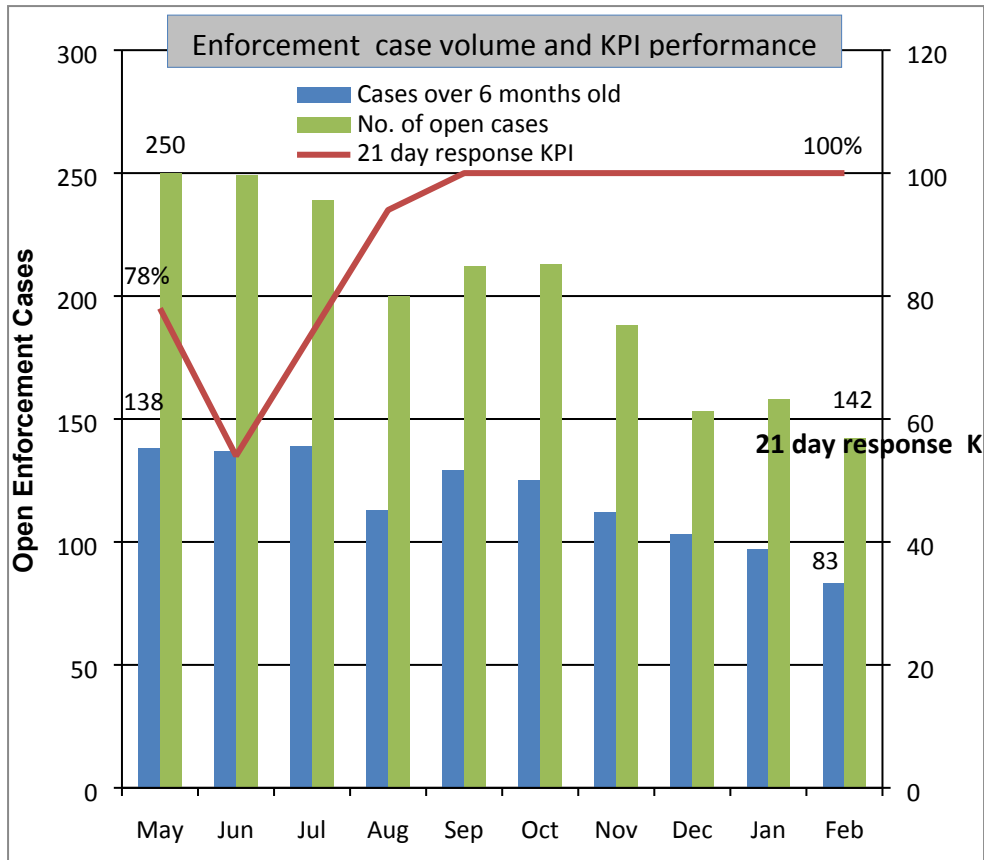
- 2.13 The new review process within the investigation plan ensures complainant are fully appraised at regular intervals and updated with significant developments.

### **Monitoring of Cases**

- 2.14 It is accepted that the use of the Uniform system to record, monitor, and effectively manage the investigations of complaints of alleged planning breaches was inadequate. This was identified by the recent audit 2017. However the Uniform IT system is fit for purpose and with the appropriate information input will be fully updated and a powerful operating tool for users.
- 2.15 Since last years Audit report on the Planning Enforcement Service , all officers have received full training to ensure they are comfortable and competent in the use of the system. Each case is monitored regularly to ensure all information is captured and recorded at each stage of the investigation. The review process ensures that cases are progressed expeditiously and formal action is identified and when warranted taken at the earliest opportunity. Members should note that Enforcement cases cannot be closed until formally resolved and agreed by the senior investigator or Area Planning Officer.
- 2.16 All cases over 3 months old are monitored on the 3 month watch list by the senior investigator, and are reviewed by the Area Planning officer and Development Manager.
- 2.17 All cases open after six months are reviewed every 3 months at a meeting of the Planning Chair and Cabinet Member for Planning, together with the Development Manager and Senior Investigator who examine the conduct of the enquiry and the delay in resolving the case.

### **Communicating Changes and Improvements**

- 2.18 It is clear that one of the main member frustrations was the time taken to effectively resolve complaints. Whilst there are good reasons for such delays on some occasions this should not be the norm. Since September 2017 there has been a month by month reduction in open cases. And similarly a steady fall in investigations over six month old. The Key performance indicator achieved 100% in September 2017 the month changes were initiated, and have been maintained at that level since.



2.19 The underlying data shows that cases are now being effectively dealt with within the initial 3 month period. And the 21 day full response time to complainants has now consistently been achieved for the past six months.

Enforcement Caseload								
New Cases Opened	Cases Closed	No. of open cases	Monthly Change	Year	Month	Cases over 6 months old	% over 6m old	21 day response
35	17	1570	0	2016	Jan			
41	70	1541	-29		Feb			
33	24	1550	9		Mar			
38	65	1523	-27		Apr			
35	43	1515	-8		May			
39	57	1497	-18		Jun	1406	93.9%	
35	355	1177	-320		Jul	1083	92.0%	
65	39	1203	26		Aug	1080	89.8%	
40	939	304	-899		Sep	159	52.3%	
39	114	229	-75		Oct	76	33.2%	
43	59	213	-16		Nov	69	32.4%	
25	33	205	-8		Dec	74	36.1%	
37	26	216	11	2017	Jan	76	35.2%	
35	34	217	1		Feb	99	45.6%	
43	41	219	2		Mar	108	49.3%	
29	26	222	3		Apr	121	54.5%	
51	23	250	28		May	138	55.2%	78
35	36	249	-1		Jun	137	55.0%	54
16	26	239	-10		Jul	139	58.2%	74
29	68	200	-39		Aug	113	56.5%	94
19	7	212	12		Sep	129	60.8%	100
47	46	213	1		Oct	125	58.7%	100
33	58	188	-25		Nov	112	59.6%	100
13	48	153	-35		Dec	103	67.3%	100
31	26	158	5	Jan	97	61.4%	100	
16	37	142	-16	Feb	83	58.5%	100	

As at 21/2

2.20 Members should note that a further four key performance indicators have recently been introduced. These have been drafted to further ensure that performance is transparent and measurable they will ensure that all actions that can be taken have been through a thorough review process. This gives specific responsibility to investigators, seniors, and managers to ensure that all cases are progressed expeditiously.

### 3. Proposals

3.1 Since September 2017 as well as addressing the outstanding cases, some more major and time consuming operations have been conducted. These have utilised a far more multi agency approach organised by the enforcement team, this ensures a fast pro active and effective response to major complaints. We have now forged close working partnerships with internal and external agencies ensuring we utilise the wealth of experience previously untapped. Recent examples of this proactive approach can be seen in tackling difficult enforcement



issues at Spade Lane, Brotherhood Woodard and Newington Men’s Working Club.

- 3.2 As part of the new approach a close liaison between the enforcement team and the legal departments has been arranged. All cases requiring advice are submitted promptly as a full and complete advice file. The senior investigator meets every month with legal to ensure cases are progressed and any further work required by legal is completed and submitted in a timely manner.
- 3.3 The enforcement team is committed to working together to further improve the service provided. It feels it has achieved good results so far in a relatively short period and this will only get better as all the new processes are imbedded and officers steadily gain experience.

#### **4 Alternative Options**

- 4.1 It could be considered that Planning Enforcement is separated from the main planning function and included as part of a general enforcement regime. This is not considered appropriate given the close ties that planning enforcement officers require with planning officers to inform and defend enforcement action.

#### **5 Consultation Undertaken or Proposed**

- 5.1 This report follows from previous reporting and presentation to the Scrutiny Committee.

#### **6 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	The aim of the proposals is to have a more customer focus service whilst maintaining performance – A Council to be proud of.
Financial, Resource and Property	The new planning enforcement service integration into the Development Management team has been fully budgeted for.
Legal and Statutory	None identified at this stage.
Crime and Disorder	None identified at this stage.
Environmental Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.

Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
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 Enforcement Strategy and Service Charter October 2017
  - Appendix II : New Investigation Plan

## **8 Background Papers**

None.



**A STRATEGY AND SERVICE  
CHARTER FOR  
PLANNING ENFORCEMENT**

**October 2017**

## 1. Introduction

1.1 Swale Borough is a diverse area with distinctive towns and villages set in downland, farmland and coast. There are significant areas of the natural and built environment that are protected. Within the built environment there are over 1,500 listed buildings and 50 conservation areas and numerous buildings of heritage value. Large areas of the Borough are designated as part of the High Weald Area of Outstanding Natural Beauty, and other areas are internationally recognised designations in relation to protecting wildlife/ecology.

1.2 There is increasing public concern about activities that harm the local environment and damage the quality of people's lives. The Council recognises that planning enforcement underpins the Council's corporate priorities, particularly in relation to being 'a Borough to be proud of' and the priority for protecting and improving the natural and built environments.

1.3 The Planning Enforcement Service must demonstrate at all times that it deals with cases in an equitable and consistent manner, and this Strategy has been prepared in the light of paragraph 207 of the National Planning Policy Framework 2012 which states:

**'Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local Planning Authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way which is appropriate for their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so'.**

1.4 Consideration has also been given to the requirements of the Equality Act 2010 and the Human Rights Act 1998. (See also 3.1)

1.5 The enforcement powers available to the Local Planning Authority are predominantly contained within the Town and Country Planning Act 1990 (as amended), the Planning and Compensation Act 1991, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Anti-Social Behaviour Act 2003 (in relation to high hedges), and the various and numerous subordinate legislation (i.e. Regulations and Orders) which are governed by those Acts. Policy advice is contained within Planning Practice Guidance entitled "Ensuring Effective Enforcement", and supports the National Planning Policy Framework (NPPF).

1.6 The strategy identifies the resources and matches these with local priorities for action, in order to tackle the most serious planning enforcement problems that arise in the area. To do this, the Council will follow government advice and concentrate its resources on clearly defined priorities for action and promote a proactive regime where possible. Therefore, the aims of the Planning Enforcement Service are to:

- be effective in dealing with breaches of planning control giving rise to unacceptable harm on public amenity and/or causing harm to land or buildings;
- limit resources used in pursuing minor breaches causing no harm to amenity;

- resolve most complaints by persuasion and negotiation – however, when this is not possible then the Planning Enforcement Service has the power to commence enforcement actions;
- operate in an equitable, proportionate and consistent manner and follow the advice in the Good Practice Guide for Local Planning Authorities; and
- educate and inform stakeholders about the process, standards of service, procedures, and provide widely available information to all customers.

## **2. Prioritising and carrying out investigations into alleged breaches of planning control**

- 2.1 Currently, the Planning Enforcement Service is managed by the Development Manager and comprises a small specialist team of 2.3 FTE officers, together with support from other teams within Planning Services including Development Management officers, Conservation/Design officers, and the Council's tree consultant. The Service also works closely with legal officers (at Mid Kent Legal Services) as required. A full review of the Service and its resourcing is being undertaken in parallel with consultation on this Strategy and Charter, with a particular focus to ensure that the long term resilience of the Service is maintained and to ensure the service has capacity to liaise and respond to ward councillor and Parish/Town Council issues.
- 2.2 The majority of complaints received relate to minor matters and often arise from neighbour disputes. Examples of these are small extensions and outbuildings erected under permitted development rights which do not require planning permission. Considerable officer time is taken up in investigating these, visiting the site and checking dimensions, and then reporting back to the parties involved.
- 2.3 Similarly, a large number of complaints concern unauthorised development that is acceptable and can be regularised by the submission of a retrospective planning application. A great deal of officer time is spent chasing such applications and any fees derived from the submission of an eventual planning application would not, in most cases, recover the enforcement costs involved. Therefore, whilst the Council has a duty to investigate all alleged breaches, the resources must be used wisely to allow officers to concentrate on serious breaches and to avoid the Local Planning Authority coming into disrepute through abuse of its enforcement powers, rather than pursuing enforcement action against minor breaches that cause no harm to public amenity.
- 2.4 The Council accepts that a rapid initiation of enforcement action is vital to prevent a serious breach of planning control from becoming well established and more difficult to remedy. It also recognises the need of establishing effective controls over unauthorised development. The Council will not condone wilful breaches of planning control, and will exercise its discretion to take enforcement action if it is expedient to do so.
- 2.5 The Council will investigate alleged breaches of planning control to determine whether a breach has occurred and if it has, to determine the most appropriate course of action by:
- paying due regard to Development Plan policies and to all other material considerations;
  - paying due regard to Government guidance and legislation;

- not taking action against trivial or minor technical breaches of planning control which do not adversely affect public amenity or causes harm to land or buildings;
- where action is necessary in the public interest, ensuring that appropriate actions are being taken in parallel with negotiations with the individual / organisations breaching planning control;
- to ensure appropriate conditions are applied to new development;
- not taking action solely to regularise development or obtain a fee; and
- taking account of the Human Rights Act 1998.

2.6 All complaints will be acknowledged within 24 hours of receipt if sent directly to Planning Enforcement Team via the web site on line complaints form or directly via e-mail, phone or letter (contact details included at the end of the document).

2.7 The team will then investigate each complaint to ascertain whether a breach of planning control has occurred and to respond to the complainant within 21 days. If a breach has occurred the response will include a target date for the next stage of action to rectify the breach to be taken.

2.8 In order to deal effectively with the large number of allegations about breaches of planning control, it is proposed that cases are given priority based on the seriousness of the breach as set below. This is neither an exhaustive nor conclusive list. Matters will be dealt with and assessed on a case by case basis, based on the information provided to the Council:

<b>A – Major</b>	
	<ul style="list-style-type: none"> <li>▪ Works that are irreversible or irreplaceable and constitute a serious breach</li> <li>▪ Demolition of listing building</li> <li>▪ Breaches of Article 4 Direction</li> <li>▪ Unauthorised development in conservation area, Special Protection Area, Area of Outstanding Natural Beauty, or other national landscape designations</li> <li>▪ Injunction proceedings</li> <li>▪ The felling of trees covered by a TPO or works to trees in conservation areas</li> <li>▪ Siting of caravan or mobile home for residential purposes</li> </ul>
<b>B – Medium</b>	
	<ul style="list-style-type: none"> <li>▪ Activities that cause harm to residential amenity</li> <li>▪ Change of use</li> <li>▪ Breach of condition (depends on seriousness of the breach)</li> <li>▪ Non-compliance with plans</li> <li>▪ Non-detrimental works to a listed building</li> <li>▪ Non-compliance with enforcement/stop notice</li> <li>▪ Unauthorised works to a listed building</li> </ul>
<b>C – Minor</b>	
	<ul style="list-style-type: none"> <li>▪ A-boards on private land</li> <li>▪ Sheds</li> <li>▪ Means of enclosure</li> <li>▪ Dropped kerbs</li> <li>▪ Satellite dishes</li> <li>▪ Minor operations</li> <li>▪ Any low impact to residential amenity</li> <li>▪ Unauthorised Adverts</li> </ul>

- 2.9 The priority list provides an indication of the acknowledgement for expediency in reacting to a complaint and the level of focussed resource that will be required to handle the case – with major cases being dealt with as a priority and a certain level of immediacy whilst minor cases will be handled as and when workload and resources allow.
- 2.10 After the first site visit (and also during the investigation process) the investigating officer will consider whether it is necessary to re-consider the prioritisation of the complaint.
- 2.11 The Council will review whether there is an opportunity to introduce a planning conditions compliance service with regard to major planning permissions (for housing schemes of more than 10 dwellings or 1000m<sup>2</sup> commercial) whereby the applicant would be obliged to fund the cost of officer time for monitoring progress on compliance with planning approval conditions.

### **How the Council handles the information it receives**

- 3.1 The information below sets out how the Planning Enforcement Service will aim to handle any complaints received:
- anonymous enquiries will not normally be investigated. Any investigation of such enquiries will be at the Council's discretion;
  - if you are concerned about providing your name and address, you should contact your local councillor or Parish Council who may agree to act on your behalf; enquirers' personal details are treated in confidence, but if formal action results you may be requested to help the Council's case as a successful outcome may depend on your support;
  - acknowledge receipt of your enquiry and provide you with future contact details;
  - deal with all enquiries in a fair and equitable manner, and treat all parties with dignity and respect;
  - site visits will take place as far as possible in accordance with enforcement priorities;
  - to advise you, where possible, what action the Council proposes to take;
  - if a retrospective planning application is received, to notify you so that you have an opportunity to make comments;
  - if, by 21 working days following receipt of your enquiry, investigations are not complete, you will be contacted and provided with an explanation why; and
  - you are welcome to contact the Council at any time to ask for an update.

### **Resolving your complaint**

- 3.2 The vast majority of breaches of planning control are resolved informally by negotiation with the owner/occupier, or by the submission of a retrospective application for consideration. Legislation and central government guidance require that all formal action must match the degree of risk or harm associated with the breach. Each case will be considered on its own specific circumstances, and the personal circumstances of the

person responsible may also be relevant. Therefore formal action is not always appropriate.

3.3 Following the completion of investigations, the actions available to the Council are:

- establish that the matter is not a breach of planning control (e.g. not development or permitted development);
- establish that the breach has become lawful, e.g. works have been completed for more than four years, or there has been a change of use or breach of condition more than ten years ago which has been continuous);
- invite a retrospective planning application and negotiate a permission with certain conditions attached if appropriate;
- take immediate enforcement action; or
- take no further action.

3.4 There are a number of legal powers available including:

- Planning Contravention Notice (PCN) - often the first course of action is aimed at getting information to determine what action , if any, should be taken;
- Breach of Condition Notice (BCN) – this is used if a condition attached to a planning permission is not being complied with;
- Enforcement Notice – these order unauthorised development (or use) to be stopped, altered or removed, and may also order that land or buildings be put back to their original condition (NB the person who receives a notice has the right to appeal against the Enforcement Notice);
- Enforcement Order – appropriate where there has been a deliberate concealment of a breach of planning;
- Stop Notices and Temporary Stop Notices – these can be issued if the unauthorised development is causing very serious, immediate harm, with the latter being able to be served without an accompanying Enforcement Notice;
- Injunctions – these are court orders preventing unauthorised development taking place or preventing further development; and
- Prosecutions – these may be appropriate for offences when an effective notice has been breached (subject to the evidential and public interest tests in the Code for Crown Prosecutors being satisfied).

3.5 The Council will, however, take effective enforcement action when it is essential to protect the amenity of the area, the public, or highway safety, and to maintain the integrity of the planning process within Swale. If an injunction is sought, the Council must be able to justify its application to the Court, and proceedings may remain in abeyance until the appeal process relating to any planning application is completed. If an Enforcement or Stop Notice is issued, the Council must be able to justify its actions in the event of an appeal being made to the Planning Inspectorate. Appeals must be made before the Notice takes effect (as stated in the Notice). Appeals can be lodged on a number of grounds, and the person appealing (known as the Appellant) can request that his/her appeal is dealt with by a written procedure, or ask for an Informal Hearing or Public Inquiry.



### **When it becomes a Criminal Offence**

- 3.6 A criminal offence occurs where, after the period for compliance, an owner/ occupier fails to comply with the relevant requirements of a valid Enforcement or Stop Notice. For the Council to be able to prosecute, it is necessary for the evidential and public interest tests in the Code for Crown Prosecutors to be satisfied. In the case of a persistent offence against an unauthorised activity, an injunction may eventually be sought as a last resort through the County or High Court.
- 3.7 When Court action is to be taken, there will be a period of time for investigation and collation of evidence. After proceedings are issued there will be periods of time when Court dates are awaited, which may be lengthy, particularly if there is to be a trial of a complex matter.
- 3.8 In exceptional circumstances, the Council will also consider taking direct or default action to resolve a breach of planning control. This may involve the use of contractors to enter a site and physically remove or put right unauthorised works. The Council will seek to recover its costs in these cases, possibly in the form of a charge on the land that would be recoverable at the time of sale of the land or property.

## **4. Decision making**

- 4.1 Where a breach has occurred and officers believe that enforcement action should **not** be taken, they will consult with ward members, the Cabinet Member for Planning, and the Planning Committee Chair. Should the officer recommendation not be agreed, the matter will be referred to the Planning Committee for resolution. Any decision to proceed with enforcement action will normally be made by a 'designated officer' as agreed through the Council's adopted delegation arrangements set out in the Council's constitution. Appendix A sets out a flow chart for decision making, including the role of Councillors.
- 4.2 Where unauthorised development may only be acceptable by the imposition of appropriate planning conditions or legal agreements, a planning application will be sought. Where a valid application is not forthcoming within an agreed timescale (normally within 28 days), an Enforcement Notice will be served, together with a statement that the Council may be prepared to grant planning permission subject to specified conditions or with explicit or complete measures for mitigation depending on the circumstances of the case.

## **5. Performance monitoring and review**

- 5.1 The performance of the Planning Enforcement Service is to be monitored corporately on the basis of responding to 90% of all complaints within the 21 day deadline.
- 5.2 Following the initial response within 21 days, each case will be reviewed on a case by case basis based on the target dates set for the next step of action to be completed e.g. submission date for a retrospective planning application, compliance period for an enforcement notice etc.
- 5.3 It is anticipated that the Strategy will be reviewed on an annual basis reporting through to the Planning Committee and the Cabinet Member for Planning every October, in advance

of the drafting of service plans and budgetary cycle. The review will provide an overview of the workload undertaken, including:

- number of complaints and response times (Local performance Indicators);
  - number of complaints where:
    - no breach is determined;
    - resolved breach without resorting to enforcement action;
    - enforcement action taken.
  - number of Enforcement Notices / Stop Notices / PCNs / BCNs / Injunctions / prosecutions issued;
  - number of successful and unsuccessful enforcement appeals with explanation and any lessons learnt;
  - commentary on long term outstanding cases (more than six months) with current position statement; and if these are to be identified by site this element will need to be a confidential report;
  - 21 day response performance indicator; and
  - Case progress targets:
    - bring 75% of cases to a target conclusion within 90 days of receipt of complaint. For the purposes of this strategy 'target conclusion' means case closure, submission of a retrospective planning application, enforcement action or summons to court.  
1.7
    - discuss and agree a course of action for 99% of all cases that have not achieved a conclusion within 120 days of receipt of the complaint.  
1.8
    - ensure that 95% of planned courses of action are achieved on time.
- 5.4 Additional to the annual review, reporting on all active cases which have exceeded six months will be reported to the Cabinet Member for Planning on a quarterly basis.
- 5.5 The status of this strategy is guidance, and if there is conflict between this strategy and national legislation or policy, then the national legislation or policy will prevail.

# SWALE PLANNING ENFORCEMENT SERVICE CUSTOMER CHARTER

## Introduction

1. The Planning Enforcement Service is to be provided in accordance with the Government's Enforcement Concordat.

Standards	Publish standards and the Service's performance against them
Openness	Give advice and information in plain language
Helpfulness	Believe prevention is better than cure, so actively work to assist compliance, whilst providing a courteous and efficient service
Complaints	Have a well publicised, effective and timely complaints procedure
Proportionality	Any action taken will be commensurate with the seriousness of the breach
Consistency	Carry out duties in a fair, equitable and consistent manner

## How to make a complaint /raise a concern

2. Most investigations result from information from the public, Councillors, Parish and Town Councils, and other interested groups. All individuals and groups have a role to play in planning enforcement, as they are the local 'eyes and ears' of the Council in the community. Their contribution towards planning enforcement is greatly appreciated by the Council.
3. All Planning Enforcement Service contact should be undertaken through the Maidstone Call Centre (01622 602 736) or e-mail [planningservices@midkent.gov.uk](mailto:planningservices@midkent.gov.uk). This contact can be made by letter, telephone or email. If contact is needed in person, the Call Centre will organise a meeting with the relevant officers as required. In all cases, you will need to provide confirmation in writing of what you wish to have investigated so the case can be substantiated in the future, including:
  - the precise location of the site or property to which the complaint relates;
  - the exact nature of the concern, i.e. the potential breach of planning control;
  - the date the unauthorised development, works or use began, and a note of whether and when they continue;
  - an indication of any harm caused; and
  - where it is known, details of the identity of the person or organisation responsible.
4. There is an online form you can complete and return to the Council, which can be found at:  
<http://www.swale.gov.uk/planning-enforcement/>
5. All investigations are carried out on a strictly confidential basis and the details of the person who has complained will **not** be revealed by the Planning Enforcement Team, unless directed to do so by a Court or the Information Commissioner.

To meet and exceed the set objectives of performance the below guidelines of investigation target timescales should be achieved. This is to be considered a team objective and not specifically/wholly an individual responsibility.

### **Investigation Plan for enforcement officers.**

#### **Initial allocations**

1. Once a complaint is received this should be graded as at present High Medium Low. This is presently done by the senior planning investigator on a daily basis. However in their absence the task will be delegated and must still be completed.
2. As the case is allocated, the grading must be noted by the investigating officer and prioritised accordingly. When the case is graded **High** a site visit must be conducted within 24 hours. Full site notes completed. The DM team manager should be briefed as soon as practicable on all such cases. The ward member covering that area should be notified by e-mail of the case, the reference number, and the initial findings. The ward member should always be added to the complainants list on uniform to ensure full updates during the course of the investigation.
3. In the cases of medium and low grading's the ward member will be added to complainants list if an expression of interest is given.
4. All initial visits should be conducted within 14 working days and uniform updated. Details of contact and update of the complainant should be recorded in the actions field.

#### **Investigation process**

5. Once the initial site visit has been completed. It is essential that full site notes covering the findings are updated on uniform; this should also include any gathered evidence, Photographs, conversations, explanations etc. This should be accompanied with the next proposed action and dated. Follow up compliance dates should also be placed in the notes field.
6. If advice re progressing the enquiry is required this should be raised at the weekly enforcement officers meeting on Thursday Mornings.
7. DM managers advice can be obtained at the weekly DM meeting Thursdays
8. It is important that investigators set realistic and achievable dates for initial compliance. Normally 28 days for the submission of retrospective applications. Non compliance or failure to respond should be progressed to the next stage without delay, but in any case within 14 days.
9. If Formal Notices are authorised they should be drafted, and served as soon as practicable. A full copy of the Notice will be added to Uniform notes. An entry made in the Notices Book. And a hard copy placed in the Notices cabinets. The compliance date must then be added to the team calendar. This will outline the address, type of Notice and its requirements. The enforcement case will remain open and live during this process.

10. A full site inspection must be carried out within 5 days following the expiry of a compliance period. Compliant sites will have full notes with evidence updates and the cases closed.
11. Failure to comply with the enforcement notice will be treated as a serious breach. The offenders will be interviewed under caution as soon as practicable and full prosecution papers prepared.
12. Cases over 12 weeks old, still under investigation and that are not awaiting a planning decision, or within a compliance period, must be reviewed on Uniform by the senior investigator, or DM team manager. This review should form part of the case notes to ensure all avenues of enquiry have been completed. All cases rated as **High** should receive a 4 weekly review. Part of this should be regular updates to both complainants and ward members.

Meetings with the Legal department have been arranged monthly to ensure enforcement cases are progressed swiftly through the courts. All prosecution files will be quality assured through the senior enforcement officer prior to submission. It is essential that the initial submission of evidential files is of the highest standard; this will ensure that delays through the legal process are kept to an absolute minimum.

Note;

It will be noted that it is expected that initial site visits should be conducted within 14 days, The KPI expects them to be achieved within 21 days. This allows 7 days for any work to be picked up by the team, due to leave, sickness or workload. Success can only be achieved by a fully committed team effort.

George Mynehan

Planning Enforcement Senior Consultant

March 18

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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	STC Regeneration	3	That a monthly update to questions, in a format to be agreed in conjunction with the Scrutiny Committee Chairman and Policy and Performance Officer, be provided by the Cabinet Member for Regeneration to all Members in the form of a bulletin.	Accepted	E.Wiggins	Ongoing	Cabinet's response was: "Cabinet agree on the principle of regular updating to members, in a standard 'bulletin' format to be agreed. However, monthly updating is not considered reasonable, and instead reporting every two months, shortly after the STC Project Board meeting, is considered to be more practicable. These can be timed to coincide with the regular face-to-face updates for Group Leaders that the Cabinet Member has agreed to continue." Updates provided to Scrutiny Committee - alternatively in person and through a written report at each meeting. Group Leaders were updated on 19 February 2018. The next update to the Scrutiny Committee will be on 22 March 2018.
Scrutiny	Leisure and tourism	1	Promotion and marketing - to commit a minimum of £25,000 to the tourism base budget to allow for substantial marketing and promotion of Swale as a tourist destination	Accepted	C.Hudson	Ongoing	Visitor Economy Framework adopted by Cabinet on 7 February 2018. £250,000 for framework implementation has been identified from shared business rates pool. Marketing and Promotion is one of the key outcomes of the framework, it is envisaged a minimum of £25,000 we be utilised on this outcome.
Scrutiny	Leisure and tourism	2	Promotion and marketing - to agree an objective of growing Swale tourism by 5 – 10% over the next four years	Accepted	C.Hudson	Ongoing	Six priorities for business development and growth identified within Framework. Action Plan in development as part of ECS Service Planning. Annual performance monitoring through Scrutiny, monthly Covalent updates and monthly individual performance scheduled once Service Plan agreed. A target of 11.5% has been set out the 5 year period of the framework.
Scrutiny	Leisure and tourism	3	Promotion and marketing - to consider as part of the future tourism plans the best forms of branding of Swale	Accepted	C.Hudson	Ongoing	To be included as part of the work to be undertaken on the Visitor Economy Framework and through partnership working with Visit Kent and other local partnerships
Scrutiny	Leisure and tourism	4	Visitors and local infrastructure - SBC should identify and provide sufficient coach parking in convenient locations to meet the demands of all visitors to Swale	Accepted	C.Hudson	Ongoing	Internal discussions with parking team underway on this critical issue
Scrutiny	Leisure and tourism	5	Visitors and local infrastructure - SBC should work closely with tourist attractions to ensure the Borough has a comprehensive coverage of up to date "brown tourist signs", including on strategic routes	Accepted	C.Hudson	Ongoing	Technical help is provided to visitor attractions through Visit Swale and Visit Kent using national visitor guidance and will continue
Scrutiny	Leisure and tourism	6	Visitors and local infrastructure - provision of more local signs	Accepted	C.Hudson	Ongoing	Signage forms part of the Visitor Economy Framework Action Plans.
Scrutiny	Leisure and tourism	7	Visitors and local infrastructure - consideration given to whether the funding of these signs could be supported by SBC, either through a new fund, Member grants, Section 106 grants or a combination of these	Accepted	C.Hudson	Ongoing	Signage forms part of the Visitor Economy Framework Action Plans.
Scrutiny	Leisure and tourism	8	Visitors and local infrastructure - SBC should make sustained efforts to influence KCC Highways and Highways England to fulfil their responsibilities to keep roads clean, and do the same with Network Rail in relation to the approaches to local stations	Accepted	C.Hudson	Ongoing	Establish high level tourism stakeholder group to monitor Visitor Economy Framework including external drivers impacting on tourism, leisure and hospitality
Scrutiny	Leisure and tourism	9	Working with the local tourism sector - that SBC facilitates the establishment of collaborative groups preferably led by the private sector and/or voluntary sector	Pending	C.Hudson	Ongoing	This is a model that has worked well in other LA areas where Visitor Economy Strategies and/or Destination Management Plans have been developed
Scrutiny	Leisure and tourism	10	Working with the local tourism sector - that SBC establishes a challenge fund of £3,000 to support new activities or events	Pending	C.Hudson	Ongoing	Resources will be allocated to the six priorities agreed and adopted within Visitor Economy Framework
Scrutiny	Leisure and tourism	11	Research and intelligence - to conduct a full economic assessment of tourism in Swale. It is understood that this has been arranged to cover 2015 using "Destination Research". This should be repeated strictly every three years which has not recently been met	Accepted	C.Hudson	Ongoing	Model has been run based on 2015 data and the Visitor Economy Strategy will contain performance measures including volume and value data: noted requirement for performance monitoring every three years
Scrutiny	Leisure and tourism	12	Research and intelligence - additionally extra information should be sought from useful reports available on the tourism market	Accepted	C.Hudson	Ongoing	Council is in membership of Visit Kent and British Destinations Association and has access to tourism research and data on demand. The services of these and other agencies will be used to gather new intelligence informing marketing strategies

Scrutiny	Leisure and tourism	13	Research and intelligence - to make contact with several other similar Boroughs to develop a benchmarking programme to seek the best ways of increasing the economic and cultural effects of tourism. A minimum of £2,000 pa should be set aside for research	Accepted	C.Hudson	Ongoing	Districts meet twice a year through Visit Kent and the matter can be considered through this Forum
Scrutiny	Leisure and tourism	14	Financial and other support to the sector - SBC to proactively assist local tourist organisations to find and bid for grants to increase tourism	Accepted	C.Hudson	Ongoing	One of the outcomes in the Visitor Economy Framework is for business support to the sector, this will take many forms but will include access to grants.
Scrutiny	Leisure and tourism	15	Financial and other support to the sector - consider the creation and promotion of a challenge fund worth around £5,000, subject to future review, which local tourism businesses could bid for	Pending	C.Hudson	Ongoing	State Aid rules may apply and a review will be undertaken to see how/if this might be best achieved
Scrutiny	Leisure and tourism	16	Financial and other support to the sector - that SBC increases the availability of officer time to ensure the best possible potential achievement of all the recommendations made by the Scrutiny Committee	Accepted	C.Hudson	Ongoing	Officer resource has been increased 2FTE to deliver the Visitor Economy Framework as documented in the Cabinet report of 7th February.
Scrutiny	Housing Services	1	Cabinet should consider what more the Council can do to help housing associations to provide more affordable and social housing in Swale	Accepted	A.Christou	Ongoing	Cabinet's response: Agreed. The council works in close partnership with these key organisations, meeting regularly, and supporting funding bids for their homes with the Homes and Communities Agency National Affordable Housing Programme. As the scrutiny committee review report confirms, the operating landscape of social housing providers is changing, and it has become more challenging for them to provide the level of affordable rented housing that is needed within the borough. Housing association Boards are now taking difficult decision to focus more greatly on shared ownership housing, than rented housing, due to viability of house building schemes and the requirement of the lenders. This does not accord with Swale local plan requirements, or the needs of local residents and this will be fully considered within the development of the upcoming housing and homelessness strategy for Swale.
Scrutiny	Housing Services	2	Cabinet should consider ways to provide housing associations a closer role in planning applications for housing developments, e.g. by routinely consulting them	Accepted	A.Christou	Ongoing	Cabinet's response: Agreed. Housing associations partners are engaged in the development of the local plan, and consulted in all relevant planning policies as well as discussions on a site by site basis, as housing developments come forward. We will continue to seek additional ways to provide a closer role where possible and appropriate.
Scrutiny	Housing Services	5	That the Housing Team, supported by the Cabinet Member for Housing and Wellbeing, bid for capital funding should any empty properties become available that owners agree to let the Council use	Accepted	A.Christou	Ongoing	Cabinet's response: Agreed. The Council supports owners and landlords to secure cost-effective loans to renovate properties to bring back to use with some success. If and when such properties become available, the council will take a proactive approach, including where possible bidding for funds to make best use of the property to meet local needs.
Scrutiny	Housing Services	6	Cabinet should consider whether the residency criteria (i.e. living in Swale for four years out of five) in Swale's housing allocations policy is a help or hindrance towards helping those in housing need, and if the latter, whether the policy should be reviewed	Accepted	A.Christou	Ongoing	Cabinet's response: Agreed. With the soon to be implemented Homelessness Reduction Act, and recent case law affecting Reasonable Preference requirements the allocations policy does require a full review, and this will begin by May 2018.
Scrutiny	Housing Services	7	That Cabinet can be encouraged to write to the Secretary of State for Communities and Local Government drawing attention to the severe pressure Swale was facing in housing homeless families	Accepted	A.Christou	Ongoing	Cabinet's response: Agreed.
<b>Key to status</b>							
	<b>Pending:</b> Awaiting cabinet decision on whether to accept or reject.						
	<b>Rejected:</b> Recommendation not accepted by cabinet.						
	<b>Accepted:</b> Recommendation accepted, still within target date for implementation.						
	<b>Implemented:</b> Recommendation accepted, implementation complete.						
	<b>Overdue:</b> 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**

<b>Subject:</b>	<b><i>Regeneration schemes (other than Sittingbourne Town Centre)</i></b>
<b>Proposed by:</b>	Scrutiny Committee
<b>Length:</b>	Expected to take 6 – 9 months from start to finish.

### **Objective**

- To review the effectiveness of measures to regenerate the Borough, including the role played by Swale Borough Council and its partners;
- To review how individual schemes contribute to the strategic drivers of the local economy (business, skills, employability, infrastructure, investment, innovation etc);
- As necessary, to make recommendations to Cabinet.

### **Justification**

One of the Council's key outcomes under the 'Borough to be proud of' priority theme in the Corporate Plan 2015-18 is to the 'delivery of smaller-scale regeneration projects elsewhere in the Borough to improve the appearance and facilities of our towns and villages'. This is the second key outcome under this priority theme after the regeneration of Sittingbourne Town Centre which understandingly takes centre stage in the Council's regeneration priorities.

The Scrutiny Committee already closely follow progress on the Sittingbourne Town Centre regeneration scheme through bi-monthly sessions with the Cabinet Member and Director of Regeneration, supplemented with monthly written updates to the Committee.

There is a danger that, given the prominence of the Sittingbourne Town Centre scheme in the Council's priorities, smaller schemes across Swale are possibly not receiving either the support or resources that they need.

It is recognised that not all regeneration activity in Swale is led by the Council.

Indeed, it is apparent that a range of organisations including private business, Government agencies, other public sector authorities and the voluntary and community sector are all involved in a range of projects across Swale.

This review is therefore promulgated on a two-pronged approach:

- (i) To examine a range of regeneration activities across Swale; and
- (ii) To examine how these activities fit into the wider strategic picture.

### **Evidence and information to be gathered**

As mentioned above, the Sittingbourne Town Centre regeneration scheme is regularly scrutinised as part of the Committee's ongoing work programme, but it will feature in this review as a means of informing the wider picture element.

The Task and Finish Group (TFG) will develop a standard template to gather information on a range of regeneration activities across the borough. There won't be time to examine every single regeneration activity, so the Task and Finish Group will focus on a representative sample of activities across the Swale, with a mix of activities led either by the Council itself, the Council in partnership with other organisations or entirely by external bodies. These might be very large schemes with implications for large areas of the Borough, or very local ones which nevertheless have a positive impact on local communities.

The template/matrix will seek to gather information in a standard format on e.g. who leads the activity; location; timescale; costs/resources; SBC role; target outcomes/impacts; etc.

In the first stage, discussions will be held with all leading stakeholders within the Council (Cabinet Member, Director of Regeneration and her team), those leading regeneration activities, and visits to one or two local authorities with a similar socio-economic profile to Swale to investigate how others are tackling regeneration.

The second stage will examine how this activity links to the strategic outcomes the regeneration activity seeks to achieve (nb. The Policy Development Review Committee will be reviewing the Council's draft Regeneration Strategy at their meeting scheduled for 2 May 2018 – this Strategy will focus on a number of topics which are pertinent to this review).

### **Sources of information and evidence**

<i><b>Individual or organisation</b></i>	<i><b>Committee session</b></i>	<i><b>Task and finish panel, site visit, correspondence, or other method</b></i>	<i><b>To be decided</b></i>
<ul style="list-style-type: none"> <li>• Cllr Mike Cosgrove, Cabinet Member for Regeneration</li> <li>• Emma Wiggins, Director of Regeneration</li> <li>• Officers from Economy and Community Services</li> </ul>	X	√	X
<ul style="list-style-type: none"> <li>• Regenerations scheme sponsors and partners</li> </ul>	X	√	X
<ul style="list-style-type: none"> <li>• Other local authorities with similar socio-economic</li> </ul>	X	√	<b>X</b>

profile to Swale			
• [any others?]			
<b>Organisation(s) to be reviewed</b>	If partners' activities are to be reviewed, what powers or influence does the committee have?		
<b>X</b> SBC only.			
<b>X</b> Partner organisation only.			
<b>X</b> SBC working in partnership.			
<b>Timing constraints</b>	Aim to complete review and submit report and recommendations in time for start of Council's budget planning processes.		

<b>Part 2: Review Plan</b>	
<b>Review team</b>	
Lead review member:	Cllr Nigel Kay
Other review members:	Cllrs Cameron Beart, Mike Henderson and Roger Truelove
O&S support officer:	Bob Pullen, Policy and Performance Officer
SBC service liaison officer:	Emma Wiggins, Director of Regeneration
<b>Key dates</b>	
Date to begin evidence gathering:	TBA once Committee agree review plan
Date(s) of committee sessions (if any):	N/A
Date for draft report to be presented to committee:	Autumn 2018
<b>Note:</b> 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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**SWALE BOROUGH COUNCIL  
FORWARD PLAN AND NOTICE OF KEY DECISIONS**

**April 2018 - July 2018**

**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 Gerry Lewin** – Deputy Leader and Cabinet Member for Planning

**Councillor Duncan Dewar-Whalley** - Cabinet Member for Finance and Performance

**Councillor Mike Cosgrove** - Cabinet Member for Regeneration

**Councillor David Simmons** – Cabinet Member for Environment and Rural Affairs

**Councillor Alan Horton** – Cabinet Member for Safer Families and Communities

**Councillor Ken Pugh** – Cabinet Member for Housing and Wellbeing

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](mailto: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>Use of Affordable Housing Commuted Sums</p> <p>This report provides options for spending the affordable housing commuted sum available on the delivery of new affordable housing in Swale.</p>	<p>Cabinet 30 May 2018</p>	<p>Key</p> <p>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.</p>	<p>Open</p>		<p>Cabinet Member for Housing and Wellbeing</p> <p>Rebecca Walker</p>
	<p>Shellness Local Council Tax Discount</p> <p>The Hamlet of Shellness is not covered by the planning restrictions restricting occupation of holiday sites through the winter months which allow the Council to exempt properties from paying Council Tax whilst occupation is prohibited.</p> <p>The hamlet is not suitable for permanent occupation 12 months of the year so it is proposed to award a local discount to the hamlet during the winter months to recognise that this area is only suitable to be used as holiday</p>	<p>Cabinet 30 May 2018</p>	<p>Non-Key</p> <p>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</p>	<p>Open</p>		<p>Cabinet Member for Finance and Performance</p> <p>Zoe Kent</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
	accommodation.		in the area of the local authority.			
	Minutes of the Swale Joint Transportation Board meeting held on 19 March 2018	Cabinet 30 May 2018	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 Regeneration
	Swale Open Spaces and Play Strategy 2018-2023 This report updates Members on the progress on the Open Spaces and Play Strategy following consultation on the final draft. it summaries the key findings of the assessment report and how these have been turned into Strategic outcomes. it asks Cabinet for final	Cabinet 30 May 2018	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	Open		Cabinet Member for Environment and Rural Affairs  Mike Marsh

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
	adoption of the Strategy.		local authority.			
	Minutes of the South Thames Gateway Building Control Joint Committee held on 15 March 2018	Cabinet 30 May 2018	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 Planning  James Freeman
	Debt Recovery Policy The Council has a duty to ensure that all revenue due to the Council is collected efficiently and effectively for the benefit of all council tax payers. The policy will ensure that a standardised system is in place for both financial stewardship and audit purposes.	Cabinet 30 May 2018	Non-Key	Open		Cabinet Member for Finance and Performance  Zoe Kent



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
	The policy will detail the Revenues and Benefits Service's approach to recovery. Best practice will be applied to all debt collection activities within appropriate legal powers.					
	Discretionary Housing Payment Policy Discretionary Housing Payments are provided to top up the difference between Housing Benefit /Universal Credit Housing Costs and rent costs. They are used to alleviate poverty, encourage and sustain people in employment and to prevent homelessness. The policy was last updated in 2013.	Cabinet 30 May 2018	Non-Key	Open		Cabinet Member for Finance and Performance  Zoe Kent
	Digital Strategy The Swale Borough Council Digital Strategy describes how digital technologies will impact on our organisation's approaches to delivering services and contribute to strategic priorities.	Cabinet 30 May 2018	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	Open		Cabinet Member for Finance and Performance

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.			
	<p>Swale Strategic Air Quality Action Plan 2018 - 2022 A review and quantitative assessment has been made of the proposed measure put forward in the current Interim Air Quality Action Plan.</p> <p>The measures have been reviewed and endorsed by the Air Quality Steering Group and now require Cabinet approval before being submitted to Defra. These measures provide the basis on which Swale intends to improve air quality within the declared Air Quality Management Areas and the wider district. It identifies the actions Swale and its partners can take to achieve this improvement within the context of other strategic tools.</p>	Cabinet 30 May 2018	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 Environment and Rural Affairs  Tracey Beattie
	Council Leisure Centres contract extension and investment proposals The report will summarise the research undertaken over the last 18 months on the current and	Cabinet 30 May 2018	Key It is likely to result in the Council incurring expenditure above £100,000	Part exempt		Cabinet Member for Housing and Wellbeing  Mike Marsh

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
	future requirements for Leisure centre provision. It recommended options future contracts and facility developments.		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.			
	Minutes of the Local Development Framework Panel held on 27 June 2018	Cabinet 11 July 2018	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  James Freeman
	Minutes of the Local Development Framework Panel held on 31 May 2018	Cabinet 11 July 2018	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  James Freeman
	Minutes of the Swale Joint Transportation Board meeting held on 25 June 2018	Cabinet 11 July 2018	Non-Key	Open		Cabinet Member for Regeneration

<b>Item</b>	<b>Decision item and background information</b>	<b>Decision maker, date of meeting</b>	<b>Key Decision</b>	<b>Will the report be exempt or have any exempt appendices?</b>	<b>List of the documents submitted to the decision maker</b>	<b>Lead Member and Lead Officer</b>
	Minutes of the South Thames Gateway Building Control Joint Partnership held on 19 June 2018	Cabinet 11 July 2018	Non-Key	Open		Cabinet Member for Planning  James Freeman
	Minutes of the Local Development Framework Panel held on 20 September 2018	Cabinet 26 September 2018	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  James Freeman
	Minutes of the Swale Joint Transportation Board meeting held on 10 September 2018	Cabinet 26 September 2018	Non-Key	Open		Cabinet Member for Regeneration
	Minutes of the South Thames Gateway Building Control Joint Partnership held on 20 September 2018	Cabinet 26 September 2018	Non-Key	Open		Cabinet Member for Planning  James Freeman
	Minutes of the Local Development Framework Panel held on 29 November 2018	Cabinet 12 December 2018	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  James Freeman

<b>Item</b>	<b>Decision item and background information</b>	<b>Decision maker, date of meeting</b>	<b>Key Decision</b>	<b>Will the report be exempt or have any exempt appendices?</b>	<b>List of the documents submitted to the decision maker</b>	<b>Lead Member and Lead Officer</b>
	Minutes of the South Thames Gateway Building Control Joint Partnership held on 6 December 2018	Cabinet 12 December 2018	Non-Key	Open		Cabinet Member for Planning  James Freeman
	Minutes of the Swale Joint Transportation Board meeting held on 17 December 2018	Cabinet 6 February 2019	Non-Key	Open		Cabinet Member for Regeneration
	Minutes of the Local Development Framework Panel held on 31 January 2019	Cabinet 6 February 2019	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  James Freeman
	Minutes of the Swale Joint Transportation Board meeting held on 18 March 2019	Cabinet 20 March 2019	Non-Key	Open		Cabinet Member for Regeneration
	Minutes of the South Thames Gateway Building Control Joint Partnership held on 14 March 2019	Cabinet 20 March 2019	Non-Key	Open		Cabinet Member for Planning  James Freeman

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## Scrutiny Committee work programme - 2017/18

Review title	Reviewers	Status	22-Mar	18-Apr
Quarterly budget monitoring	Committee	Live	3rd Qtr	
Quarterly performance monitoring	Committee	Live		
Scrutiny of 2018/19 Budget proposals	Committee	Complete		
Scrutiny of 2018/19 Fees and Charges proposals	Committee	Complete		
STC update - Cabinet Member and officers present	Committee	Live	√	
STC update - written report only	Committee	Live		
Development Management (Planning Delegations)	Task and Finish Group	Live		
Planning Enforcement	Committee	Live	√	
Presentation by waste team	Committee	Live		√
Non STC regeneration activity	Task and Finish Group	Live		

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