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## COUNCIL

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 28 June 2017 from 7.00pm - 8.45 pm.

**PRESENT:** Councillors Sarah Aldridge, Mike Baldock, Cameron Beart, Monique Bonney, Andy Booth, Tina Booth, Derek Conway, Mike Cosgrove, Richard Darby, Mike Dendor, Duncan Dewar-Whalley, Mark Ellen, Paul Fleming, Mick Galvin, Sue Gent, Nicholas Hampshire, Harrison, Mike Henderson, Alan Horton, James Hunt, Lesley Ingham, Ken Ingleton, Nigel Kay, Samuel Koffie-Williams (Deputy Mayor), Gerry Lewin, Peter Marchington, Padmini Nissanga, Prescott (Mayor), Ken Pugh, George Samuel, David Simmons, Ben Stokes, Roger Truelove, Ghlin Whelan, Mike Whiting, Ted Wilcox and John Wright.

**OFFICERS PRESENT:** Chris Lovelock, Jo Millard, Donna Price, Mark Radford and Nick Vickers.

**APOLOGIES:** Councillors Bobbin, Lloyd Bowen, Bowles, Roger Clark, Adrian Crowther, June Garrad, James Hall, Bryan Mulhern and Anita Walker.

### 77 PRAYERS

Captain Neil Abbey from the Salvation Army said prayers.

### 78 MINUTE'S SILENCE

There was a minute's silence in memory of the late Councillor Katy Coleman. Councillor Mike Baldock then gave a short eulogy.

### 79 EMERGENCY EVACUATION PROCEDURE

The Mayor advised the meeting of the evacuation procedures.

### 80 MINUTES

The Minutes of the Meetings held on 16 May 2017 (Minute Nos. 1-9) and 17 May 2017 (Minutes Nos. 10-18) were signed and approved by the Mayor as correct records.

### 81 NOTIFICATION OF URGENT ITEM

The Mayor advised the meeting that there was an urgent tabled item, Faversham Creek Neighbourhood Plan: Referendum Results and Adoption, that has been published on the website and circulated to Members. He added that the reason the item was urgent was that that the results of the Referendum must be report to Full Council within 8 weeks of the Referendum, and the item would be discussed at the end of the meeting.

**82 DECLARATIONS OF INTEREST**

Councillor Mike Henderson declared a non-pecuniary interest in the urgent item – Faversham Creek Neighbourhood Plan: Referendum Results and Adoption as he lived in the ward.

Councillor David Simmons sought clarification from the Monitoring Officer on whether Members who sat on the Steering Group were required to declare an interest? The Monitoring Officer advised that as the results did not affect Members of the Steering Group any more than anyone else in the Faversham area, a declaration was not required.

**83 MAYOR'S ANNOUNCEMENTS**

The Mayor had attended thirty engagements, four of which were out of Borough charity events, since the Annual Council meeting on 16 May 2017. The majority of the events were celebratory such as the Royal Garden Party, whilst others more somber and included the funerals of Councillor Katy Coleman and Mr George Palmer, a Polish national who was a World War II Hero and died recently aged 101.

The Mayor spoke of regret that the Armed Forces Day Celebrations event he was due to attend had been cancelled, and looked forward to the official opening of the Thistle Hill Play area which had also been cancelled.

The Mayor advised that the Deputy Mayor, Councillor Koffie-Williams had also attended three events.

The Mayor advised that he would be holding a reception in the Mayor's Parlour for all Parish Council Chairmen on 19 July 2017 and Paul Auston DL, the Chief Executive and the Leader of the Council would also be in attendance.

**84 QUESTIONS SUBMITTED BY THE PUBLIC**

The Mayor advised that one question had been submitted by a member of the public, Mr Greenhill, the response to which had been provided, can be viewed on the Council's website, and is attached as Appendix 1 to these minutes. The Mayor invited Mr Greenhill to ask a supplementary question.

**Question One**

Mr Greenhill agreed with the response he had received and praised the panel that sat on the Standards Hearing Committee held on 19 June 2017. He sought reassurance that proper procedures for considering confidential blue papers would be put in place in the future, and asked if all statements from Officers would be made available?

In response, the Deputy Leader noted Mr Greenhill's comments and advised that the information would be available as the hearing had not been heard in closed session.

**85 QUESTIONS SUBMITTED BY MEMBERS**

The Mayor advised that two questions had been submitted by Members, the answers to which had been provided, can be viewed on the Council's website and are attached as Appendix II to these minutes.

**Question One**

Councillor Paul Fleming thanked the Cabinet Members for their response but raised concern that a deep-clean would not have a long-lasting effect. He asked why it had taken 6 months for action?

The Cabinet Member for Environment and Rural Affairs disagreed that a deep-clean would not have an impact on the Town Centre. He apologised for the delay in any action and explained the difficulties in contacting owners to ask them to take action before taking any necessary legal proceedings. He added that there were costs involved in officer time and it was not any easy task in practical terms.

**Question Two**

Councillor Cameron Beart thanked the Cabinet Member for his response, gave a brief outline of the history and popularity of Queenborough Marina and asked if, as there may be scope to generate income, consideration would be given to take a development scheme back to the Home and Communities Agency (HCA)?

In response, the Cabinet Member for Regeneration expressed his delight at the success of Queenborough Harbour Trust and advised that Swale Borough Council were working with HCA in the hope that an appropriate scheme would come forward.

**86 DEPUTY LEADER'S STATEMENT**

The Deputy Leader presented his statement which gave updates on the Sittingbourne Town Centre Scheme, Local Plan, Heritage Consultancy and Heritage initiatives, Local Business Support, Amicus Horizon (Optivo) and ArrivaClick.

**Update on Sittingbourne Town Centre Scheme**

The Leader of the UKIP Group praised the informative presentation given by the Highway consultants for Spirit of Sittingbourne that had been held prior to the Council meeting. He welcomed the news that regular Saturday markets would be held in the High Street, but asked that the markets did not conflict with existing celebrations and events. The Deputy Leader advised that the Cabinet Member for Regeneration would consider those concerns.

The Leader of the Labour Group reflected on the dreadful events of the summer and highlighted the fire at Grenfell Flats. He stated that the spotlight had been on Local Government and Building Control Regulations. The Deputy Leader advised that discussions had already taken place on any effects and responsibilities on

Swale Borough Council; there were no adverse effects at the current time and a report was currently being produced.

Referring to the Sittingbourne Town Centre scheme, the Leader of the Labour Group asked the Deputy Leader what SBC's share of the investment was; when the first receipts of income would be received from retail investments and the leisure element of the scheme? In response, the Deputy Leader advised that SBC's share was £190K; income would be received when the units started trading and business rates would be received, and there were different rent-free periods up to 24 months. The Chief Financial Officer added that business rates would also be received from the Leisure Units such as the cinema and restaurants and the units were also rent-free for up to 24 months after trading commenced.

The Leader of the Independent Group asked whether there had been any further risk assessments on the intended investment carried out on the leisure element of the scheme, since it was last discussed at the Scrutiny Committee Meeting in February 2017 and if so, what were the conclusions? The Cabinet Member for Regeneration responded that three further cinemas had been opened by the Light Cinema and further detail on the restaurant chains would be provided at the Scrutiny Meeting scheduled for 5 July 2017.

In response to questions from a Member on the rent-free period of units, the completion of the retail date and the end dates of works on the multi-storey car park, the Chief Financial Officer clarified that the rent guarantee up to two years related to the restaurant units; the retail units were already fully let and the fit-out of the retail units would follow the completion in March 2018. He added that the end dates of the works on the multi-storey car park would be discussed at the Scrutiny Committee Meeting on 5 July 2017.

A Member raised concerns that SBC's Customer Services centre would receive many complaints once the highway works commenced and the Deputy Leader said the consultants had listened to concerns in the briefing and they would be reported back to Kent County Council.

### **Update on Local Plan and Local Plan Review**

The Leader of the UKIP Group asked whether there would be public briefings on the Local Plan to raise public awareness, as the briefing on the 13 July 2017 was for Members only? In response, the Deputy Leader advised that SBC were no longer in a period of consultation, that SBC's task was now to adopt the Local Plan and a report would be presented to the next Council meeting on 26 July 2017. He added that there would be a meeting for representatives of all Parish Councils after 26 July 2017, subject to it being adopted to answer questions on the contents. Also Ward Members should communicate information to their own electorate.

The Leader of the Labour Group raised his concerns about the unresolved highways and transport issues within the plan, and his fear that new highway routes would be funded by developers as part of new development. He highlighted the existing pressure on roads, schools and Doctors surgeries. He stressed that the Plan would be debated at the Council meeting on 26 July 2017, and asked the Deputy Leader if shared his concerns that the consequences of adopting the Plan

would increase the pressure on public services in the area? The Deputy Leader said he partly agreed with the Leader of the Labour Group; the review would consider future infrastructure issues but the Plan was the right thing and would be accepted by the silent majority.

A Member stated that no-one was fully happy with the Plan, and all Members had sites within their ward they were unhappy with, but it was better to fight against planning applications on planning grounds with a Plan. The Deputy Leader agreed.

A Member thanked Officers for their hard work on the Local Plan, and raised the issue of a lack of up-to-date Air Quality Management plan. He sought the Deputy Leader's assurance that this would be produced soon. The Deputy Leader agreed that an Air Quality Management plan was important, advised that a white paper had just been produced on Clean Air Zones, and the Local Plan Team, along with the Cabinet Member for Environment and Rural Affairs, were jointly working on it.

A Member sought assurance that those allocated sites that had serious highway constraints had not been promoted above other developments, and whether the five-year review was a better approach to Local Plans? In response, the Deputy Leader stated that all parties had presented evidence, the Planning Inspector had found the plan sound and it had been an Examination in Public. He added that future Local Plans would provide different issues and options.

### **Heritage Consultancy**

The Leader of the UKIP Group welcomed the news that a commissioned report on Heritage Consultancy would be produced but highlighted that much of Swale's 51 Conservation Area strategies were out-of-date and hoped this would be addressed. He sought confirmation on the timescales and budget for producing the report and asked whether Sittingbourne and Faversham would be included? He added a suggestion that local people with extensive knowledge of Swale Heritage should contribute to the report. The Deputy Leader advised that there was no timescale or budget yet as the project was in its early days, and confirmed that Sittingbourne and Faversham would also be included.

### **Heritage Initiatives**

The Leader of the UKIP Group congratulated SBC on the presentation held today and welcomed the encouragement of Members to promote Swale. He asked that Members be given the most up-to-date information in a guide to distribute to local business to assist with making funding and grant applications.

### **Local Business Support**

The Leader of the Labour Group welcomed the support for Local Businesses but suggested more information, such as the assistance the Economic Development Unit gave to businesses, and how to access larger grants, would be beneficial for Members to assist in the local economy.

The Leader of the Independent Group asked whether SBC had decided on the terms of rebates for local businesses and referred to the introduction of a Central

Government £300 million scheme to assist since the increase in business rates? The Deputy Leader advised that the scheme was currently being considered and would be reported to a future Cabinet Meeting.

### **Amicus Horizon (now called Optivo)**

The Deputy Leader stated that SBC had always enjoyed a good relationship with Amicus Horizon (now Optivo) and hoped the Partnership remained valued.

The Leader of the Labour Group supported the prospect of more affordable homes in Swale as he said there was a serious homeless problem. He suggested that SBC should ensure that social housing was included within developments in planning applications.

A Member sought assurance that fire safety checks had been carried out on buildings within Swale and the Deputy Leader advised that Optivo were currently carrying out a risk assessment.

The Deputy Leader agreed with a Member that SBC should be more proactive in purchasing housing.

### **ArrivaClick**

In response to a question from a Member, the Deputy Leader confirmed that the service could not be accessed using a bus pass.

## **87 AUDIT COMMITTEE ANNUAL REPORT 2016/17**

The Mayor invited the Cabinet Member for Finance and Performance to introduce the report.

The Chairman of the Audit Committee presented the report and highlighted the value for money and good quality service provided by the external auditors, Grant Thornton. He thanked Officers, Members of the Audit Committee and Grant Thornton.

The Leader of the Independent Group drew attention to the proposals planned for the retirement of the current Planning Enforcement Team Manager, recently submitted to Senior Management Team, and asked the Cabinet Member for Finance whether the proposals should have been considered sooner? The Cabinet Member for Finance disagreed. The Deputy Leader added that discussions had taken place and Human Resources were currently considering proposed structure charts.

A Member said that the information on Membership and Attendance at Audit Committee, produced in the Annual Report, was useful and suggested this could be produced for other Committees. She added her praise for the Audit Partnership. The Cabinet Member for Finance agreed.

**Resolved:**

**(1) That the report be noted.**

**88 RECOMMENDATIONS FOR APPROVAL**

There were no recommendations from Cabinet on 14 June 2017 that required Council approval.

Council was asked to note the recommendation from the Audit Committee on 21 June 2017 (Minute No. 51) which had been the subject of a report considered and agreed earlier in the meeting.

**Resolved:**

**(1) That the recommendation in Minute No. 51 be noted.**

**89 URGENT ITEM - FAVERSHAM CREEK NEIGHBOURHOOD PLAN: REFERENDUM RESULTS AND ADOPTION**

The Deputy Leader introduced the report. He thanked the community of Faversham and all volunteer groups and praised Councillor Nigel Kay for his role as Chairman of the Steering Committee.

Councillor Nigel Kay thanked the Cabinet Member for Regeneration, Anne Salmon and Janet Turner, and said that the result was good news for Faversham and would lead to preservation of Faversham's heritage. He added his thanks to Jackie Westlake, Faversham Town Council and Senior Planner Natalie Earl for her work and determination.

The Leader of the UKIP Group said there were very few neighbourhood plans across the country and praised the achievement.

The Leader of the Independent Group thanked Hilary Whelan (Vice-Chairman of the Faversham Society), Brenda Chester and Sue Akhurst for their hard work and asked that Cabinet released the £200k fund for the creek bridge so that it could be built in 2018.

**Resolved:**

**(1) That the referendum version of the Faversham Creek Neighbourhood Plan be 'made' and adopted as part of the local development plan for Swale Borough Council.**

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough

Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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