

Council 26 July 2017: Questions submitted from Members of the Public

Question No.	Question from	Question:	Question to:	Responsible Officer:
1.	Mr John Greenhill	<p>With reference to this Council’s unlawful exclusion of the Public from the Scrutiny Committee Meeting on 29 November 2016 the Local Government Ombudsman has found in his decision in relation to Complaint 16 016 836 that this Council “...was at fault in not allowing members of the public to attend the meeting” and that: “The Council was at fault in not allowing any public attendees”. Further, in a covering letter sent with his decision, the Ombudsman states: “The Council was wrong to have excluded the public from the first part of the meeting”. These are findings from a quite independent official who has no affiliation with this Council.</p> <p>There was also the statement of the then Chairman of the Scrutiny Committee as reported in the Sittingbourne News Extra (7 Dec. 2016) that: “The judgement made was to hold people in reception until such point a decision had been made to hear in public or closed session. I made the decision”. That statement does not appear to have been retracted or redacted; it still stands and was made well in advance of the leader’s responses.</p> <p>In the light of these facts, is the leader of this Council now prepared to consider again, reflect on and justify the accuracy of (1) his written response to my question in this Chamber on 14 Dec. 2016 when he stated: “It is not correct to suggest that members of the public were refused admission to the meeting” and (2) his response in writing by letter dated 20 Dec. 2016 to my supplementary question that : “There is no evidence that there was any attempt or decision to not allow</p>	The Leader	Mark Radford

		the public in, whether because the Chairman of the Scrutiny Committee was clear that he expected that the Committee would resolve to hold the meeting in private session or for any other reason”? His statements appear to me, at least, to be in conflict with what his own Chairman said at the relevant time and the Ombudsman’s subsequent findings of fact.		
2.	Mr Kane Blackwell	<p>Following the recent announcement by Chris Grayling MP that £1bn will be earmarked by the government for local council’s to tackle traffic gridlock, and the planning inspectors findings in the local plan regarding local traffic concerns which were raised by KCC and Highways England, could the Leader please ensure that the council does what it can to investigate ways in which Swale could benefit from these additional funds?</p> <p>With this additional funding schemes such as the Northern and Southern Relief Roads may be possible, which will alleviate traffic in Sittingbourne Town Centre as well as helping with the capacity of the local road network.</p>	Leader	Kieren Mansfield and Gill Harris
3.	Dorothy Greenhill	Bearing in mind that the Monitoring Officer had to have regard to the level of Public Funds that was required to investigate an allegation of breach of the Councillors’ Code of Conduct against Cllr Baldock (Item 14 on the Agenda) would you not consider that the sum involved - £5700-00 for the investigating officer alone – was disproportionate to the allegation particularly at a time of cut backs to services that are being experienced by council tax payers?	Leader	Donna Price
4.	Tony Winckless	How are the plans progressing to upgrade our children’s play areas?	Cllr David Simmons	Martyn Cassell
5.	Helen Martins	I understand the number of households in temporary accommodation is 153. How does the proposed local plan attempt to address this growing local problem?	Cllr Ken Pugh	Amber Christou

6.	Julian Herrington	<p>Do individual Planning Committee Councillors and other Councillors in their various important roles – taking account of the planned 95% increase in housing at Faversham (western Swale) in future years and reflecting on the lack of discussion of air quality from Perry Court at the Planning meeting on 31 March 2016 (the Chairman banned any debate) – believe that Swale is proactively detecting and mitigating pollution linked to a robust and credible measurement strategy. Can this strategy effectively evaluate existing and future air quality levels so as to protect the Faversham population (particularly at Ospringe Street) as traffic increases, from the growing and increasingly dangerous pollutants – especially the minutest toxic particles – in line with the World Health Organisation Standards. Does this evaluation fulfil the UK Government’s requirement set out in the December 2015 DEFRA report “Improving air quality in the UK” and also given that Swale have not formulated an air quality plan as required. In particular I would draw your attention to the forthright re-focussing of the NPPF at para 232, Annex 2, Section 7.1.1:</p> <p><i>2. The National Policy Planning framework is clear that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution. New development must be appropriate to its location taking proper account of the effects of pollution on people’s health.</i></p> <p>Specifically does the Council wholeheartedly consider that it has been proven beyond doubt that the planned expansion for housing around Faversham will not make Air Quality worse, particularly at the AQMA at Ospringe Street?</p>	Cllr Gerry Lewin	James Freeman
7.	Gaynor Aspin	In light of the continuing fatalities along the A249/M2 corridor and in particular J5 and J7 of the M2, will Swale Council confirm	Cllr Gerry Lewin	James Freeman

		it is in agreement with the recent statement from the Minister of State for Communities and Local Government, Sajid Javid, that infrastructure should be completed BEFORE houses are built, and will the Council therefore give its electorate categoric assurance that no more house building which will have a direct negative affect along the A249/M2 corridor and in particular J5 will be approved until the public consultation referred to in the Inside Swale Publication has been completed and until the government improvements to J5 have been agreed and until, as per the Government Inspector's report, a strategic transport infrastructure plan has been put in place by Swale Council?		
8.	Nicola Butlin	Given the recent announcement in the press this week that the London Road Medical Centre has been put into special measures - a Centre which services the majority of Borden residents - plus the inevitable additional strain this will put on Swale Borough Council's legal obligation to provide health services for its residents within Swale which is already at breaking point, can Councillor Bowles give categoric assurance that no more houses will be built in and around Borden village especially as the CCG (Clinical Commissioning Group) confirmed at the Inspector's hearings that it is unable to fulfil the health service capacity requirements for a further 500+ houses in Wises Lane and this was BEFORE the London Medical Centre was put into special measures?	Cllr Bowles	James Freeman
9.	Richard Palmer	Given the uncertainty of data from the Air Quality measurement instruments / tube in Newington. Does the Cabinet Member not think that new equipment to get accurate recordings should be installed before planning permission in the area is given?	Cllr David Simmons	Tracey Beattie