
COUNCIL

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne on Wednesday 1st March 2006 from 7:00 pm to 10:22 p.m.

PRESENT: Councillor Mulhern (Mayor), Councillor John Morris (Deputy Mayor), Councillors Dave Banks, Barnicott, Bobbin, Chris Boden, Bowles, Mike Brown, Sylvia Butt, Calvert, Jackie Constable, Mick Constable, Mike Cosgrove, Adrian Crowther, Cindy Davis, Mark Ellen, Fentiman, Sandra Garside, Sue Gent, Martin Goodhew, Fiona Gowdy, Brenda Hammond, Harrison, Mike Haywood, Gerry Lewin, Bernard Lowe, Elvina Lowe, Jennie Ronan, David Simmons, Brenda Simpson, Stanford, Ben Stokes, Tovey, Roger Truelove, Anita Walker, Ghlin Whelan, Alan Willicombe, Jean Willicombe, Woodland, Worrall and John Wright.

OFFICERS PRESENT: Mrs Bescoby, Messrs Bilborough, Bolton, Buckett, Jolley, Mansfield, Milne, Radford, Russell and Spiers.

APOLOGIES: Councillors Simon Clark, Christine Coles, Stuart Davidson, Jordan, Manning and Prescott.

761 PRAYERS

The Mayor's Chaplain commenced the meeting with Prayers.

762 MINUTES

Resolved:

(1) The Minutes of the Meeting held on 4th January 2006 (Minute Nos. 609 - 618) and the Minutes of the Extraordinary Meeting held on 7th February 2006 (Minute Nos. 706 - 708) were taken as read, approved and signed by the Mayor as correct records.

763 DECLARATIONS OF INTEREST

Councillor Bowles declared a prejudicial interest in respect of Minute No. 766 - Patient Led NHS Consultation, as he was a member of the Canterbury and Coastal Primary Care Trust in his own right and left the room whilst the item was discussed.

Councillor Worrall declared a prejudicial interest in respect of Minute No. 765(i) - Assets and Disposals Committee - Minute 628 and left the room during this item.

764 MAYOR'S ANNOUNCEMENTS

The Mayor advised that the Staying Put Service had achieved an award in recognition of its innovation and achievement; the Council had received an award in thanks for supporting the Poppy Appeal; the Mayor had also received an award for outstanding contribution in 2005 for the Sheerness Poppy Appeal.

He advised that he had attended a further 32 engagements since the Council meeting in January, whilst his Deputy had attended 8. There had been five 100th birthdays celebrated in the Borough, one of which had been honorary Freeman of the Borough Dorothy Elvy, who had extended her good wishes to all at the Council.

The Mayor also advised that there would be a one off Bridge Walk to Sheppey in the next four to six weeks and encouraged Members to take part in this event.

765 **ADOPTION OF MINUTES**

Resolved:

(1) That the following Minutes be approved:-

(i) ASSETS AND DISPOSALS COMMITTEE - 10TH JANUARY 2006

(ii) EXECUTIVE - 18TH JANUARY 2006

(a) Community Safety Scrutiny Panel - Chairman's Report (Minute No. 645/1/06)

The Mayor advised that as this item had budgetary implications, it would be considered as part of the Revenue Budget (Minute No. 770 refers)

(b) Progression Of The Swale Open Space Strategy And The Resource Requirements To Secure Its Completion (Minute No. 647/1/06)

The Portfolio Holder for Community Development advised that there would not be a report to the next meeting of the Executive, as there would be a report to the Executive prioritising the work first.

(c) The Policy Implications of the 2005 Housing Needs Survey Updated for the Provision of Affordable Housing (Minute No. 649/1/06)

Members were reminded that there would be a Member Briefing from the Housing Needs Survey Consultants on 22nd March 2006.

(d) Service Specification For Future Waste/Cleansing Contracts

It was noted that this Minute had been agreed at the Extraordinary Council Meeting on 7th February 2006.

(iii) EXECUTIVE - 15TH FEBRUARY 2006

(a) Revenue Budget 2006/2007 and Beyond (Minute No. 723/2/06) and Capital Programme 2006/2007 and Beyond (Minute No. 724/2/06)

The above Minutes were considered as part of the budget discussions (Minute No. 770).

(b) Public Convenience Review - Update (Minute No. 721/2/06)

There was some discussion regarding the need for the toilets to be kept at a reasonable standard.

(c) Urgent Item - Independent Members' Allowances Panel Minutes - 9th February 2006 (Minute No. 722/2/06)

There was discussion on the attendance levels of Members and the procedure in place to provide Group Leaders with statistics on a quarterly basis.

(d) Revised Draft Economic Development Strategy 2005/2008 (Minute No. 727/2/06)

The Leader advised that as a result of the consultation, he had agreed two minor

amendments to the wording, which had no effect on the substance of the Policy.

(e) Minutes of the Sheppey Area Forum - 31st January 2006 (Minute No. 732/2/06)

The Portfolio Holder for Engineering, Planning and Transport undertook to find out why the street lighting in the Trinity Road Car Park had not been fixed.

(f) Housing Advice Review (Minute No. 738/2/06)

The Chairman of the Community Plan Scrutiny Panel advised that the consultants that had undertaken the Housing Advice Review would be attending a Panel Meeting on 3rd April 2006 and encouraged Members to attend. He also referred to the Member Briefing on 22nd March 2006.

766 PATIENT LED NHS CONSULTATION

The report suggested a response to the Consultation Document, which was part of the Governments wider NHS Reform Programme initiated by the Choosing Health White Paper. The Government was proposing to save money by reducing managerial and administrative jobs, savings from which would be diverted to local care, using targeting by General Practitioners working closely with patients and supported by the increased buying power of larger Primary Care Trusts (PCT).

Members discussed the options within the report, in particular the size of the PCT and how this would impact on local services. Concerns were expressed that the proposals were financially led, rather than patient led; the need to strike the right balance between the size of the PCT and patient care; the number of reorganisations within the NHS; the need to reduce bureaucracy and to ensure that the PCT was properly funded; the need for effective and efficient healthcare for residents of Swale at the best possible standard; the lack of accountability of PCT and a wish that the Public/Patient Forums continue under the new arrangements.

In respect of the Ambulance Trust, a Member suggested that the response should seek reassurance that the local call centres would be maintained.

Resolved:

(1) That subject to (2) below, the Council responds to the Consultation proposals as follows;

(i) Ambulance Service - the Council agrees with the formation of a Kent Sussex and Surrey Ambulance Trust.

(ii) Strategic Health Authority - the Council agrees with Option 2 - A new Strategic Health Authority based on Kent, Surrey and Sussex.

(iii) Primary Care Trusts in Kent and Medway - the Council supports Option 1, three Primary Care Trusts for Medway, West Kent and East Kent, including Ashford.

(2) That the response also includes reasons for support as set out in paragraphs 16 - 19, and options not recommended at paragraphs 11.1, 12.2 and 12.3, together with local issues and risks as expressed in paragraphs 4 and 5 of the report; together with comments made at the Council Meeting.

767 CONSULTATION WITH COMMERCIAL/INDUSTRIAL RATEPAYERS

The Head of Finance's report advised that in accordance with statutory requirements, consultation had taken place on the budget report with commercial and industrial ratepayers within the Borough. The Head of Finance advised that the

business network, as outlined in the report, had also been consulted. No responses had been received.

A Member suggested that the Leysdown Traders Association be included in future consultations.

Resolved:

(1) That the report be noted and Leysdown Traders Association be included in future consultations.

768 STATEMENT OF ROBUSTNESS OF ESTIMATES AND ADEQUACY OF RESERVES

The Head of Finance submitted a report in accordance with Section 25 of the Local Government Act 2005, which advised that in his opinion the approach taken in developing the 2006/07 Budget met the requirements in the Act to ensure the robustness of the estimates and the adequacy of reserves. The Revenue and Capital Budgets recommended could be funded without the help of substantial contributions from Balances and Reserves or long-term borrowing. The revised Medium Term Financial Strategy was sustainable.

Resolved:

(1) That the report be taken into account before determining the level of Council Tax and Budget Requirement for 2006/07.

769 ADJOURNMENT OF MEETING

Resolved:

(1) That the meeting be adjourned at 8.02 pm and reconvened at 8.12 pm.

770 BUDGETS AND COUNCIL TAX FOR THE YEAR 2006/2007

The Leader moved that the Budget proposals as set out in Minute No. 723/2/06 (subject to some amendments as detailed in the resolution to this Minute) be agreed and thanked Officers and Members of the Task Force for their help in preparing it. This equated to a 5% increase in the Council Tax.

In seconding the proposal, the Executive Member for Finance referred to the process undertaken to formulate the Budget which would increase the level of balances, provide for a balanced budget with good services, make efficiencies where possible (£1.3m) and ensure, as far as could be predicted, no redundancies. He explained the reasons why reserves needed to be secured, in particular to support the Waste and Recycling contract. He then explained some of the features within the Budget, in that car park prices would be maintained at the current level; free bus transport would be available to the over 60s; under 18s would pay less for leisure activities and money had been provided for coastal protection in Sheppey. He considered that the Budget would enable the Council to provide good quality services in a way that achieved best value for money.

The Leader of the Labour Group referred to previous Budgets, and the process that had been undertaken to formulate this Budget. As the Revenue Support Grant awarded had been much higher than anticipated, she questioned why it was still necessary to make cuts of £1.3m, increase Council Tax by 5% and add £561,000 to the General Fund. She had been advised that the second stage of the Scrutiny consultation process would not take place as there would be no redundancies;

however, Members had not been given any information as to how the efficiency savings proposed would be made.

The Leader of the Liberal Democrat Group commented on the lack of information regarding the efficiency savings, which made it impossible to know what the consequences of those savings would be. He considered that the level of savings had been based on premature projections on the Grant Settlement and, in view of the higher award, he considered that the Budget should be revisited. He drew attention to page 10 of the Budget Book and questioned the entries for Tourism; Community Services; Parks and Open Spaces; Local Plans Consultancy; Subsidiarity; Second Homes Contribution from KCC and Public Conveniences. He did not consider that the Council should top its reserves up as proposed, but should reconsider the service reductions and top up reserves in a phased approach. He indicated that he would be moving an amendment on this.

The following amendment was then proposed by Councillor Chris Boden, and seconded by Councillor Stanford:

" a) that the Council Tax base be recalculated for 2007/08 to allow for the reinstatement of the 50% Council Tax discount for occupiers of second properties.

b) thereafter the Council Tax bases for 2008/09, 2009/10 and 2010/11 be recalculated to allow for a Council Tax discount for occupiers of second properties at the rate of 40%, 30% and 20% respectively for the three years.

c) that the budget projections be amended to reflect these projected changes to the Council Tax base, any changes to expenditure on services and the projected net surplus in the relevant years".

In accordance with Standing Order No. 24(2) a recorded vote was requested and the voting was as follows:-

For:-

Councillors Dave Banks, Chris Boden, Mike Brown, Jackie Constable, Mick Constable, Mark Ellen, Fiona Gowdy, Harrison, Mike Haywood, Bernard Lowe, Elvina Lowe, Jennie Ronan, Stanford, Roger Truelove and Woodland.

Total equals 15

Against:-

Councillors Barnicott, Bobbin, Bowles, Sylvia Butt, Calvert, Mike Cosgrove, Adrian Crowther, Cindy Davis, Fentiman, Sandra Garside, Sue Gent, Martin Goodhew, Gerry Lewin, John Morris, Mulhern, David Simmons, Ben Stokes, Tovey, Anita Walker, Ghlin Whelan, Alan Willicombe, Jean Willicombe and John Wright.

Total equals 23

Abstain:-

Councillor Brenda Hammond, Brenda Simpson and Worrall.

Total equals 3.

The amendment was therefore lost.

A debate then ensued regarding the budget which centred on the following themes: the need to provide better services and how this could be achieved with the efficiency savings proposed; lack of details on what the efficiency savings were; the increase in Grant and increase in Council Tax; the effect of the efficiency savings on the tourism service and the subsidiarity grant; the removal of the second stage of the scrutiny process; the reason why the Reserves needed to be increased; pressures that would be on the current budget, such as the waste contract, pension

contributions and energy costs and the ongoing review of the Council's services.

Councillor Stanford then proposed the following amendment, which was seconded by Councillor Harrison:-

"That the figures on the budget projections for increases in operating efficiencies be amended to:

(a) delete the entries for Tourism; Community Services; Parks and Open Spaces; Local Plans Consultancy; Homelessness and Public Conveniences and

(b) amend the entries for Subsidiarity to (198).

This would reduce the savings indicated by £453,000."

In accordance with Standing Order No. 24(2) a recorded vote was requested and the voting was as follows:-

For:-

Councillors Dave Banks, Mike Brown, Calvert, Jackie Constable, Mick Constable, Mark Ellen, Fiona Gowdy, Brenda Hammond, Harrison, Mike Haywood, Bernard Lowe, Elvina Lowe, Jennie Ronan, Stanford, Roger Truelove, Ghlin Whelan, Woodland and Worrall.

Total equals 18

Against:-

Councillors Barnicott, Bobbin, Chris Boden, Bowles, Sylvia Butt, Mike Cosgrove, Adrian Crowther, Cindy Davis, Fentiman, Sandra Garside, Sue Gent, Martin Goodhew, Gerry Lewin, John Morris, Mulhern, David Simmons, Brenda Simpson, Ben Stokes, Tovey, Anita Walker, Alan Willicombe, Jean Willicombe and John Wright.

Against equals 23

The amendment was therefore lost.

The Executive Member for Finance then responded to comments made, explaining the advice from the Council's external auditors to build up reserves and that there would be a need to retain flexibility to respond to the substantial demands on Council resources over the next year and beyond.

The Leader then emphasised that he would have liked more information to be available to Members on the efficiency savings, however, they had to follow the advice received from Officers.

At this point the substantive motion was put to the vote.

In accordance with Standing Order No. 24(2) a recorded vote was requested and the voting was as follows:-

For:-

Councillors Barnicott, Bobbin, Bowles, Sylvia Butt, Mike Cosgrove, Adrian Crowther, Cindy Davis, Fentiman, Sandra Garside, Sue Gent, Martin Goodhew, Gerry Lewin, John Morris, Mulhern, David Simmons, Brenda Simpson, Ben Stokes, Tovey, Anita Walker, Alan Willicombe, Jean Willicombe and John Wright.

Total equals 22

Against:-

Dave Banks, Chris Boden, Mike Brown, Calvert, Jackie Constable, Mick Constable, Mark Ellen, Fiona Gowdy, Brenda Hammond, Harrison, Mike Haywood, Bernard Lowe, Elvina Lowe, Jennie Ronan, Stanford, Roger Truelove, Ghlin Whelan,

Woodland and Worrall.

Total equals 19

The Leader then moved that the resolutions contained in the Annex to the report be approved. This was seconded and agreed.

Resolved:

(1) That Minute No. 723 (1) to (10) be agreed.

(2) That Minute No. 723(11) be amended to include

(a) the additional £4,700 due to the agreement of the Independent Members Allowances Panel's recommendations.

(b) the inclusion of the following items:- LAA Objective 14 - Implementation of Recycling - £45,000, contribution to Repairs and Renewals Fund (wheeled bins) - £100,000 funded by contribution from KCC of £150,000 ; Voluntary Organisations - Swale Mediation Service - £10,000 funded from additional second homes contribution from KCC; Elections and Electoral Registration £30,460; Faversham War Memorial £5,000.

(3) Minute No. 723(12) be amended to reflect the above resolution.

(4) That the resolutions contained in the Appendix to these Minutes be approved.

(5) That Minute No. 724/2/06 be approved.

771 SUSPENSION OF STANDING ORDERS

Resolved:

(1) That under Standing Order No. 49(1) Standing Orders be suspended to enable the business of the meeting to be completed.

772 TREASURY MANAGEMENT STRATEGY FOR 2006/2007, INVESTMENTS STRATEGY FOR 2006/2007 AND PRUDENTIAL INDICATORS

The Head of Finance's report set out the proposed Strategies for Treasury Management and Investments in 2006/2007, including the Prudential Indicators which were required under the Local Government Act 2003.

In response to a question regarding short term borrowing, the Head of Finance advised that there may be a period of borrowing for more than 13 days during the early part of the financial year when precept contributions paid out did not match the income received. It was estimated that the collection rate would be 99.6% and this would be reported periodically to the Executive. It was also suggested that the treatment of demutualised banks (Appendix C, item 8) be reviewed.

Resolved:

(1) That the Prudential Indicators and Authorised Limits, as set out in Section 2 of the report, be the Statutory Limits determined under Section 3(1) of the Local Government Act 2003.

(2) That the Prudential Indicators and Authorised Limits as set out in Section 2 of the report be kept under review.

(3) That the Treasury Management Strategy for 2006/07 as set out in Section 3 and Appendix B to the report be agreed.

(4) That the Annual Investments Strategy for 2006/07 as set out in Section 4 and Appendix C to the report be agreed.

773 PRUDENTIAL CODE 2006/07

The Head of Finance's report set out Prudential Indicators which the Council was required to agree under the Local Government Act 2003.

Resolved:

(1) That the report be noted.

(2) That the Prudential Indicators, as set out in Appendix A to the report be agreed, subject to any review as a result of setting the 2006/07 to 2008/09 Capital Programme.

774 NOMINEES ON OUTSIDE BODIES

Resolved:

**(1) That the following appointments be made until the Annual Meeting 2006:
Charity of Sir William Stede, Milton - Councillor Brenda Hammond
Milton United Charities - Councillors Sue Gent, Elvina Lowe, Bernard Lowe
and Manning
Swale Housing Association (Board) - Councillors Calvert and Harrison.**

775 QUESTIONS SUBMITTED IN ACCORDANCE WITH STANDING ORDER NO. 14

The following question had been submitted by Councillor Jennie Ronan;

"Would the Leader please tell me whether, under Health and Safety and/or Environmental Legislation, the public toilets within Swale are considered suitable for consumption of food?"

The Leader responded orally and advised Councillor Jennie Ronan to contact Officers directly regarding her concern over mother and baby feeding facilities.

Chairman