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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, 26 November 2014 from 7.00 - 9.03 pm.

**PRESENT:** Councillors Barnicott, Sylvia Bennett, Bobbin (Mayor), Monique Bonney, Andy Booth, Lloyd Bowen, Bowles, Mick Constable, Derek Conway, Mike Cosgrove, John Coulter, Adrian Crowther, Duncan Dewar-Whalley, June Garrad, Sue Gent, Nicholas Hampshire, Mike Haywood, Mike Henderson, Lesley Ingham, David Jones, Gerry Lewin, Peter Marchington, Martin McCusker, Bryan Mulhern, Prescott, Ken Pugh, Gareth Randall, Pat Sandle, David Simmons, Ben Stokes, Adam Tolhurst, Roger Truelove, Anita Walker (Deputy Mayor), Ghlin Whelan, Mike Whiting, Ted Wilcox, Nick Williams, Alan Willicombe, Jean Willicombe, Tony Winckless, Steve Worrall and John Wright.

**OFFICERS PRESENT:** Brenden Fuggles, Joanne Hammond, Gill Harris, Abdool Kara, Zoe Kent, Chris Lovelock, Donna Price, Mark Radford and Nick Vickers.

**ALSO IN ATTENDANCE:** Reverend Jean Burrows.

**APOLOGIES:** Councillors Jackie Constable, Mark Ellen, Ed Gent and Harrison.

### 359 PRAYERS

The Mayor's Chaplain said prayers.

### 360 MINUTES

The Minutes of the Meeting held on 22 October 2014 (Minute Nos. 294 – 305) were taken as read, approved and signed by the Mayor as a correct record.

### 361 DECLARATIONS OF INTEREST

No interests were declared.

### 362 MAYOR'S ANNOUNCEMENTS

The Mayor thanked those Members who had represented him at services across the Borough on Remembrance Sunday. He spoke of the great honour of being involved in the wreath laying at the Menin Gate in Ypres for the Armistice Service. He also thanked all the volunteers who helped at the Donald Dean VC Commemorative Event.

The Mayor reminded Members that tables were available for the Quiz Night on Saturday 29 November 2014; and he encouraged Members to participate in the Christmas meat raffle to raise money for the Mayor's charities.

### 363 QUESTIONS SUBMITTED BY THE PUBLIC

There were no questions from the public.

### 364 QUESTIONS SUBMITTED BY MEMBERS

The Mayor advised that one question had been submitted from Councillor Mike Henderson and he referred Members to the tabled response from the Cabinet Member for Housing.

Councillor Mike Henderson asked the following supplementary question: "What is the Cabinet Member now planning to do about Faversham, which still has no hope of accommodation for those in housing need, and the damaging effect on families that are being pushed to Medway for emergency accommodation, away from schools, jobs, family contact and community connections?"

The Cabinet Member for Housing explained that it was a pilot project which needed to be tested. If it was successful then serious consideration would be given to expanding the initiative to other parts of the Borough.

### **365 REVIEW OF FEES AND CHARGES**

The Review of Fees and Charges was brought forward to allow time for the Leader to arrive.

The Cabinet Member for Finance introduced the Review of Fees and Charges which sought approval for the level of Fees and Charges to be levied for 2015/16 to take effect from 1 April 2015. The Cabinet Member thanked the Scrutiny Committee for their thorough review of the Fees and Charges and Management Team for their hard work. He advised that the proposals were based on sound business management; any proposed increases related to discretionary charges; and no increase was proposed in car parking charges to support local businesses. He advised that Christmas car parking concessions had been announced by the Cabinet Member for Environmental and Rural Affairs. The proposals set out in the report would generate an estimated additional income of £4.5k, and he proposed the recommendations.

The recommendations were seconded by Councillor Gerry Lewin.

The Leader of the Labour Group considered that the proposals did not do anything and advised that the Labour Group fundamentally disagreed with the car parking charges and that the Council was not doing enough to attract people into the Borough's town centres.

The Leader of the Independent Group referred to the penalty charges for dog fouling and considered that this was a significant issue for residents. He advised that this had been raised at Scrutiny Committee and Cabinet, and he urged Cabinet to write to the Department for Communities and Local Government (DCLG) and ask them for more freedom for Local Authorities to charge higher rates and to escalate the charges more quickly if they were not paid in time.

The Leader of the Independent Group referred to the pre-application planning advice fees and proposed the following amendment: "Householder planning advice charges should be split into two different charges for major and minor, applicable to both meetings and letters." This was seconded by Councillor Monique Bonney.

The Cabinet Member for Planning advised that there was no definition of major and minor applications and it was too complex to agree this amendment without suitable definitions.

Councillor Bonney spoke as seconder of the proposal and suggested that a common sense approach could be taken with regard to the definitions.

In accordance with Council Procedure Rule 19(5) a recorded vote was taken on the amendment and voting was as follows:

For: Councillors Monique Bonney, Mick Constable, Mike Haywood, Mike Henderson, Martin McCusker, Adam Tolhurst, Roger Truelove, Ghlin Whelan, Nick Williams and Tony Winckless. Votes for equal 10.

Against: Councillors Barnicott, Sylvia Bennett, Andy Booth, Lloyd Bowen, Derek Conway, Mike Cosgrove, John Coulter, Adrian Crowther, Duncan Dewar-Whalley, June Garrad, Sue Gent, Nicholas Hampshire, Lesley Ingham, David Jones, Gerry Lewin, Peter Marchington, Bryan Mulhern, Prescott, Ken Pugh, Gareth Randall, Pat Sandle, David Simmons, Ben Stokes, Anita Walker, Mike Whiting, Ted Wilcox, Alan Willicombe, Jean Willicombe and John Wright. Votes against equal 29.

Abstention: Councillors Bobbin, Bowles, and Steve Worrall.

The amendment was lost.

Discussion ensued during which Members made the following comments: why was the Council not offering free parking for weekends/market-days or both to support businesses - this should be considered for a trial period of six months?; could areas within Council car parks be offered for rental to car-washing businesses to generate additional income?; parking ticket machines should either give change or allow the additional time paid for; and free parking should be offered on Remembrance Sunday.

The Leader considered that the Council had a duty to the whole electorate regarding appropriate fees and charges, and local businesses were supported in a number of ways by the Council. He considered the focus should be on not increasing Council Tax, as this was a benefit for all residents. He acknowledged the comment regarding Remembrance Sunday and agreed to consider this as a proposal in a future budget.

The Cabinet Member for Finance agreed to follow-up the request of a letter to the DCLG regarding penalty charges for dog fouling.

In accordance with Council Procedure Rule 19(5) a recorded vote was taken on the substantive motion and voting was as follows:

For: Councillors Barnicott, Sylvia Bennett, Bobbin, Andy Booth, Lloyd Bowen, Bowles, Derek Conway, Mike Cosgrove, John Coulter, Adrian Crowther, Duncan Dewar-Whalley, June Garrad, Sue Gent, Nicholas Hampshire, Lesley Ingham, David Jones, Gerry Lewin, Peter Marchington, Bryan Mulhern, Prescott, Ken Pugh, Gareth Randall, Pat Sandle, David Simmons, Ben Stokes, Anita Walker, Mike Whiting, Ted Wilcox, Alan Willicombe, Jean Willicombe and John Wright. Votes for equal 31.

Against: Councillors Monique Bonney, Mick Constable, Mike Haywood, Mike Henderson, Martin McCusker, Adam Tolhurst, Roger Truelove, Ghlin Whelan, Nick Williams, Tony Winckless and Steve Worrall. Votes against equal 11.

**RESOLVED:**

***(1) That the Fees and Charges for 2015/16 be approved as set out in the report.***

**366 LEADER'S STATEMENT**

The Leader introduced his statement and welcomed questions from Members. The following sets out a summary of the questions and answers.

The Scrutiny Committee undertook a comprehensive review of mental health in Swale and made a recommendation for a costed model of supported housing which the Cabinet did not agree but undertook to raise with appropriate partners; did the Leader raise this at the Swale Health and Wellbeing Board (HWB)?

The Leader's Statement does not mention the dire situation at Medway Hospital and the recent Quality Care Commission (QCC) statement that Accident and Emergency waiting times at Medway Hospital are the worst in the country; what action is the Leader taking to tackle the problem at Medway Hospital?

The Leader advised that his October statement had referred to Medway Hospital and the QCC findings had not been announced when he produced this statement. The latest update from the NHS Health Trust was due to be reported to Kent County Council's Health Overview and Scrutiny Committee on Friday, and he would return to this in the near future. He advised that officers, the Cabinet Member for Health and Community Safety, and himself were in regular contact with health partners; and the issue of mental health and housing provision was being reviewed by the Swale HWB.

In future could the Leader provide more clarity within his health update on whether he is referring to East Kent or West Kent, or both, as Faversham does not fall within the same Clinical Commissioning Group as Sittingbourne and Sheppey?

The Leader advised that the October statement had an update on both Trusts, but as mental health was a cross-cutting issue the comments in this statement applied equally across the Borough.

The Leader's statement never referred to regeneration in Sheerness. Money had been made on land sales in Sheerness but the residents had not seen any benefits from this; could the Leader provide an update on what is happening for Sheerness residents?

The Leader referred to recent and ongoing regeneration projects on the Isle of Sheppey and advised that regeneration opportunities would be considered as they arise and not on an ad hoc basis.

Has a cinema operator been chosen as part of the Sittingbourne Town Centre regeneration plans?

With regard to the reduction in long stay parking provision in Sittingbourne Town Centre, has the Council approached Network Rail to discuss options for additional parking for commuters?

The Leader confirmed that representatives from Network Rail attended the Sittingbourne Town Centre Group and car parking provision was part of those discussions. He explained that three cinema operators had expressed an interest in the cinema but it was common practice that an operator would not sign-up until planning permission had been agreed.

From my experience other Councils who have been through major regeneration projects have been very good at keeping Members informed, but there appears to be no analysis of the cost benefits to this Council and no understanding of what the Council is receiving in return. Would the Leader provide an update on the proposals and cost benefits which could be positively communicated to residents?

The Leader advised that regular briefing sessions were held with Group spokespersons and he was happy to arrange a briefing for Members, although he raised concern that these had not always been well attended previously.

Would the Leader agree with the national UKIP Leader that the country is better off with a private healthcare system?

The Leader disagreed with these comments.

### **367 COUNCIL TAX SUPPORT SCHEME 2015/16**

The Cabinet Member for Finance introduced the report which set out proposals for the Council Tax Support Scheme for 2015/16 and proposed the recommendations.

The recommendations were seconded by the Leader.

Members made the following comments: the Council was expecting the poorest people in the Borough to pay whilst the Government was not doing anything to close tax loopholes; a recent Joseph Rowntree report found that the working poor were most affected by the Government's welfare reforms; and these proposals were pushing people into poverty and making residents' lives harder.

The Cabinet Member for Finance clarified the Council Tax Support proposal.

#### **RESOLVED:**

- (1) That the Council Tax Support Scheme for 2015/16 is kept the same as 2014/15 and Council Tax Support continues to be reduced by 15%.***
- (2) That the short term empty discount is reduced from three months to one month.***
- (3) That a 50% premium is charged on properties that have been empty and unfurnished for more than two years.***

### **368 BEARING FRUITS 2031: SWALE BOROUGH LOCAL PLAN PART 1 - PUBLICATION VERSION: 1.1**

The Cabinet Member for Planning, and Chairman of the Local Development Framework (LDF) Panel, introduced the report which set out the publication version of the Swale Borough Local Plan. He clarified that Council were being asked to approve the document for publication and subsequent submission to the Planning Inspectorate. He outlined the work that had been undertaken over many years to produce this document, including the various consultation processes undertaken. He noted that the emerging Local Plan would also carry more weight in helping to decide planning applications from the publication date (19 December 2014). He thanked the officers for their hard work and proposed the recommendations.

Councillor Bryan Mulhern seconded the recommendations.

The Leader welcomed the report and the robustness of the process that had been followed. He considered the Local Plan set out the best proposals for the future of the Borough, and that it was both achievable and realistic in its targets. He commended Councillor Gerry Lewin for his hard work and thanked all those involved in the process, particularly LDF Panel Members.

The Leader of the Labour Group made the following points: the development of the Local Plan had been a roller-coaster, with significant additions being made over the past couple of years; there was a lack of Gypsy and Traveller provision; concerns had been raised regarding the housing supply; disproportionate allocations of housing, with only 11% of housing provision proposed for the Faversham area; and he believed the priority afforded

the Sittingbourne Northern Relief Road was insufficient. However, he considered that not approving the Local Plan for submission would be worse as developers could continue to lodge applications for speculative developments and the countryside would gradually be lost. He also raised concerns that the Planning Inspectorate would reject the Local Plan.

The Leader of the Independent Group advised that he had repeatedly raised the issue of where the Council was going to allocate housing and industry in Faversham, and felt that the approach of promoting several sites for consultation had led to pressure to allocate them all. Now three applications had been lodged with the Council for major expansion to the west, east and south of the town. He supported approving the plan for submission as he considered that the alternative was unacceptable. He stressed the need to highlight to Government that national planning proposals were damaging local areas, and that improvements were needed to the National Planning Policy Framework.

Members made the following comments: this was the most substantive document that the Council produced; it recognised the need to focus on increased creation of industry and commerce before housing; Local Plan documents generate tensions, it was a balance between conservation and providing for essential development; the Planning Committee were responsible for deciding individual planning applications in accordance with the local development plan; the Council had limited options as the consequences of not approving the Local Plan could be disastrous in terms of leading to further speculative development; and the Council needed to concentrate on policies that the Council can deliver.

**RESOLVED:**

**(1) That the Swale Borough Local Plan and supporting Sustainability Appraisal and Habitats Regulation Assessment be approved for publication and subsequently submission to the Planning Inspectorate.**

**369 RECOMMENDATIONS FOR APPROVAL**

(i) Cabinet - 5 November 2014

Members noted the recommendations from Cabinet which were the subject of separate reports on the Council agenda.

(ii) Standards Committee – 11 November 2014

**RESOLVED:**

**(1) That the recommendations in Minute No. 338 (Annual Monitoring Officer's Report) be approved.**

Chairman

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