

---

## COUNCIL

---

**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 18 February 2015 from 7.17 - 10.35 pm.

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

**OFFICERS PRESENT:** Joanne Hammond, Abdool Kara, Donna Price, Mark Radford, Nick Vickers and Phil Wilson.

**APOLOGIES:** Councillors Monique Bonney, Jackie Constable, Mark Ellen and Martin McCusker.

### 495 PRAYERS

Councillor Gerry Lewin said prayers.

### 496 MINUTES

The Minutes of the Meeting held on 21 January 2015 (Minute Nos. 437 – 446) were taken as read, approved and signed by the Mayor as a correct record.

### 497 DECLARATIONS OF INTEREST

Councillors Duncan Dewar-Whalley, Gerry Lewin, Peter Marchington, Colin Prescott, Ken Pugh, Ted Wilcox and Steve Worrall all declared a disclosable non-pecuniary interest in respect of the report on revised administration arrangements for the Queenborough Fishery Trust and Swale Recreation Trust, as they were all Council-appointed Trustees on those two Trusts.

### 498 MAYOR'S ANNOUNCEMENTS

The Mayor invited Members to attend the raising of the Commonwealth Flag at Sheerness Gateway and Swale House on Monday 9 March at 10am.

The Mayor announced that he was arranging A Night at The Dogs with Supper on Thursday 19 March 2015 to raise funds for the mayoral charities. Tickets can be booked via the Mayor or his son.

Members were reminded that invitations have gone out for the Civic Service on 22 March 2015. Please confirm your attendance to the Mayor's PA.

The Mayor advised that the Senior Democratic Services Officer would be leaving the Council at the end of March, and presented her with flowers in recognition of her service to the Council over the past ten years. Councillors Roger Truelove and Mike Henderson thanked the Senior Democratic Services Officer for her support and wished her well for the future.

**499 QUESTIONS SUBMITTED BY THE PUBLIC**

No questions had been received from the public.

**500 QUESTIONS SUBMITTED BY MEMBERS**

The Mayor advised that one question had been submitted and a response from the Cabinet Member for Planning had been tabled. The question and response are attached as Appendix I to the Minutes.

The Mayor invited Councillor Mike Henderson to ask a supplementary question.

Councillor Henderson asked: "Why did the Cabinet not ensure an adequate oversight of this whole major project to avoid the IT failures, the inadequate staffing levels, and the delayed training, all of which have made those of us interested in planning, desperate over the last 12 months?"

The Cabinet Member for Planning advised that the Council only entered into the new arrangements in June 2014, so it could not have been 12 months, and referred the Member to the specific answer provided in the tabled paper. He advised that questions could be raised at the Joint Overview and Scrutiny Committee meeting on Monday 23 February 2015 at Maidstone Borough Council, which was meeting to review the implementation of the planning support service.

**501 LEADER'S STATEMENT**

The Leader introduced his statement. He advised that the Council was currently displaying a plaque, commemorating the deaths of Bowaters Paper Mill workers during the First World War, outside the Council Chamber. The plaque had been collected by Council officers from the former Kemsley Arms Public House, and a more permanent location was being investigated with the Royal British Legion. He considered that the plaque was an important part of the heritage of the Borough, and paid credit to officers for their efforts in safeguarding it for the future.

The Leader of the Labour Group welcomed the update on Thamesteel and asked if the Leader could provide any more detail from Peel Ports on the potential use of the land? He also welcomed the announcement in the Autumn Statement regarding Junction 5 of the M2, but raised concern that it may take many years to be delivered, if at all.

The Leader agreed that improvements to Junction 5 of the M2 were vital for the future prosperity and regeneration of the Borough, and agreed that it was important to continue pressing for this to happen as soon as possible. He advised that Government officials had already attended meetings with Kent County Council and Swale Borough Council (SBC) officers, which he considered demonstrated a commitment from Government to push ahead with this project.

With regard to Thamesteel, the Leader advised that Peel Ports hoped to re-establish the rail head, which the Leader endorsed as it would move freight traffic away from the roads onto the railway. He advised that the future of the site was a delicate situation, and much of the information was confidential, but he could confirm that the site would be used for industry and job creation, and when further information was available he would brief Members.

The Leader of the Independent Group asked which bodies within the Canterbury and Coastal Clinical Commissioning Group were Councillors able either to attend or participate in?

The Leader advised that he attended the main Board meetings with the Cabinet Member for Health and an SBC officer; he undertook to confirm if the meetings were public and advise the Member.

A Member asked if the Highways Agency's holding order on the Spirit of Sittingbourne planning application had been removed, or was about to be removed, as the time limit for further information from the applicant was Friday 20 February? The deadline for public responses to the planning application had now closed and the responses were overwhelmingly negative about the application on planning grounds; would the Leader provide an assurance that no Council officer has subsequently been involved in trying to drum-up support post this deadline to mitigate these responses?

The Leader advised that he had no knowledge of any such action. He considered that it was not appropriate to comment on a planning application as this would be considered by the Planning Committee. The holding order was expected to be removed in the near future.

A Member asked the following questions: whose responsibility was it to check whether there was any contamination at the Thamesteel site, and to deal with it?; and will the new Children's Operational Groups being established have an impact on the child poverty rates in the Borough, especially Sheerness?

The Leader advised that the new Children's Operational Groups were still being developed. With regard to Thamesteel, it was likely to be the role of the Environment Agency to deal with any contamination issues, but this would be addressed through the current discussions taking place on the future of the site.

A Member asked if the 200 residential apartments in Phase 1 of the Sittingbourne Regeneration Project would include 30% social housing? She also commented on the importance of the Council working together to support the Minor Injuries Unit (MIU) at Faversham, and to represent the interests of the community regarding the outcome of the DMC Healthcare consultation.

The Leader agreed that it was important for all Members to work together to push for health improvements for residents and that it had resulted in previous successes. With regard to social housing figures, he advised that he was not keen on artificial targets and each site should be considered on its merit.

A Member advised that responses to the notice for providers to run the MIU at Faversham were being considered and it was hoped that a new provider would be in place from April 2015, with an x-ray unit from October 2015.

A Member asked if the Leader would agree for the need to campaign for the Southern Relief Road, to ease congestion and protect towns and villages in Swale?

The Leader agreed with this and considered that it was becomingly increasingly important to secure a long-term plan to complete the Northern Relief Road and Southern Relief Road.

A Member asked if the Leader agreed that the Labour Party's opposition to the regeneration plans for Sittingbourne made no sense without some coherent alternative plans?

The Leader agreed with this and spoke of the potential benefits of the regeneration proposals.

## 502 BUDGETS AND COUNCIL TAX FOR 2015/16

The Cabinet Member for Finance introduced the proposals. He advised that for the fifth year in a row Swale Borough Council was not increasing its Council Tax precept and considered that this was a record to be proud of. He made the following comments: the Council had increased income and delivered efficiencies to protect frontline services; the budget delivered a strong economy in a fair society; fees and charges were kept to a minimum; Council Tax had been cut in real terms; and services had been improved, despite a £4m loss in Revenue Support Grant to-date, and on-going reductions over the next two years. He advised that SBC collected Council Tax precepts on behalf of other Authorities and they had announced the following increases: Kent County Council 1.99%; Kent and Medway Fire Authority 1.95%; and Kent Police and Crime Commissioner 1.99%. He spoke of the need for the Council to develop a new efficiency strategy; be more commercial in its activities; and scrutinise the business case of all future expenditure. He advised that the level of reserves had been increased to £14m in 2014. There was no recommended level for Council reserves but it was important for the Council to be able to absorb the costs of one-off events; potentially large regeneration activities; reduction in New Homes Bonus; and the cost of planning appeals, especially given that business rate income is highly volatile. He referred to the decision to agree borrowing of £3m to build a multi-storey car park as part of the Sittingbourne Town Centre regeneration project, and a further request of up to £6m to enable the Council to support regeneration activities as they arose. He spoke of the challenges facing the Council over the next four years and considered that all Members had a role to play in their Wards by encouraging the business community to take advantage of the facilities offered within the Borough, which would generate further income through Business Rates.

He requested that the following words be recorded verbatim: "Let me say a few words mainly for internal consumption here at the Council, but for external recognition. And that is about our staff.

Our staff are the backbone of the Council and that is why, to save money and become more efficient, we did not go down the path to make savings by making staff redundant and thereby lose the skills that we desperately needed. Neither did we cut services.

Like all of the public sector, and much of the private sector, the last few years have been pretty tough for council staff. Declining budgets, frozen salaries, constant efficiency savings. Our staff have done a really terrific job. And I want to put on record here my thanks to them on behalf of the elected Council.

Morale is good, ideas are still flowing, staff are delivering the savings and the services by going the extra mile. You are what makes this place special."

He thanked the Head of Finance, Chief Accountant, Finance Team, Chief Executive, Directors, Strategic Management Team and Cabinet colleagues for their hard work on this year's budget. He concluded by referring to the significant budget pressures and the need for on-going joint working and service reviews. He considered that 2015/16 would be a year of change but also stability, as the Council moved forward with sound finances, committed staff, growth in the business community, and budget proposals which protected residents and strengthened the community.

The meeting was adjourned at 8.31pm to seek legal advice and reconvened at 8.40pm.

Councillor Mike Henderson proposed his first amendment as follows:

- “1. Reduce expenditure relating to retirement of director of regeneration by £20,000.
2. Add £100,000 to expected income from NNDR. At present proposal does not allow for strongly expected growth in 15/16.
3. Increase expenditure budget for IT by £50,000.
4. Remove under cost pressures section £880 allowed for increase in electricity charge for Swale street lighting. Cost should go down, not up.
5. Propose an increase of £90,000 for 15/16 in Planning income.
6. Propose an increase in tourism expenditure of £25,000 to allow for a reasonable external marketing effort in 15/16.
7. Propose an additional £50,000 for Economic Development expenditure budget to allow promotion of economic activity in Swale.
8. Propose an increase in staff budget of £50,000 in Planning Enforcement to allow sufficient resource.
”

The total result of these changes will be reduction in expenditure combined with an increase in income of £210,880 and an increase in expenditure of £175,000. This provides an overall reduction in expenditure of £35,880 while potentially improving service in several important areas of SBC activity.”

This was seconded by Councillor Adam Tolhurst.

Discussion ensued on the amendment and in accordance with SI 2014 No. 165, a recorded vote was taken on the amendment and voting was as follows:-

For: Councillors Mike Henderson and Steve Worrall. Total equals 2.

Against: Councillors Rick Barnicott, Sylvia Bennett, Bobbin, Andy Booth, Lloyd Bowen, Andrew Bowles, Mick Constable, Derek Conway, Mike Cosgrove, John Coulter, Adrian Crowther, Duncan Dewar-Whalley, June Garrad, Sue Gent, Nicholas Hampshire, Angela Harrison, Lesley Ingham, David Jones, Gerry Lewin, Peter Marchington, Bryan Mulhern, Colin Prescott, Ken Pugh, Gareth Randall, Pat Sandle, David Sargent, David Simmons, Ben Stokes, Adam Tolhurst, Roger Truelove, Anita Walker, Ghlin Whelan, Mike Whiting, Ted Wilcox, Nick Williams, Alan Willicombe, Jean Willicombe, Tony Winckless and John Wright. Total equals 39.

The amendment was therefore lost.

Councillor Mike Henderson proposed his second amendment as follows:

“That SBC does not agree to additional £6m borrowing nor agree to delegating authority to the Leader and Finance Director. This is related to Sittingbourne regeneration.”

This was seconded by Councillor Roger Truelove.

Discussion ensued on the amendment and in accordance with SI 2014 No. 165, a recorded vote was taken on the amendment and voting was as follows:-

For: Councillors Mick Constable, Adrian Crowther, Angela Harrison, Mike Henderson, David Sargent, Adam Tolhurst, Roger Truelove, Ghlin Whelan, Nick Williams, Tony Winckless and Steve Worrall. Total equals 11.

Against: Councillors Rick Barnicott, Sylvia Bennett, Bobbin, Andy Booth, Lloyd Bowen, Andrew Bowles, Derek Conway, Mike Cosgrove, John Coulter, Duncan Dewar-Whalley,

June Garrad, Sue Gent, Nicholas Hampshire, Lesley Ingham, David Jones, Gerry Lewin, Peter Marchington, Bryan Mulhern, Colin Prescott, Ken Pugh, Gareth Randall, Pat Sandle, David Simmons, Ben Stokes, Anita Walker, Mike Whiting, Ted Wilcox, Alan Willicombe, Jean Willicombe, and John Wright. Total equals 30.

The amendment was therefore lost.

As no further amendments had been submitted Members moved to consideration of the substantive motion.

The Leader considered that this was an excellent budget and urged Members to support the proposals.

The Leader of the Labour Group advised that the Labour Group supported SBC's freeze in Council Tax proposed in the budget, but raised concern that the freeze had cost the Council £400k over the past five years, and the effect on residents was miniscule. He spoke of the hard work shown by Council officers over the past few years in balancing budgets. The Government's austerity plans and loading-up of reserves had set many challenges for officers in endeavouring to deliver services that residents expect and deserve, whilst at the same time having to restrict some services. He thanked Council staff across the authority for delivering services as best they could within the restrictions being imposed. He considered that £14m in reserves was totally unreasonable, part of the money should be used to deliver the Council services needed by local residents. He raised concern regarding the omission in the papers presented to Scrutiny Committee relating to the proposal to allow for a further £6m to be borrowed to help the Spirit of Sittingbourne consortium. The Labour Group supported the need for regeneration in Sittingbourne Town Centre, but the proposals had dragged on and there were no guarantees that the proposals would be deliverable. The budget showed there were no plans for significant regeneration in other parts of the Borough, and more action was needed to address the lack of temporary housing for vulnerable residents.

The Leader of the Independent Group made the following comments: disappointed that other opposition parties had not submitted amendments to the budget; important to have a flexible budget; need to take the budget setting process seriously, Councillors are being told that it is either too early or too late to submit budget proposals; not convinced that the levels of reserves are sensible; lack of information on how the reserves would be used and if it would be in conjunction with borrowing; disagree with the proposal to delegate the decision regarding borrowing to the Cabinet Member and officers, it was an important decision for the Council and needed to be scrutinised; and it was vital to generate new business and be innovative in the ways that we promote the Borough.

The Chairman of the Scrutiny Committee advised that the budget had been thoroughly reviewed by the Committee and no recommendations had been made.

Discussion ensued during which the following comments were made: the Council's improved financial situation had been reflected in the unqualified opinions issued by the external auditors; the proposals generated real savings and demonstrated sound financial management; would commend the budget; priorities were unclear and need more vision; investment was one-dimensional and focused only on Sittingbourne, excluding Sheppey and Faversham; investment in car parks was not a shrewd decision; and the budget was fair and affordable.

Councillor Wilcox spoke as seconder of the substantive motion and commended the budget to Members.

In accordance with SI 2014 No. 165, a recorded vote was taken on the substantive motion and voting was as follows:-

For: Councillors Sylvia Bennett, Bobbin, Andy Booth, Lloyd Bowen, Andrew 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, Ken Pugh, Gareth Randall, Pat Sandle, David Simmons, Ben Stokes, Anita Walker, Mike Whiting, Ted Wilcox, Alan Willicombe, Jean Willicombe, and John Wright. Total equals 29.

For: Councillors Mick Constable, Angela Harrison, Mike Henderson, David Sargent, Adam Tolhurst, Roger Truelove, Ghlin Whelan, Nick Williams, Tony Winckless and Steve Worrall. Total equals 10.

**RESOLVED:**

- (1) That the Head of Finance's opinion on the robustness of the budget estimates and the adequacy of reserves be noted.***
- (2) That Minute No. 465/02/15 approved by the Cabinet on 4 February 2015 on the report on the Medium Term Financial Plan and the 2015/16 Revenue and Capital Budgets be approved.***
- (3) That the resolutions contained in Appendix I be approved.***

**503 EXTENSION OF MEETING**

During consideration of the above item Members agreed to an extension of the meeting to 10.30pm.

**504 TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2015 - 2016**

The Cabinet Member for Finance introduced the report which set out the Treasury Management Strategy Statement and Investment Strategy 2015 – 2016.

**RESOLVED:**

- (1) That the Treasury Management Strategy Statement and Investment Strategy 2015 – 2016 be approved.***
- (2) That the proposed inclusion of Treasury Bills, highly rated overseas banks for increased deposits, use of the CCLA Property Fund, pooled corporate and absolute return funds to levels specified be agreed.***

**505 CORPORATE PLAN 2015 - 2018**

The Leader introduced the new Corporate Plan to cover the period 2015 – 2018.

**RESOLVED:**

- (1) That the text at Appendix I of the report be adopted as the Council's Corporate Plan for the period 2015 – 2018.***

- (2) That the table at Appendix II of the report be adopted as the Council's high-level action plan to sit immediately below the Corporate Plan objectives in 2015/16 and to be reviewed annually thereafter.*
- (3) That delegated authority be given to the Chief Executive, in consultation with the Cabinet Member for Performance to confirm and where necessary amend indicators and targets in the corporate performance indicator set for 2015/16, based on the three-year targets adopted by Council in May 2013 (Minute No. 16, 2013/14).*

#### **506 ANNUAL PAY POLICY STATEMENT**

The Cabinet Member for Performance introduced the pay policy statement which satisfies the requirements of Section 38 of the Localism Act 2011.

**RESOLVED:**

- (1) That the proposed Pay Policy Statement be agreed for publication on the Council's website.*
- (2) That the information within the Pay Policy Statement be up-dated with actual year end figures before publication.*

#### **507 REVISED ADMINISTRATIVE ARRANGEMENTS FOR THE QUEENBOROUGH FISHERY TRUST AND THE SWALE RECREATION TRUST**

The Leader introduced the report which sets out proposed common administrative procedures in relation to the Queenborough Fishery Trust and the Swale Recreation Trust.

**RESOLVED:**

- (1) That the revised administrative arrangements for the Queenborough Fishery Trust and the Swale Recreation Trust be agreed as set out in the attached resolutions in Appendix I and II of the report.*
- (2) That the revised appointment arrangements to these outside bodies to be effective from the start of the civic year 2015/16 be noted.*
- (3) That two Trustees to be appointed to the Trusts in connection with the new administrative provisions to enable the Trusts to be linked.*

#### **508 APPROVAL OF TIMETABLE OF MEETINGS FOR 2015/16**

The Leader introduced the timetable of meetings for 2015/16.

**RESOLVED:**

- (1) That the timetable of meetings for 2015/16 be agreed as set out in Appendix I to the report.*

#### **509 SUSPENSION OF STANDING ORDERS**

Members agreed to the suspension of standing orders in order that the Council could complete its business.



**510 RECOMMENDATIONS FOR APPROVAL**

(i) Cabinet – 4 February 2015

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

**511 ELECTION OF MAYOR AND DEPUTY MAYOR**

Councillor Ben Stokes proposed that Councillor Anita Walker be elected as Mayor for the Civic Year 2015/16. This was seconded by Councillor Sue Gent.

Councillor Derek Conway proposed that Councillor Lesley Ingham be elected as Deputy Mayor for the Civic Year 2015/16. This was seconded by Councillor Pat Sandle.

**RESOLVED:**

***(1) That the Mayor elect for the Civic Year 2015/16 is Councillor Anita Walker and that the Deputy Mayor elect for the Civic Year 2015/16 is Councillor Lesley Ingham.***

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