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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, 17 June 2015 from 7.00 - 8.32 pm.

**PRESENT:** Councillors Mike Baldock, Cameron Beart, Bobbin, Andy Booth, Tina Booth, Lloyd Bowen, Bowles, Roger Clark, Katy Coleman, Mike Cosgrove, Adrian Crowther, Richard Darby, Mike Dendor, Duncan Dewar-Whalley, Paul Fleming, Mick Galvin, June Garrad, Sue Gent, James Hall, Nicholas Hampshire, Harrison, Mike Henderson, Alan Horton, James Hunt, Lesley Ingham (Deputy Mayor), Ken Ingleton, Nigel Kay, Samuel Koffie-Williams, Gerry Lewin, Peter Marchington, Bryan Mulhern, Ken Pugh, George Samuel, David Simmons, Ben Stokes, Roger Truelove, Anita Walker (Mayor), Ghlin Whelan, Mike Whiting, Ted Wilcox and John Wright.

**OFFICERS PRESENT:** Katherine Bescoby, Abdool Kara, Chris Lovelock, Donna Price, Mark Radford and Nick Vickers.

**APOLOGIES:** Councillors Sarah Aldridge, Derek Conway and Mark Ellen.

### 67 PRAYERS

The Deputy Leader said Prayers.

The Mayor welcomed Members to the meeting.

### 68 MINUTES

The Minutes of the Meetings held on 19 May 2015 (Minute Nos. 1 – 4) and 20 May 2015 (Minute Nos. 5 – 17) were taken as read, approved and signed by the Mayor as correct records, subject to the addition of the following text to the start of Minute No. 4:

“The retiring Mayor stated that it was an exceptional achievement that Richard Barnicott had met the requirements for a second time to be an Honorary Alderman. Councillor Bowles presented Mr Barnicott with a scroll and plaque and Mrs Barnicott with flowers. Mr Barnicott made a speech in response.”

### 69 DECLARATIONS OF INTEREST

Councillor Mike Henderson declared a non-pecuniary interest in respect of Minute No. 75.

### 70 MAYOR'S ANNOUNCEMENTS

The Mayor advised that the Council had been awarded the 2015 Gold Award from the Royal Society for the Protection of Accidents (ROSPA) for Occupational Health and Safety. Particular thanks were given to Emma Larkins for her efforts in ensuring this achievement.

The Mayor reminded Members of the special service of commemoration at the Sittingbourne War Memorial – the 30,000<sup>th</sup> Last Post Tribute – which will take place on 23 June 2015, at 8.45pm – 9pm.

**71 QUESTIONS SUBMITTED BY THE PUBLIC**

The Mayor advised that no questions had been submitted by the public.

**72 QUESTIONS SUBMITTED BY MEMBERS**

The Mayor advised that 7 questions had been submitted and responses from the relevant Cabinet Members had been tabled at the meeting. The questions and responses are attached as an Appendix to these minutes.

The Mayor invited Members to ask a supplementary question. There was some discussion regarding the interpretation of procedure rules relating to the time allowed for questions.

**Question 1**

Councillor Roger Truelove read out his question, to which the Cabinet Member responded. He asked the following supplementary question “how will Members input into that review?”

The Cabinet Member advised that the draft would be taken to the Scrutiny Committee to seek feedback on the proposals. He acknowledged that many of the play areas were getting old and in need of regular maintenance and upgrading, and that the quality of play area equipment had improved considerably in recent years. He also confirmed that Environment Wardens checked play areas with an emphasis on health and safety, and encouraged Members to contribute to the review as they knew their areas well and which play areas were most used.

**Question 2**

Councillor James Hunt read out his question, to which the Cabinet Member responded. The Cabinet Member also added that it was important for Members to see what changes were taking place within their wards, so that the Council was aware of businesses that were closing or opening. Every Member could help in this way to ensure that funds were available to provide services for residents.

**Question 3**

Councillor Cameron Beart read out his question, and advised that he was happy with the answer given by the Cabinet Member. He asked the following supplementary question: “Could the Cabinet Member explain why the number of enforcement cases is higher in Swale compared to other districts?”

The Cabinet Member responded by saying that the number of cases processed were higher compared to other authorities; there were a large number of cases associated with polytunnels and the unsettled community, however even taking this into consideration, the number of cases was still higher in comparison which he could not explain. He referred to the review of planning enforcement which would be considered by the Policy Development and Review Committee.

**Question 4**

Councillor George Samuel read out his question, to which the Cabinet Member responded to. Councillor George Samuel asked the following supplementary question: "Can you give a further breakdown of the amounts awarded for the Sittingbourne area?"

The Cabinet Member responded with information about the amounts that had been spent in Sittingbourne, together with the spectrum of organisations to which those amounts had been awarded to. Over half of the Heritage Grant Fund, 60% of the Culture Grant and over half of the Sports and Physical Activity Grant had been awarded to the Sittingbourne area.

**Question 5**

The Mayor advised that this question would not be put to the meeting, as the Member was not in attendance. The Member could re-submit the question to the next meeting of the Council if she wished to.

**Question 6**

Councillor Mike Baldock read out his question, to which the Cabinet Member responded by saying 'yes' and clarified this further by saying that the Council was working closely with Kent County Council and the Environment Agency, who was the lead authority.

**Question 7**

Councillor Katy Coleman read out her question, to which the Cabinet Member responded to. In respect of the Mill Project (Skate Park) he added that additional monies had been secured for the project, which now totalled £297,000.

Councillor Katy Coleman asked a supplementary question, regarding the Milton Creek Cluster Study. She asked "does the Cabinet Member agree that if the project was in 2006/7, shouldn't the Council stop distributing brochures that suggested it was a current project?"

The Cabinet Member responded by saying it was an ongoing project with substantial funds put towards it, however, if the brochures were out-of-date they would need to be updated.

**73 LEADER'S STATEMENT**

The Leader presented the Leader's Statement which included sections on the Queen's Speech; Finance Update; Best Council Results for Swale; Housing Enforcers Programme; Faversham Minor Injuries Unit Update and Magna Carter Rediscovered Exhibition. Members were invited to ask questions. The following is a summary of the questions and answers.

The Leader of UKIP commended the news regarding the Faversham Minor Injuries Unit. Referring to the Queen's Speech, he welcomed the devolution of power

providing it meant more influence for Faversham, Sittingbourne and Sheppey; whilst the Government strived for full employment, he asked would the Leader join with him in saying that more jobs in Swale must be well paid, skilled and lead to full careers and that we must do what we can to upskill our people to take advantage of those vacancies?; regarding the changes to planning law, he questioned if this meant loss of control for residents with the encroaching concrete fields in the garden of England becoming the 'urban back yard of London'. He asked, given that the Council had not increased the Council Tax in the last five years, was that the reason why there was not a skateboard park; or why car parks were being sold for housing? Or why shoppers shopped elsewhere because of the high car parking charges? With more cuts on the way, could we be sure that Swale was really ready for more unforeseen and unpredicted cuts?

The Leader responded by saying he was always happy to look at devolving powers, the Council was seen as a leader in terms of transfer of buildings and assets. He would be attending an event at the Local Government Association the next day and would find out how the proposals could affect the borough. Skills were always at the forefront, and this was the subject of discussion at the Thames Gateway Partnership Meeting held earlier that day; he would be looking at this further in terms of the skills agenda, and local skills for local people. In respect of planning, he shared the hope that the future changes would be more favourable to the 'man on the street' rather than big builders. He did not agree that the Garden of England was disappearing, although on occasions it could feel like it, but agreed that there needed to be a limit. The Leader said that car parks had not been given away; this was part of a cumulative deal for the regeneration of the town that businesses and residents had been demanding for years. This would include a cinema, development, a bigger footfall for the town centre which would lead to cultural development. The Council was prepared for cuts, and had been doing so for many years with very little effect on front line services and staff, which was a tremendous achievement. The Council would become more self-sufficient and independent to reduce the effect of the reduction in Government grant.

The Leader of the Labour Group welcomed the Devolution Bill in the hope it would make the borough more prosperous for individuals and social value. He hoped that there would be levers to achieve those aims. He asked did the Leader agree with him that it was vital, if powers are devolved, that it must be done properly; not a loose arrangement but real, proper, united decision making locally?

The Leader advised that more would feature on devolution in the next Leader's Statement to Council, and agreed that there needed to be proper, meaningful devolution that was transparent and clear for councillors, business and the public to understand.

The Leader of the Independent Group referred to the Planning Inspectorate and advised that the Council was suffering from the Inspector's decisions on planning applications that went to appeal. He asked whether the Leader would be talking to other districts, to press for local decision making to be made at local level? He understood that the Council would be told how many houses to build, but it was a matter for local decision making as to where they were built.

The Leader advised that he agreed that the National Planning Policy Framework had been a disaster and gave credit to Cllr Lewin, James Freeman and Gill Harris for their work, with the local plan receiving positive comments. He agreed that planning decisions should be made locally.

A Member congratulated all on the success of the campaign to keep the Faversham Minor Injuries Unit, and asked if the Leader would provide as much support in respect of ensuring the Sheppey Hospital was used to full capacity, for the benefit of Sheppey residents. The Leader gave assurance, advising that pressure was already being applied and support would continue to be given.

In respect of the Faversham Minor Injuries Unit, a Member asked if as much effort would be made to ensure that the Sheppey Community Hospital was fully utilised to its maximum capacity for residents of Sheppey; would it now become a high priority?

The Leader advised he was happy to give assurance, although it was already a priority. The Cabinet Member for Environment and Rural Affairs spoke about the importance of the community effort in the success at Faversham, in particular the League of Friends, and that this work would continue.

With regard to the planning legislation, a Member asked whether the Leader would agree with him that the setting-up of registers of brownfield sites and giving the Council powers to enable self-builders was all well and good, but that levers were needed to be able to make things happen. The Council needed to make sure brownfield sites were put into use before greenfield sites.

The Leader agreed with this, and said that central government needed to be aware that funding needed to be made available for this and he would be raising this point at meetings.

A Member suggested a way to resolve all the problems mentioned, in particular planning legislation; difficulties caused by the planning system; and the planning inspectorate. In respect of Troubled Families, she asked whether the Leader would arrange a briefing paper for Members on this subject, and asked whether having turned families around, were there any ongoing costs?

A Member referred to Housing Enforcers programme, and asked whether the Council recorded it as she was interested to see it. (It was confirmed later in the meeting that this was available to view on the i-player). In respect of the Faversham Minor Injuries Unit, she was very glad that working together had resulted in this success, but it was important not to be complacent. She asked if the Leader could make sure that communities used the facility. She was hopeful that the Sheppey Community Hospital would be discussed in the near future.

The Leader agreed it was important for people to use the public services that were available. He agreed to arrange for a briefing note on Troubled Families, which would include whether there were any ongoing costs.

A Member asked if the Leader would join him in congratulating staff that took part in the Housing Enforcers programme, particularly the way staff came across and for

educational reasons. He also referred to his attendance at the Kent Waste and Minerals Inspectorate plan and commented that there were very few members of the public or other authorities there. He asked the Leader, did he agree that this was an area where people needed to engage?

The Leader confirmed that he had received positive reports on the Housing Enforcers programme, and passed on congratulations to staff involved. Regarding the Waste and Minerals Plan, he acknowledged that it was sometimes difficult to encourage responses to consultation.

#### **74 SCRUTINY OF MKIP GOVERNANCE AND COMMUNICATIONS**

The Mayor referred to procedure rule 3 (12) and invited the Chairman of the Scrutiny Committee to speak. The Chairman of the Scrutiny Committee thanked the Leader and Cabinet for their response to the joint scrutiny of MKIP (Mid Kent Improvement Partnership) Governance and Communications. He was confident that the ongoing attention to MKIP, governance and other services would feature on the agenda of future scrutiny meetings and he thanked all Members who took part in the review.

The Leader responded by thanking the Chairman, Members of the Committee and the Cabinet for their participation and support for the review, and referred to the good attendance record at the joint meetings by Swale Members.

#### **75 APPOINTMENTS TO OUTSIDE BODIES - FAVERSHAM SWIMMING POOL MANAGEMENT COMMITTEE**

The Leader introduced the report, which asked the Council to make nominations to the Faversham Swimming Pool Management Committee, and proposed the appointments. This was seconded by Councillor Gerry Lewin. Members were reminded that the item had been deferred from the previous Council meeting.

##### **Resolved:**

**That the Council's nominated representatives on the Faversham Swimming Pool Management Committee are as follows: Mr Mick Ellsmore; Mr Steve Root; Mr Barnicott; Cllr Monique Bonney; Cllr Mike Henderson and Cllr Anita Walker.**

#### **76 MODIFICATION OF PRESCRIBED STANDING ORDERS RELATING TO THE DISMISSAL OF STATUTORY OFFICERS**

The Leader introduced the report which set out changes required to the constitution, as a result of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. The Leader proposed, and the Deputy Leader seconded, the recommendation.

In response to a question the Leader confirmed that the Council did have independent persons appointed under section 28(7) of the Localism Act 2011.

**Resolved:**

**That the modifications to the Council's Prescribed Standing Orders, Standing Orders Relating to Staff, be modified as set out in Appendix 2 to the report and be incorporated into the Council's constitution.**

Mayor

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