
COUNCIL

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 27 January 2016 from 7.00 - 8.39 pm.

PRESENT: Councillors Sarah Aldridge, Mike Baldock, Cameron Beart, Bobbin, Monique Bonney, Andy Booth, Tina Booth, Lloyd Bowen, Bowles, Roger Clark, Katy Coleman, Derek Conway, Mike Cosgrove, Richard Darby, Mike Dendor, Duncan Dewar-Whalley, Mark Ellen, Paul Fleming, 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, Padmini Nissanga, George Samuel, David Simmons, Ben Stokes, Roger Truelove, Anita Walker (Mayor), Ghlin Whelan, Mike Whiting, Ted Wilcox and John Wright.

OFFICERS PRESENT: Kathryn Carr, Estelle Culligan, Abdool Kara, Chris Lovelock, Jo Millard, Mark Radford and Nick Vickers.

APOLOGIES: Councillors Mick Galvin, June Garrad, Bryan Mulhern, Prescott and Ken Pugh.

445 PRAYERS

Councillor Gerry Lewin said Prayers.

446 MINUTE'S SILENCE

There was a Minute's Silence in memory of Kay Barnicott, Lady Moate and Honorary Alderman John Donellan followed by a short eulogy of Alderman John Donellan, by Councillor Roger Truelove.

447 FIRE EVACUATION PROCEDURE

The Mayor drew attention to the evacuation procedure.

448 MINUTES

The Minutes of the Meeting held on 16 December 2015 (Minute Nos. 395 – 407) were taken as read, approved and signed by the Chairman as a correct record.

449 DECLARATIONS OF INTEREST

There were no declarations of interest.

450 MAYOR'S ANNOUNCEMENTS

The Mayor made a number of announcements.

The 1st Bobbing Guides had met the Mayor and visited the Council Chamber and Mayor's Parlour on 25 January 2016.

The Mayor had attended the Platinum 70th Wedding Anniversary of Vera and Jim Goatham at Blair Park Residential Home, Milton Regis.

Councillor George Bobbin had made his Mayoral Charity Cheque presentations of £3,209 each to local representatives of British Heart Foundation and Cancer Research UK on 26 January 2016 for which the Mayor and Members applauded him.

The Mayor advised that invitations would be sent out this week for the Carnival Themed Ball – Swale Civic Dinner and Dance – at West Faversham Community Centre on Friday 11 March 2016. The Mayor reminded Members that the Faversham Ball was at the Alexander Centre on Friday 18 March 2016; and the Swale Civic Service was at the Parish Church of St. Mary of Charity, Faversham on Sunday 10 April 2016 at 10.30am.

At the end of the meeting, the Mayor congratulated the Civic Attendant on becoming a Grandad.

451 QUESTIONS SUBMITTED BY THE PUBLIC

There were no questions submitted by members of the public.

452 QUESTIONS SUBMITTED BY MEMBERS

The Mayor advised Members that there were four questions, the responses to which were given to Members, and a copy is attached at Appendix I to the Minutes. The Mayor invited Members to ask supplementary questions.

Supplementary Question 1

Councillor Alan Horton thanked the Cabinet Member for his response and suggested the use of social media to publicise the campaign. The Cabinet Member for Environment and Rural Affairs encouraged Members to get involved in the events in their area, and advised that Vicky Sedgewick was the co-ordinator who was proactive at publicising events via social media.

Supplementary Question 2

There was no supplementary question to Question 2.

Supplementary Question 3

Councillor Mike Henderson thanked the Cabinet Member for his thorough response and sought reassurance that the Local Development Framework (LDF) Panel would carefully consider the wording of the policy to be incorporated in the Local Plan that included the Kent Science Park's location. The Cabinet Member for Planning advised that the LDF Panel would take the issue forward.

Supplementary Question 4

Councillor Mike Henderson considered the Cabinet Member's response unsatisfactory and sought reassurance that updates would be forthcoming as advised. The Cabinet Member for Regeneration agreed to consider this.

453 MOTIONS SUBMITTED BY MEMBERS

The Leader of the UKIP Group, Councillor Mike Baldock, proposed the following which was seconded by Councillor Mark Ellen:

To amend note I of Part 3.2.1 of the Constitution from "that in cases where the Committee is minded to make a decision that would be contrary to officer recommendation and contrary to policy and/or guidance, the Chairman should invite the Head of Planning to consider if the application should be deferred to the next meeting of the Committee or if there should be a short adjournment for Officers to consider the views of the Planning Committee and to give further advice" to

"that in cases where the Committee is minded to make a decision that would be contrary to officer recommendation and contrary to policy and/or guidance, the Chairman should invite the Head of Planning to consider if there should be a short adjournment for Officers to consider the views of the Planning Committee and to give further advice at the same meeting."

The Mayor informed the meeting that in accordance with Procedure Rule No. 15, as the subject fell within the terms of reference of another meeting, the motion would be referred without discussion to the next General Purposes Committee on 2 March 2016 for consideration. The Committee would report back to Full Council on 16 March 2016.

454 LEADER'S STATEMENT

The Leader apologised for the lateness of his Statement presented to Members which included the following topics: Sittingbourne Town Centre Update, A249 closure, Devolution update, Corporate Peer Challenge, and Changes to Cabinet portfolio responsibilities.

Sittingbourne Town Centre Update

The Leader of the UKIP Group welcomed the news that The Light Cinema had signed a deal and hoped that Sittingbourne would be one of their main focus locations in their proposed expansion. The Leader thanked the Leader of the UKIP Group for his excitement and enthusiasm, and advised he was impressed by the ethos of The Light Cinema who were keen to meet with all Members.

The Leader of the Labour Group considered that any estimated dates following delays should be relayed honestly to the public; asked for an update on the confirmation of restaurants; and sought assurance that the Council had provided no financial incentives to the operators of the cinema. In response, the Leader advised that estimated dates had been provided but delivery was not wholly under the

Council's control. Two restaurants had signed already, with further announcements in the future and he confirmed there had been no financial incentives provided by the Council to the cinema. The Leader went on to advise that the cinema would now be eight screens rather than seven, and The Light Cinema had already invested money into the project and were keen to commence the scheme.

A Member raised financial concerns that The Light Cinema had a short and small cinema operational history, and sought more information on the Sittingbourne Town Centre Regeneration Scheme. The Leader advised that the Director of Regeneration could advise the Member individually.

In response to questions relating to the timing of the signing of the contract, the Leader advised that the contract had been signed at lunchtime the previous day.

A249 Closure

Members discussed the various issues and incidents caused by the closure of the A249 and the following points were raised:

- Flooding issues at Grove Park School and residents' garages in Norwood Walk, both in Sittingbourne, had been reported to Southern Water before Christmas 2015 but no action had been taken;
- Southern Water must be accountable;
- Lack of urgency in responding and taking action;
- The effect of the closure on the local economy;
- The effect of the closure on ambulances and hospital visits;
- Lack of temporary traffic management measures including on the M2;
- Additional traffic in rural lanes and use of restricted rural roads by heavy goods vehicles not being policed;
- Concerns that infrastructure could not cope with increased housing in the future;
- Hard shoulder of M2 being used dangerously to queue;
- Lack of accurate information and communication between organisations;
- Lack of water to homes and businesses on Sheppey;
- Planned road repair schemes delayed;
- Suggestion that Scrutiny Committee consider review of the responses of Southern Water and Highways England;
- Impact on Sheppey prisons and pressure on resources;
- Lack of alternative route onto Sheppey;
- Suggestion of a specific Emergency Plan for situations such as the closure of the A249 and
- Suggestion that the Minister of Transport is invited to visit the area.

In response to the points raised, the Leader agreed that there had been a failure of many organisations in dealing with the issue and advised that he, along with the Chairman of the Swale Joint Transportation Board and the Chief Executive, had been pressing for action and supporting Gordon Henderson MP in his demand for action. The Leader encouraged all Members to attend the Swale Health and Wellbeing Board where the affect of the closure on hospitals had been discussed, and also agreed that the Police would be contacted.

The Leader further advised that until the outcome of the Local Plan was known he could not comment on the issue of the effect on any proposed new development on infrastructure. The Chairman of the Scrutiny Committee agreed it was appropriate to review outside organisations.

Devolution update

The Leader of the UKIP Group welcomed the regular update on the devolution discussions, but sought assurance that Members would be given the opportunity to discuss various options early in the process. The Leader advised that since proposals were still awaited from Kent County Council, and the Secretary of State had not had his powers confirmed, it would be difficult to have a logical discussion until the final stages had been completed but once they were, discussions would take place.

Corporate peer challenge

There was no discussion on this topic.

Changes to Cabinet portfolio responsibilities

In response to a question from the Leader of the UKIP Group regarding the delay to the changes, the Leader responded that it was difficult to make changes to the Cabinet portfolios pending the outcome of devolution discussions, and he would also be looking at making changes to appointments in the Cabinet in the summer.

455 SITTINGBOURNE TOWN CENTRE - FOOTPATH CREATION ORDER

The Cabinet Member for Regeneration introduced the report which set out the steps required to proceed with the implementation of a Footpath Creation Order for a new public footpath linking St. Michaels Road with the High Street, Sittingbourne. The recommendation was seconded by the Leader.

A discussion ensued and Members commented that there should be additional connectivity between St. Michaels Road and the High Street; sought clarification on whether CCTV covered the footpath; and raised concerns that lighting should be provided to make the footway safe. The Cabinet Member for Regeneration advised that the Regeneration Team would consider the issues raised and respond.

Resolved:

- (i) That authority be delegated to the Head of Legal Services to proceed with the implementation of a Footpath Creation Order for a new public footpath linking St. Michael's Road with the High Street between numbers 48 and 50 the High Street, Sittingbourne.***
- (ii) That authority be delegated to the Director of Regeneration in consultation with the Cabinet Member for Regeneration to take all necessary actions to construct a new public footpath in accordance with the Footpath Creation Order linking St. Michael's Road with the High Street between numbers 48 and 50 the High Street, Sittingbourne.***

456 RESOLUTIONS FOR CALCULATING THE COUNCIL TAX BASE

The Cabinet Member for Finance introduced the report which asked the Council to agree the Council Tax resolutions. The Leader seconded the proposal.

In response to a question from a Member, the Head of Finance clarified how the figures were calculated at Appendix 1 on Page 16 of the report.

Resolved:

- (i) That the report of the Head of Finance for the calculation of the Council Tax Base for the year 2016/17 be approved.**
- (ii) Pursuant to the Head of Finance report and in accordance with the Regulations made under the Local Government Finance Act 1992 (The Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended)) and the Local Authorities (calculation of Council Tax Base) (England) Regulations 2012 (SI 2012:2914), and the Local Government Act 2003, the amount calculated by Swale Borough Council as its Council Tax Base for the whole area for the year 2016/17 shall be £43,959.22. The Council Tax Base for the individual Town and Parish Councils within the borough area to be itemised as in Appendix II to the report.**

457 TREASURY MANAGEMENT HALF YEAR REVIEW

The Cabinet Member for Finance introduced the report which outlined the treasury management transactions for 2015/16. The Chairman of the Audit Committee welcomed the performance information within the report and proposed the recommendation, which was seconded by the Vice-Chairman of the Audit Committee.

Resolved:

- (i) That the performance information in the report be noted.**

458 RECOMMENDATIONS

Council was asked to note the recommendations from the Cabinet Meeting on 2 December 2015 (Minute Nos. 361, 362 and 363), and the Audit Committee on 9 December 2015 (Minute No. 390). With the exception of Minute No. 363, the recommendations had been the subject of separate reports considered and agreed by Council earlier in the meeting.

Resolved:

- (i) That the recommendations in Minutes Nos. 361, 362, 363 and 390 be noted.**

Chairman

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