

AGENDA

POLICY DEVELOPMENT AND REVIEW COMMITTEE MEETING

Date: Wednesday, 1 June 2016

Time: 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Sarah Aldridge, Mike Baldock, Monique Bonney, Andy Booth (Vice-Chairman), Lloyd Bowen (Chairman), Katy Coleman, Nicholas Hampshire, Harrison, James Hunt, George Samuel and Ben Stokes.

Quorum = 3

Pages

1. Fire Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Minutes

To approve the Minutes of the Meeting held on 23 March 2016 (Minute Nos. 620 – 626) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Director of Corporate Services as Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

Part One - Substantive Items

5. Draft Annual Report to Council 1 - 12

The Committee is asked to consider the Draft Annual Report to Council (attached).

6. Work Programme 2016/17 13 - 18

The Committee is asked to consider the Work Programme 2016/17 (attached).

Issued on Monday, 23 May 2016

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Director of Corporate Services Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

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POLICY DEVELOPMENT AND REVIEW COMMITTEE

1 June 2016	Agenda Item 5
<i>Draft 2014/15 Annual Report to Council</i>	
Report author:	Bob Pullen – Policy and Performance Officer
Recommendations That the Committee: (i) considers and agrees the draft Annual Report to Council (Appendix i).	

1 Purpose of report and executive summary

- 1.1 This report is concerned with the Committee's 2015/16 Annual Report to Council.

2 Background

- 2.1 The Committee's Terms of Reference require it to report annually to Council on its work and to make recommendations for amended working methods where appropriate.

3 Discussion

- 3.1 The attached draft report to Council incorporates a draft Annual Report on the Committee's work for the 2015/16 Municipal Year. The Committee are invited to consider and agree the report for submission to Council.

4 Conclusion

- 4.1 It is recommended that the Committee:
- (i) considers and agrees the draft Annual Report to Council (Appendix i).

5 Appendices and background papers

Appendix i: Policy Development and Review Committee – Annual Report 2015/16.

6 Officer contacts

Bob Pullen – Policy and Performance Officer
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Draft Policy Development and Review Committee Annual Report 2015/16

Swale Borough Council

Policy Development and Review Committee Annual Report 2015/16

1. The Committee was established two years ago and held its inaugural meeting on 28 May 2014.

2. The report covering the Committee's programme of work for the year sought to summarise its purpose as follows:

“to assist the Cabinet in developing or reviewing either new or existing policies, strategies or plans. Its workload is expected to be driven by the natural cycle of considering existing policies, strategies or plans of the council as they come up for review or providing advice to Cabinet on proposals for new council policy referred by Cabinet, Council or the Scrutiny Committee”.

3. Membership of the Committee during 2015/16 was as follows:

- Councillor Lloyd Bowen (Chairman)
- Councillor Andy Booth (Vice-Chairman)
- Councillor Mike Baldock
- Councillor Monique Bonney
- Councillor Katy Coleman
- Councillor Alan Horton
- Councillor James Hunt
- Councillor Peter Marchington
- Councillor George Samuel
- Councillor Ben Stokes
- Councillor Roger Truelove.

4. Just under half of the members were newly elected onto the Council at the local elections held on 7 May 2015.

4. A schedule of meetings and the policies, plans and strategies considered by the Committee during 2015-16 is at Appendix II. This also provides a summary of what the Committee considered.

5. From the outset, as agendas were compiled, and policies, plans and strategies were identified for the Committee's consideration, the relevant Cabinet Member and Lead Officer(s) were invited to attend the meetings. This worked well and the minutes show that, except for one or two occasions when they were unavailable, Cabinet Members attended all meetings to which they had been invited.

6. One aspect which did come to light during 2014/15, and continued throughout 2015/16, was that while the relevant Heads of Service were attending the meetings, they were being accompanied by relatively junior members of staff and that these staff were being given the opportunity to present reports. This continued to have several benefits:

- it enabled staff who can often bring a local rather than a corporate view of how a policy might work in practice to meet and discuss emerging policy with members other than the Cabinet;
- it provided staff with an opportunity to develop their presentation skills;
- non-executive members actually got to hear from officers who had led on the development of policies; and
- this all took place in a forum which was less adversarial than overview and scrutiny can sometimes be.

7. A trawl of the Cabinet and Council agendas for the year shows that all major policies, plans, and strategies had been considered by the Committee prior to their approval. The exceptions were the Local Plan and Licensing Policy, which are in any case the preserve of the Local Development Framework Panel and General Licensing Committee respectively. This reinforces the need to maintain a robust register of policies and to liaise with Heads of Services regularly to ensure that the information held on the Policy Register is up to date.

Policies considered by the Policy Development and Review Committee during 2015/16

Date considered	Policy title	Summary of Committee considerations
22 July 2015	Planning Enforcement Charter and Strategy	<p>The draft Planning Enforcement and Charter sets out how the Council aims to:</p> <ul style="list-style-type: none"> ▪ be effective in dealing with breaches of planning control giving rise to unacceptable harm on public amenity and/or causing harm to land or buildings; ▪ limit resources used in pursuing minor breaches causing no harm to amenity; ▪ resolve complaints by persuasion and negotiation – however, when this is not possible then the Planning Enforcement Service has the power to commence enforcement actions; ▪ operate in an equitable, proportionate and consistent manner and follow the advice in the Good Practice Guide for Local Planning Authorities; and ▪ educate and inform stakeholders about the process, standards of service, procedures, and provide widely available information to all customers. <p>The Committee considered the draft Charter and Strategy on two occasions, including a pre-consultation version on 22 July 2015. The Committee explored issues such as:</p> <ul style="list-style-type: none"> ▪ how the Development Management Team worked with other services, such as the Mid Kent Legal Services; ▪ new performance indicators; ▪ case monitoring and performance reporting; and ▪ enforcement action ‘out of hours’. <p>The Committee’s comments were considered in the revision of the Charter and</p>

Date considered	Policy title	Summary of Committee considerations
		Strategy before it was issued for consultation.
16 September 2015	Communications Strategy	<p>The Council had developed a Communications Strategy to set direction for the Council's communications throughout the year, to support and publicise the services and key programmes being delivered by the Council, and to enable more effective forward planning of resources and communication channel management.</p> <p>The Committee considered issues around:</p> <ul style="list-style-type: none"> • webcasting meetings; • interaction with the Customer Service Centre; • low response rate to consultations; and • the importance of maintaining non-digital communications with residents, e.g. via Inside Swale.
“	Kent Environment Strategy Consultation Response	The Committee considered the Council's proposed response to Kent County Council's consultation on the Kent Environment Strategy and made some suggestions for the Cabinet Member for Environmental and Rural Affairs to consider.
28 October 2015	Housing Allocations Policy	<p>The Council is under a statutory obligation to keep under review its Housing Allocations Policy and the Committee considered the impact of the changes which had been in place since 2014 and how the policy may need to be amended. The policy relates to the allocation of social housing.</p> <p>The Committee considered:</p> <ul style="list-style-type: none"> ▪ constraints to available accommodation; ▪ eligibility criteria; ▪ reviews and appeals; and ▪ refusals. <p>The Committee made a number of recommendations for the Cabinet Member for</p>

Date considered	Policy title	Summary of Committee considerations
		Housing to consider.
“	Playing Pitch Strategy	<p>The draft Strategy sets out the Council’s intended approach and priorities for ensuring there is sufficient playing pitch provision to meet current and future demand across the borough.</p> <p>The Committee explored:</p> <ul style="list-style-type: none"> ▪ the availability of school pitches for community use as required through planning conditions; ▪ the Council’s Community Assets Transfer Policy; and ▪ the availability of fit-for-purpose changing facilities. <p>The Committee made a number of recommendations for consideration by the Cabinet Member for Localism, Sport, Culture and Heritage.</p>
18 November 2015	Draft Indoor Sports Facility Strategy 2015 - 2025	<p>The draft Indoor Sports Facilities Strategy had been produced to determine what swimming pool and indoor sports facilities were required post-2019 to help meet the aspirations of the residents of Swale and the Council’s existing and developing core policies and objectives.</p> <p>The Committee considered:</p> <ul style="list-style-type: none"> • participation rates; • links to regeneration projects; • use of village and community halls for sporting activities; • the use of school facilities by local communities; and • play equipment on new developments.
“	Local Engagement Forums and Swale Rural Forum reviews	The review of the Local Engagement Forums (LEFs) and Rural Forum had been requested by a member at Full Council in July 2015 and the Committee had been invited by the Cabinet Member for Localism, Culture, Heritage and Sport to consider

Date considered	Policy title	Summary of Committee considerations
		<p>the outcomes of the review.</p> <p>Kent County Council and Swale Borough Council established three Local Engagement Forums across the borough in 2009 to engage, inform and consult residents across Swale in order to achieve their ambition to create better services, build positive relationships with communities, and to create confident and skilled community members. As consultative forums, the LEFs sought to provide an opportunity for the public to meet with county, district and parish councillors, the Police and Fire and Rescue Service, and other public bodies such as AmicusHorizon.</p> <p>The Rural Forum was established in 2005 to discuss issues and make recommendations regarding rural problems, given the ambition to create better rural services and build positive relationships within the rural community.</p> <p>The Committee considered:</p> <ul style="list-style-type: none"> ▪ public attendance at the Forums; ▪ the staff resources needed to service them; and ▪ alternative methods of engaging with residents and local communities. <p>The Committee recommended to Cabinet that the Forums should cease in their current form and that other ways should be explored to engage with local residents.</p>
“	Access Strategy/Digital First	<p>The Council had developed a draft Customer Access Strategy setting out its approach and priorities for providing effective and efficient ways of accessing and delivering services to its customers in ways which meet their needs and preferences.</p> <p>The Committee considered:</p> <ul style="list-style-type: none"> ▪ other social media to be used as channels of communication; ▪ the Council’s website;

Date considered	Policy title	Summary of Committee considerations
		<ul style="list-style-type: none"> ▪ customers contacting the Council by telephone; ▪ response times to e-mails (following the initial acknowledgement); ▪ correspondence tracking; ▪ webcasting meetings; and ▪ increasing the volume of transactions which could be undertaken online.
20 January 2016	Corporate Plan Action Plan	<p>The Committee considered a high-level action plan which had been developed as a mechanism for linking the 15 medium-term objectives to departments' annual service plans, with the clear understanding that every action on the high-level action plan must be reflected each year in at least one service plan.</p> <p>The Committee made a number of recommendations to the Cabinet Member for Performance regarding changes to the wording of the Action Plan.</p>
24 February 2016	Complaints Policy and Unreasonably Persistent and Vexatious Contact Policy	<p>The Council had developed two new policies to provide a framework for both staff and customers to follow when making complaints to ensure that all those associated with a complaint will know what is expected of them.</p> <p>The Committee made some suggested changes to the wording of each policy.</p>
“	Review of Council's Policy on use of Section 215 powers	<p>The Committee had requested that this policy be brought before it in connection with the Planning Enforcement Charter and Strategy which had been considered earlier in the year. Section 215 notices provides a local planning authority with the power to take steps requiring land to be cleaned up when its condition adversely affects the amenity of the area.</p> <p>The Committee considered the following points:</p> <ul style="list-style-type: none"> ▪ the role of parish and town councils in the process; ▪ liaison between the Planning Enforcement and other teams across the Council; and

Date considered	Policy title	Summary of Committee considerations
		<ul style="list-style-type: none"> ▪ the demand for use of the powers. <p>The Committee made a number of recommendations to the Cabinet Member for Planning.</p>
23 March 2016	Community Safety Plan	<p>The Swale Community Safety Partnership annually refreshes its Partnership Plan which is a rolling three year document highlighting how the Partnership plans to tackle community safety issues that matter to the community. The Committee were invited to comment on the latest iteration of the plan.</p> <p>The Committee made a number of comments and suggestions around:</p> <ul style="list-style-type: none"> • violence against women and girls; • crime; • anti-social behaviour; • safeguarding; • the troubled families programme; and • measures to reduce reoffending.
“	Voluntary Code of Conduct for Street Entertaining and Busking in Swale	<p>A voluntary code of conduct for street entertaining and busking had been developed as a ‘light touch’ to help create a more vibrant street scene in the Borough.</p> <p>The Committee considered:</p> <ul style="list-style-type: none"> • the timings that street entertainment and busking should be permitted, and whether different times should apply throughout the seasons; • copyright issues; and • the types of entertainment that should be permitted.
“	Corporate Equality Scheme	<p>The Committee were asked to consider the Council’s draft Corporate Equality Scheme 2016 – 2020. The Scheme set out how the Council intended to discharge</p>

Date considered	Policy title	Summary of Committee considerations
		<p>its specific and general duties under the Equality Act 2010.</p> <p>The Committee considered:</p> <ul style="list-style-type: none"> • the specific objectives that had been set; • that the section on supporting Swale’s vulnerable residents should be expanded to reflect the difference in life expectancy in different parts of the Borough; and • that more should be done to promote that the Council could make publications and other material available in different formats.

POLICY DEVELOPMENT AND REVIEW COMMITTEE

1 June 2016		Agenda Item 6
<i>Policy Development and Review Committee work programme 2016/17</i>		
Report author:	Bob Pullen – Policy and Performance Officer	
Recommendations		
That the Committee:		
<ul style="list-style-type: none"> (i) notes the Committee’s terms of reference which were adopted by Council in 2014/15 (Appendix i); and (ii) considers and agrees the schedule at Appendix ii as a basis for its work programme to review the council’s existing policies, strategies and plans and help develop new ones. 		

1 Purpose of report and executive summary

- 1.1 This report is concerned with the Committee’s work programme for 2016/17. It considers how the Committee can exercise its terms of reference.

2 Background

- 2.1 The Policy Development and Review Committee was established in 2014/15.
- 2.2 The Committee’s terms of reference were approved by Council on 19 February 2014 and are reproduced at **Appendix i**. The terms of reference form part of the Council’s Constitution.
- 2.3 In summary, the purpose of the Committee is to assist the Cabinet in developing or reviewing either new or existing policies, strategies or plans. Its workload is expected to be driven by the natural cycle of considering existing policies, strategies or plans of the council as they come up for review or providing advice to Cabinet on proposals for new council policy referred by Cabinet, Council or the Scrutiny Committee.
- 2.4 The Committee does not have the formal legal responsibilities to discharge the Council’s overview and scrutiny function. Those responsibilities fall to the Council’s Scrutiny Committee. Neither does it have the power to initiate reviews itself.

3 Discussion

- 3.1 The Council has developed a Policy Register to track all of its key policies, strategies and plans. This is reproduced at **Appendix ii** along with details of when these are due to be reviewed, a calendar of future Committee meeting dates, the relevant Service Unit with responsibility for the policy and any relevant commentary.

3.2 As we are at the start of the new Municipal Year and Service Plans have only just been agreed, not all timeframes during which new or revised policies, strategies or plans have been set. The schedule at Appendix II will be updated before each meeting of the Committee and will form an integral part of each agenda.

3.3 As well as reviewing existing policies, plans and strategies, the Committee may be asked to consider proposals for new council policy referred by a Cabinet Member or by resolution of Cabinet, the Scrutiny Committee or Full Council.

4 Conclusion

4.1 It is recommended that the Committee:

- (i) **notes** the terms of reference that were agreed by Council on 19 February 2014 (Appendix i); and
- (ii) **considers and agrees** the schedule at Appendix ii as a basis for its work programme to review the Council's existing policies, strategies and plans and help develop new ones.

5 Appendices and background papers

Appendix i: the Committee's terms of reference as agreed by Council on 19 February 2014;

Appendix ii: Policies, plans and strategies due for review in 2016/17;

6 Officer contacts

Bob Pullen – Policy and Performance Officer
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Policy Development and Review Committee

Terms of reference (as agreed by Council on 19 February 2014)

Within its terms of reference, the Committee will:

- (i) consider any built-in review of any existing policies, strategies or plans of the Council;
- (ii) consider existing policies in the light of changes to legislation or national guidance;
- (iii) consider other reviews of existing council policy referred by a Cabinet Member or by resolution of Cabinet, Scrutiny Committee or Full Council;
- (iv) consider proposals for new council policy referred by a Cabinet Member, Cabinet or Full Council;
- (v) provide pre-decision comment on policy decisions.

A policy shall not be re-considered by the committee within two years or before its built-in review period, unless by resolution of the full Council or Cabinet, or as required by a change in legislation or national guidance.

The chairman may invite Cabinet Members and officers of the council or other persons to attend committee meetings to answer questions pertinent to the business of the committee.

Having considered an item, the committee may make recommendations to the person or body that referred the item to it; Cabinet, Cabinet Member, Officer of the Council or the Full Council.

The Policy Development and Review Committee shall exercise overall responsibility for any finances made available to it.

Annual Report – the Policy Development and Review Committee must report annually to the Full Council on their work and make recommendations for amended working methods if appropriate.

Policies, plans and strategies due for review in 2016/17

Policies, plans and strategies	Service unit	Due date for publication of new/revised policy, plan or strategy	Policy Development and Review Committee dates	Commentary
Safeguarding Children, Young People and Vulnerable Adults	Economy and Community Services	September 2016	6 July 2016	
Green Grid Strategy	Economy and Community Services	October 2016	28 September 2016	
Biodiversity Action Plan	Economy and Community Services	October 2016	28 September 2016	
Council Tax Benefit/Localisation Policy	Resident Services	October 2016	TBA	
Economic Strategy	Economy and Community Services	December 2016	TBA	
Stray Dog Policy	Economy and Community Services	December 2016	TBA	
Environmental Response Enforcement and Prosecution Policy	Economy and Community Services	February 2017	TBA	
Waste Management Strategy	Commissioning and Customer Contact	?	?	

Policies, plans and strategies	Service unit	Due date for publication of new/revised policy, plan or strategy	Policy Development and Review Committee dates	Commentary
Property Strategy (including the Community Asset Transfer Policy)	Property Services	?	?	
Community Safety Partnership Strategic Assessment	Economy and Community Services	November 2016	17 January 2017	This document is adopted by the Swale Community Safety Partnership rather than SBC
Sport and Physical Activity Strategy	Economy and Community Services	March 2017	TBA	
Homelessness Strategy	Resident Services	April 2017	TBA	Combined Housing and Homelessness Strategy to be produced
Housing Strategy	Resident Services	-	-	See above
Rural Housing Strategy	Resident Services	-	-	Will form part of the combined Housing and Homelessness Strategy.
Tenancy Strategy	Resident Services	By end of 2017	22 February 2017	
Corporate Plan 2015-18 – Annual refresh	Policy and Performance	May 2017	22 February 2017	The Corporate Plan is set for a three year period but is refreshed annually

Policies, plans and strategies	Service unit	Due date for publication of new/revised policy, plan or strategy	Policy Development and Review Committee dates	Commentary
				to ensure the priority themes and key outcomes are still the right ones.
Kent Affordable Warmth Strategy	Resident Services	?	?	
Swale Environmental Health Service Enforcement Policy	Environmental Health	October 2017	Possibly 2017/18?	

Policy Development and Review Committee dates 2016/17:

- 1 June 2016;
- 6 July 2016;
- 28 September 2016;
- 26 October 2016;
- [2 November 2016 – this meeting may be rescheduled];
- 17 January 2017; and
- 22 February 2017.