
COUNCIL

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 25 January 2017 from 7.00pm - 9.34 pm.

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

OFFICERS PRESENT: Abdool Kara, Chris Lovelock, Jo Millard, Donna Price, Mark Radford, Gary Rowland and Nick Vickers.

APOLOGIES: Councillors Roger Clark, Derek Conway, Richard Darby, Mark Ellen, June Garrad, Bryan Mulhern and Anita Walker.

1126 PRAYERS

The Mayor's Chaplain said Prayers.

1127 EMERGENCY EVACUATION PROCEDURE

The Mayor outlined the emergency evacuation procedure.

1128 MINUTES

The Minutes of the Meeting held on 14 December 2016 (Minute Nos. 1067 – 1074) were taken as read, approved and signed by the Chairman as a correct record.

1129 DECLARATIONS OF INTEREST

No interests were declared.

1130 MAYOR'S ANNOUNCEMENTS

The Mayor had enjoyed the annual 'Companionship at Christmas' at Phoenix House, Sittingbourne on Boxing Day, and advised that the Deputy Mayor had also attended the event on Christmas Day. She praised the volunteers that assisted with the worthwhile event.

The Mayor was honoured to have presented the French Legion d'honneur medal to 93 year old D-Day Veteran Ken Drury, formerly of Bomber Command.

The Mayor confirmed with Members that formal invitations to her Civic Dinner & Dance “The Sparkle Ball” on Saturday 11 March 2017 had been sent out, and encouraged all to attend.

1131 QUESTIONS SUBMITTED BY THE PUBLIC

The Mayor advised that six questions had been submitted by members of the public, the answers to which have been provided, can be viewed on the Council’s website and are attached as Appendix I to these minutes. The Mayor invited the members of the public to read their questions and ask a supplementary question.

Question 1

Kane Blackwell read his question and the Cabinet Member for Housing and Well-Being read his response. In his supplementary question, Mr Blackwell asked that Swale Borough Council (SBC) promoted existing mental health centres and encouraged central government to do more to address the lack of mental health support, particularly in Swale.

In response, the Cabinet Member for Housing and Well-Being advised that as the Chairman of the Local Children’s Partnership Group (LCPG), he had brought these issues to the attention of the agencies and organisations on the LCPG, and was currently organising a joint forum to consider the issues further. He added that Kent County Council were funding a two-year pilot scheme in Swale for those with mental health issues, called Head Start.

Question 2

Graham Smith read his question and the Cabinet Member for Finance and Performance read his response. In his supplementary question, Mr Smith asked why the borrowing of funds was not being spent on affordable housing in Swale? In response, the Cabinet Member for Finance and Performance advised that funds would be invested to raise income, in order to maintain services.

Question 3

Vic Wintergreen read his question and the Cabinet Member for Finance and Performance read his response. In his supplementary question, Mr Wintergreen questioned the viability of the cinema chain, and asked why prospective tenants would wish to lease any of the new proposed properties, when there were already many vacant properties in Sittingbourne Town Centre? In response, the Cabinet Member for Finance and Performance said that the cinema operator was an up-and-coming company, and highlighted their success in Walsall, Birmingham. He added that he believed the new scheme would benefit the High Street, and encourage visits to the Town Centre.

Question 4

Paul Steele read his question and the Cabinet Member for Regeneration read his response. In his supplementary question, Mr Steele asked whether SBC had audited the market research carried out by The Light Cinema, and was it available

to see? In response, the Cabinet Member for Regeneration advised that some of the research was commercially sensitive, but that box office receipts had increased year-on-year. The Cabinet Member for Regeneration gave examples of how the cinema experience had positively changed.

Question 4

Helen Martins acknowledged the response to her question, and had no supplementary question.

Question 5

Simon Clark read his question and the Cabinet Member for Finance and Performance read his response. In his supplementary question, Mr Clark stated that Turnberry Real Estate Ltd were not qualified to give financial advice, and sought assurance that qualified financial advice would be given. In response, the Cabinet Member for Finance and Performance said he was content with the advice from Turnberry Real Estate Ltd, and drew attention to the current good financial position that SBC were in, due to being well-managed financially. He added that services currently provided by the Council in the future would be badly affected without investment to generate additional income.

1132 QUESTIONS SUBMITTED BY MEMBERS

The Mayor advised that seven questions had been submitted to Members, the answers to which had been provided, can be viewed on the Council's website and are attached as Appendix II to these minutes.

Question one

Councillor James Hunt thanked the Cabinet Member for his response, and asked the Cabinet Member whether he agreed that highway safety was a priority, especially near schools, and would Planning Services consider suggesting a 20mph zone when discussing applications with developers and the highway authority? In response, the Cabinet Member for Planning said that, whilst he did not agree with a blanket 20mph zone, specific areas where it would benefit could be considered.

Question two

Councillor Mike Baldock thanked the Cabinet Member for his response, and asked if a larger budget for yellow lines was necessary in the future? In response, the Cabinet Member said that the budget for yellow lining was used in priority areas for safety reasons, such as corners. It was difficult to predict how much budget would be required, in any given year, but additional money had been made available when required.

Question three

Councillor Roger Truelove referred to his response from the Cabinet Member, which advised that 25% was a realistically achievable target for affordable housing. He sought clarity on how the proposed 700 homes development at Borden was due

to provide 12% affordable housing, which the developer informed was 20% more than the 10% required by SBC? In response, the Cabinet Member advised that 25% target was across the whole Borough, and 10% was the specific target for the proposed development at Borden.

Question four

Councillor Truelove referred to his response from the Leader, and asked why he, members of the public and staff were not interviewed in the review? In response, the Leader advised that the Complaints Policy was in place, and that the Statutory Officers of the Council should not be overruled when they had acted within the terms of the Local Government Act.

Question five

Councillor Cameron Beart thanked the Cabinet Member for his response, and asked if the Council would consider employing an Events Officer or Team? In response, the Leader said if this was considered in next year's budget, it would lead to an equivalent loss of staff in other service areas due to tight financial resources.

Question six

Councillor Ghlin Whelan referred to the Leader's response, and asked if the Leader considered that the mental health needs of Swale's residents were being met, and whether residents would prefer investment in specialist support accommodation in Swale, rather than in the Regeneration? In response, the Leader reminded Members of the phasing out of Government grants, and the need to invest in Swale to provide income for the Council, and job opportunities for Swale residents. He said that suggestions for investment were welcome, but investing in specialist support accommodation would not provide a net income.

Question seven

Councillor Ghlin Whelan referred to the response of the Cabinet Member for Regeneration, and asked what were the Council receiving in exchange for the car park land when the developers had already sold it on to a third party for housing, and was there an update and progress on the use of the car parks? In response, the Cabinet Member for Regeneration advised that 70% of retail spend by Sittingbourne residents was outside Sittingbourne. He added that the development deal was a quid pro quo, and the scheme would retain spend within Sittingbourne, create jobs, increase growth, and improve the standard of living.

1133 LEADER'S STATEMENT

The Leader presented his Statement, which gave updates on the Spirit of Sittingbourne, Finance Update and Chief Executive and Management Team Arrangements.

Spirit of Sittingbourne

The Leader of the UKIP Group welcomed progress, but raised concern about the lack of housing element in the development, and the design features in the plans submitted with the first planning application received for the scheme. In response, the Leader said he was confident that visible work would have started by the time of the next Council meeting in February 2017.

The Leader of the Labour Group raised concern that the Council were funding many elements of the project, and suggested that the loss of the Revenue Support Grant would be replaced by property rates. He asked the Leader what U+I I were investing in the project? The Leader advised that U+I had already invested several million pounds in the project and would continue to do so, and SBC were buying assets to gain income in order to continue to provide essential services for the residents of Swale. He added that some information was commercially sensitive, but he would provide as much information as he could.

The Leader of the Independent Group drew attention to the second paragraph of the Leader's Statement and asked who would look at the risk level of investing in the cinema? The Leader referred the Leader of the Independent Group to Question 6 of the Public Questions, and advised that the Statutory Officers had been delegated to undertake further due diligence.

A Member sought clarity on the timing of funding for the highway works outside the railway station, asked whether there could be any alternative uses for the cinema building should it fail, and raised concern that Turnberry Real Estate were a property developer. She suggested an experienced team should be employed to monitor the scheme constantly. The Leader advised that a team would be put in place at the appropriate time. The Chief Executive added that about a third of the SE LEP funding had already been claimed, and KCC had agreed to fund more than the £2.5m if it could be spent by the deadline. He referred to the report being presented to the Cabinet Meeting on 1 February 2017 – Sittingbourne Town Centre Regeneration Project – variations to the Development Agreement.

Finance Update

The Leader of the UKIP Group shared the Leader's concern on central government's lack of understanding of the impact the changes to the New Homes Bonus and change in house building targets would have on the local community. The Leader highlighted that, whilst he did not agree with the way the National Planning Policy Framework operated, he preferred SBC made decisions on new development rather than the Planning Inspectorate, to give SBC greater control.

The Leader of the Labour Group highlighted that some services provided by county councils had also been affected by lack of central government funding, and suggested that there should be other ways of controlling finance without detriment to local government. The Leader agreed, and drew Members' attention to the recent announcement about a referendum to be held at Surrey County Council to increase Council Tax by 15%.

The Leader of the Independent Group identified that the decisions were being made by a Conservative-controlled Government, and asked the Leader what action he was taking on behalf of the electorate in Swale? The Leader advised that a strong

message was being put to central government on a cross-party basis by the leadership of the Local Government Association.

A Member referred to funding of the Clinical Commissioners Group, and said that additional funding opportunities were available in cases of large housing developments, but never applied for as the process was too fragmented. She urged appropriate investment in health going forwards, which was already inadequate for existing residents. The Leader said that the health sector had their own budgetary methods, and all Members had the ability to attend the regular Health and Well Being Board meetings but had so far failed to do so.

Chief Executive and Management Team Arrangements

The Mayor reminded Members that a report on the Interim Management Arrangements would be considered later in the meeting and specific questions may be better addressed at that time.

The Leaders of all political groups welcomed the news that Mr Vickers, the Head of Finance and Section 151 Officer, would be extending his working hours at SBC.

A Member praised the current Chief Executive, Mr Kara, and recognised his and all SBC staff's hard work, to which Members applauded.

The Leader highlighted the significant improvement in performance since Mr Kara's appointment, and the current strength of the team.

1134 TREASURY MANAGEMENT HALF YEAR REPORT 2016/17

The Cabinet Member for Finance and Performance introduced the report which outlined the treasury management transactions for 2016/17, and proposed the recommendation which was seconded.

Resolved: That the performance information in the report be noted.

1135 EXTERNAL AUDITOR APPOINTMENT

The Chairman of the Audit Committee presented the report which outlined the proposals for appointing the Council's external auditor for 2018/19 and beyond, and highlighted the benefits of implementing the sector-led approach.

Resolved:

- (1) That the changes in the external audit appointment process following the Local Audit and Accountability Act 2014, and the options available to the council for the appointment of an external auditor for 2018/19 accounts and beyond be noted.***
- (2) That the preferred external audit procurement route via a sector-led body (PSAA Ltd) be agreed.***

1136 RESOLUTIONS FOR CALCULATING COUNCIL TAX

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

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

For: Councillors Sarah Aldridge, Mike Baldock, Cameron Beart, Bobbin, Monique Bonney, Andy Booth, Tina Booth, Lloyd Bowen, Bowles, Katy Coleman, Mike Cosgrove, Adrian Crowther, Mike Dendor, Duncan Dewar-Whalley, Paul Fleming, Mick Galvin, Sue Gent, James Hall, Nicholas Hampshire, Harrison, Mike Henderson, Alan Horton, James Hunt, Lesley Ingham, Ken Ingleton, Nigel Kay, Samuel Koffie-Williams, Gerry Lewin, Peter Marchington, Padmini Nissanga, Prescott, Ken Pugh, George Samuel, David Simmons, Ben Stokes, Roger Truelove, Ghlin Whelan, Mike Whiting, Ted Wilcox and John Wright. Total equals 40
Abstain: 0

1137 MEMBER TRAINING AND DEVELOPMENT STRATEGY 2017-20 AND ROLE PROFILES FOR COUNCILLORS

The Cabinet Member for Finance and Performance introduced the report which sought Council's approval for the Member Training and Development Strategy and Evaluation Statement for 2017-20 and the Role Profiles for Councillors.

The Chairman of the Member Development Working Group (MDWG) seconded the proposal, and raised the issue of how to improve Members' attendance and participation in Member Development? He drew attention to the information in the Strategy and Member Profile documents, and welcomed Members' suggestions.

A discussion ensued which included the following suggestions:

- consideration of day time briefing sessions;
- use of technology such as Skype;
- recording of briefings to circulate to Members;
- shorter briefing sessions to be held during Full Council meetings;
- fuller explanation of briefing content;
- briefing sessions to be added to the meeting calendar-on line;
- changes in the days/times that sessions were held; and

- presenting skills training for some briefing session providers.

A Member suggested that attendance at sessions should be compulsory; whilst another said that non-attendance by Members showed a lack of commitment, and highlighted the benefits of contact with outside service providers. A Member reminded all Members that handouts from the briefing sessions were available from Democratic Services. Members praised the vital work of the MDWG.

Resolved:

- (1) ***That the Member Training and Development Strategy and Evaluation Statement for 2017-20 be approved.***
- (2) ***That the Role Profiles for Councillors be approved.***

1138 CHANGE TO POLLING PLACE - HALFWAY POLLING DISTRICTS

The Leader introduced the report which sought Council's approval for changes to the polling place for the Halfway Polling Districts (East and West). The proposal was seconded.

A Member thanked the Democratic and Electoral Services Manager and the Electoral Services Officer for their efforts in researching alternative venues, but was disappointed that the venue had moved so far away from some constituents. He suggested that when KCC sold the former Halfway House School site, consideration may be given to retaining the School House as a community facility. Another Member suggested that an alternative venue be researched again as part of the 2018 Polling Station Review.

Resolved:

- (1) ***That the proposed change to the polling place for Halfway Polling Districts (East and West) be approved.***

1139 RECOMMENDATIONS FOR APPROVAL

Council was asked to note the recommendation from the Audit Committee meeting held on 30 November 2016 (Minute No. 1041), the Cabinet Meeting held on 7 December 2016 (Minute No. 1048), and the Appointments Sub-Committee held on 10 January 2017 (Minute No. 1099).

Resolved:

- (1) ***That the recommendations in Minute Nos. 1041, 1048 and 1099 be noted.***

1140 INTERIM MANAGEMENT ARRANGEMENTS

The Leader introduced the report which proposed the appointment of key senior posts in the Council, further to the resignation of the current Chief Executive. He highlighted that the proposal brought stability in the organisation, and showed confidence in the current management team at a time of change in Local Government. The proposal was seconded.

The Leader of the UKIP Group fully supported replacing senior officers from within the organisation, but raised concern about the lack of a probation period or alternative back-up. The Leader advised that a probation period was not possible in law and that a Performance Review process was already in place that involved the Leader of the Opposition.

In response to a question from the Leader of the Labour Group, the process of appointing was clarified.

In response to a question from the Leader of the Independent Group, it was clarified that the Head of Finance would be increasing his days at SBC from 2.5 to 4 days a week, occasionally working 5 days. The Leader of the Independent Group added that he was concerned that the proposals may cause additional workload pressure further down the organisation, and asked why the Resilience Manager reported to the proposed Acting Chief Executive, as at 3.6 of the report? The current Chief Executive explained that the Resilience Manager currently reported to the proposed Acting Chief Executive and he had requested that this remained the case under the new arrangements.

A Member sought clarification on the savings implications as referred to at 6.0 on page 71 of the report, and asked if an up-to-date Structure Chart could be provided. It was agreed that this would be provided once all the senior management changes were in place. In terms of costs or savings for the proposals, this was not yet possible to say accurately as the Job Evaluation process had not yet been concluded.

A Member gave his full support to the proposal, and said that the proposed Acting Chief Executive was very capable.

Resolved:

(1) That the Council does not appoint a permanent Chief Executive/Head of Paid Service at this time.

(2) That the Council appoint an Acting Chief Executive/Head of Paid Service, initially for the period 1 February 2017 to 30 September 2018.

(3) That the current Director of Corporate Services be seconded into this role, payable at the bottom point of salary scale 14.

(4) That the Acting Chief Executive/Head of Paid Service be appointed as the Returning Officer and the Electoral Registration Officer, initially for the period 1 February 2017 to 30 September 2018.

(5) To note the minor structural changes required as a consequence of these proposals.

(6) That the appropriate revisions are made to amend and update the scheme of delegations to officers, including proper and authorised officers and designated posts in the Constitution, as appropriate.

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