



AGENDA

CABINET MEETING

Date: Wednesday, 5 October 2016

Time: 7.00 pm

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

Membership:

Councillors Bowles (Chairman), Mike Cosgrove, Duncan Dewar-Whalley, Alan Horton, Gerry Lewin (Vice-Chairman), Ken Pugh and David Simmons

Quorum = 3

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1. Emergency Evacuation Procedure

Pages

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(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

3. Minutes

To approve the Minutes of the Meeting held on 7 September 2016 (Minute Nos.752 - 761) 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 B Report for Decision by Cabinet

- | | | |
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| 5. | Complaints, Compliments and Comments Annual Report 2015/16 | 1 - 10 |
| 6. | Cabinet Response to Recommendations of Scrutiny Review of Sittingbourne Town Centre Regeneration | 11 - 16 |
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Issued on Monday, 26 September 2016

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Cabinet, please visit www.swale.gov.uk

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

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Cabinet Meeting		Agenda Item: 5
Meeting Date	23 August 2016	
Report Title	Complaints, Compliments and Comments Annual Report 2015/16	
Portfolio Holder	Cllr Andrew Bowles, Leader	
SMT Lead	Dave Thomas, Head of Commissioning & Customer Contact	
Head of Service	Dave Thomas, Head of Commissioning & Customer Contact	
Lead Officer	Carol Sargeant, Customer Service Manager	
Key Decision	No	
Classification	Open	
Forward Plan	Reference number:	
Recommendations	1. Members are asked to note the report	

1. Purpose of Report and Executive Summary

- 1.1 This report presents the annual summary of complaints, compliments and comments received by Swale Borough Council (SBC) during the year from April 2015 to March 2016.

2. Background

- 2.1 This annual report summarises the Complaints, Compliments and Comments (CCC) received by the Council during the ensuing year. Swale's corporate complaints system comprises the following process:
- (i) an initial request for service or enquiry should be made to the service area it relates to in the first instance. A request or enquiry may become a complaint if the council fails to meet our service standards;
 - (ii) Stage 1: this is whereby the complainant is not satisfied with the response (or lack of response) from the service area or the complaint relates to a member of staff. Stage 1 complaints will be responded to within 10 working days by a manager or Head of Service;
 - (iii) Stage 2: the Chief Executive who will investigate and respond direct to the complainant within 10 working days. If the timeframe cannot be met the complainant will be notified and kept informed of progress; and
 - (iv) Local Government Ombudsman: if after following our complaints process customers are still unhappy, they can contact the Local Government Ombudsman, an independent service set up by the Government to investigate complaints about council matters. The Ombudsman will not usually investigate most complaints until they have been through the Council's complaint process.

- 2.2 The current CCC system, which has now been in operation for five full years, is now well established throughout the organisation. It has contributed to a much more robust and transparent approach to the management of CCC, with greater ease of access to the system for our customers.
- 2.3 The system provides monitoring, including weekly summaries to Heads of Service, so we can be assured that all complaints are logged, tracked, and responded to, as well as improved reporting facilities so we can ensure that our response times are meeting the standards we have set and learn from feedback.
- 2.4 The CCC process:
- (i) raises the profile of the importance of CCC to Swale as a customer-centric organisation through managers' meetings, all staff briefings, and individual team meetings;
 - (ii) carries out surveys of all customers who have raised a formal complaint in order to gain feedback from them and seek to improve the process accordingly;
 - (iii) publishes performance reports on the intranet and provide quarterly reports on complaints at service level, which is used to inform the quarterly performance report to the Strategic Management Team; and
 - (iv) publishes this annual report in order to provide accountability and transparency to residents and service users.

Customer Service Excellence

- 2.5 During the past year, the Customer Service Centre, Environment Response Team, Housing Services, and Revenues & Benefits all gained a renewal of the externally verified Customer Service Excellence (CSE) assessment. However, Planning Services did not regain the accreditation. The aim is for Planning Services to undertake a further CSE assessment again in 12 to 15 months, having designed, implemented and evaluated the strategies to support them in their journey.
- 2.6 One of the components of the CSE accreditation process is to examine the complaints procedures within an organisation. Again, during this year's assessments, Swale's CCC system was cited as an example of good practice.
- 2.7 We have continued to make further efforts to make the system more accessible to our customers. There is an established clear link to our complaints procedure on our website at <http://www.swale.gov.uk/comment-complain-and-feedback/>; and we have small cards (credit card sized) on display in reception areas encouraging compliments, complaints and feedback. On the reverse of the card is a QR code¹ which when used takes the user direct to the CCC web page.

¹ A QR Code is a machine-readable code consisting of an array of black and white squares, typically used for storing URLs or other information for reading by the camera on a smartphone.

Complaints Received

2.8 The total number of CCCs received during 2015/16 was 927 compared with 1,104 in 2014/15, a decrease of 16%. The number of complaints decreased by 19%, compliments by 26%, and compliments by 2%. It should be noted that changes to planning and the introduction of food waste contributed to the increase in comments and complaints during 2014/15.

Category	2013/14	2014/15	2015/16	Trend against previous year
Complaints received	358	441	356	-19%
Compliments received	344	344	337	-2%
Comments received	264	319	234	-26%
Total	966	1,104	927	-16%

2.9 Further details by service areas for Complaints are on Appendix I.

2.10 During 2015/16, a total of 22 complaints (6%) were escalated to Stage Two (Chief Executive review).

Responding to Complaints

2.11 The CCC system requires that a response to complaints be made (whether justified or otherwise) within a corporate standard of 10 working days. The target for 2015/16 was increased to 90%, which was met - during 2015/16, 94% of complaints, whether or not justified, were responded to within the corporate standard, an improvement on 2014/15.

	2013/14	2014/15	2015/16
Percentage of complaints responded to within 10 working days	89%	89%	94%
Target	85%	87.5%	90%

2.12 The Customer Service Manager regularly monitors performance standards, both corporately and in local areas, and has dialogue with the respective Heads of Service to address any performance issues, which include administrative efficiency improvements as well as seasonal or service-related issues which will inevitably cause occasional peaks in levels of complaints.

Local Government Ombudsman (LGO) Complaints

2.13 This year's LGO's Annual Report for Swale for 2015/6 is again disappointing in its lack of detail, which does not allow comparison with data for previous years. The data we have provided below is from a collation of the statistics

from the LGO report, as well as information that we collate from within our own complaints process and CCC system.

- 2.14 The figures from the LGO and our own CC system do not consistently match. Therefore the information provided is based upon the actual correspondence received by the Chief Executive of Swale Borough Council.
- 2.15 In total, the annual data received from the LGO states that in 2015/16 the LGO received 17,975 complaint enquiries against 365 authorities, an average of over 49 per authority. For Swale BC the LGO received 22 enquiries and made 23 decisions (we presume this includes one carried over from 2014/15).
- 2.16 In terms of outcomes, the LGO decisions included 11 referred back for local resolution, of which one was received and reviewed by SBC. Two were investigated by the LGO in the period, and only one complaint upheld out of the 23 decisions made.
- 2.17 The outcomes for the 23 complaints that were formally received by the LGO are set out in the table below.

Ombudsman Action	2014/15	2015/16
Closed after initial enquiry	7	8
Not upheld	2	1
Referred back for local resolution	1	11
Incomplete/invalid	0	2
Upheld	2	1
Total	12	23

- 2.18 The complaint that was upheld related to the Housing Options Service. The Ombudsman found evidence of fault by the Council because it failed to fully explain its decision to the customer. As a result of the investigation the Council sent a detailed decision letter to the complainant.

Feedback on the complaints system

- 2.19 During 2015/16 courtesy telephone calls by Customer Service have been attempted to all complainants. This approach allows a more qualitative discussion to take place, and as such more positive feedback is being received than various methods that have previously been used to seek feedback from complainants. We have learnt that customers still find it difficult to separate the outcome of the complaint (which may not be to their satisfaction), from the way in which their complaint was handled.
- 2.20 Some examples of customers comments from the courtesy calls include:
- (i) "I really appreciate this call and it has made me feel better about your procedures";

- (ii) “I wasn’t told what the complaints procedure involved or made aware of a second stage that I could proceed to”;
- (iii) “The issue has been resolved but I shouldn’t have had to complain in first instance”; and
- (iv) “I’m very happy with the way my complaint was dealt with”.

Reviews and improvements

2.21 One aspect of effective complaint handling is to inform service improvements. Whilst we need to continue to improve the capturing of examples where this has happened, some examples from 2015/16 are as follows:

- (i) contracts have altered schedules accordingly to ensure that freighters are able to access when less vehicles are prevalent and avoiding rush hours;
- (ii) Housing Options are reviewing the wording of their Housing Policy as the wording appears to be ambiguous and confusing for some applicants;
- (iii) Planning Services have made changes to the validation process of major applications; and
- (iv) we have adopted a revised Complaints Policy, and a new Unreasonably Persistent and Vexatious Complaints Policy which are both published on Swale Borough Council website.

Summary

2.22 In summary, therefore, of the 356 complaints received by Swale Borough Council during 2015/16, 22 (6%) were escalated to the Chief Executive (stage 2), and four (1%) ultimately required responses to the Ombudsman, with only one upheld.

Categories	2013/14	2014/15	2015/16
Total complaints	358	441	356
Justified complaints*	195	279	202
Non-justified complaints*	156	141	150
Partially justified	4	21	2
Justification not stated	3	0	2
Stage 2 (Chief Executive)	29	18	22
Ombudsman	10	12	4

*Definitions used:

Justified: where it is deemed that the relevant process/procedure has not been followed.

Unjustified: where it is deemed that the relevant process/procedure has been followed.

It should be noted that this criteria is open to the interpretation of the officer and their opinion at the time of completing the complaint.

3 Proposals

3.1 Members are asked to note the contents of this report.

4. Alternatives

4.1 None.

5. Consultation

5.1 There has been no formal consultation relating to this report, as it is a summary of statistics for the year in question. However, the Complaints, Compliments and Comments system is by definition a process by which customers are able to deliver feedback on the current provision of services.

6. Implications

Issue	Implications
Corporate Plan	Dealing well with Complaints, Compliments and Comments is core to the Corporate Plan priority of being 'A council to be proud of'.
Financial, Resource and Property	None.
Legal and Statutory	None.
Crime and Disorder	None.
Sustainability	None.
Health and wellbeing	None.
Risk Management and Health and Safety	None.
Equality and Diversity	Responding to complaints in a positive and effective manner demonstrates the Council's commitment to ensuring that access to Council services is available to all.

7. Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Complaints by Service Area 2015/16

- Appendix II: Local Government Ombudsman's Summary Review of Swale Borough Council 2015/16

8. Background Papers

8.1 None.

Complaints by Service Area 2015/16

Service Area	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total 2015/16	Total 2014/15	Responded within 10 working days 2015/16		Responded within 10 working days 2014/15	
							No.	%	No.	%
Chief Executive	0	0	0	0	0	1	-	-	1	100%
Commercial	0	1	0	0	1	0	1	100%	-	-
Communications	0	0	0	0	0	2	-	-	2	100%
Community Safety	0	0	0	0	0	1	-	-	1	100%
Contracts (incl.Waste & Street Scene)	37	34	36	39	146	209	144	99%	189	90%
CSC	1	0	0	1	2	2	2	100%	2	100%
Cultural Services	0	0	0	0	0	1	-	-	1	100%
Democratic Services (Electoral)	5	1	0	0	6	2	5	83%	1	50%
Planning & Development	11	11	12	16	50	75	45	90%	58	77%
Economy & Regeneration	0	0	2	0	2	0	2	100%	-	-
Engineering	0	1	0	0	1	0	1	100%	-	-
ERT	5	11	3	12	31	22	30	97%	17	77%
Grants	0	0	0	0	0	1	-	-	0	0%
Hackney Carriages	0	0	1	0	1	2	1	100%	1	50%
Housing	0	0	0	0	0	1	-	-	1	100%
Housing Environmental	0	1	0	0	1	1	1	100%	1	100%
Housing Options	2	4	2	3	11	27	10	91%	25	93%
ICT	0	0	0	0	0	1	-	-	1	100%
Legal	0	0	0	0	0	1	-	-	1	100%
Open Spaces	3	6	0	2	11	9	9	82%	7	78%
Parking	19	12	10	8	49	41	43	88%	40	98%
Pollution	1	2	0	0	3	2	2	67%	0	0%
Regeneration	0	2	0	0	2	0	1	50%	-	-
Revenues & Benefits	11	17	6	4	38	39	36	95%	36	92%
Staying Put	0	0	1	0	1	1	1	100%	1	100%

Local Authority Report: Swale Borough Council
For the Period Ending: 31/03/2016

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	0	1	0	5	2	3	10	1	22

Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
2	0	11	8	1	1	50%	23

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.
 The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate
1	0	100%

Cabinet Meeting		Agenda Item:6
Meeting Date	5 October 2016	
Report Title	Cabinet response to Recommendations of Scrutiny Review of Sittingbourne Town Centre Regeneration	
Cabinet Member	Cllr Andrew Bowles, Leader of the Council/ Cllr Mike Cosgrove, Cabinet Member for Regeneration	
SMT Lead	Emma Wiggins, Interim Director of Regeneration	
Head of Service	Charlotte Hudson, Acting Head of Economy and Communities	
Lead Officer	Peter Binnie, Regen Project Support Officer	
Key Decision	No	
Classification	Open	
Forward Plan	N/A	
Recommendations	To agree the responses to the Scrutiny Committee's recommendations, as set out in Appendix I.	

1 Purpose of Report and Executive Summary

- 1.1 This report comprises the Cabinet's formal response to the recommendations brought forward by the Scrutiny Committee following its consideration of progress with the Regeneration of Sittingbourne Town Centre, held on Wednesday 31 August 2016.

2 Background

- 2.1 The Council's Scrutiny Committee met on Wednesday 31 August 2016 to consider, inter alia, progress with the Regeneration of Sittingbourne Town Centre.
- 2.2 Following detailed discussions, the Committee made three formal recommendations, and as per the Council's Constitution, Cabinet shall consider the report of the Scrutiny Committee within two months of the Scrutiny Committee completing its recommendations. The Cabinet must respond within two months of receipt of the recommendations.
- 2.3 Accordingly, Appendix I to this report sets out the Cabinet's response to those three recommendations.

3 Proposals

- 3.1 To agree the responses to the Scrutiny Committee's recommendations, as set out in Appendix I.

4 Alternative Options

- 4.1 There are numerous possible responses to the recommendations made by Scrutiny.

5 Consultation Undertaken or Proposed

- 5.1 Cabinet members and relevant senior officers have been consulted in preparing this report.

6 Implications

Corporate Plan Implications	This report addresses the priority of a Borough to be Proud of.
Financial, Resource and Property Implications	Resource will be required to develop the updates and communications with regard to STC regeneration. This is covered through the work programme of the Regeneration Project Support Officer. In additions the Communications Team will assist.
Legal and Statutory Implications	None relevant to this report
Crime and Disorder Implications	None relevant to this report.
Sustainability Implications	None relevant to this report.
Health and Wellbeing Implications	None relevant to this report.
Risk Management and Health and Safety Implications	None relevant to this report.
Equality and Diversity Implications	None relevant to this report.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Cabinet response to Recommendations of Scrutiny Review of Sittingbourne Town Centre Regeneration
 - Appendix II: STC regeneration meeting group structure

8 Background Papers

- Scrutiny Committee agenda of their meeting of 31 August

<http://services.swale.gov.uk/meetings/documents/g1726/Agenda%20frontsheet%2031st-Aug-2016%2019.00%20Scrutiny%20Committee.pdf?T=0>

- Scrutiny Committee minutes of their meeting of 31 August

<http://services.swale.gov.uk/meetings/documents/g1726/Printed%20minutes%2031st-Aug-2016%2019.00%20Scrutiny%20Committee.pdf?T=1>

Cabinet response to Recommendations of Scrutiny Review of Sittingbourne Town Centre Regeneration

Portfolio Holder(s):	Cllr Andrew Bowles, Leader of the Council, and Cllr Mike Cosgrove, Cabinet Member for Regeneration	Lead Officer:	Emma Wiggins
Scrutiny Committee Recommendations	Cabinet Response		
R1: That Cabinet considers appointing a Scrutiny Committee representative to sit on the Strategic Board to feed into the meeting and ensure that the Scrutiny Committee discipline is recognised.	<p>The report to Scrutiny is clear that the governance of the development comprises a Strategic Board and an Operational Board. The strategic board is called the “STC Project Board” that meets on a bi-monthly basis, and the operational board is called the “Key Officer Group” that meets on a monthly basis. As requested during the Scrutiny meeting, this structure and the relevant named attendees is shown in Appendix II</p> <p>It is also unclear what ‘Scrutiny discipline’ means, and what it is that is lacking at present.</p> <p>Regardless, Cabinet can see no argument for Scrutiny representation on either of these Boards.</p>		
R2: That for the next twelve months, there be an update directly from a representative of the Strategic Board at each Scrutiny Committee.	<p>Scrutiny already has the right to request attendance by Cabinet members and relevant officers at its meetings to present or update on matters that are on the agenda, subject to their reasonable availability.</p> <p>It is therefore for Scrutiny to set its agendas and for Cabinet and relevant officers to attend as they are able to.</p>		
R3: That a monthly update to questions, in a format to be agreed in conjunction with the Scrutiny Committee Chairman and Policy and Performance Officer, be provided by the Cabinet Member for Regeneration to all Members in the form of a bulletin	<p>Cabinet agree on the principle of regular updating to members, in a standard ‘bulletin’ format to be agreed.</p> <p>However, monthly updating is not considered reasonable, and instead reporting every two months, shortly after the STC Project Board meeting, is considered to be more practicable.</p> <p>These can also be timed to coincide with the regular face-to-face updates for Group Leaders that the Cabinet Member has agreed to continue.</p>		

STC Regeneration Meeting Group Structures

STC Project Board – Bi monthly meeting (Strategic)

- Cllr Andrew Bowles (Swale BC)
- Cllr Mike Cosgrove (Swale BC)
- Cllr Duncan Dewar-Whalley (Swale BC)
- Abdool Kara (Swale BC)
- Emma Wiggins, (Acting) Director of Regeneration
- Richard Upton (U&I)
- Simon Hesketh (U+I)
- Mark Quinn, (Quinn Estates)
- Martin Bellinger (Essential Land)
- Barbara Cooper (KCC)
- Mike Smith (Network Rail)

In attendance/reporting (as required):

- Peter Binnie, Nick Vickers, John Scarborough, Jill Read, (Swale)
- Rob Sloper, Penny Humphrey (U&I)
- Huw Evans, Alastair Cracknell (Quinn Estates)

Key Officer Group – Monthly meeting (Operational)

- Emma Wiggins (Swale)
- Nick Vickers (Swale)
- Kate Thurnam (Swale)
- Peter Binnie (Swale)
- Simon Hesketh (U+I)
- Rob Sloper (U+I)
- Huw Evans (Quinn Estates)
- Nigel Smith (KCC)

In attendance/reporting (as required):

- Kieren Mansfield, Jill Read (Swale),
- Chris Hall (Quinn Estates), Fergus Pryor (U+I)

Ad hoc attendance:

- Cllrs Bowles, Cosgrove, Dewar-Whalley, Abdool Kara (Swale BC)

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Cabinet Meeting		Agenda Item: 7
Meeting Date	5 October 2016	
Report Title	Swale Local Development Scheme October 2016	
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning	
SMT Lead	Emma Wiggins	
Head of Service	James Freeman	
Lead Officer	Gill Harris	
Key Decision	Yes/No	
Classification	Open	
Forward Plan	Reference No.	
Recommendations	<p>1. That the updated Swale Borough Local Development Scheme (October 2016) be agreed as the current programme for production of local planning documents, operative from the date of this Cabinet meeting (5 October 2016)</p>	

1 Purpose of Report and Executive Summary

- 1.1 The Local Development Scheme (LDS) is the programme for production of local planning documents. Members will recall that Council Minute 239 (23 September 2015) confirmed the adoption of the Swale Local Development Scheme (April 2015) as the current version of the LDS which was required to be submitted as part of the supporting suite of documents with the Swale Borough Local Plan for Examination in Public (EIP). The first phase of the EIP was completed in December 2015 and the Inspector presented her Interim Findings and recommendations in February – March 2016. Arising from those recommendations and as an explicit Inspector’s recommendation in itself, there is a need to update the LDS and it is timely to do this prior to the resumption of the EIP hearings. It is therefore recommended that the updated LDS at Appendix I be adopted as the current programme.

2 Background

- 2.1 The Local Development Scheme is the programme for producing local planning documents. It is required to be kept up to date and displayed on the Council’s website. This is required by S.111(5) of the Localism Act, which amends S.15(7) of the Planning and Compulsory Purchase Act 2004. These state that in order to bring the Local Development Scheme into effect, the local planning authority must resolve that the scheme is to have effect and that the resolution must specify the date from which the scheme is to have effect.

- 2.2 Prior to its closure, the Government Office for the South East was responsible for approving LDS documents and any updates to them. Following the closure of GOSE, the LDS still needs to be prepared, but its approval is for the local planning authority concerned. Members can therefore, within reason, update the LDS to accommodate changing circumstances and priorities as necessary.
- 2.3 In accordance with common practice advice the Swale LDS was revised so as to be completely up to date as part of the suite of supporting documents required with the submission of the Swale Borough Local Plan Bearing Fruits 2031. The Swale Borough Local Plan was submitted to the Planning Inspectorate in April 2015 for EIP. The EIP was held during November/December 2015 and paused, pending the Inspector's Interim Findings and recommendations. These were published in February – March 2016 and recommended Main Modifications to the Plan which would need to be consulted upon, which in itself has resulted in the need for revision of the Local Plan scheduling. Members will note from the updated LDS at Appendix I, that this has had to take account of the very large response to the public consultation on the Main Modifications, which has taken longer than anticipated for officers to process; and will also require sufficient time allowance for the Inspector to acquaint herself with the issues raised and set the agenda for the resumed Examination hearings.
- 2.4 Additionally, the Inspector recommended (Part 3 Overall Interim Findings para 14 March 2016), that there would no longer be a need for a Local Plan Part 2 to deal with the issue of Gypsy and Traveller allocations following changes to national policy and the Council's revised evidence on this matter. As a consequence, the Inspector recommended that action be taken to remove this item from the LDS. At Part 2 of the Interim Findings (Part 2: Headline Interim Findings on Housing Supply), the Inspector also recommended that the Plan should plan positively for the full Plan period and not rely upon an early review to deal with any change in circumstances. The early review was shown in the LDS as commencing in September 2015, which, in the light of events, was not possible or appropriate. This also needs to be revised.
- 2.5 Finally, the pursuit of a CIL Charging Schedule has been linked to a degree, to development proposed through the Local Plan and viability assessments which in turn influence development of a charging schedule. This, coupled with government proposals for change in affordable housing policy may also impact viability issues, which are being updated as part of the evidence base for the plan and CIL. The schedule for pursuit of this has also required updating and is reflected in the updated LDS.
- 2.6 Other local planning documents which are either dependent on adoption of a Local Plan policy, or in the case of Neighbourhood Plans are pursued alongside the local authority's own documents are also shown for information.

3 Proposal

- 3.1 A revised and updated Swale Borough LDS is attached at Appendix I to this item to reflect necessary updating and the recommendations arising from the Local Plan Inspector's Interim Findings. This is intended to show a realistic programme for completion of documents currently under production and those which may rely upon them. The LDS will need to be further updated to reflect progress; any change in circumstances arising from possible national policy change; or subject to Members' own priorities.
- 3.2 Members are therefore requested to adopt the Swale Borough LDS at Appendix I as the current LDS, and subject to Members' approval, to be operative from the date of this meeting.

4 Alternative Options

- 4.1 The Swale Borough LDS (April 2015) has been rendered out of date by the progress on the Swale Local Plan and the Local Plan Inspector has also recommended that it be updated as part of her Interim Findings. The production and maintenance of an up to date Local Development Scheme is a statutory requirement. The LDS is also part of the suite of supporting documents which are required to make the local plan sound from the legal process point of view. Members could choose not to update the LDS at this point in time, but to do so would be to neglect statutory responsibilities and potentially risk soundness of the Local Plan ahead of the Inspector's Final Report. This course of action is therefore not recommended.

5 Consultation Undertaken or Proposed

- 5.1 No public consultation is required on Local Development Schemes.

6 Implications

Issue	Implications
Corporate Plan	Adoption of the Local Plan assists with all objectives of the Corporate Plan, but particularly the priority of 'A Borough to be Proud of'.
Financial, Resource and Property	None anticipated at this time.
Legal and Statutory	Preparation of an LDS is required by S.15(2) of the Planning and Compulsory Purchase Act (2004). This item ensures compliance with S.15(7) of the Planning and Compulsory Purchase Act 2004 (as amended by S.111(5) of the Localism Act) in respect of adopting an LDS and establishing a date from which it is effective.
Crime and Disorder	None anticipated at this time

Sustainability	None anticipated at this time
Health and Wellbeing	None anticipated at this time
Risk Management and Health and Safety	None anticipated at this time
Equality and Diversity	None anticipated at this time.

7 Appendices

7.1 Appendix 1: Swale Borough Local Development Scheme (October 2016)

8 Background Papers

8.1 None

Swale Borough Council
Swale Borough Local Development Scheme

October 2016

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Part 1: Background

1. Introduction

1.1 The Planning and Compulsory Purchase Act 2004 (as amended ¹) requires the Council to prepare and maintain a local development scheme.

1.2 The main purpose of the Local Development Scheme (LDS) is to set out the existing development plan position for the area and the timetable for other documents it is preparing. It explains:

- The statutory planning documents (called development plan documents) that the Council intends to prepare or review;
- The subject matter and geographical area that these documents will cover;
- The anticipated timetable for the preparation of each document.

The LDS also provides information on the other non-statutory planning documents the Council intends to prepare. These are summarised on the gantt chart at Appendix 3.

2. Changes to the Planning System

2.1 There have been numerous changes to the planning system at the national level over the last few years which has had a very significant impact on both the timetable and format for production of development plan documents for Swale.

- Changes to the legislation (eg through the Localism Act and through new Local Development Regulations)
- Replacement of most of the national Planning Policy Guidance Notes with the National Planning Policy Framework (2012) and National Planning Practice Guidance (ongoing).
- Revocation of the South East Plan in March 2013
- Introduction of the legal context for neighbourhood fora to prepare Neighbourhood Plans;
- Removal of the requirement for local planning authorities to submit the LDS to the Secretary of State.

The Council has amended the LDS to take account of these changes.

3. The Development Plan

¹ As amended by the Planning Act 2008 and the Localism Act 2011

3.1 The development plan for the Swale Borough Council area currently consists of:

- The 'saved' Swale Borough Local Plan (2008) policies²;
- A Proposals Map which is prepared and maintained to accompany development plan documents;
- Sittingbourne Town Centre and Milton Creek Supplementary Planning Document (2010)
- Developer Contributions Supplementary Planning Document (2009)
- Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document (2011)
- Queenborough and Rushenden Masterplan Supplementary Planning Document (2010) plus Addendum adopted March 2015.
- Kent Design Guide Supplementary Planning Document (2008)

3.2 Kent County Council is responsible for the Minerals and Waste Local Plan (adopted July 2016).

4. Types of Planning Documents

4.1 There are six different types of planning documents.

- Development plan documents
- Neighbourhood Plans
- Supplementary Planning Documents
- Community Infrastructure Levy Charging Schedule
- Statement of Community Involvement
- Annual Monitoring Reports

Development Plan Documents

4.2 Development Plan documents will represent the development plan for the area. Currently, this is the saved policies of the Swale Borough Local Plan (2008), which will be superseded by the emerging local plan 'Bearing Fruits 2031; Swale Borough Local Plan. This is set out in more detail in section 5.

Neighbourhood Plans

4.3 This is a relatively new type of planning document introduced by the government through the Localism Act 2011 and supporting statutory regulations. This allows for a community (frequently led by a parish or town council) to prepare a formal statutory plan for a designated area, provided the neighbourhood plan is in general

² Under transitional arrangements from the system prevailing prior to the Planning and Compulsory Purchase Act, a large proportion of the policies in the Swale Borough Local Plan were 'saved' from February 2011 as part of the Development Plan with the agreement of the Secretary of State.

conformity with strategic policies in the district wide development plan document. Neighbourhood Plans (NPs) are intended to give communities greater control over planning in their own areas and freedom to bring forward proposals for additional development to that set out in the district wide development plan covering their area. They cannot however, veto development proposed in the latter.

Neighbourhood plans are subject to independent examination and referendum. In principle, the Council supports the preparation of Neighbourhood Plans³, subject to their being in conformity with the Borough Local Plan and any other relevant DPDs/SPDs. However, the Council is not relying on Neighbourhood Plans for the purpose of meeting strategic development needs. Three NPs have been designated within Swale at Faversham Creek; Boughton and Dunkirk Parishes; and Minster Parish. The Faversham Creek NP has completed the Examination stage and the Examiners report found it sound to for Referendum, subject to one or two modifications. This is currently the subject of a Judicial Review. Discussions have been held with other parishes, but with a total of two town councils, and 33 parish councils the scope for more to come forward is considerable.

Supplementary Planning Documents (SPDs)⁴

- 4.4 SPDs provide guidance to supplement the policies in the development plan, and guide their interpretation and implementation. They may be topic based or be in the form of a development brief for a site or area. They do not form part of the statutory development plan and do not create new policy or allocate land, but do form part of the planning framework for the area. It is not a requirement that SPDs are listed in this LDS schedule, enabling Councils to prepare them as circumstances change. SPDs are not subject to examination, but are subject to consultation hosted by the Council before they are adopted. Swale has already adopted several SPDs which will be retained and or reviewed once the new Local Plan is adopted and the draft local plan has committed to preparing a number of these and they will be progressed when the Local Plan has been examined. No firm timetable has yet been set for these and therefore they are listed for information only in the Gantt Chart at Appendix 3.

Community Infrastructure Levy (CIL) Charging Schedule

- 4.5 The CIL is a charge that local planning authorities may choose to levy on new development to fund infrastructure needed to support growth. The emerging Swale local plan is supported by a costed infrastructure delivery plan. The Local Plan itself

³ Neighbourhood Plans are formal plans produced under Statutory Instrument 2012 No.637 The Neighbourhood Planning (General) Regulations 2012. However, the Council also recognises the value of informal local documents such as Village Design Statements and Parish Plans.

⁴ The NPPF indicates that development plan documents other than a local plan should only be used where clearly justified and SPDs should only be used where their production can help to bring forward sustainable development at an accelerated rate and must not be used to add to the financial burden on development.

indicates what infrastructure is needed to support the first five years or so of the plan period post adoption. It is the Council's intention that S.106 planning obligations would continue to be used for infrastructure which is site specific and CIL will, in time, be used to pool contributions for more strategic pieces of infrastructure; along with the use of S.278 for highways works. The viability assessment supporting the emerging local plan indicates a challenging viability situation over significant areas of the Borough, where only a small or no CIL charge would be possible. Consequently, the plan does not at this time indicate what infrastructure would continue to be funded by S106 and which would be CIL funded. The Implementation and Delivery Schedule accompanying the plan nevertheless forms the catalogue of requirements from which a Regulation 123 List of infrastructure to be CIL funded, could be drawn. Swale Borough Council intend to prepare a CIL Charging Schedule and work is at an advanced stage on this.

Statement of Community Involvement

- 4.6 This sets out the ways in which the Council will engage the community and stakeholders in the preparation, alteration and continuing review of development plan documents and development management decisions. The document sets out how this will be achieved for different types of planning document and stages of preparation, subject to the most appropriate and efficient methods and resources available. The Statement of Community Involvement was adopted in 2008 following consideration by an Inspector and has guided the production of the emerging local plan (formerly the Core Strategy) alongside compliance with regulatory changes which have occurred during that period. The council intends to review the SCI prior to embarking on any future local plan review (see Appendix 3).

Annual Monitoring Report (AMR)

- 4.7 The AMR is produced annually to report on progress in the financial year just completed. It records the progress on development plan documents and SPDs and whether any changes need to be made to the LDS. It also reports on the monitoring of a selection of key policies from the adopted local plan including delivery of housing and employment development targets. It now also includes an account of activities undertaken under the Duty to Cooperate on cross boundary planning issues. As and when a CIL charge is implemented, there will also be a monitoring report on any funds collected and how they have been spent.

Part 2: Proposed Development Plan Documents

5. New Planning Documents

- 5.1 New planning documents which the Council is preparing or proposing to prepare are listed below:

Development Plan Documents

Bearing Fruits 2031: The Swale Borough Local Plan (2014-2031)

- 5.2 The National Planning Policy Framework (NPPF) indicates that Councils should produce a single local plan for their area. This will be similar to the local plans produced under the system which predated the core strategy / local development documents system. In response to frequent changes to the national policy and process context for preparing and reviewing planning documents, the emerging Swale Local Plan has had a long gestation. It was initially conceived as a core strategy which would be supported by development plan documents dealing with site allocations and development management policies. As a result of the Localism Act 2011 and changes to the statutory regulations⁵ and the NPPF itself, the imperative was to achieve an up to date set of policies and proposals which accorded with national policy within a very short timescale; and a rolling five year housing land supply. Several stages of public consultation were carried out in the early production of the core strategy in accordance with the then extant regulations. Since a significant amount of the necessary work had already been done to provide a suitable evidence base for a core strategy, the decision was made in February 2013 to pursue the main district development plan as a local plan in accordance with the most up to date regulations and national policy. Public consultation was carried out on a draft local during August – October 2013 and these stages are shown at Appendix 1 for information. The plan was subject to publication in December 2014; and submitted for Examination in Public in April 2015. A first round of Examination in Public was held in December 2015 and the Inspector's Interim Findings published in February-March 2016. These recommended that Main Modifications be made and consulted upon, and this consultation was undertaken June – August 2016. Part of the Interim Findings was also that in view of national policy change and suitable evidence and provision of sites, there would no longer be a need for Local Plan Part 2 (Gypsy and Traveller site allocations) and that the LDS be amended to delete it, which this of the LDS complies with.
- 5.3 The remaining stages in preparing the new Local Plan are as follows;

⁵ Town and Country Planning (Local Planning) (England) Regulations Statutory Instrument No 767 2012

- Resumption of the Independent Examination in Public following proposal of Main Modifications in accordance with the Inspector 's Interim Findings (Regulation 24);
 - Receiving and publishing the Inspectors' final report (Regulation 25); and
 - Amend the draft Plan in accordance with the Inspector's recommendations if appropriate and adopt it (Regulation 26).
- 5.4 The Local Plan sets development targets for housing and employment; sets a development strategy to implement those targets through sustainable development patterns; has a suite of strategic policies for the various sub areas of the Borough; allocates land for housing, employment, retail, leisure, community services and facilities; open space and biodiversity conservation; and transport and other infrastructure. Implementation and delivery for at least the first five years of the plan period is covered. There is also a comprehensive suite of development management policies which guides development and conservation of the built and natural environment. It is supported by a comprehensive evidence base and various technical assessments. All outstanding land allocations from the Local Plan (2008) have been reviewed, recast where appropriate and incorporated in the emerging local plan; and likewise all 'saved' development management policies have been reviewed. Once the emerging Bearing Fruits Local Plan is adopted therefore, the former Local Plan (2008) will be obsolete.
- 5.5 Appendix 1 and the Gantt chart at Appendix 3 plot the main stages in the Local Plan preparation. The timetable post resumption of the Examination will depend on the Inspector's findings. It is however, based on Service Level Agreement standards provided by the Planning Inspectorate.
- 5.6 Part of the Inspector's Interim Findings (2016) was that, although there have been challenging viability and deliverability issues the Local Plan should plan for the whole plan period. The entry in the LDS for an early review was therefore recommended to be deleted. This has been done and commencement of local plan review has been recast to a more 'normal' updating to ensure accordance with statutory requirements to maintain an up to date local plan.

Community Infrastructure Levy (CIL) Charging Schedule

- 5.7 To date, Swale Borough Council has used Section 106 Agreements negotiated with developers to obtain funding necessary to deliver infrastructure and affordable housing. From April 2015, new rules (based on the Localism Act 2011, but implementation thus far delayed) will commence. This will limit the number of S106 Agreement contributions which can be pooled to provide a single infrastructure project to no more than five (backdated to April 2010), although affordable housing will remain a S106 matter. This is to encourage the use of the CIL charge which can apply to almost all built development where it is viable to do so. Government advice

has previously been that any CIL Charging Schedule should be based upon an up to date Local Plan. The Council will be looking to advance the introduction of a CIL schedule as soon as practicable which takes into account the proposed modifications to the local plan and updated viability work to reflect this. Further advice and policy change is expected in autumn 2016 which could also have a bearing on the preparation and implementation of CIL schedules and could be subject to further change.

5.8 The process for preparing CIL Schedule is similar to that for development plan documents and is set out in the Community Infrastructure Regulations (2010 – as amended) and includes the following key stages:

- Informal public consultation on the proposed Levy rates in a Draft Preliminary charging schedule (Regulation 15);
- Formal public consultation on a draft schedule for a period of at least 4 weeks during which representations can be made (Regulations 16 and 17);
- Submission to and examination in public of the draft charging schedule by and independent person appointed by the charging authority (Regulations 19 and 20);
- Publication of the examiner’s recommendations where appropriate and adoption of the Charge.

Supplementary Planning Documents

5.9 The Council anticipates preparation of a number of new SPDs to assist with implementation of the emerging Local Plan policies. These include:

- Vehicle Parking SPD;
- Affordable Housing SPD;

Whilst it is not statutorily required for the SPDs to be included in the LDS, they are listed for information. These will be prioritised as resources permit after the local plan examination, and the programme set out at Appendix 3 is therefore to be confirmed.

Strategic Environmental Assessment/ Sustainability Appraisal/ Habitat Regulations Assessment

5.10 The Council is required to assess and appraise its development plan documents to comply with Strategic Environmental Assessment (SEA)/ Sustainability Assessment and Habitat Regulations Assessment (HRA) requirements on development plan documents. Carrying out the SEA/SA/HRA ensures that the social economic and environmental implications of a plan’s proposals are taken into account at every

stage of the preparation from considering suitable alternative options onwards to the final policy and land allocation choices.

- 5.11 The SA/SEA carry their own consultation requirements, which have been carried out at each relevant consultation stage of the plans produced to date. The results of this will be submitted to the Planning Inspectorate alongside the Submission version of the Local Plans and, upon adoption, any final adjustment to the plans will be reflected in an updated SA/SEA. Neighbourhood plans will also be subject to this requirement.
- 5.12 The Planning Act 2008 removed the need for SPDs to be subject to its own SA, unless it is likely to have significant social economic or environmental impacts which were not sufficiently considered at the time the relevant 'parent' development plan policy was considered in SA.

Neighbourhood Plans

- 5.13 Although the Borough Council is not directly responsible for the preparation of neighbourhood plans, they have a duty under the statutory regulations⁶ to assist with the formal parts of the process including designation, application for some grants, and examination and referendum stages. Additionally, practical assistance in plan preparation is also expected, all of which have time and budgetary implications for the local planning authority. Currently Swale has three neighbourhood plans in progress, at varying stages and their programmes are shown, where known, at Appendix 3 for information, with two others in the early stages of discussion.

Monitoring Progress – Annual Monitoring Report

- 5.14 Progression of the preparation of development plan documents and the CIL Schedule is undertaken by the Planning Policy Team in relation to the LDS.
- 5.15 The Annual Monitoring Report is the means by which progress on meeting the plan preparation milestones and also the progress on delivery of housing and employment development targets and policy objectives of the plan are publicly reported.
- 5.16 The AMR is also an appropriate vehicle to review the existing evidence base and establish whether additional background and evidence base documents are likely to be required. Although the AMR is usually published at the end of a calendar year in respect of the preceding calendar year, the pace and scope of national policy, practice and regulatory change has been such in the recent past, that such decisions

⁶ The Neighbourhood Planning (General) Regulations 2012 Statutory Instrument No. 637

have had to be made independently of the AMR and the latter is effectively an account of what has been done. Once a CIL Charging Schedule is adopted, there is also a statutory requirement that this will need to be subject to its own annual monitoring report of funds collected and how they have been spent.

6. Reporting Structures

- 6.1 The Council already has well established reporting structure for developing planning policy documents. Specialist officers from service provision departments throughout the Council are involved in research and development of policy as and when necessary. Progress on plan preparation and key issues is reported on a monthly basis to the Council's Senior Management team.
- 6.2 Member oversight of the process is via the Local Development Framework Panel, which receives all research and draft documents at public meetings and makes recommendations to Cabinet on the way forward. The Chairman of the Panel is also currently Deputy Leader of the Council. All members receive Panel papers and any Member may come to Panel and speak (but not vote) with the Chairman's agreement.

7. Resources

- 7.1 The responsibility for the preparation of the development plan lies primarily with the Spatial Planning Manager, with Head of Planning Services. The team also comprises
- 1 fte Principal Planning Officer
 - 2.6 fte Senior Planning Officers
 - 1fte Technical Officer
 - 0.6 GIS Technican
 - 0.6 Technical support officer
- 7.2 The team draws on the expertise of colleagues in house for evidence and policy development including Development Management team colleagues; Conservation and Design Officer; Housing Services; Economy and Community Services; Environmental Health; and Legal Services as necessary. The team also works closely with Kent County Council colleagues, especially in respect of developing appropriate transportation evidence and policy; and for requirements for other KCC community services likely to arise from proposed development and also with other statutory service and utility providers.
- 7.3 External consultants are used to assist with specialist subject areas where expertise is not available in house and/ or a wider perspective that the Borough is needed to set the findings and any policy action in context. These include;

- Transport modelling;
- Viability assessment;
- Employment land and job creation work;
- Strategic housing market Assessment;
- Gypsy and traveller accommodation assessment;
- Retail needs assessment; and
- The SEA/SA/HRA process forms and integral part of the development plan process and has significant resource implications. It is necessary to make use of external consultants to validate the work and to bring an independent view to the appraisal work.

7.4 Future resource needs may vary with any further change to policy and practice and whilst this should be recorded through the AMR, a pragmatic approach to speedy and cost effective procurement will be taken.

8. Risk Assessment

8.1 There are a number of areas of risk which can (and indeed have) affect delivery of the development plan and CIL Schedule. These are set out below with the proposed risk reduction measures.

Key Risks	Likelihood	Impact	Risk Reduction Measures
Staffing changes; loss off staff either temporarily to sickness; career progression or reducing local government finances. The LDS is prepared on the basis of full contingent of staff. Vacancies in the team, even if swiftly approved by corporate management for replacement will take typically 4- 6 months to replace.	Med	High	Involvement of whole team, as far as possible in the whole programme to provide continuity. Consider use of temporary staff /secondment or consultants for medium term or discrete issues. Longer term staffing issues, especially if funding related may require re-casting and re-prioritising the programme.
Budgetary Constraints- insufficient funding. Cost of collecting	Low	High	Spatial Planning Manager and Head of Service will seek to ensure appropriate long term funding for the duration of plan preparation and review through the Council's annual

evidence base especially is high and continues to rise with changes to government policy, which may not have been foreseen at budget setting time and new pieces of specialist work which require outsourcing (eg viability and transport modelling).			<p>budget review process and ensure rollover of funds year to year for plan making.</p> <p>Look for ways to minimise costs eg by joint commissioning of work with neighbouring districts.</p> <p>Review LDS if funding is not available as required and/ or seek alternative sources of funding (eg Neighbourhood Plan grants).</p>
ICT failure. Most of the development plan documents and consultation facilities are electronically and/ or web based, with externally hosted publication and consultation facilities	Low	Med	<p>MKIP ICT Service is required to provide the necessary ICT infrastructure and capacity to properly support the Council's requirements including preparation of the Local Plan.</p> <p>Documentation is backed up daily by internal and external hosts. Outage during consultation events may need to be compensated for by appropriate time extensions to the consultation event affected.</p> <p>Short term power outage has been known to result in a couple of days loss of work time, which could affect key times in the programme eg submission or EIP, which could result in the need for short extensions to deadlines.</p>
New national policy guidance, legislation, or practice being published part way through plan preparation. Changes since 2011, especially the NPPF have already caused serious delays to plan preparation and change to the policy context continues. Lead in time for plan preparation and collation of evidence base cannot keep up	High	High	<p>Keep abreast of high level policy change and incorporate in the plan making process as far as practicable, through amendment to LDS if appropriate.</p> <p>The Council considers that the need to have an up to date plan in place is critical and therefore plan making needs to continue irrespective of these risks. Early review of a plan would be sought rather than abandonment of a substantial body of work at an advanced stage of preparation.</p> <p>Seek advice of Planning Inspectorate and / or PAS on key issues.</p>

with this and could result in delay to programme, or potentially unsoundness.			
Documents being found unsound or subject of legal challenge. Development targets reflect the challenging viability and deliverability issues prevailing in Swale.	Med	High	Ensure that regulatory requirements are met. Ensure evidence base is as robust as possible. Build criteria into strategic policy to 'trigger' local plan review. Use of PAS 'critical friend' review. Ensure corporate management and membership are fully appraised of risks associated with decisions on policy content of the plan. Review LDS as urgent priority if plan rejected.
Insufficient capacity at government agencies (PINS)	Low	Med	Continuing liaison with PINS administrative team and early establishment of a Service Level Agreement for Examination in Public.

Part 3: Future Preparation of Planning Documents**9. Priorities and Timetables**

- 9.1 The proposed programme is subject to change arising from a variety of sources including change to government policy and practice; change to local circumstances and other factors which may give rise to change in policy priorities. National planning legislation, policy and practice guidance continues to change at a rapid rate and further updates to the programme may be needed to accommodate these. The LDS will be amended accordingly, with Local Development Framework Panel approval (or at least the Chairman's delegated approval) and made available on the Council's website.

Appendix 1: Bearing Fruits 2031: The Swale Borough Local Plan Part 1

Title	Bearing Fruits 2031: The Swale Borough Local Plan Part 1
Topic and issues covered	The plan sets out strategic visions and objectives for the area; a development strategy with targets for the achievement of sustainable development; a key diagram indicating broad locations for growth, protection and enhancement; a series of linked core policies relating national planning policy themes to local objectives and policies; detailed land allocation policies and areas of search; a suite of criteria based policies for development management decision making; and a framework for implementation and delivery, with supporting infrastructure requirements.
Geographical Area of Coverage	The administrative area of Swale Borough Council
Is it a development plan document	Yes
Chain of conformity	The Local Plan is in general conformity with the NPPF and other relevant national guidance. It will have regard to the Council's corporate plan and other relevant strategies of the Council.
Will it be produced jointly with other authorities and will this involve a joint committee? If so, with whom?	No, although the Duty to Cooperate on cross boundary issues is observed.
Timetable and Milestones	
Reg 18 – consultation on draft Local Plan	August – October 2013
Reg 19 – 20 Consultation on Publication Version plan	December 2014 – January 2015
Reg 22 – Submission of plan	April 2015
Reg 23, 24 - Examination in Public* Inspector's Interim Findings	December 2015 February March 2016
Main Modifications Consultation	24 June - 8 August 2016
Resume Examination in Public	January 2017
Reg 25 - Inspectors Final Report*	Spring 2017*

Reg 26 – Adopt DPD*	<p>Early Summer 2017</p> <p>*These stages will be influenced by the Planning Inspectorate and therefore dates are estimates.</p>
Resources	<p>This DPD is developed by the Council's Planning Policy Team, in conjunction with other Council serves and other public bodies. Where specialist consultants' advice or assistance is needed to construct a robust evidence base, this will be funded from the development plan budget and overseen by the Planning Policy Team.</p>
Consultations	<p>The Council has and will continue to consult across a wide range of stakeholders in line with the adopted Statement of Community Involvement (SCI), as amended by changes to relevant regulations.</p>
Review	<p>The plan will be monitored annually and will be the subject of a review if this highlights such a need. Review will otherwise be undertaken in accordance with national policy requirements to maintain an up to date plan.</p>

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Appendix 2: Community Infrastructure Levy Charging Schedule

Title	Swale Community Infrastructure Levy Charging Schedule
Topic and issues covered	Development of an appropriate CIL charge to help meet the cost of infrastructure arising from new development across the Borough. The list of infrastructure to be so funded (the Regulation 123 List) will be identified from the Implementation and Delivery Schedule which supports the Local Plan and this item of infrastructure will then be excluded from any site specific S106 negotiations. It is likely that the CIL will be used for more 'strategic' elements of infrastructure than items specific to a single site.
Geographical Area of Coverage	The administrative area of Swale Borough Council, but the Levy may be set at different levels for different zones of the Borough and for different land uses, depending on the supporting viability evidence.
Is it a development plan document	No
Chain of conformity	The CIL will need to be in general conformity with the statutory regulations and guidance on this matter and other relevant national guidance (including the NPPF). It will draw on the Implementation and Delivery Schedule which supports the Bearing Fruits Local Plan Part 1, in order to draft a Regulation 123 list for CIL funding.
Will it be produced jointly with other authorities and will this involve a joint committee? If so, with whom?	No
Timetable and Milestones	
Preliminary Charging Schedule – Consultation (six weeks)	Jan 2017
Submission Charging Schedule – Consultation (six weeks)	March 2017
Examination	Late Spring 2017
Adoption / Implementation	Late summer 2017
Resources	This CIL Levy will be developed primarily by specialist consultants supported by the Council's Planning Policy Team, to facilitate

	early adoption. Implementation arrangements may be in conjunction with other Council services. Where specialist consultants' advice or assistance is needed to construct a robust evidence base, this will be funded from the development plan budget and overseen by the Planning Policy Team.
Consultations	The Council has and will continue to consult across a wide range of stakeholders.
Review	This topic will be monitored through its own the Annual Monitoring Report and will be the subject of review should viability indications change which indicate that a review of the Levy would be advisable and / or there are significant changes to infrastructure requirements arising from the Local Plan development proposals

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Appendix 3: Draft Programme for Preparation of Swale Development Plan Documents: March 2015

Documents	2016												2017												2018												2019											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Swale Local Plan Part 1:																																																
Preferred Option draft plan (Consultation August October 2013)																																																
LDF Panel rec Submission Draft 28 October 2015																																																
Ratification Cabinet / Full Council 26 Nov 2014																																																
Publish submission draft 6 weeks consultation 19 Dec – 30Jan																																																
Submission w/c 20 April 2015																																																
EIP Nov /Dec 2015																																																
Inspector's Interim Findings Feb /Mar 2016	I	I																																														
Main Modifications Consultation June / Aug 2016						C	C	C																																								
Notice of Resumption of EIP Nov 2016										N																																						
EIP Hearings Resume January 2017											E																																					
Inspector's Final Report Spring 2017*																		I																														
Adopt Mid 2017* *estimated dates as led by Inspectorate – requirement for Further Main Modifications could result in delay)																			A	A																												

Documents	2016												2017												2018												2019												
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
Community Infrastructure Levy Schedule Members Workshop July 2015 LDF Panel Sept 2015 Preliminary Charging Schedule Consultation - 6 weeks. Submission Charging Schedule - 6 weeks Notice of Examination - minimum of 2 weeks Examination (potentially written reps) Adoption Autumn 2017													J	F																																			
Local Plan Review Commence Jan 2018 Notice of Commencement Jan 2018 Issues and Options Consultation early 2019 Preferred Option Consultation late 2019 Publication Summer 2020 Submission Late 2020 Adoption Autumn 2021																																					D												
Statement of Community Involvement Review Commence Sept 2017 Consult on contents Oct - Nov Response and Draft SCI to Panel Feb 2018 Consult on draft SCI Mar - April 2018 Consider responses and appropriate amendments and adopt SCI July 2018																									S	O	C	C	*	C	C						A												

Documents	2016												2017												2018												2019											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Vehicle Parking Supplementary Planning Document																																																
Affordable Housing Supplementary Planning Document																																																
Annual Monitoring Report																																																
CIL Annual Monitoring Report																																																
Faversham Creek Neighbourhood Plan																																																
Pre Submission consult 6 weeks 28 Apr – 9 June 2014																																																
Nov – Dec 2014 Reg 16 Consultation on submission plan																																																
Submission (April 2015)																																																
Examination October 2015																																																
Inspector's Report March 2016																																																
SBC Agree Inspector's Report																																																
Judicial Review (announced Sept 2016)																																																
SBC approve plan & any modifications 2017*																																																
Referendum 2017*																																																
Adoption 2017*																																																
*Dates advisory due to uncertainty around timing and outcome of Judicial Review)																																																

Documents	2016					2017					2018					2019																				
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Boughton and Dunkirk Neighbourhood Plan Designated and under preparation programme to be confirmed																																				
Minster Neighbourhood Plan Designated – Programme not established																																				

Notes:

	Adopted and saved LDF documents.	S	Submission to Secretary of State (Reg 22)
	Pre Production	N	Notice of EIP (Reg 24)
	Production	E	Examination in Public (Reg 23-24)
	Examination in Public stages	I	Inspector's Report (Reg 25)
	Adoption /Implementation	A	Adopt
C	Public Consultation Stages (Reg 18) for DPDs	D	Draft SPD Consultation
PS	Publication of Submission Document (Reg 19, 20)	PC	Preliminary Consultation Draft for Community Infrastructure Levy
		M	Consultation on Modifications

Cabinet Meeting		Agenda Item: 8
Meeting Date	5 October 2016	
Report Title	Bearing Fruits: Swale Borough Local Plan: Request for Renewal of Delegated Authority to facilitate Examination In Public	
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning	
SMT Lead	Emma Wiggins	
Head of Service	James Freeman	
Lead Officer	Gill Harris	
Key Decision	Yes/No	
Classification	Open	
Forward Plan		
Recommendations	<p>1. Members are requested to renew delegated authority for Head of Planning Services in consultation with the Cabinet Member for Planning to agree the following for publication and debate at the Local Plan EIP:</p> <ul style="list-style-type: none"> a) draft responses to representations made on the Main Modifications to the plan; b) if deemed necessary by the Inspector, draft further modifications to the plan which may arise from consideration of the above; c) if deemed necessary by the Inspector, draft modifications which may arise from discussions during the course of the EIP; 	

1 Purpose of Report and Executive Summary

- 1.1 Members will recall that on 2 September 2015, Cabinet granted delegated authority (Minute 173) for Head of Service in Consultation with the Cabinet Member for Planning to respond to recommendations from the Local Plan Inspector to provide as much information as possible and to keep a rolling schedule of possible draft responses to the objections to the Local Plan and potential modifications, so as to enable this and facilitate constructive discussion at the Examination in Public.
- 1.2 Minute 173 referred specifically to draft responses to representations made on the publication version of the plan and modifications arising from them. Since then, the Inspector has provided Interim Findings and recommendations for Main Modifications to the Plan, which were to be consulted upon, before the results of

the consultation were reported back to her and the Examination in Public (EIP) resumed.

- 1.3 All of that has been carried out and we are now at the point where the results of the consultation will be going back to the Inspector. She will be looking for responses to the representations and any other questions she may have in the period before and during the resumed EIP. An extension of the delegated powers to Head of Service in conjunction with the Cabinet Member for Planning is therefore sought. It is assumed that this will be as far as possible in line with the decisions on Main Modifications recommended by the Local Development Framework Panel of 19 May 2016 and agreed at Cabinet of 25 May 2015 (Minute 700).

2 Background

- 2.1 Bearing Fruits 2031: The Swale Borough Local Plan was submitted to the Planning Inspectorate in April 2015 for EIP. The EIP was held during November/December 2015 and paused, pending the Inspector's Interim Findings and recommendations. These were published in February – March 2016 and recommended Main Modifications to the Plan including a significant increase in the housing target and that additional housing land allocations would need to be made to meet that. The Modifications would need to be consulted upon, before resuming the EIP later in 2016.
- 2.2 Members considered the Main Modifications at Local Development Framework Panel of 19 May and these were duly agreed for consultation (Minute 700). The public consultation itself ran from 24 June – 8 August 2016 and a very substantial response has been received. This has now been done and a considerable response to the consultation has been received.
- 2.3 The Council is technically still in mid EIP, with the Inspector still leading the process at this stage. We will nevertheless still need to be in a position to draft responses to the representations received on the Main Modifications and respond swiftly during the resumed EIP. It is clearly impracticable to refer constantly to LDF Panel and Cabinet for approval of multiple matters on a rolling basis in the run up to the resumption of the EIP, and during the hearings themselves.
- 2.4 It is therefore proposed that the provisions of Minute173 are renewed to enable constructive and timely response during the remainder of the EIP process. The parts of Minute173 relating to delegated powers to agree Statements of Common Ground between the Council and other official bodies; and responding to adjoining local planning authorities plan processed were not limited to any specific stage of the process. They have been working satisfactorily and no further amendment to them is proposed.

3 Proposal

- 3.1 Members are requested to extend delegated authority for Head of Planning Services and the Cabinet Member for Planning to agree the following for publication and debate at the remainder of the Local Plan EIP:
- draft responses to representations made on the Main Modifications to the plan in accordance with the Council's position following recommendations of Local Development Framework Panel of 19 May 2016 (Minute 700);
 - should the Inspector indicate it necessary to do so, draft further main modifications to the plan which may arise from consideration of the above;
 - draft modifications which may arise from discussions during the course of the remainder of the EIP, should the Inspector consider it necessary to do so.
- 3.2 Members should be aware that should the Inspector recommend any further Main Modifications which are new issues not previously consulted on, she may well recommend that further consultation be carried out on them. Should that occur, we anticipate that Members would be able to examine proposed further main, modifications before approving them for public consultation, and subsequent re-submission to the Inspector.
- 3.3 Where issues have been consulted upon and subject to discussion at the resumed EIP, it is possible that the Inspector may see fit to make recommendations as part of her Final Report, without the need for further consultation.

4 Alternative Options

- 4.1 There is not considered to be any practical alternative to the means suggested of progressing the Swale Borough Local Plan. Members could refuse to enable officers to respond in a constructive way to enable consideration of responses to the Main Modifications to the Plan, or engage in positive discussion on issues arising at the resumed EIP to enable the Inspector to reach her final recommendations and facilitate adoption of the plan as soon as possible. This course of action would at best further delay the EIP and adoption of the plan and at worst, potentially lead to a verdict of unsoundness on the Local Plan and the need to restart the process from scratch.
- 4.2 Current experience is, as anticipated, that development pressures are continuing to escalate, with developers whose sites have not been included as allocations in the plan seeking to 'beat the system' by submitting planning applications and getting them approved on Appeal ahead of Local Plan adoption. Plan reviews for London and neighbouring authorities are also progressing, with increased objectively assessed needs and housing targets which will also need to be taken into account through Duty to Cooperate. Progressing the current Local Plan to adoption as soon as possible is therefore important and this course of action is therefore not recommended.

5 Consultation Undertaken or Proposed

- 5.1 At this point in the process, the Council is still in mid EIP and responding to the Inspector's recommendations. Main Modifications recommended by the Inspector have been subject to Council ratification and public consultation and will now be reported back to the resumed EIP for further discussion. Should the Inspector consider that a round of Further Main Modifications is necessary, she will recommend accordingly and that further consultation be undertaken.

6 Implications

Issue	Implications
Corporate Plan	Adoption of the Local Plan assists with all objectives of the Corporate Plan, but particularly the priority of 'A Borough to be Proud of'.
Financial, Resource and Property	Failure to provide the context to defend the modifications to the Local Plan could result in it being found unsound, with consequent costs of redrafting, and potential further costs arising from any Appeals against refusal of planning permission.
Legal and Statutory	There is a Duty to Cooperate with other local authorities on strategic planning matters under Section 33A of the Planning and Compulsory Purchase Act 2004 (inserted via the Localism Act 2011). Compliance with this is required through the National Planning Policy Framework, and the National Planning Practice Guidance.
Crime and Disorder	None anticipated at this time
Sustainability	The Main Modifications to the Local Plan have already been subject to Sustainability Appraisal and Habitat Regulation Assessment.
Health and Wellbeing	None anticipated at this time
Risk Management and Health and Safety	Failure to provide the context to consider defend modifications of the Local Plan could result in its adoption being further delayed or being found unsound, with consequent costs and implications for development management decisions.
Equality and Diversity	None anticipated at this time.

7 Appendices

- 7.1 None

8 Background Papers

8.1 None

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Cabinet Meeting		Agenda Item: 9
Meeting Date	5 October 2016	
Report Title	Award of Merchant Services Contract	
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance	
SMT Lead	Nick Vickers, Head of Finance	
Head of Service	Nick Vickers, Head of Finance	
Lead Officer	Philip Wilson, Chief Accountant	
Key Decision	Yes	
Classification	Open	
Forward Plan	Reference Number: 5	

Recommendations	<ol style="list-style-type: none"> 1. That in principle the Cabinet decides to place its merchant services requirements with Worldpay. 2. That the period of the contract should run for 3 years from 16 January 2017 and with the additional option to extend for a further 2 years. 3. That the Cabinet approve delegated authority to the Head of Finance in consultation with the Cabinet Member for Finance and Performance to enter into the contract with Worldpay and to determine whether the contract should be extended by a further 2 years after the conclusion of the basic 3 year term.
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1. Purpose of Report and Executive Summary

- 1.1 This report advises Cabinet with the results of the merchant services tender evaluations and requests authority to award the contract to the preferred supplier.

2. Background

- 2.1 The Council requires merchant services to facilitate the acceptance and processing of debit and credit card transactions. There is a charge based on the value of the transaction which can vary according to the type of card used.
- 2.2 The cost of merchant services were reviewed together with banking services in 2010 which identified that the cost of merchant services was in line with the market, but that the cost of banking services was not, and therefore the latter service only should go out to tender. This was set out in the report to the Executive on 9 June 2010 and members agreed to go out to tender for banking services only.
- 2.3 Since then, the costs for merchant services had not changed significantly until recently. In 2014/15 the cost of core merchant services was £45,700, but in 2015/16

it was £76,200. This was largely due to the charges for one debit card provider moving from a pence per transaction fee to one that was mainly percentage based.

- 2.4 The Council obtained the services of a consultant to review the current service and to assist in the tendering and assessment process.
- 2.5 In 2015/16, the Council received £11m income via credit/ debit cards (of which £9m was for council tax) and it is vital that this service is efficient, accurate and reliable.
- 2.6 The value of the contract required compliance with the Public Contract Regulations 2015 and therefore a notice inviting expressions of interest was placed in the Official Journal of the European Union in July 2016.
- 2.7 The tender had requested quotes for four options – for a three or five year contract and each with an option of proceeds being credited to the Council’s bank account within 1 or 2 days of the date of transaction. After reviewing the submissions by all tenderers, it was decided to award the contract based on the option of a three year contract and transaction + 1 day. This approach was intended to achieve competitive pricing, maintain financial stability and consistency in quality provision, and provide the opportunity to review the contract at the end of basic contract term.
- 2.8 The option of extending at the end of three years in 2020 will depend on an assessment of the performance of the contract. It is recommended that this decision is delegated to the Head of Finance and the Cabinet Member for Finance and Performance.
- 2.9 The tender was conducted as an open tender and advertised through the Kent Business Portal, Contracts Finder, Swale Council website and the Official Journal of the European Union. The tender was issued to all those organisations who had expressed an interest. Three tenders were received, all of which were compliant. The tenders were evaluated by the project team based upon 70% price and 30% quality.
- 2.10 All tenderers submitted high quality responses which were evaluated by officers in the Finance Department with support from the Council’s Procurement Team and the contractor. The scoring was very close.
- 2.11 The tender price and quality scores are summarised in the table below:

Organisation	Price Score	Quality Score	Total Score
Worldpay	65	24	89
Company B	70	19	89
Company C	56	26	82

2.12 As can be seen there was a tie in two of the total scores. The difference in annual price is £2,900 between the two highest scoring tenderers. Worldpay has scored higher on the grounds of quality and as the existing provider, the implementation costs, particularly from internal IT charges, will be far lower. The 2015/16 core merchant services cost was £76,200 and the anticipated reduction in this cost is estimated to be with Worldpay in the region of £30,000 per annum. Both of the top scoring companies are good and provide an economically advantageous offer but Worldpay is the “best fit” to satisfy the particular needs and requirements of the Council.

2.13 The panel therefore recommend that Cabinet decide to place its merchant services requirements with Worldpay.

3. Proposal

3.1 To approve the recommendation that the Council places its merchant services requirements with Worldpay.

4. Alternative Options

4.1 The tendering process for this contract was an open process and fully compliant with the Council’s Contract Standing Orders, and therefore it is unlikely that another tendering process would result in a result different from the one presented in this report.

5. Consultation Undertaken or Proposed

5.1 No consultation was carried out for this report.

6. Implications

Issue	Implications
Corporate Plan	The selection of a tenderer to meet the Council’s merchant services requirements assists the delivery of the “council to be proud of” priority within the Corporate Plan.
Financial, Resource and Property	The 2015/16 core merchant services cost was £76,200. The anticipated annual reduction in cost is estimated to be in the region of £30,000. The whole life value of the contract is £231,000.
Legal and Statutory	The retendering process has to meet the Public Contract Regulations 2015.
Crime and Disorder	None.
Sustainability	The quality scoring for this contract included a social value element and all tenderers provided positive responses to this.

Issue	Implications
Health and Wellbeing	None.
Risk Management and Health and Safety	There is a risk of challenge by any unsuccessful applicants to the tender, and a very high risk of challenge if the Council does not go ahead with this tender.
Equality and Diversity	The quality scoring for this contract included a social value element and all tenderers provided positive responses to this.

7. Appendices

7.1 There are no appendices.

8. Background Papers

8.1 All background papers to this report are held in the Finance Department.

Cabinet Meeting		Agenda Item: 10
Meeting Date	5 October 2016	
Report Title	Business Rate Pooling	
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance & Performance	
SMT Lead	Nick Vickers, Head of Finance	
Head of Service	Nick Vickers, Head of Finance	
Lead Officer	Nick Vickers, Head of Finance	
Key Decision	No	
Classification	Open	
Forward Plan	Reference number:	
Recommendations	1. To delegate to the Head of Finance in consultation with the Cabinet Member for Finance & Performance any decision to enter into a business rates pool for 2017/18.	

1 Purpose of Report and Executive Summary

- 1.1 Local authorities are able to enter into arrangements with other Councils to pool their business rates. This report seeks delegations to enable the Council to re-enter a pool in 2017/18.

2 Background

- 2.1 Legislation allows councils to voluntarily enter into a business rates retention pool. Councils within a pool are treated as a single entity with tariffs and top ups netted off and a single levy rate applied. In two tier areas this creates the potential for the levy paid by Borough Councils being reduced thus retaining more resources in the local area. In 2014/15 Kent County Council (KCC) and Maidstone Borough Council created a pool. In September 2014 Cabinet agreed to the principle of participation in a pool and 10 of the 12 Borough Councils committed to a pool with KCC for 2015/16. Further to this in October 2015 the Cabinet gave delegated powers to the Head of Finance in consultation with the Cabinet Member for Finance & Performance to join for 2016/17. Once again the pool proceeded with 10 Councils with Dartford replacing Dover.
- 2.2 Within the pool in each Borough area additional income is divided 30% Borough/30% KCC/30% for projects in the Borough area and 10% for a contingency. Any potential revenue is one-off and not taken into the base budget. For the one year which is complete, 2015/16, Swale was the largest

financial beneficiary of the pool with total additional revenue generated of £1.093m, split £330k to Swale BC, £328k to KCC, £328k to a 'Growth Fund' (jointly between KCC and Swale BC) and £109k earmarked for safety net payment.

- 2.3 A decision in principle needs to be taken by 31 October on whether the pool should continue into 2017/18. Whilst the Council monitors its own business rates income the pool requires the accounting body for the pool to coordinate monitoring across the 10 billing authorities and provide information back on the operation of the whole pool. Discussions are underway currently with KCC and the other boroughs but we do not yet have the full information to make a final decision.

3 Proposals

- 3.1 The pool is attractive as a way of retaining income in the county which would otherwise be paid to DCLG and at this stage it is anticipated that it will be in the Council's interest to stay within the pool.

4 Alternative Options

- 4.1 The decision could be to cease membership of the pool but this would mean the authority losing the benefits set out in paragraph 2.1 and 2.2 of the report.

5 Consultation Undertaken or Proposed

- 5.1 Consultation is taking place with KCC, Fire and Rescue and the other Borough and District Councils.

6 Implications

Issue	Implications
Corporate Plan	Good financial management is a key to achieving Corporate Plan objectives.
Financial, Resource and Property	As detailed in the report.
Legal and Statutory	None identified at this stage.
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.

Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.

7 Appendices

None.

8 Background Papers

None.

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Recommendations for approval

Swale Joint Transportation Board – 12 September 2016

Minute No. 866 – Swale Freight Management Plan

- (1) That the preparation of a Swale Freight Management Plan to identify opportunities to reduce air pollutants from freight transport and other commercial vehicle sources in the Borough be supported.
- (2) That any other relevant concerns be considered and be incorporated in the final report.
- (3) That the completed DEFRA approved report be brought back to the JTB early in 2017.
- (4) That the JTB notes the officers' report and agrees the value of rail freight as part of a multi-modal integrated transport policy for the Borough to help bring further economic benefit.
- (5) That the JTB recommends the provision of an international rail head on the Sheerness Branch Line be included in the Swale Freight Management Plan to be delivered by DEFRA in December 2016, as a necessary part of the Borough and Kent's freight transport infrastructure.
- (6) That the JTB recommends the provision of an international rail head on the Sheerness Branch Line be included in the Swale Transportation Strategy 2014 – 31 as a necessary part of the Borough and Kent's freight transport infrastructure.
- (7) That the JTB recommends officers prepare and submit, in consultation with the Chairman and Vice-Chairman of the Board, a response on behalf of the Board and Swale Borough Council to Kent County Council's Local Transport Plan 4: Delivering Growth without Gridlock 2016 – 31 consultation and the Freight Plan consultation, highlighting the benefit of an international rail head in the county and proposing the Sheerness Branch Line as the preferred site due to proximity to the continent, the availability of suitable land, existing and proposed infrastructure for modal shift opportunities, (sea, rail and road) and local industry support.

Minute No. 867 – Formal Objections to Traffic Regulation Order Swale Amendment 1

- (1) That the proposed restrictions in The Street/Canterbury Road, Boughton-under-Blean/Dunkirk be progressed.
- (2) That the proposed restrictions to the rear of St. Michael's House in Sittingbourne not be progressed and to wait for Kent County Council Highways & Transportation to come back with further proposals for the road.
- (3) That the proposed restrictions in Cooks Lane, Milton Regis be progressed and Biffa be reminded of their comments for the Planning Application at their Gas Road site.

Minute 868 – Informal Consultation on Proposed Waiting Restrictions at Love Lane, Faversham and Capel Road (west), Sittingbourne

- (1) That the proposed restrictions in Love Lane, Faversham, including the amendments suggested by a resident to add further restrictions at the vehicle entrance to the flats near the cemetery be progressed.

- (2) That the proposed restrictions in Capel Road (west), Sittingbourne be deferred to the December meeting of the JTB so that Ward Members could encourage more residents to respond to the consultation.