
COUNCIL

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 9 January 2019 from 7.00pm - 9.32pm.

PRESENT: Councillors Sarah Aldridge, Mike Baldock, Cameron Beart, Bobbin, Monique Bonney, Andy Booth, Tina Booth, Lloyd Bowen, Bowles, Roger Clark, Derek Conway, Mike Cosgrove, Richard Darby, Mike Dendor, Duncan Dewar-Whalley, Paul Fleming, Mick Galvin, June Garrad, Sue Gent, James Hall, Nicholas Hampshire, Harrison, Mike Henderson, Alan Horton, James Hunt, Ken Ingleton (Deputy Mayor), Nigel Kay, Samuel Koffie-Williams (Mayor), Gerry Lewin, Peter Marchington, Padmini Nissanga, Prescott, Ken Pugh, George Samuel, David Simmons, Lynd Taylor, Roger Truelove, Anita Walker, Ghlin Whelan, Mike Whiting, Ted Wilcox, Tony Winckless and John Wright.

OFFICERS PRESENT: David Clifford, Estelle Culligan, Victoria Hadfield, Jo Millard, Mark Radford, Nick Vickers and Emma Wiggins.

APOLOGIES: Councillors Adrian Crowther, Mark Ellen, Bryan Mulhern and Ben Stokes.

414 PRAYERS

The Mayor's Chaplain said Prayers and led a minute's silence in memory of Alan Marolia, officer at Swale Borough Council, who sadly passed away recently.

The Mayor and several other Members paid tribute to Alan.

The Chief Executive praised Alan's attitude to his work and spoke of how proud he was of staff supporting each other at such a difficult time.

Members welcomed Councillor Prescott to the meeting after his stay in hospital.

415 EMERGENCY EVACUATION PROCEDURE

The Mayor outlined the emergency evacuation procedure.

416 MINUTES

The Minutes of the Meeting held on 14 November 2018 (Minute Nos. 331 - 344) were taken as read, approved and signed by the Mayor as a correct record.

417 DECLARATIONS OF INTEREST

Councillor Mike Baldock disclosed a non-pecuniary interest in Item 7 – Motion on railways - as he sat on the Kent Community Rail Partnership.

Councillor John Wright disclosed a non-pecuniary interest in Item 7 – Motion on railways – as he sat on the Kent Community Rail Partnership.

418 MAYOR'S ANNOUNCEMENTS

The Mayor reminded Members of the Council procedures rules. In response to a Member on whether a mis-representation of a Member not as part of the debate could be raised, the Mayor advised he could be flexible.

The Mayor highlighted events he had attended in recent months which included Christmas lights at Highsted School, planting a tree at Oasis Academy, Companionship for Christmas on Christmas Day at Phoenix House and The Christingle event at Canterbury Cathedral. The Mayor had also enjoyed the Greek Orthodox blessing at sea in Margate.

The Mayor also advised Members that eight of the 22 awards given at the recent Kent Environment Strategy event were won by Swale organisations. Members applauded the achievement.

419 MOTIONS SUBMITTED IN ACCORDANCE WITH PROCEDURE RULE 15Hours of Access at Libraries

Councillor Roger Truelove proposed that:

The Council calls on Kent County Council to abandon any proposal to reduce the hours of public access at our local libraries.

This was seconded by Councillor Harrison who reserved her right to speak

In proposing the motion, Councillor Truelove said that the cuts in hours were considerable but there was no specific detail to assess who would be worse-affected. He questioned whether the proposal to reduce hours was financially-led as savings were minimal, and criticised the lack of detail in Kent County Council's (KCC) proposal and how the consultation was carried out. He highlighted the benefits of libraries to residents.

The Leader said that Swale Borough Council (SBC) could not tell another tier of Government what to do and there was not yet enough information to make a valid judgement.

The Leader of the Swale Group said that SBC had previously raised opinions on non-SBC proposals and asked why not now? He questioned why there needed to be cuts to services when additional funding was provided by Section 106 payments, and highlighted the lack of an Equality Impact Assessment.

The Leader of the Independent Group said that library services should be maintained and advised that Faversham Town Council would be writing to KCC. He encouraged SBC to do the same.

The seconder of the motion drew attention that reducing the hours of the library services would cut-off access to those residents applying for jobs or benefits, and said that many residents relied on using services for support. She considered that the library services were a vital community hub.

In summing up, Councillor Roger Truelove stressed that SBC should be representing local people.

During the debate a recorded vote was requested.

In accordance with Council Procedure Rule 19(5), a recorded vote was taken, and voting was as follows:

For: Baldock, Bonney, Darby, Fleming, Galvin, Garrad, Hall, Harrison, Henderson, Nissanga, Truelove, Walker, Whelan and Winckless. Total equals 14.

Against: Aldridge, Beart, Bobbin, Booth A, Booth T, Bowen, Bowles, Clark, Conway, Cosgrove, Dendor, Dewar-Whalley, Gent, Horton, Hunt Ingleton, Kay, Koffie-Williams, Lewin, Marchington, Prescott, Pugh, Samuel, Simmons, Taylor and Wilcox. Total equals 26

Abstained: Hampshire, Whiting and Wright. Total equals 3.

The Mayor advised that the motion was lost.

Investment in Railways

Councillor Roger Truelove proposed that:

The Council calls on our two constituency MPs to press their Government to find alternative ways of investing in railways other than perpetual annual hikes in fares.

This was seconded by Councillor Tony Winckless.

In proposing the motion, Councillor Roger Truelove said that investment in railways should be shared as everyone benefitted. He said the rise in fares was a disincentive for those that needed to travel to work in industries that benefitted all, and he highlighted other services tax payers paid for that they do not necessarily benefit from.

The seconder of the motion said that an increase in fares pushed more rail users onto already overcrowded roads.

The Leader said that whilst he had some sympathy and encouraged car drivers to use public transport, the fare increases were in line with inflation. He agreed that investment in railways was necessary but considered that rail users should pay their proportion. The Leader also pointed out that the low paid often chose to live and work in the Borough and should not have to subsidise those that commute, and earn higher wages in London.

The Leader of the Swale Group said that much of the new housing being built in Swale was being occupied by people moving down from London who continued to work in London. He highlighted the impact a larger population would have on traffic on the roads and the environment, and said use of the railways should be encouraged and invested in.

The Leader of the Independent Group said that investment was required to carry more people on the railway and that the frequency of *all* public transport needed to be increased.

A debate ensued and the following points were made:

- Rail users might accept increases if the service was improved;
- there was an in-equitability in compensation between rail service providers;
- there was a deterioration in service;
- the high cost of getting around the Borough;
- passenger numbers had doubled since privatisation;
- there was already a lot of investment;
- there was a current review of the franchising of railways;
- railcard incentives;
- the motion did not add to what was already being done;
- why should tax payers fund commuters choice to work in London?; and
- Swale was already in an area where extra capacity was being provided.

In summing up, Councillor Roger Truelove said that there were a lot of commuters in Swale that were unhappy with the price rises.

During the debate a recorded vote was requested.

In accordance with Council Procedure Rule 19(5), a recorded vote was taken, and voting was as follows:

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Against: Aldridge, Beart, Bobbin, Booth A, Booth T, Bowles, Clark, Conway, Cosgrove, Dendor, Dewar-Whalley, Gent, Hampshire, Horton, Hunt, Ingleton, Kay, Koffie-Williams, Lewin, Marchington, Prescott, Pugh, Samuel, Simmons, Taylor, Whiting, Wilcox and Wright. Total equals 28.

Abstain: Bowen. Total equals 1.

The Mayor announced the motion was lost.

420 QUESTIONS SUBMITTED BY THE PUBLIC

The Mayor advised that one question had been submitted by the public, the answer to which had been provided, could be viewed on the Council's website and was attached as Appendix 1 to these Minutes. The Mayor invited the member of public in attendance to ask a supplementary question.

Question One

Elaine Hopkins passed a petition with 150 signatures asking for the reinstatement of the CCTV cameras previously sited in Staplehurst Road and Howard Avenue, Sittingbourne, to the Mayor. She referred to the Surveillance Camera Code of

Practice and stated that the cameras in Jordan Way, Sittingbourne had met the criteria. She drew attention that the shrubbery in the area was overgrown. Mrs Hopkins stated that the £20k cost of the 2 cameras was originally met by the organisation and asked that if the cameras were to be decommissioned, compensation for the removal and disposal of cameras should be considered.

The Cabinet Member for Housing and Safer Communities agreed to consider the points raised and would provide a formal, written response.

421 QUESTIONS SUBMITTED BY MEMBERS

The Mayor advised that five questions had been submitted by Members, the answers to which had been provided, could be viewed on the Council's website and were attached as Appendix 2 to these Minutes. The Mayor invited all the Members to ask a supplementary question.

Question One

Councillor Roger Truelove said he could provide a list of Academies in Swale and asked that those schools be advised of their rate relief entitlement.

In response, the Cabinet Member for Finance and Performance said that Academy schools employed their own professional business managers who should be looking for finance and to raise funds. He highlighted that SBC could not give preference to contacting schools to advise, in case other organisations were not also advised, and it could set a precedent.

Question Two

Councillor Roger Truelove asked how many partner properties there were?

The Cabinet Member for Housing and Safer Communities agreed to provide a written response.

Question Three

Councillor Ghlin Whelan asked which partners provided the figures for the number of people sleeping rough, what support was being given to rough sleepers and what was the appropriate support?

The Cabinet Member for Housing and Safer Communities invited Councillor Whelan to the next Policy Development and Review Committee on 16 January 2019, where the answers would be provided.

Question Four

Councillor Tony Winckless asked whether there were now less staff to monitor CCTV cameras and was it a cost-cutting exercise to reduce cameras?

The Cabinet Member for Housing and Safer Communities said that the review of the CCTV system was not financially-led and an increase of £8k was put into the

budget for the service last year. He added that the review was about finding the best service for the residents of Swale.

Question Five

Councillor Tony Winckless asked if there were plans to re-route HGV's and provide better signage directing HGV's to use the Northern Relief Road, and would there be further improvements to the roundabout?

The Cabinet Member for Regeneration advised that KCC kept routes under review and some drivers might take longer to get used to the roundabout. He added that other safety features might be added to assist.

422 LEADER'S STATEMENT

The Leader presented his statement which gave updates on the Lower Thames Crossing, the District Council's Network (DCN) Member Board Meeting and South England Councils Executive Meeting, and the Business Rate Pilot. The Leader invited questions.

Lower Thames Crossing update

The Leader of the Swale Group asked what was possible to mitigate the extra traffic and was it likely to come forward? The Leader said there were four items: confirmation that both the funding for the design and construction for the improvements for A249/junction 5 were in place; improvements to the A249 junction to the M20; redesign of junction 7; and a commitment that Central Government would consider expanding the M2 from Medway Services to Brenley Corner.

The Leader of the Labour Group commented that press releases on the subject with the Council's view point were not discussed with Members from all groups beforehand.

The Leader of the Independent Group agreed and asked why the four items he suggested could not be decided and committed to? The Leader advised that the issues had been discussed at Kent Leaders, Kent and Medway Economic Partnership and other meetings, and the Borough Councils and KCC were in agreement about the way forward, but Central Government had conflicting pressures throughout the whole country.

Updates from recent meetings attended by the Leader

(a) DCN Members' Board Meeting

The Leader of the Swale Group asked the Leader what plans had been prepared for Swale in case of a No Deal Brexit? The Leader advised that he and the Chief Executive were fully engaged in meetings to discuss.

The Leader of the Labour Group referred to the oversubscription of Housing Infrastructure (HIF) Grants, and asked what impact that could have on Swale and

its expectations? The Leader replied that it could be quite damaging and gave an example of the problems in accessing and possibly losing grants.

In response to a suggestion from a Member, the Leader advised that officers were already looking at how to access the future High Street fund which would have £675million available. He agreed to update Members in the future.

In response to a Member request, the Leader clarified the process of the Town Centre prospectus and agreed to update Members in the future, when full details were known.

A Member drew attention that most of the HIF grants were allocated to the northern part of the country but the south had the most housing targets, and asked for the DCN Members' Board's opinion. He also sought clarification on whether there was a rush to get the HIF grant money for Queenborough & Rushenden as reported in the press before Christmas? The Leader advised that the DCN Members' Board covered districts throughout the country, in the north and south so not all Members agreed about the HIF fund, but the matter had been discussed at South East Leaders where Members agreed the situation was unfair. He agreed to arrange for officers to provide details of the Queenborough and Rushenden HIF grant money.

South East England Councils Executive Meeting

The Leader of the Swale Group asked about potential changes to the various bodies and meetings the Leader attended, and suggested more local issues might be discussed, after Brexit. The Leader said there were too many organisations and there would be more effective communication if there was one voice for the south east.

The Leader of the Independent Group asked who has or would take responsibility for pursuing land value capture? The Leader replied that the Local Government Association and the South East England Council's Executive would investigate options.

A Member asked how frequently the meetings were held and the costs for attending. The Leader said that the Chief Financial Officer would provide the cost figures and the time was his own time.

Business Rate Pilot update

The Leader of the Swale Group criticised the short notice that was given to SBC which might have serious spending implications for their budget. The Leader agreed, and praised the Finance Director at Maidstone Borough Council and the Chief Executive at Gravesham Borough Council for their input in setting up the original scheme. He praised the Cabinet Member for Finance and Performance, the Chief Financial Officer and the Finance Team for the relatively stable position that SBC were currently in. Members applauded.

The Leader of the Labour Group suggested that the Medium Term Financial Plan might be too optimistic? The Leader said it was realistic, and if it were too

pessimistic, and gave notice of cutting services, there may be staff insecurity and they may choose to go elsewhere unnecessarily.

The Leader of the Independent Group asked whether the areas picked for the scheme may have been chosen for political reasons? The Leader said he had not studied the areas chosen, and did not know if there were upcoming elections in those areas.

In response to a Member's question on the impact that the net reduction of £224k would have, the Leader advised that options would be discussed at Budget Task Force, Cabinet meeting and Scrutiny Committee meeting.

423 ADOPTION OF THE CONSOLIDATED MODEL BYELAWS FOR COSMETIC TREATMENTS

A Member highlighted an error on the penultimate line of the first paragraph which should read Swale Borough Council.

Resolved:

(1) To adopt the Department of Health consolidated Model Byelaws for acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis, contained in Appendix I.

424 TREASURY MANAGEMENT HALF YEAR REPORT 2018/19

The Chairman of the Audit Committee introduced the report which outlined the treasury management transactions for 2018/19, which had been discussed by the Audit Committee on 28 November 2018.

A Member drew attention to an error at paragraph 2.4 on page 10 of the report, which should have said £28m not £28. He said that reports should be proof-read properly. The Cabinet Member for Finance and Performance apologised for the error.

In response to questions from Members to clarify whether the £3m referred to on paragraph 15 was the same £3m referred to on pages 11 and 14, and a request for further explanation on the minus 0% figure on page 19, the Cabinet Member for Finance and Performance agreed to provide responses.

Resolved:

(1) To note the performance information in this report.

(2) To approve the prudential and treasury management indicators within the report.

425 RESOLUTIONS FOR CALCULATING COUNCIL TAX

The Cabinet Member for Finance and Performance introduced the report which asked the Council to agree the Council Tax resolutions, and proposed the

recommendations. The Deputy Cabinet Member for Finance and Performance seconded the proposal.

The Leader of the Swale Group referred to 3.1.3 on page 24 and asked what the estimate number of new properties was, and on what was the estimate based on? He asked for a comparison with the Local Plan expectations. Another Member asked how accurate SBC were at estimating the figures?

The Deputy Cabinet Member for Finance and Performance said that the figures were published last year, and the estimate was based on the best estimate at that time.

In accordance with Council Procedure Rule 19(5), a recorded vote was taken, and voting was as follows:

For: Aldridge, Beart, Bobbin, Booth A, Booth T, Bowen, Bowles, Clark, Conway, Cosgrove, Dendor, Dewar-Whalley, Gent, Hampshire, Horton, Hunt, Ingleton, Kay, Koffie-Williams, Lewin, Marchington, Pugh, Samuel, Simmons, Taylor, Walker, Whiting, Wilcox and Wright. Total equals 29.

Against: Baldock, Bonney, Darby, Fleming, Garrad, Hall, Harrison, Nissanga, Whelan and Winckless. Total equals 10.

Abstain: Galvin, Henderson and Truelove. Total equals 3.

Resolved:

(1) That the report of the Chief Financial Officer for the calculation of the Council Tax Base for the year 2019/20 be approved.

(2) That pursuant to the Chief Financial Officer report and in accordance with the Regulations made under the Local Government Finance Act 1992 (The Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended)) and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (SI 2012:2914), and the Local Government Act 2003, the amount calculated by Swale Borough Council as its Council Tax Base for the whole area for the year 2019/20 shall be 47,344.08. The Council Tax Base for the individual Town and Parish Councils within the borough area shall be as itemised in Appendix II to this report.

426 RECOMMENDATIONS FOR APPROVAL

The Council was asked to note the recommendations, as separate reports on the items had been considered earlier in the meeting.

Resolved:

(1) That Minute Nos. 359 - 368 from the Audit Committee held on 28 November 2018 be noted.

(2) That Minute Nos 380 - 389 from the Cabinet meeting held on 12 December 2018 be noted.

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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