



AGENDA

COUNCIL MEETING

Date: Wednesday, 24 July 2019

Time: 7.00pm

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

RECORDING NOTICE

Please note: this meeting may be recorded.

At the start of the meeting the Mayor will confirm if all or part of the meeting is being audio recorded. The whole of the meeting will be recorded, except where there are confidential or exempt items.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained in accordance with the Council's data retention policy.

Therefore by entering the Chamber and speaking at Committee you are consenting to being recorded and to the possible use of those sound records for training purposes.

If you have any queries regarding this please contact Democratic Services.

Quorum = 16

	Pages
1. Prayers	
2. Emergency Evacuation Procedure	
<p>The Mayor will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.</p> <p>The Mayor will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.</p> <p>The Mayor will inform the meeting that:</p> <p>(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. Nobody must leave the assembly point until</p>	

everybody can be accounted for and nobody must return to the building until the Mayor has informed them that it is safe to do so; 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 Mayor 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.

3. Apologies for Absence

4. Minutes

To approve the [Minutes](#) of the Meeting held on 26 June 2019 (Minute Nos. 85 - 95) as a correct record.

5. 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 Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

6. Mayor's Announcements
7. Questions submitted by the Public

To consider any questions submitted by the public. (The deadline for questions is 4.30 pm on the Wednesday before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

8. Questions submitted by Members

To consider any questions submitted by Members. (The deadline for questions is 4.30 pm on the Monday the week before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

9. Motion submitted in accordance with Procedure Rule 15

A. Proposed by Councillor Nicholas Hampshire and Seconded by Councillor Simon Fowle.

This festive season, we the undersigned, call upon this Council to introduce free parking in all short-stay Council owned car parks on the following days:

- Friday 29 November 2019
- Saturday 30 November 2019
- Sunday 1 December 2019
- Friday 6 December 2019
- Saturday 7 December 2019
- Sunday 8 December 2019
- Friday 13 December 2019
- Saturday 14 December 2019
- Sunday 15 December 2019
- Friday 20 December 2019
- Saturday 21 December 2019
- Sunday 22 December 2019
- Friday 27 December 2019
- Saturday 28 December 2019
- Sunday 29 December 2019

Additionally, we call upon the Council to provide a free shuttle bus service between our major towns of Sheerness, Sittingbourne and Faversham on Small Business Saturday (30 November 2019).

B. Proposed by Councillor Alan Horton and Seconded by Councillor James Hunt.

This Council following the change in administration, confirm our position as a White Ribbon Borough, renewing our commitment to the 'Pledge' namely to;

Never commit, excuse or remain silent about male violence against women

We do so in the clear understanding that in this context, violence includes any gender-based act that results in, or is likely to result in physical, sexual or psychological harm or suffering to women.

We pledge to continue to provide support for White Ribbon Initiatives and to provide the administrative and support role to White Ribbon Ambassadors in the same way we did in the financial year before the 2019 election.

We recognise the value of White Ribbon Ambassadors across the Private, Public and Voluntary Sectors and will continue to seek opportunities to recruit more and encourage local leaders, including ward councillors and Cabinet members to publicly take the 'Pledge' and speak out on this important topic.

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|-----|---|---------|
| 10. | Leader's Statement | |
| 11. | Overview and Scrutiny Committee Annual Report | 5 - 18 |
| 12. | Policy Development and Review Committee Annual Report | 19 - 34 |

Issued on Monday, 15 July 2019

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 Council, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

Council	
Meeting Date	24 July 2019
Report Title	Overview and scrutiny annual report 2018/19
Lead Member	Cllr Lloyd Bowen, Chairman, Scrutiny Committee
SMT Lead	David Clifford, Head of Policy, Communications and Customer Services
Head of Service	
Lead Officer	Bob Pullen, Policy and Performance Officer
Key Decision	No
Classification	Open
Recommendations	1. That Council considers the Overview and Scrutiny Annual Report 2018/19

1 Purpose of Report and Executive Summary

- 1.1 The report at Appendix I provides details of the work of the Scrutiny Committee during 2018/19.

2 Background

- 2.1 It is common practice among local authorities for the work of the overview and scrutiny committees to be reported and considered each year by the authority, usually in the form of an annual report. In any case, the Scrutiny Committee's terms of reference require it to report annually to Council on its work, and make any recommendations for amended working practices if appropriate.

3 Proposals

- 3.1 The Scrutiny Committee made some good progress last year, as noted in the report. Recommendations previously accepted by Cabinet have been or are in the process of being implemented.
- 3.2 The annual report also serves as a useful summary of the Committee's work, which can be shared with residents via publication on the Council's website, and other social media and press releases.

4 Alternative Options

- 4.1 This is largely a report for information, and so no alternative options are proposed.

5 Consultation Undertaken or Proposed

5.1 The Scrutiny Committee has considered the annual report at its meeting of 5 June, and resolved that it should be presented to Council for their consideration.

6 Implications

Issue	Implications
Corporate Plan	The Committee scrutinises a wide number of issues across all of the corporate priorities, and more generally helps to improve and enhance decision-making in the Council, and so supports the Corporate priority of being 'delivering the Council of tomorrow'.
Financial, Resource and Property	The Scrutiny Committee's explicit remit is scrutiny of the preparation of the Council's annual budget, and to review and scrutinise the Council's performance in relation to budgetary management.
Legal, Statutory and Procurement	The Local Government Act 2000 (as amended by the Localism Act 2011) requires all local authorities to establish one or more overview and scrutiny committees.
Crime and Disorder	The Scrutiny Committee has an explicit remit to consider crime and disorder matters under provisions in Section 19 of the Police and Justice Act 2006.
Environment and Sustainability	The Committee have received reports on the Council's progress on climate change in the past.
Health and Wellbeing	None identified.
Risk Management and Health and Safety	None identified.
Equality and Diversity	None identified.
Privacy and Data Protection	None identified.

7 Appendices

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

- Appendix I: Overview and scrutiny annual report 2018/19.

8 Background Papers

8.1 None.

Overview and Scrutiny Annual Report 2018/19

Swale Borough Council

Foreword

Welcome to the overview and scrutiny report for 2018/19. The aim of this report is to reflect on the work that has been done in Swale this year.

The Committee had several sessions to consider progress of the Sittingbourne Town Centre regeneration, as well as considering the Cabinet's draft budget for 2019/20, fees and charges, and financial and performance monitoring reports.

2019/20 presents a particularly challenging financial climate for the Council and the Committee has to continually adapt and respond to meet the many challenges ahead. We need to give a particular focus to resources and continually challenge whether the services the Council provide are being delivered in the most cost effective and efficient ways.

The overview and scrutiny function at Swale should not be excluded from this continuous drive for efficiency and effectiveness and we will review, during the course of the year, how we can improve. The forthcoming constitutional reform review proposed by the new administration could have major implications for the overview and scrutiny function.

Overview and scrutiny will need to be at the very centre of the difficult decisions the Council will need to take during 2019/20 and we stand ready to play our part in these considerations in order to ensure that decisions are taken in a transparent and evidence-based way.

The Committee will continue to ensure that the Council's decision-making processes are appropriately scrutinised in a systematic, transparent and fair manner.

If you would like to contribute to the scrutiny process, or have ideas for areas which you think would benefit from scrutiny, we would welcome your suggestions. Please let us have your views by email democraticservices@swale.gov.uk or telephone on 01795 417 330.

Councillor Lloyd Bowen
Chairman of the Scrutiny Committee 2018/19

1 What is overview and scrutiny?

Introduction

- 1.1 Overview and scrutiny is a function of all English local authorities with an executive form of governance. This includes those, such as Swale, where a leader and cabinet take day-to-day decisions, and only decisions which affect the overall budget or policy framework are taken by the whole council.
- 1.2 Overview and scrutiny's main role is to hold the leader and cabinet to account on behalf of the whole council. This includes monitoring how well the council manages its resources and runs its services, as well as scrutinising the cabinet's formal decisions before they are put into operation.
- 1.3 Overview and scrutiny committees also have powers to examine other public services not provided by the council, including some health and policing matters.

Overview and scrutiny at Swale

- 1.4 Swale Borough Council has a single Scrutiny Committee which exercises all of the formal powers available to it under the Local Government Act 2000 (as amended).
- 1.5 The Scrutiny Committee comprises 13 councillors who are not members of the Cabinet. Whereas Cabinet members are usually drawn exclusively from the political group with a majority of seats on the Council, the Scrutiny Committee is made up of councillors from all groups and seats on the Committee are allocated in accordance with the political balance considerations across the Council as a whole. The Chairman and Vice-Chairman are appointed at Annual Council at the start of each new Municipal Year. The Policy and Performance Officer provides supports the work of the Committee.
- 1.6 The role of the Scrutiny Committee includes:
 - reviewing or scrutinising decisions made, performance of, the Cabinet and Committees and Council Officers both in relation to individual decisions and over time;
 - reviewing or scrutinising the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - requiring members of the Cabinet and/or Committees and Chief Officers to attend before it to answer questions about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects; and

- reviewing and scrutinising the performance of other public bodies in the area.
- 1.7 The Scrutiny Committee also has special responsibility for scrutinising the Cabinet's annual budget proposals as part of the Budget and Policy Framework Procedure Rules.
- 1.8 The Scrutiny Committee is not a decision-making body as such. Instead it makes recommendations to Cabinet, who can either accept or reject them. In either case, Cabinet always responds 'on the record' to recommendations, stating why they have or have not been accepted. The Committee can also make recommendations to other organisations beyond the Council, but their legal powers here are weaker.
- 1.9 The Committee has a power to 'call-in' a Cabinet decision which has been taken but not yet implemented. Once the Committee has 'called-in' a Cabinet decision, it will consider the decision and decide whether to refer it back to Cabinet for reconsideration.
- 1.10 The Scrutiny Committee reviews a wide range of topics as well as regularly scrutinising financial and performance monitoring information.
- 1.11 Swale has also established a Policy Development and Review Committee which reviews any new or revised council policies and advises the relevant Cabinet member accordingly. This Committee does not have any formal overview and scrutiny powers, but it does have the power to make recommendations to the person or body that referred an item to it. A separate annual report for the Policy Development and Review Committee is prepared each year.

Principles

- 1.12 The key local principles forming the foundation of the overview and scrutiny function at Swale Borough Council are as follows:
- the focus for scrutiny must be based upon the achievement of outcomes rather than upon process and procedures in order to develop a function that can make a real difference to the Council and the borough;
 - that overview and scrutiny be positive, objective and constructive, seeking to add value to any service that it considers. Scrutiny should acknowledge good practice where found and recommend improvements where necessary; and
 - it is essential that the Council has an active and challenging scrutiny function that reflects corporate priorities regarding the provision of services.
- 1.13 Overview and scrutiny plays an important role in the overall governance of the Council.

2 Scrutiny Committee

- 2.1 The Scrutiny Committee is responsible for focussing on scrutiny and holding to account of corporate issues such as the budget, service performance and delivery of planned actions. Its full Terms of Reference during 2018/19 were as follows:

Preamble: the Scrutiny Committee satisfies the requirement under legislation (S.9F of the Local Government Act 2000 as inserted by the Localism Act 2011) to include provision for the appointment of one or more committees. The Scrutiny Committee plays a particular role in scrutinising the Executive's annual budget proposals as part of the Budget and Policy Framework Procedure Rules (Part 4.3 of the Constitution refers).

General role: Within the terms of reference, the Committee will:

- (i) review or scrutinise decisions made, and performance of, the Cabinet and Committees and Council Officers both in relation to individual decisions and over time;
- (ii) review or scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iii) require Members of the Cabinet and/or Committees and Chief Officers to attend before it to answer questions about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iv) make recommendations to the Cabinet or appropriate Committee or Council arising from the outcome of the scrutiny process – it is expected that reviews of policy arising out of the work of the committee would be referred to the Policy Development and Review Committee;
- (v) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Scrutiny Committee and local people about their activities and performance;
- (vi) make reports or recommendations to the authority or the executive with respect to any functions which are not the responsibility of the executive;
- (vii) make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of the area;
- (viii) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive;
- (ix) consider Councillor Call for Action requests in accordance with the Councillor Call for Action Protocol contained in Part 5 of this Constitution; and
- (x) in accordance with Section 19 of The Police and Justice Act 2006, to act as the Council's "Crime and Disorder Committee" in terms of reviewing and

scrutinising decisions made, or other actions taken, in connection with the responsible authorities discharge of their Crime and Disorder functions.

The Scrutiny Committee shall exercise overall responsibility for any finances made available to them.

Annual Report – the Scrutiny Committee must report annually to the full council on its work and make recommendations for amended working methods if appropriate.

Membership

2.2 The following Councillors served on the Scrutiny Committee during 2018/19:

Councillor Lloyd Bowen	Chairman
Councillor Mike Dendor	Vice Chairman
Councillor Mike Baldock	
Councillor George Bobbin	
Councillor Roger Clark	
Councillor Derek Conway	
Councillor Mick Galvin	
Councillor Mike Henderson	
Councillor Ken Ingleton	
Councillor George Samuel	
Councillor Ben Stokes	
Councillor Lynd Taylor	
Councillor Roger Truelove	

3 Scrutiny work programme

3.1 The Scrutiny Committee’s work programme includes the oversight of many areas of Council business such as the budget, service performance and delivery of planned actions as well as a number of dedicated reviews. Key areas of work for 2018/19 are summarised below.

Work programme 2018/19			
Title	Frequency	Focus of discussion	Status
Performance and financial monitoring	Ongoing - reviewed periodically throughout the year	<ul style="list-style-type: none"> ▪ Indicators not achieving target ▪ significant budget variances 	Complete
Council budget	Annual review	<ul style="list-style-type: none"> ▪ The Cabinet’s annual budget proposals are scrutinised before these are ratified by the Council 	Complete
Fees and charges	Annual review	<ul style="list-style-type: none"> ▪ The Committee considered Cabinet’s proposals for fees and charges at on 7 	Complete

		November 2018	
Scrutiny reviews			
Review	Date review template agreed	Report/recommendations submitted to Cabinet	Status
Sittingbourne Town Centre regeneration proposals	Not applicable	Regular updates provided by Cabinet Member for Regeneration and Director of Regeneration	Ongoing
Development Management	Not applicable	The purpose of this review was to look at all aspects of the Council's development management function.	Paused
Regeneration activity	22/03/18	The purpose of this review was to look at the non-Sittingbourne Town Centre aspects of regeneration activity which was taking place in Swale, either led by the Council or by other organisations.	Paused
Previous scrutiny reviews: (i) Leisure and tourism; (ii) Housing services	Not applicable	The Committee invited the relevant Cabinet Members and officers to update them on progress made in implementing recommendations which had been accepted by Cabinet on previous reviews.	Complete
Infrastructure provision in Swale	Not applicable	The Committee invited various utility companies to attend a session in February. Only one company – SGN – were able to attend	Paused

Performance and financial monitoring

- 3.2 The Committee receives reports on performance and financial monitoring at many of its meetings.
- 3.3 The Committee regularly considered those indicators where performance was not achieving targets and discussed with Heads of Service their plans for turning performance around on these indicators. The Committee plays a significant role in the Council's performance management arrangements in that indicators which consistently fall into the 'red' category are escalated up to the Scrutiny Committee for further investigation.
- 3.4 The Committee received regular financial monitoring reports that presented Members with the opportunity to highlight significant budget variances and ask questions of officers and Cabinet members about their plans to address this.

Council budget

- 3.5 One of the Committee's key responsibilities is to scrutinise the Cabinet's annual budget proposals before these are ratified by the Council, which took place at a specially convened meeting on 23 January 2019. The Committee Chairman opened the meeting up so that any Council Member could attend and make representations. The Cabinet Member for Finance and Performance, along with other Cabinet Members and Senior Officers were present to respond to Members' questions. The Committee scrutinised the Cabinet's budget proposals line by line.
- 3.6 Cabinet noted the Committee's comments at their meeting of 6 February 2019.
- 3.7 The reports the Scrutiny Committee considered on the Council's draft budget are available here:

<https://services.swale.gov.uk/meetings/documents/s11623/Item%205.pdf>

- 3.8 The Committee's consideration of the draft budget is available here:

<https://services.swale.gov.uk/meetings/documents/g2063/Printed%20minutes%2023rd-Jan-2019%2019.00%20Scrutiny%20Committee.pdf?T=1>

Fees and charges

- 3.9 The Committee considered the Council's annual review of fees and charges separately from the Budget this year. A record of the Committee's discussions with the Cabinet Member for Finance and Performance and Chief Financial Officer is available here:

<https://services.swale.gov.uk/meetings/documents/g2061/Printed%20minutes%2007th-Nov-2018%2019.00%20Scrutiny%20Committee.pdf?T=1>

Sittingbourne Town Centre regeneration proposals

- 3.10 The Committee received updates throughout the year from the Cabinet Member for Regeneration and Director of Regeneration on the Sittingbourne Town Centre regeneration scheme.

Development Management

- 3.11 This review was agreed by the Committee at the start of the previous Municipal Year and its purpose was to review the effectiveness of the Council's processes for deciding planning applications and all of the various elements that that entails.
- 3.12 A Task and Finish Group had been formed to take the review forward and it focussed on the determination of planning applications, including delegation levels and the operation of the Planning Committee.

- 3.13 Following an interim report and recommendations issued by the Committee on the delegation aspects of development management (which were not accepted by Cabinet), work on the review was intermittent until the Committee decided to pause it towards the end of the year.
- 3.14 The new Committee for 2019/20 will need to consider whether they wish to carry the review over to the new Municipal Year.

Regeneration review

- 3.15 The Committee had begun a review looking at the non-Sittingbourne Town Centre activity occurring in the Borough. The Committee had established a Task and Finish Group to undertake the review and it has met several times to scope the information it required and met with lead officers to gain an initial understanding of the issues. Impetus for the review waned during the year and the Committee again resolved to pause any further work on the review and enable the new Committee in 2019/20 to decide whether or not to pursue it.

Infrastructure provision in Swale

- 3.16 As Swale is an area which is seeing a rapid growth in its population, and with the new housing developments appearing in many parts of the Borough, the Committee decided to embark on a review of infrastructure in Swale. The Committee invited a number of utility companies to attend an initial session in February 2019, but unfortunately, only one company was able to attend – SGN – who provide and maintain the gas infrastructure network in Swale. Nevertheless, this session provided a huge insight into the issues and members gained a great deal of knowledge.
- 3.17 It will be for the new Committee in 2019/20 to decide whether they want to pursue this review into the new Municipal year.

Call-in

- 3.18 The Committee has the power to call-in Cabinet decisions which have been taken but not yet implemented and request that Cabinet reconsider their decision. There were no call-ins during 2018/19.

4 Contact details

- 4.1 Scrutiny Committee meetings take place throughout the year and members of the public are welcome to attend. Dates, agendas, reports and minutes for these meetings can be found on the Council's website: <http://www2.swale.gov.uk/dso/>. Alternatively, you can telephone Democratic Services on 01795 417 330.
- 4.2 The Scrutiny Team provides independent and professional support and advice to the Members of Scrutiny Committee.

4.3 You can contact the Scrutiny Team using one of the following methods:-

In writing to:

Policy and Performance Team
Swale Borough Council
Room 318
Swale House
East Street
Sittingbourne
Kent
ME10 3HT

By e-mail/telephone:

Bob Pullen – Policy and Performance Officer

BobPullen@swale.gov.uk

01795 417 187

Democratic Services

Democraticservices@swale.gov.uk

01795 417 330

4.4 A full list of Committee meeting dates, times, venues and agendas is available on Swale Borough Council's website:

<http://services.swale.gov.uk/meetings/ieDocHome.aspx?bcr=1>

Scrutiny Committee membership and attendance - 2018/19

Name	Role	7 Jun	4 Jul	3 Oct	7 Nov	15 Jan	23 Jan	27 Feb
Committee members								
CLlr Lloyd Bowen	Chairman	√	√	√	√	√	√	√
CLlr Mike Dendor	Vice-Chairman	√	√	√	√	√	√	√
CLlr Mike Baldock	Committee Member	√	X	X	X	√	√	X
CLlr George Bobbin	Committee Member	√	√	X	√	√	√	X
CLlr Roger Clark	Committee Member	X	X	X	√	√	√	√
CLlr Derek Conway	Committee member	√	X	√	√	X	√	√
CLlr Mike Henderson	Committee Member	X	X	X	√	√	√	√
CLlr Mick Galvin	Committee Member	X	√	X	√	X	√	X
CLlr Ken Ingleton	Committee Member	√	√	√	√	√	X	X
CLlr George Samuel	Committee Member	√	X	√	√	X	√	X
CLlr Ben Stokes	Committee Member	√	√	√	√	X	X	X
CLlr Lynd Taylor	Committee Member	√	√	√	√	√	√	√
CLlr Roger Truelove	Committee Member	√	X	X	√	√	√	X
Visiting members and *substitutes								
CLlr Sarah Aldridge	Cabinet Member for Health and Wellbeing						√	
CLlr Cameron Beart	Deputy Cabinet Member for Regeneration						√	
CLlr Andy Booth	Deputy Cabinet Member for Housing and Safer Communities						√	
CLlr Andrew Bowles	Leader						√	
CLlr Mike Cosgrove	Cabinet Member for Regeneration	√		√		√		
CLlr Duncan Dewar-Whalley	Cabinet Member for Finance and Performance		√	√	√	√	√	
CLlr Alan Horton	Cabinet Member for Housing and Safer Families		√		√	√	√	
CLlr James Hunt	Deputy Cabinet Member for Planning Services						√	√

Name	Role	7 Jun	4 Jul	3 Oct	7 Nov	15 Jan	23 Jan	27 Feb
Cllr Nigel Kay	Deputy Cabinet Member for Finance and Performance			√	√		√	
Cllr Peter Marchington	Member				*√			
Cllr David Simmons	Cabinet Member for Environment and Rural Affairs				√		√	
Cllr Ghlin Whelan	Member	√						
Cllr Ted Wilcox	Deputy Cabinet Member for Finance and Performance				√	√	√	
Swale Borough Council officers								
Anne Adams	Head of Property						√	
Katherine Bescoby	Democratic and Electoral Services Manager				√		√	
Martyn Cassell	Head of Commissioning, Environment and Leisure				√		√	
David Clifford	Policy and Performance Manager		√				√	
James Freeman	Head of Planning Services						√	
Charlotte Hudson	Head of Economy and Community Services	√					√	
Jo Millard	Senior Democratic Services Officer		√	√		√		√
Lyn Newton	Economy and Community Services Manager	√				√		
Tony Potter	Business Improvement Officer		√			√		
Bob Pullen	Policy and Performance Officer	√	√	√	√	√	√	√
Mark Radford	Chief Executive						√	
Dean Radmore	STC Regeneration Scheme Manager	√		√		√		
Roxanne Sheppard	Housing Options Manager		√					
Nick Vickers	Chief Financial Officer		√	√	√		√	
Rebecca Walker	Strategic Housing and Health Manager		√					
Emma Wiggins	Director of Regeneration	√		√		√	√	

Council	
Meeting Date	24 July 2019
Report Title	Policy Development and Review Committee – Annual Report 2018/19
Lead Member	Councillor James Hunt, former Vice-Chairman, Policy Development and Review Committee
SMT Lead	David Clifford, Policy, Communications and Customer Services Manager
Head of Service	
Lead Officer	Bob Pullen, Policy and Performance Officer
Key Decision	No
Classification	Open
Forward Plan	Reference number:
Recommendations	1. That Council considers the Policy Development and Review Committee’s Annual Report for 2018/19

1 Purpose of Report and Executive Summary

- 1.1 This report provides details of the work of the Policy Development and Review Committee’s during 2018/19.

2 Background

- 2.1 The Policy Development and Review Committee’s terms of reference require it to report annually to Council on its work, and to make recommendations for amended working methods if appropriate.

3 Proposals

- 3.1 The Policy Development and Review Committee is required by its terms of reference to also report on its work and the report at Appendix I fulfils that requirement.

4 Alternative Options

- 4.1 None.

5 Consultation Undertaken or Proposed

- 5.1 The Policy Development and Review Committee considered a draft of the annual report at its meeting on 19 June 2019, and resolved that it should be presented to Council for their consideration.

6 Implications

Issue	Implications
Corporate Plan	The Committee reviews policies, strategies and plans across a wide number of issues across all corporate priorities, and more generally helps to improve and enhance decision-making in the Council, and so supports the Corporate priority of 'delivering the Council of tomorrow'.
Financial, Resource and Property	None identified.
Legal, Statutory and Procurement	None identified at this stage. The Committee has not been established as a requirement of legislation, but it does conform to the Council's Constitution.
Crime and Disorder	The Committee periodically reviews matters related to Community Safety.
Sustainability and Environment	The Committee has previously been actively involved in reviewing the Council's response to the Kent Environment Strategy.
Health and Wellbeing	The Committee are expected to review policies, plans and strategies that encompass health and wellbeing.
Risk Management and Health and Safety	None identified.
Equality and Diversity	The Committee has been actively involved in reviewing the development of the Council's new Corporate Equality Strategy.
Privacy and Data Protection	None identified.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Policy Development and Review Committee Annual Report 2018/19.

8 Background Papers

8.1 None.

Policy Development and Review Committee Annual Report 2018/19

Swale Borough Council

Policy Development and Review Committee Annual Report 2018/19

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

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

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

3. The table at Appendix I summarises attendance at all of the Policy Development and Review Committee meetings during 2018/19. Members appointed to serve on the Committee for 2018/19 were:

- Councillor Andy Booth (Chairman)
- Councillor James Hunt (Vice-Chairman)
- Councillor Mike Baldock
- Councillor Cameron Beart
- Councillor Monique Bonney
- Councillor Tina Booth
- Councillor Lloyd Bowen
- Councillor Nicholas Hampshire
- Councillor Nigel Kay
- Councillor Roger Truelove
- Councillor Ted Wilcox.

4. A schedule of meetings and the policies, plans and strategies considered by the Committee during 2018/19 is at Appendix II. This also provides a summary of what the Committee considered.

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

6. One aspect which continued throughout 2018/19, was that while the relevant Heads of Service were attending the meetings, they were being accompanied by relatively junior members of staff and that these staff were being given the opportunity to present reports. This continued to have several benefits:

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

7. The Committee also agreed to a proposal made by Cabinet to try and ensure they had greater emphasis placed on PDRC making an input at a much earlier stage, particularly where brand new policies, plans or strategies are being developed. A note setting out this change of emphasis is at Appendix III.

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

Policy Development and Review Committee membership and attendance – 2018/19

Name	Role	18 Jul	12 Sep	6 Nov	27 Nov	16 Jan	12 Feb
Committee members							
Cllr Andy Booth	Chairman	x	√	√	√	√	√
Cllr James Hunt	Vice-Chairman	√	√	√	√	√	√
Cllr Mike Baldock	Committee member	√	X	x	√	X	x
Cllr Cameron Beart	Committee member	√	√	√	x	√	√
Cllr Monique Bonney	Committee member	x	√	x	√	√	√
Cllr Tina Booth	Committee Member	√	√	x	x	√	√
Cllr Lloyd Bowen	Committee Member	√	√	√	√	√	√
Cllr Nicholas Hampshire	Committee member	√	√	√	X	√	√
Cllr Nigel Kay	Committee member	√	x	√	√	√	√
Cllr Roger Truelove	Committee member	√	x	√	X	√	x
Cllr Ted Wilcox	Committee member	√	√	√	√	√	√
Visiting members and *substitutes							
Cllr Andrew Bowles	Leader				√		
Cllr Roger Clark	Member			√			
Cllr Mike Cosgrove	Cabinet Member for Regeneration			√			
Cllr Angela Harrison	Member					√	
Cllr Mike Henderson	Member	√*					
Cllr Alan Horton	Deputy Leader and Cabinet Member for Housing and Safer Communities		√	√		√	√
Cllr James Hall	Member			√*			
Cllr Gerry Lewin	Deputy Leader and Cabinet Member for Planning	√					
Cllr Peter Marchington	Member		√	√*	√*		
Cllr David Simmons	Cabinet Member for Environment and Rural Affairs				√		√

Name	Role	18 Jul	12 Sep	6 Nov	27 Nov	16 Jan	12 Feb
Cllr Tony Winkless	Member		√*	√		√	
Swale Borough Council officers							
Katherine Bescoby	Democratic and Electoral Services Manager		√		√		
Christopher Blandford	Economic Development Support Officer		√				
Brooke Buttfield	Economy and Community Services Project Officer						√
Martyn Cassell	Head of Commissioning, Environment and Leisure			√			√
Steph Curtis	Economy and Community Services Manager			√		√	√
David Clifford	Head of Policy, Communications and Customer Services	√			√		
Della Fackrell	Resilience and Licensing Manager	√					
Chris Hills	Licensing Officer	√					
Charlotte Hudson	Head of Economy and Community Services			√		√	
Kellie MacKenzie	Democratic Services Officer					√	
Mike Marsh	Leisure and Technical Services Manager			√	√		√
Jo Millard	Senior Democratic Services Officer	√		√			√
Lyn Newton	Economy and Community Services Manager		√				
Bob Pullen	Policy and Performance Officer	√	√	√	√	√	√
Roxanne Sheppard	Housing Options Manager					√	
Graeme Tuff	Greenspaces Manager				√		√
Rebecca Walker	Strategic Housing and Health Manager					√	

Policies considered by the Policy Development and Review Committee during 2018/19

Date considered	Policy title	Summary of Committee considerations
18 July 2018	Gambling Policy	<p>The Gambling Act 2005 requires the Council as licensing authority to prepare and publish a Statement of Principles for Gambling Act policy. The Council had previously published a Statement of Principles in January 2016 and this was due for renewal by January 2019. The Committee were invited to consider and comment of the draft, which had been based on a model template recommended by the Gambling Commission.</p> <p>The Committee considered issues around enforcement of the policy, gambling by those underage or with mental health problems, self-exclusion, proximity of betting shops to schools and density of betting shops.</p> <p>The policy was amended in response to the Committee's comments and adopted by Council on 14 November 2018 following further consideration by the Licensing Committee on 2 October 2018.</p>
18 July 2018	Corporate Plan 2019-2022	<p>The Committee considered a discussion paper on the new Corporate Plan covering the period 2019-2022. The Committee considered:</p> <ul style="list-style-type: none"> • more explicit reference to rural areas; • infrastructure improvements; • better communication with residents and parish and town councils; • greater emphasis on environmental issues including recycling; • better assistance for voluntary sector to assist those with mental health conditions; • promotion of local employment opportunities; • planning for an aging population; and • financial self-sufficiency.

Date considered	Policy title	Summary of Committee considerations
		<p>The Deputy Cabinet Member welcomed the Committee's comments and indicated they would be fed into further iterations of the draft. The draft plan was considered by the Committee again on 27 November 2018 before being adopted by Council on 20 February 2019.</p>
12 September 2018	Swale Cycling and Walking Policy Framework	<p>The Committee considered the draft Swale Cycling and Walking Strategy which would form part of the Visitor Economy Strategy. The draft strategy was out for public consultation when the Committee considered it.</p> <p>The Committee considered the draft and made the following comments:</p> <ul style="list-style-type: none"> • opportunities for funding including Section 106 and Community Infrastructure Levy monies; • mapping of dedicated cycle and walking routes; • national audit of routes; and • promoting walking and cycling to schools. <p>The draft strategy was updated to take on board comments received from the Committee and the public consultation and adopted by Cabinet on 12 December 2018.</p>
6 November 2018	Public Space CCTV Strategy for Swale	<p>The Committee considered a briefing note on Public Space Closed Circuit Television (CCTV) in Swale. This set out Cabinet's initial thinking in respect of a proposed strategy and the Committee were invited to give their early thoughts in the process of the strategy's development.</p> <p>The Committee considered the following aspects:</p> <ul style="list-style-type: none"> • partnerships arrangements with Medway Council; • compliance with regulations; • quality of footage and effectiveness of system; • costs of operating and maintaining system; • private property and business premises monitoring; • use of smart phones for recording footage;

Date considered	Policy title	Summary of Committee considerations
		<ul style="list-style-type: none"> • lack of funding from Kent Police; • recently decommissioned cameras; • options for how monitoring could be carried out in future; and • technological advancement and the use of Town Centre WiFi. <p>Cabinet took the Committees comments into account in drawing up the Public Space CCTV Strategy which was considered again by the Committee on 16 January 2019.</p>
6 November 2018	Beach Huts provision	<p>The Committee considered a discussion paper which had been produced to focus work towards the development of a policy on beach huts provision in Swale.</p> <p>The Committee considered the following aspects:</p> <ul style="list-style-type: none"> • the enhancing effect beach huts had on the seafront; • further provision of beach huts; • ancillary services such as toilets where necessary if more beach huts were built; • consideration of new areas for siting (e.g. Sheerness); • commercial and business use as well as leisure; and • clarifying sub-letting rules. <p>Cabinet will take the Committee's comments into consideration in drawing up a beach huts policy.</p>
27 November 2018	Updated Tree Policy	<p>The Committee considered a discussion paper which had been produced to focus work towards the development of a policy on maintenance of trees owned by the Council.</p> <p>The Committee considered the following aspects:</p> <ul style="list-style-type: none"> • the need for more comprehensive information provided on the Council's website for the public;

Date considered	Policy title	Summary of Committee considerations
		<ul style="list-style-type: none"> • better signposting to how the public can inform the Council of problems with trees; • frequency of inspections; • trees interfering with TV signals; • replanting two trees for every one that had been felled; and • ancient hedgerows. <p>Cabinet considered the Committee's comments and a further draft of the policy was considered by the Committee on 12 February 2019.</p>
16 January 2019	Homelessness Strategy	<p>The Committee were invited to consider an overview report on the work that was commissioned to develop a housing, homelessness and rough sleeping strategy for Swale.</p> <p>The Committee considered the following aspects:</p> <ul style="list-style-type: none"> • further explore reasons why people have become homeless; • Swale should consider developing its own social housing and not outsource to third parties; • lack of bungalows being built; • need to address the two-month a year homelessness issue caused by the ten-month occupancy rule on holiday camps and the problem it creates every year for the Council's Housing Options team; • ensure that social housing properties were not sub-let; • include provision for those leaving prison; • sign-posting to additional means of support; • role of the Housing Needs Assessment in relation to the new strategy; and • need for a more holistic approach to reducing homelessness. <p>Cabinet took account of the Committee's comments before publishing the draft</p>

Date considered	Policy title	Summary of Committee considerations
		strategy for consultation in April 2019.
12 February 2019	Swale Community Safety Partnership Strategic Assessment	<p>The Committee considered the 2017/18 Swale Community Safety Partnership Strategic Assessment in the context of setting the priorities for the 2019/20 Community Safety Plan.</p> <p>The Committee considered:</p> <ul style="list-style-type: none"> • feeding back on incidents reported; • community triggers; • community engagement; • multi-agency risk assessment conferences; • organised crime groups and Kent Police Gang Liaison Officers; • reducing crime in tourist areas during the holiday season; • increased night time visitors to Sittingbourne once the regeneration scheme is complete; • alley gates in Sheerness; and • integrated offender management and the positive work undertaken by prisoners in the Borough as part of their rehabilitation. <p>The Cabinet Member and officers indicated that the Committee's comments would be fed into the development of the 2019/20 Community Safety Plan which was a document that the Community Partnership would be approving as a multi-agency body rather than the Council itself.</p>

New focus for Policy Development and Review Committee (agreed by PDRC on 18/07/18)

1. The purpose of this discussion paper is to seek the views of the Policy Development and Review Committee (PDRC) in refocussing its work to bring further value to Council in developing new policies.
2. The focus of PDRC since it was established four years ago has been to provide an input to the review of existing policies, plans and strategies or the development of new ones.
3. Typically, PDRC has considered policies, plans and strategies during the latter stages of development or review, although there have been some exceptions. However, it is envisaged that going forward there should be more emphasis placed on PDRC making an input at a much earlier stage, particularly where brand new policies, plans or strategies are being developed. The stages at which PDRC involvement in a policy's development or review could be sought by the Cabinet Member include one or more of the following:

Stage	Description
Conceptual	The reason for introducing a new policy has been identified and several possible solutions may have been identified, but the policy is still in an embryonic stage with no firm decisions taken on the way forward.
Pre-consultation	A policy has been developed, but it needs to be tested through public consultation before it is adopted.
Pre-Cabinet decision	A policy has been subjected to public consultation and amended to e.g. remove proposals which would have adverse consequences.

4. Any such refocussing would also place greater emphasis on the Committee acting in an advisory role, with the value of the Committee's input being in ideas coming forward through discussion with the Cabinet Member(s) and Lead Officer(s) rather than formal recommendations (n.b. any recommendations the Committee currently make do **not** result in a formal response from Cabinet). A new template and guidance for Council Committee reports has been developed to ensure that points made by PDRC will be captured and incorporated into reports to Cabinet so that the role and input of PDRC is clearly shown in the decision-making process.
5. Informal Cabinet will consider a standing item on their agenda every two months listing all of the policies, plans and strategies, whether new or due for renewal, which are 'in the pipeline'. Not all of these will be items which are expected to come to PDRC for review (e.g. inward-facing policies which apply only to the Council or its staff such as Human Resources, Health and Safety or ICT). But any outward-facing

policy, plan or strategy which will have a bearing on either residents, businesses, visitors to Swale or the Borough itself will be expected to come before PDRC.

6. At what stage a policy, plan or strategy might come before the PDRC will vary depending on its state of development. Some might come before PDRC up to once, twice or three times as in the following examples:

Name	Type	New/revised ?	Cabinet Member/Service area	Stage of development	PDRC meeting date
Unauthorised grazing of horses on council open spaces	Policy	New	Cllrs Lewin and Simmons; Planning Enforcement and Commission and Customer Contact	(i) Conceptual; (ii) Pre-consultation; (iii) Pre-Cabinet decision	12/09/18; 27/11/18; 12/02/19.
Homelessness and Housing Strategy	Strategy	Revision to existing policy to reflect changes in national legislation	Cllr Horton; Resident Services	(i) Pre-consultation; (ii) Pre-Cabinet decision	16/01/19; 12/02/19
Housing Allocations Policy	Policy	Minor changes to existing policy	Cllr Horton; Resident Services	(i) Pre-Cabinet decision	12/02/19

7. It is hoped that the above proposals will result in PDRC having the opportunity, particularly for policies etc. which are in the very early stages of their development, to shape the Council's policies, plans and strategies for the better.

Cllr Andy Booth, Chairman PDRC
Cllr James Hunt, Vice-Chairman PDRC

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