
SCRUTINY COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 6 November 2019 from 7.00pm - 9.51 pm.

PRESENT: Councillors Lloyd Bowen (Chairman), Richard Darby, Steve Davey, Mike Dendor (Vice-Chairman), Tim Gibson, Alastair Gould, James Hall, Carole Jackson, Elliott Jayes, Denise Knights, Peter Marchington (substitute for Councillor Pete Neal), Lee McCall and Ken Pugh.

OFFICERS PRESENT: Martyn Cassell, Jo Millard, Bob Pullen, Nick Vickers and Emma Wiggins.

ALSO IN ATTENDANCE: Councillors Cameron Beart, Angela Harrison, Monique Bonney (Cabinet Member for Economy and Property), Simon Fowle, Alan Horton, James Hunt, Ben J Martin, Ken Rowles, Paul Stephen, Sarah Stephen, Roger Truelove (Leader and Cabinet Member for Finance) and Ghlin Whelan.

APOLOGY: Councillor Pete Neal.

338 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

339 MINUTES

The Minutes of the meeting held on Wednesday 2 October 2019 (Minute Nos. 262 – 270) were taken as read, approved and signed by the Chairman as a correct record.

340 DECLARATIONS OF INTEREST

No interests were declared.

341 SCRUTINY OF 2020/21 FEES AND CHARGES PROPOSALS

The Chairman welcomed the Leader, the Chief Financial Officer and the Head of Commissioning, Environment and Leisure to the meeting.

The Chairman advised that the report had been considered by Cabinet the previous week, and would be considered by Council the following week. He said that Appendix I on pages 54-71 were areas where the Council had some discretion on charges and Appendix II listed the fees and charges set by Government which Swale Borough Council (SBC) had no discretion over.

The Leader introduced the report and advised that most fees had been frozen, there were a few small rises and a few new charges. He highlighted that parking charges were frozen and the fee for the new multi-storey car park in Sittingbourne

would be reduced to £7 per day. The Leader drew attention to the planning fee charges on page 7 of the report, and advised Members that the fee for pre-application planning advice meetings, for very large major and major applications, would be increased to £3,000 and £2,000 respectively. He also drew attention to the tabled paper which compared the fees charged for pre-application advice in other Kent authorities, and said that SBC set the highest fees in Kent.

The Chairman asked Members to ask questions on the fees and charges set out in Appendix I which was considered page by page.

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A Member raised concern that that the increase in planning fees would affect some smaller developers. Other Members raised issues including whether the increase sent out the wrong message to developers, how much income the fees generated and sought clarification on the minimum and maximum level of fees on the tabled paper.

In response, the Leader said that the increase was not significant to deter developers or affect development opportunities in Swale. The Chief Financial Officer advised that pre-application planning fees income was £120k, as recorded on page 73 of the report. A Member said that SBC received more major development planning applications than any other Borough in Kent and as the figures on the tabled paper referred to the current year, the fees charged by other authorities for next year was not yet known.

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In response to the Chairman's question on who pays for litter picking after events on Council land where no fee is charged, the Head of Commissioning, Environment and Leisure advised that litter management discussions took place with organisers.

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There was a discussion on the reduction of collection of garden waste bins. The Head of Commissioning, Environment and Leisure explained that the service was good value for money at £37 per year, but some flexibility was required to allow for the weather and Christmas collections.

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A Member drew attention that the comment in New Street developments should read 'no inflationary increase' for three of the items. The Head of Commissioning, Environment and Leisure confirmed he would clarify the position ahead of the Council meeting.

The Head of Commissioning, Environment and Leisure confirmed that fly tipping fees were set by Legislation.

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In response to a Member's question, the Head of Commissioning, Environment and Leisure agreed to look at why there was a reduction in the Hiring of Horses – 5 star establishments and he would update at Council.

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In response to a Member's question on the costs of electric vehicle charging for taxis, the Head of Commissioning, Environment and Leisure agreed to find out.

Page 43

In response to a Member's comment that as the Street Trading Policy was still under review, it was too early to predict increase in cost, the Chief Financial Officer agreed to discuss with officers and update at Council.

Resolved:

(1) That the report be noted.

342 SPECIAL PROJECTS FUND

The Leader gave a summary of the background and purposes of the Special Projects Fund, and explained that £1million per annum over a 4 year period would come from reserves and would fund small one-off public projects. He explained that Members could bid for small projects through the relevant Cabinet Member and sign off of each project was made by the relevant Cabinet Member and Head of Service, then the Leader and Chief Financial Officer. The Leader added that so far 12% of the £4million had been committed to get projects moving as commencement of projects was unlikely until Spring 2020.

The Chief Financial Officer referred to the tabled Appendix which listed projects already bid for and their estimated costs, and said that Faversham Swimming Pool should also be added to the list. He added that details of the bidding and signing-off process would be reported to the next Cabinet meeting and in future, every finance report would set out the funding.

The Chairman asked whether the £100k recently allocated to Murston church came from the Special Projects Fund? The Leader explained that it had come from the Communities Fund. The ward Member expressed disappointment not to be advised about this. In the discussion that followed, the Chief Financial Officer confirmed that there was £250k in the Communities Fund. A Member questioned the process, how applications were made and why this information had not been shared before? The Chief Financial Officer explained that as projects needed to be progressed, the same process for signing-off that had been used for the Regeneration Fund under the previous administration was replicated.

A Member supported the objectives of the Special Fund but questioned whether all the projects on the tabled paper (Appendix I) were appropriate. He said that the role of Scrutiny was to ensure that the correct things were being done and money

was being well spent and without knowing all the details it was difficult to do that, or to inform the public that money was being spent well. He asked that more detailed information be contained in Cabinet reports and suggested that volunteer organisations could be involved in carrying out some of the work. The Leader acknowledged the comments.

A Member drew attention that funding for projects had been agreed in public documents, but costs had changed.

The Chairman asked for more ward Member consultation.

In response to a question from a Member on whether funding had been assigned to specific parks (Appendix I), the Leader advised that it had not.

In response to a Member's question on the cleaning of 4 Air Quality Management Areas, it was confirmed that St. Paul's had already had a deep clean.

A Member questioned where the information received from the survey of local haulage and bus companies would be used as the Council had no direct control. The Cabinet Member for Environment advised that the information would be used to apply to Department for Environment Food and Rural Affairs to fund an electric bus and the Council were working with the bus companies.

A Member advised that many funding opportunities could be accessed on the Council's website, and another Member highlighted the leaflet produced in April 2019 with grant opportunities.

The Leader agreed for more clarity in the future.

In summing up, the Chairman said there was a lack of understanding and clarity over what the Special Projects Fund was and how the funds were allocated. He said that funds were allocated with no clear route of where and when the decision was taken, and there was an issue of transparency. The Chairman said that the Scrutiny Committee could not perform its duty if the information was not known and he hoped the report to the next Cabinet meeting included the process of allocating funding.

The Leader said Cabinet could make executive decisions and would not be inactive due to processes.

343 OTHER REVIEW PROGRESS REPORTS

Regeneration (other than Sittingbourne Town Centre)

The lead Member of the Task and Finish Group advised that there had been a meeting with Heads of Service on projects but due to the General Election announcement, another meeting would not be held until the New Year.

344 CABINET FORWARD PLAN

The Chairman drew attention to the updated Forward Plan which had been tabled.

345 COMMITTEE WORK PROGRAMME

The Chairman drew Members' attention to the tabled revised Committee Work Programme and advised changes were necessary as the next Scrutiny Committee meeting scheduled for 10 December 2019 had been cancelled due to the General Election. The Policy and Performance Officer advised that an updated version would be circulated.

The Chief Finance Officer explained that the third quarter budget monitoring report would not be ready in time for the meeting scheduled on 22 January 2020, but the second quarter budget monitoring and performance monitoring report (second quarter) report would be presented. The third quarter budget monitoring would be presented to the March 2020 meeting.

346 EXCLUSION OF THE PRESS AND PUBLIC

The Chairman clarified that the report to be considered under Agenda Item 9 urgent business was confidential and proposed this part of the meeting to be held in closed session. The proposal was seconded. The Chairman reminded Members of the consequences of any breach of confidentiality.

Resolved:

(1) That under Section 100 (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act: Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

347 URGENT BUSINESS REQUESTSCall-in

The Chairman explained that Cabinet resolved at its meeting on 30 October 2019 that delegated authority be given to the Director of Regeneration and the Chief Financial Officer in consultation with the Cabinet Member for Economy and Property to determine a way forward based upon Option B in the restricted report:

(1) That delegated authority be given to the Director of Regeneration and the Chief Financial Officer in consultation with the Leader and Cabinet Member for Finance and the Cabinet Member for Economy and Property to determine a way forward based upon Option B in the restricted report.

Subsequently, the Chairman requested that the Cabinet decision be called-in for consideration by the Scrutiny Committee in order that more information around the reasons and proposals could be provided, and to consider any viable alternatives.

The Chairman welcomed the Cabinet Member for Economy and Property and the Director of Regeneration.

The Leader gave his support to the Cabinet decision, explained the advantages and disadvantages of each option, and gave a summary of the Council's current and likely future position. The Leader, Cabinet Member for Economy and Chief Financial Officer answered questions.

Recommended:

(1) That the Cabinet decision to go forward with Option B be supported.

348 ADJOURNMENT OF MEETING

The Chairman called an adjournment at 20.31 hrs in order for Members to consider the confidential appendix. The meeting was reconvened at 20.40hrs.

Chairman

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