
COUNCIL

MINUTES of the remote Council Meeting held via Skype on Wednesday 7 October 2020 from 7.00pm – 10.26pm.

PRESENT: Councillors Mike Baldock, Cameron Beart, Monique Bonney, Lloyd Bowen, Derek Carnell, Roger Clark, Richard Darby, Steve Davey, Mike Dendor, Mark Ellen, Tim Gibson, Alastair Gould, James Hall, Ann Hampshire, Nicholas Hampshire, Angela Harrison, Alan Horton, James Hunt, Ken Ingleton, Carole Jackson, Elliott Jayes, Denise Knights, Benjamin Martin (Deputy Mayor), Ben J Martin, Lee McCall, Pete Neal, Padmini Nissanga, Richard Palmer, Hannah Perkin, Ken Pugh, Ken Rowles, Julian Saunders, David Simmons, Paul Stephen (Mayor), Sarah Stephen, Bill Tatton, Roger Truelove, Tim Valentine, Ghlin Whelan, Mike Whiting, Tony Winckless and Corrie Woodford.

OFFICERS PRESENT: Jayne Bolas, Martyn Cassell, David Clifford, Philippa Davies, Janet Hill, Jo Millard, Nick Vickers and Emma Wiggins.

APOLOGIES: Councillors Simon Clark, Simon Fowle and Eddie Thomas.

157 INTRODUCTION

The Mayor explained that the Cabinet meeting would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No 392.

In welcoming all Members and members of the public, the Mayor explained which Swale Borough Council officers were in attendance.

158 MINUTES

The Minutes of the Meeting held on 17 June 2020 (Minute Nos. 697 – 713) were taken as read, approved and signed by the Mayor as a correct record.

159 DECLARATIONS OF INTEREST

No interests were declared.

160 MAYOR'S ANNOUNCEMENTS

The Mayor advised that due to the Covid-19 pandemic, his term so far had been unusual. He said that he had attended a virtual event as a guest at the Lord Lieutenant's award ceremony which was an opportunity for individuals who demonstrated the volunteer ethos to be recognised. The Mayor said that he had attended a virtual civic reception, an annual event to welcome all new Mayors in Kent held by Kent County Council's (KCC) Chairman, Graham Gibbons.

The Mayor spoke of the Black, Asian and Minority Ethnic (BAME) cycling event held at Milton Creek Country Park which he had attended with the Mayoress. He

explained it was the first of four bicycle training sessions organised by Diversity House to encourage women who had not cycled as children, to take up a new exercise.

161 CHANGE TO THE ORDER OF BUSINESS

The Mayor said that there would be a change to the order of the Agenda moving the exempt report (Item 10 – Appointment of Chief Executive) to the end of the meeting, to be heard in closed session before returning to open session to consider Item 18 – Recommendations for approval.

162 MOTION - PLANNING REFORM

Councillor Mike Baldock explained that he had received an amendment to the motion from Councillors Alan Horton and Mike Whiting, for which he thanked them, and in accordance with procedure rule 17.5, he accepted the alteration to the original motion. The Monitoring Officer sought the consent of all Members in agreeing to alter the motion. There was no dissent.

Councillor Baldock welcomed the input of the opposition group in putting forward a stronger motion and their shared concern over the Government's proposals which would increase housing numbers, particularly in Swale. He proposed the following updated motion which was seconded by Councillor Richard Palmer who reserved his right to speak:

"This Council urges Government to reconsider its proposed Planning White Paper.

This Council notes the Government's proposals within the White Paper for more affordable housing, green growth and the provision of infrastructure, but believes the methods suggested for achieving these are ill-thought through, may be counterproductive to good placemaking, and certainly appear to undermine local democracy.

This Council believes any new planning system must deliver the necessary infrastructure (medical services, education provision, transport connectivity and local services) before new homes are built.

This Council believes that borrowing by local authorities to pay for that infrastructure, as proposed, is the wrong approach and unsustainable.

This Council would like to see VAT abolished on the restoration and conversion of buildings, as a way of encouraging the use of smaller brownfield sites.

We call for Local Planning Authorities to be given the ability to rescind planning permissions where development has stalled.

Finally, this Council rejects the proposed changes to the methodology for setting housing numbers which it believes produces unrealistic, unsustainable and ultimately undeliverable targets."

In the debate that followed Members made comments which included:

- The Government were mistaken that the country's lack of housing was a result of the planning system;

- there was an imbalance of housing across London and the South East compared to the rest of the country;
- the Government's white paper threatened local democracy, encouraged poorly designed housing and gave the opportunity for developers to 'cherry pick' sites in their interest;
- locally elected representatives should determine planning applications;
- infrastructure should come first;
- developers should not be able to land bank;
- some elements of the planning system were in need of reform;
- concerns over 'growth zones' and new proposals for Permitted Development Rights;
- unhappy with how a proposed amendment to the original motion had been handled as an alteration;
- the original motion was inadequate;
- encouraged the Leader to send a strongly-worded letter to Government setting out Swale Borough Council's (SBC) views;
- highlighted the negative effect the white paper would have on affordable housing;
- drew attention to development with planning permission not yet implemented;
- concern over increase in proposed housing numbers;
- praise for the altered motion;
- critical of original motion;
- needed a common-sense approach to planning;
- praise for cross-party support; and
- housing delivery should be based on local need.

Councillor Richard Palmer in seconding the motion praised the cross-party support and drew attention to the criticism of the white paper from across different industries and organisations.

Councillor Mike Baldock thanked the opposition for their input, and said that under the Constitution, the alteration was being administered in the correct way, but he apologised if the opposition had not been kept informed of this. He said he was happy to acknowledge their contribution and to work together in a constructive and positive manner.

The Monitoring Officer explained that considering the amendment as an alteration to the original motion assisted in the running of the virtual meeting and that excluding the prospective proposer and seconder of the amended motion was

neither his nor Councillor Baldock's intention. The prospective proposer and seconder of the amendment accepted the apologies.

The altered motion was then put to the vote, and was agreed:

Resolved:

(1) That the Council urges Government to reconsider its proposed Planning White Paper.

(2) That the Council notes the Government's proposals within the White Paper for more affordable housing, green growth and the provision of infrastructure, but believes the methods suggested for achieving these are ill-thought through, may be counterproductive to good placemaking, and certainly appear to undermine local democracy.

(3) That the Council believes any new planning system must deliver the necessary infrastructure (medical services, education provision, transport connectivity and local services) before new homes are built.

(4) That the Council believes that borrowing by local authorities to pay for that infrastructure, as proposed, is the wrong approach and unsustainable.

(5) That the Council would like to see VAT abolished on the restoration and conversion of buildings, as a way of encouraging the use of smaller brownfield sites.

(6) That the Council call for Local Planning Authorities to be given the ability to rescind planning permissions where development has stalled.

(7) That the Council rejects the proposed changes to the methodology for setting housing numbers which it believes produces unrealistic, unsustainable and ultimately undeliverable targets.

163 MOTION - DEMENTIA FRIENDLY

In proposing the motion Councillor Hannah Perkin highlighted that dementia was one of the biggest health issues facing the UK with 850,000 people estimated to be living with dementia. She said that the condition would affect one in three people over the age of 65, and the figures were predicted to rise by two thirds by 2030. Councillor Perkin said that there was a lot the Council could do to support those living with dementia to live a fulfilling life for as long as possible and in helping friends and family members who were supporting people with dementia in the Borough. She explained some of the effects that Covid-19 had on those living with dementia including detachment from their family, and she spoke of personal experience.

Council Perkin drew attention to the positive relationships formed with partner agencies undertaken by Councillors previously and said that the motion was a step forward in carrying out further work in raising greater awareness and understanding of dementia. She thanked Paul Murray from the Oasis Academy and Alison Carter from No Place Like Home for their assistance in the motion.

In seconding the motion, Councillor Derek Carnell reserved his right to speak.

In the debate that followed, Members gave an account of their personal experiences with dementia and made points which included:

- Supportive of the motion;
- thanked Councillor Perkin for bringing the motion forward;
- with informed understanding many living with dementia could lead fulfilling lives;
- highlighted activities, organisations and networks that assisted in dementia;
- pleased that the motion focused on awareness and breaking down prejudices;
- SBC needed to look at ways to help organisations be more effective in assisting those with dementia;
- suggested lobbying for better day and residential care;
- drew attention to the work of the Dementia Café at Oasis Academy;
- gave praise to the organisations listed in the motion that gave support to residents in the Borough;
- praised care homes and their staff;
- supported education of the wider community; and
- spoke of the impact of leading healthy lives in a good environment had in delaying the onset of dementia.

Councillor Perkin thanked Members for their input.

Resolved:

(1) That Council note the information at the bullet points in the first paragraph of the motion.

(2) That Council commend the work that has been done so far in the Borough by the organisations listed in the second paragraph of the motion.

(3) That this Council realises that as a public service there is more that it could be doing to support our community living with Dementia and the Council commits to:

- ***All new Council staff appointed to customer-facing roles and all future members of this Council participate in Dementia Friends training as part of their induction.***
- ***That existing staff in customer-facing roles participate in DementiaFriends training within twelve months.***
- ***That all current members and the Council's Strategic Management Team to participate in Dementia Friends training within 12 months.***
- ***That environmental checks are carried out in Swale House to ensure that the building is Dementia friendly.***

- *To carry out a review of Council employment practices to ensure that best practice is being followed in offering staff living with dementia, or caring for a family member living with dementia, appropriate ongoing support and flexible working arrangements.*
- *To write to Secondary schools in Swale to urge them to include information about living with dementia in the local Personal Social and Health Education curriculum delivered to pupils to help develop their understanding of dementia.*
- *To work closely with existing DAA members to create supportive working relationships.*
- *To become a signatory of the National Dementia Declaration.*
- *To commit to not using disempowering language in communications and press releases for example: “victim”, “suffering from dementia”*
- *An annual progress report to be brought to Council to coincide with Dementia Awareness Week in May of each year.*

164 QUESTIONS SUBMITTED BY THE PUBLIC

The Mayor advised that there were 2 questions from public. Mr Palmer was unable to attend the meeting and the response to his question would be circulated.

Question 1 – Mr Greenhill

“The January 2019 report of the Committee on Standards in Public Life identified some best practice recommendations on local government ethical standards which it expected local authorities to implement. The Committee will be asking in the Autumn for Councils' progress in implementing the recommendations. To what extent has Swale Council implemented the recommendations?”

Response – Leader and Cabinet Member for Finance, Councillor Roger Truelove.

I thank Mr Greenhill for his question. Swale Borough Council's Standards Committee has taken a strong interest in the review of local government ethical standards by the Committee on Standards in Public Life. The Standards Committee reviewed the report and its recommendations in January of this year and resolved to implement or investigate the implementation of the report's few substantive recommendations aimed at local authorities rather than government. Progress on this work will be reported to the Standards Committee in the autumn.

The Committee on Standards in Public Life wrote to the Council in July advising that it was delaying its review of the implementation of its best practice recommendations until later in the year as a result of the Covid-19 crisis. Swale already complies with roughly half of those best practice recommendations which

are aimed at principal councils, and is either working on or considering how it can implement a further four of them.

Several of the best practice recommendations concern the content of the code of conduct. One of the report's substantive recommendations was to the Local Government Association to produce a model code of conduct, with the expectation that this would ultimately be adopted by most councils across the country. Swale's Standards Committee has followed this work with interest and submitted a detailed response to the LGA's consultation on a draft model code back in August.

I believe there has to be room for individual Councils to adapt model documents of this nature – and indeed best practice recommendations – to suit local conditions, but our view of the model code as it stands is generally positive, and we will wait to see how it develops over the coming months before making anything other than urgent changes to our own code. The model code accommodates some but not all of the CSPL's best practice recommendations. Swale's consultation response did particularly highlight the unhelpful absence of a list of specific behaviours which could constitute bullying, and we hope that this is corrected in the final version.

Supplementary question

There was no supplementary question but Mr Greenhill thanked and praised the Democratic Services Team for their efficiency, courtesy and assistance, particularly during the Covid-19 crisis.

165 QUESTIONS SUBMITTED BY MEMBERS

The Mayor advised that 9 questions had been received from Members. Each Member was invited to put their question which was responded to by the relevant Cabinet Member. The questioner was then invited to ask a supplementary question. The Mayor advised that any questions not asked within the thirty minute time limited would receive a written response. Details of the questions and responses are set out below:

Question 1 – Councillor Mike Whiting

The new housing policy, on which the Council has recently consulted, will increase the number of people on the Council's housing waiting list. How will he meet that increased need during the remaining term of his administration or is he simply giving people false hope on which he cannot deliver?

Response – Cabinet Member for Housing, Councillor Ben J Martin

Thank you for the question. The new housing allocation's policy, for which public consultation closed last Friday, is designed to increase fairness and bring the council in to line with government guidelines. It may increase the number of people on the housing register in a very limited and specific way, however it will rectify the issues caused by the current draconian policy which artificially conceals the affordable housing need within the borough, giving a true reflection of the housing need within Swale. Meeting the true need for affordable housing will be challenging, especially when some public authorities like KCC are land banking and if the

government's proposed changes to the planning system, which includes removing the requirement of sites of less than 50 dwellings to provide affordable housing goes ahead. But this administration has made affordable housing a priority for this council, and I will do everything in my power to increase the delivery of affordable housing during my time on this council.

Supplementary Question

To what extent would the policy increase numbers and by how many?

Response - Cabinet Member for Housing, Councillor Ben J Martin

The Council does not hold a list of people who do not currently qualify on the housing register. SBC had been in a much more strict position than other authorities, not in line with current Government guidance, which had concealed the number of people in housing need for affordable housing in the Borough. To tackle a problem, acceptance of the problem was the first step and SBC had been using a draconian method of measuring housing need and the new policy was designed to address these concerns. The proposed Housing Policy would be discussed at the next Cabinet meeting on 28 October 2020.

There was no supplementary question

Question 2 – Councillor Mike Whiting

The Conservative administrations at KCC and at SBC ensured Parish Council representation and full voting rights on the Swale Joint Transportation Board to help ensure the broadest local representation.

If his Coalition Administration wants to make the new Area Committees equally local and representative and, to quote their Terms of Reference, "to bring local insight to bear in council decision-making", why has he specifically excluded Parish Council representation on these new committees, giving Parish Councils neither a seat at the table or voting rights?

Response – Cabinet Member for Planning, Councillor Mike Baldock

Thank you for your question.

I thank you for your recognition of the fact that parish council representation and full voting rights on the Swale Joint Transport Board remain, as this was a major concern for myself on Kent County Council when it came under threat several years ago, and both Councillor Bowles and I campaigned very hard and effectively to not only secure Swale's ability to have 3 Kent Association of Local Councils representatives reflecting the nature of our Borough but to ensure they had full voting rights.

Of course, the Coalition here at Swale has continued to ensure parish and town council representation and full voting rights on the Swale Joint Transportation Board since we formed the administration, reflecting our concerns that parish councils have the widest possible platform to raise issues and contribute to policy making.

You are indeed right that the Coalition at Swale want “to bring local insight to bear in council decision-making” which is why we have instigated a Constitutional review which has been looking to diffuse power among members and improve public engagement in council decision-making.

One of the first steps this administration made was to expand the rights of parish councils to speak at Planning Committees on applications that whilst not within their parish boundaries they felt would have an impact on their parish. Quite different to Cllr Whiting’s own approach of course when in 2016, during a debate on a motion proposed by myself and seconded by Cllr Bonney to the effect “a) This Council agrees that all parish councils that register to speak on a planning application should be allowed to speak on that planning application, regardless of whether the site in question falls within their boundary or not.” He proposed an amendment that would stop parish councils having speaking rights at all. Fortunately that amendment was quite rightly rejected, though he did of course vote against the motion I had proposed.

There has also of course been the establishment of four area committees which as you know have now held their inaugural meetings and appointed chairman and vice-chairman.

However he is not correct in his claim that I have specifically excluded parish council representation on these new committees - not that it would have been in my power to do so anyway as Council matters are decided by Full Council not an individual.

I would refer Cllr Whiting to the Cabinet report on Area Committees where it clearly says - 3.27 ‘additional people invited to attend as non-voting members will include MPs, county councillors and parish or town councils within that area’.

Naturally we are currently in the situation where things are not normal, and not as originally envisaged and our meetings are virtual. I have already instigated an investigation into how we can get delegates from the town and parish councils to be non-voting members of these Committees whilst not breaching the formidable GDPR challenges this presents. It will be up to Area Committee Chairs to issue these invites once the technical issues are resolved.

With regards to his comments about me specifically denying parish councils voting rights on the Committees, I would suggest he familiarises himself with the relevant legislation, where he would find that such a position is actually unlawful, as the area committees have decision-making powers and legislation requires that only members of the authority can take those decisions.

There was no supplementary question.

Question 3 – Councillor Benjamin Martin

Could the Cabinet Member for planning please tell me: how many new homes have been granted planning permission, which have not been built yet, since Bearing Fruits began?

Response – Cabinet Member for Planning, Councillor Mike Baldock

The base date of the adopted Local Plan, Bearing Fruits is 2014. Using 1st April 2014 as the start date, I can confirm that there is unimplemented planning permission for approximately 2,621 additional dwellings up to 31st March 2019. This is the most up to date information available.

There was no supplementary question.

Question 4 – Councillor Tim Gibson

Since the country went into lockdown due to the Covid-19 pandemic has the Council seen an increase in the number of residents in receipt of Universal Credit claiming help towards their Council Tax?

Response – Leader and Cabinet Member for Finance, Councillor Roger Truelove

There are as of September 2020, 3150 claims for Council tax support where a member of the household is in receipt of universal credit.

This is an increase of 1108 in comparison with September 2019, when there were 2042 claims and an increase of 885 in comparison to February 2020. This suggests a strong and predictable link between the Covid crisis and growing hardship and is a worrying consideration as we enter a new phase of inevitable growth in hardship for the least well off parts of our community in the months ahead.

Supplementary question

What is the wider picture on numbers on Universal Credit?

Response – Leader and Cabinet Member for Finance, Councillor Roger Truelove

Universal Credit and Job Seekers Allowance figures were given together from the Department of Work and Pensions so it was not a full picture but was indicative and during the Covid-19 crisis, the number of people seeking support had doubled from three to six thousand. Figures from the Citizens Advice had shown a large increase in those seeking debt, Universal Credit and unemployment advice and it was a serious problem. The net effect of many people being out of work having to receive support and benefits and having a considerable decline in the economy might be greater and more damaging to individuals than the difficult job of Government supporting employment.

Question 5 – Councillor Benjamin Martin

How many planning applications have gone beyond their 13week statutory determination period after validation, and of those applications how many applicants have been asked for additional extensions to their determination period?

Response – Cabinet Member for Planning, Councillor Mike Baldock

Currently there are 60 active major planning applications which have gone beyond the 13/16 week Government target for determination. Of those 60 major planning applications, 39 have signed an extension of time. It is likely that a significant proportion of the remaining 21 major planning applications will sign an extension of time. It should be noted that 13 major planning applications have been determined between 1 April 2020 and 30 September 2020, all of which had either been determined within target or had an extension of time agreed.

Supplementary question

Please can you advise on the figures for domestic applications, not just the major applications?

Response – Cabinet Member for Planning, Councillor Mike Baldock

Apologies for not including those figures in the response. This information would be circulated to you as soon as possible.

Question 6 – Councillor Corrie Woodford

There are large areas of my ward which are rural. We have seen an increased amount of fly tipping in these locations, in particular the Bobbing Hill/Cold Harbour Lane/Parsonage Lane area of Bobbing and the School Lane/Raspberry Hill Lane area of Iwade. Can the cabinet member for the environment please outline what measures he can take to address the huge amounts of fly tipping occurring repeatedly in rural areas? And could he comment on whether the use of hawk eye/covert cameras is something we can utilise in these areas?

Response – Cabinet Member for Environment, Councillor Tim Valentine

Fly tipping has increased across most parts of the country since lockdown. The council monitors and prioritises all fly tipping hot-spots based upon reports received from residents. All fly tipping is inspected and investigated by officers where evidence may be present. Once investigated, it will be cleared as soon as possible to deter further offences. Despite increased workloads, Swale Council officers have worked with partners such as KCC and the Environment Agency to tackle waste crime during lockdown. Since the start of March 2020, eleven offenders have been caught on camera dumping waste. All of these fly tippers were given £400 Fixed Penalty Notices. The cameras will continue to be used where practical to catch offenders. Since this same date, 22 further FPN's have been issued for other waste related offences.

Swale Council have been continuing to work with the police by participating in 'Operation Assist'. This initiative uses county wide intelligence to target waste carriers on the road. The police stop vehicles and the council officers investigate for potential waste offences. Fixed Penalty Notices are issued to offenders as well as checking that the waste ends up in the correct place. Council officers recently used their waste powers to seize a transit van on this operation. The van has since been

crushed on camera as an initiative to deter others. This footage has recently been released on social media.

I can advise that the environment enforcement team are currently working on some fly tipping cases in the aforementioned areas which I cannot discuss in detail. However, I am sure many Members would be aware from the media that the council recently coordinated a large-scale operation within the area highlighted in the question. This was an investigation in partnership with the Police, the Environment Agency and other partners. The operation was a success with large scale waste offences being identified as well as drug offences, stolen goods and animal related matters.

In addition to enforcement, the council has undertaken a significant amount of work to educate residents on how to dispose of their waste correctly. Householders have been reminded that they may receive Fixed Penalty Notices if they fail to use registered waste carriers to remove their rubbish. These messages have been circulated widely on social media and in the press.

Supplementary Question

Is there anything the Council can do to quicken the response from landowners for flying tipping on private land?

Response – Cabinet Member for Environment, Councillor Tim Valentine

Fly tipping on private land was a more difficult issue. We could work with landowners. They did have a duty to keep their land tidy and we could require them to remove the waste but it did always take longer when the waste was tipped on private land than when it was on land we could clear directly.

Question 7 – Councillor Corrie Woodford

Could the Leader comment on the Government proposals to alter the structures of Local Government? There has been a lot of concern about this, can the Cabinet member assure us that the Cabinet will not support the people of Swale having their democratic rights compromised by being submerged in a large sub-regional council?

Response – Leader and Cabinet Member for Finance, Councillor Roger Truelove

I have had the dubious pleasure of being involved in intense and even febrile discussions with district leaders and the leader of the County Council as we all anticipated the autumn publication of a white paper on devolution, which general thinking suggested would involve a devolution of powers and funding, in return for Councils joining together to form unitary authorities with some County Council leaders through the County Council Network anxious to make Counties unitary authorities. Now I understand the white paper may be delayed until the New Year and will possibly not have such a radical impact on the district council level of local government. I speculate that the thinking was political with government wishing to break down the diversity of political control at district level to be more like the

monolithic control at county level and by a pragmatic wish to get local government to do more but with a weakening of democratic control.

Well they have more pressing issues to deal with. Our cabinet has discussed this slightly hypothetical question. We adamantly do not want the people of Swale having their democratic rights compromised by being submerged in a large sub regional council. To that I would add, this is a matter for all members of the Council and if a coherent policy direction does come down from Government, then I believe this is a matter for Full Council debate.

There was no supplementary question.

Question 8 – Councillor Davey

What plans are being made to relocate the occupants of Phoenix House now both SBC and KCC have said that the building is to stay closed due to the cost of repairs and continuing maintenance?

Response – Leader and Cabinet Member for Finance, Councillor Roger Truelove

Swale Council is not involved in any way in the decision to close Phoenix House in Sittingbourne. It is a KCC property and the decision is entirely theirs without discussion with either members or officers of SBC.

The Cabinet is however concerned about the displacement of the community groups that in normal times make great use of Phoenix House. The closure has been flagged up by KCC for many years and we know that ideas have been floated by the groups for an alternative site.

Members of the Cabinet are considering how the obvious need for a community facility can be accessed in Sittingbourne. I will also discuss this situation with the Leader of the County Council.

Supplementary question

My apologies for incorrectly suggesting that SBC were involved in the decision.

Is there any viability in building a new community centre on that piece of land?

Leader and Cabinet Member for Finance, Councillor Roger Truelove

There were a wide range of options that could be considered in Sittingbourne. One could be to build there but there were other potential opportunities which the Cabinet was looking at and was being taken very seriously.

Question 9 – Councillor Davey

Please can you give an update on the current action being undertaken with regard to the latest guidance on Covid-19 following the most recent update from the government, to include an update on the number of Street Marshalls in place?

Response – Leader and Cabinet Member for Finance, Councillor Roger Truelove

As we have experienced throughout this COVID period, government makes announcements and the guidance follows. This isn't always clear and officers work hard to put processes and procedures in place to respond in very short periods of time. The recent announcements have been regarding self-isolation payments and Revs & Benefits are working hard to launch an online form ready for 12th Oct deadline when we will be expected to administer the £500 payment to those who have to self-isolate, cannot work and are on low incomes and to clarify that is a one-off payment not a weekly payment as advised by the Prime Minister.

Also, test and trace where now by law establishments have to collect peoples data through the NHS text and trace app. Environmental Health are working with Public Health and Trading Standards to ensure businesses are complying, through encouragement, education and communication. This is in an environment when guidance and legislation don't match up and change daily. We will be getting powers to issue fines for non-compliance.

As for Street Marshals, we are still waiting guidance and how they will be funded before any decision to have them will be made.

Supplementary question

How will test and trace be monitored within the Borough?

Response – Leader and Cabinet Member for Finance, Councillor Roger Truelove

There will be spot checks at specific high-risk sites such as pubs, restaurants and close contact services and continual non-compliance would receive a fixed penalty notice. £50k had been received from Public Health England to recruit Enforcement Officers but it would be difficult to recruit at a time when other local authorities are trying to recruit

166 LEADER'S STATEMENT

The Mayor reminded Members that the amended procedure rules on the Leader's Statement were agreed at Annual Council in July 2020 in order to give more Members than only the Leader of the Opposition Group a chance to respond.

The Leader said that recent Government decisions had signalled a new phase in the fight against Covid-19 and its social and economic consequences, and it would inevitably signal new pressures and administrative activity for the Council. He said that having had the intense lockdown phase from March to June, there was then a

period of comparative respite through the summer, with people patriotically eating out to help out.

Referring to the future, the Leader said that we appeared to be embarking on a long six-month winter of hibernation, with the possibility of further restrictions on individual lifestyles. He said that we could not know what impact this might have on the economy but also on people's wider health and especially mental health.

The Leader said that we had to hope that people could sustain the sense of community and responsibility that characterised the earlier stages of the pandemic, and that both the NHS and the economy could survive. He added that we had to be prepared for increasing homelessness and unemployment.

The Leader said that the Council had a role to play, both in countering the impact of the pandemic but also in offering as many positives as it could to push back on the downsides of what would be a difficult winter.

Highlighting attention to the positives over the summer months, the Leader said that the capital works of the SBC and Heritage Lottery funded scheme at Faversham Recreational Ground were complete and the park was looking excellent and well supported. Heritage features such as the Garden Lodge had been restored and a number of new assets added, such as the outdoor gym, the catering kiosk and outdoor performance space.

The Leader happily acknowledged that the project was started and championed by Councillor David Simmons, and this demonstrated the advantage of continuity from one administration to another.

He said he was also pleased to say that SBC had played a significant part in ensuring that the Faversham swimming pool could re-open. He added that whilst it was not a Swale Council function, the administration believed such a facility was a vital part of recovery and resilience, in maintaining people's physical and mental health.

The Leader highlighted that those benefits were for Faversham and it was not unknown in Swale Council circles for someone to say "what about us and my bit of the Borough?". He said he could only answer that we wanted to share public realm and public recreational improvements across the whole Borough and would do, remembering we are all Councillors for the whole of Swale.

The Leader said that since the end of the first lockdown officers had continued to meet the demands of resilience in a wide variety of ways: further payments to local businesses, active travel measures, rolling out support and compliance for track and trace and until August 2020, managing the Community Hub.

The Leader said Members would be pleased that the Council's work with rough sleepers had been praised and recognised and this had resulted in Swale receiving the largest Government grant for District Councils in Kent for Next Steps Accommodation funding. He added that he had also requested from the Government Department for some of the evidence of how well the work has enabled people to find better lives than they had previously.

The Leader said that the Council continued to work closely and successfully with other public agencies, especially KCC and the Kent Police. He added that Cabinet Members were due to meet in the near future with senior officers of KCC first to consider the public health implications of the pandemic and secondly to hear about KCC's plans for the various traffic management issues in Kent that might follow from the end of our transition from the EU at the end of the year.

The Leader said that the Council was also moving forward on what he described as the "big ticket" objectives of the administration which he listed as:

- The review of the Local Plan had taken a major step forward, made more urgent by the lunacy of the Government's revision to the standard method for calculating housing need;
- the Economic Improvement Plan had been through the Policy Development Review Committee (PDRC);
- Area Committees were up and running and the Cabinet would soon be referring plans to introduce Cabinet Advisory Committees from next May to PDRC;
- Cabinet, at its next meeting, would be considering a business plan for the setting up of a Local Housing Company;
- Plans were being put in place for town centre improvements throughout the Borough with a supplementary planning document for Sittingbourne that incorporated Bourne Place where significant steps were being taken to diversify the leisure offer to people in Swale;
- a fuel and water project worker has been recruited as part of the 10-point climate emergency plan; and
- planning continued for the refurbishment of Swale House.

Referring to the recruitment of the new Chief Executive, to be discussed elsewhere in the Agenda, the Leader advised that a lot of time had been spent in the last three months in the recruitment.

In conclusion, the Leader said he would like to mention especially Nigel Alexander, the Council's friendly and resourceful Facilities Officer who had gone through a severe period of ill health and had now retired. He said that, as in many other ways, Swale House would not be quite the same.

Finally, the Leader congratulated Sheppey United Football Club for their remarkable victory in the FA Cup over Welling Football Club. He wished the club good luck in the next round against Eastbourne.

In response, the Leader of the opposition thanked the Leader for his statement. He endorsed the comments made about Nigel Alexander and Sheppey United Football Club. The Leader of the opposition reflected on the previous 6 months and on the efforts of officers and staff, and on the impact on their own lives in giving up their additional time in delivering a service to the residents of Swale. He said that the SBC staff were heroes and that Members and the public of Swale should be thankful. Finally, he asked the Director of Regeneration to take Members' collective thanks to the staff of SBC.

In the discussion that followed, Members raised points including:

- gave thanks to all staff, in particular housing staff for their work on the rough sleepers initiative;
- encouraged Members to join in the annual rough sleepers count on 25 November 2020;
- endorsed comments on Faversham Recreation Ground and sought involvement in the ongoing activity plan which was a key element of the Heritage Lottery Funding;
- in reference to Covid-19, was critical of the 10pm closure from Government on the hospitality industry and its impact;
- praised the dedication of homeless team for their work on the Next Steps Housing grant application;
- thanked Councillor Simmons, Councillor Thomas and Councillor Valentine for their work on Faversham Recreation Ground;
- pleased that Faversham Swimming Pool remained popular;
- wished Nigel Alexander well;
- acknowledged the thanks to Sheppey United Football club and wished them well; and
- thanked officers for their assistance and support in tackling anti-social behaviour.

In response, the Leader thanked Members for their comments and acknowledgement of the difficulties officers had faced throughout the pandemic. He referred to the likely increase in rough sleepers and thanked Members for their input on this topic. The Leader said he was proud of the achievements at Faversham Recreation Ground and acknowledged the input from other Members. He said that he thought the current restrictions around Covid-19 were a signal that the country was entering a second wave.

167 CORPORATE PLAN 2020-2023 AND COVID-19 RECOVERY PLAN

The Leader introduced the report which sought Members' agreement to adopt the corporate plan 2020-2023 as set out at Appendix I of the report, and to note the updated Covid-19 recovery plan as at Appendix III. In proposing the recommendations he said that this followed on from the all Member forum that had been held in July 2020. The Leader reminded Members that the corporate plan had been to consultation and considered by the Policy Development and Review Committee (PDRC), and it set the tone for how the Council moved forward. Councillor Mike Baldock seconded the recommendation and reserved his right to speak.

The Leader of the opposition acknowledged the corporate plan was the coalition's collective vision for the future and said that his group would support the plan when they considered it was right, and would explain why when they disagreed.

Councillor Baldock thanked the Leader of the opposition for his fair and balanced response.

Resolved:

(1) That the corporate plan 2020-2023 at Appendix I be adopted.

(2) That the updated Covid-19 recovery plan at Appendix III be noted.

168 ECONOMIC RECOVERY - EXTENSION OF PARKING CONCESSION

The Leader introduced the report which sought to agree the extension of short-term parking concession until January 2021, when it would be reviewed again. In proposing the recommendation, he said that there had been a full discussion previously on the subject. The Leader said it was impossible to know whether the proposal had increased footfall or the amount of time that visitors to the town stayed, or any way of evaluating the loss of income, although it was likely to be a minor loss. In seconding the recommendation, Councillor Monique Bonney reserved her right to speak.

The Leader of the opposition said that it was difficult to evaluate its impact and he was supportive of the concession.

A Member gave his support to the concession but suggested that the scheme be better advertised.

Councillor Bonney said it was a courtesy to encourage residents who visit the town centre with the time to shop whilst socially distancing.

Resolved:

(1) That a further car parking concession as part of the Council's response to Covid-19, specifically a free additional 30 minutes on all parking tickets purchased from 1 October 2020 to 10 January 2021 be agreed.

169 CLIMATE AND ECOLOGICAL EMERGENCY ACTION PLAN

The Cabinet Member for Environment introduced the report which asked Council to note the Climate and Ecological Action Plan. In proposing the recommendation the Cabinet member for Environment drew attention to the top ten high priority key actions on page 71 of the Agenda and he said that good progress was already being made.

Councillor Alistair Gould seconded the recommendation.

The Leader of the opposition thanked the Cabinet Member for Environment and noted the report.

Resolved:

(1) That the Climate and Ecological Emergency Action Plan be noted.

170 CHANGES IN PORTFOLIO RESPONSIBILITIES IN CABINET ROLES

The Leader introduced the report which sought to make minor changes to Cabinet portfolios in order to balance the weight of responsibilities across the Cabinet. He said that responsibility for Heritage, Conservation and closed churchyards would be added to the Cabinet and Deputy Cabinet Member for Planning's portfolio, on and off street parking facilities and enforcement including Joint Transportation Board processes would be added to the Cabinet and Deputy Cabinet Member for Community, and play areas and outdoor fitness equipment including development and maintenance would be added to the portfolio of the Cabinet and Deputy Cabinet Members for Health and Well-being.

In seconding the recommendation, the leader of the opposition noted the report.

Resolved:

(1) That the updated Cabinet portfolio responsibilities as set out at Appendix I be noted.

(2) That the scheme of delegations set out Part 3 of the constitution remains otherwise unchanged.

171 CHANGES TO THE CONSTITUTION

The Deputy Leader and Cabinet Member for Planning introduced the report which set out amendments to the Constitution which the General Purposes Committee had recommended to Council. In proposing the recommendations, he explained the proposal to amend the Planning Committee's functions so that the designation of Conservation Areas became an executive function. The Leader seconded the recommendations.

In supporting the recommendations the Leader of the opposition drew attention to the second recommendation, to update the scheme of officer delegations to reflect the Cabinet decision on anti-idling legislation.

Resolved:

(1) That the Constitution be amended so that responsibility for agreeing Conservation Area statements and action plans becomes an executive function (Appendix I).

(2) That the Constitution be amended to update the scheme of officer delegations to reflect the cabinet decision on anti-idling legislation (Appendix II).

172 OVERVIEW AND SCRUTINY ANNUAL REPORT

The Chairman of the Scrutiny Committee introduced the Overview and Scrutiny Annual report 2019/20. In proposing the recommendations, he said that Scrutiny gave all Members the chance to ask questions of the Cabinet. He referred to the useful debate on the budget at the Scrutiny Committee meeting in January 2020.

He thanked the Cabinet Member for Economy and Property for her attendance and candid and open discussion when updating Members on the Sittingbourne Town Centre regeneration.

The Chairman of Scrutiny Committee thanked all Cabinet Members that had attended, Democratic Services and the Policy Officer. He also thanked the Vice-Chairman and all Scrutiny Committee Members and highlighted the development of a Vice-Chairman in chairing occasional meetings.

In seconding the recommendation, the Vice-Chairman of the Scrutiny Committee thanked Members of the Scrutiny Committee.

The Leader said that the function of Scrutiny was vital in a Cabinet system and he praised the Chairman for the well-run, productive meetings.

The Leader of the opposition thanked all Members and officers for their attendance and assistance at Scrutiny Committee throughout the year and noted the increased numbers of Members in attendance.

Other Members thanked the Chairman, Vice-chairman and officers. A Member drew attention to paragraph 3.15 on page 116, highlighting that the task and finish group were unable to progress due to Coronavirus restrictions, but hoped to revisit in the future.

Resolved:

(1) That the Overview and Scrutiny Annual Report 2019/20 be noted.

173 POLICY DEVELOPMENT AND REVIEW ANNUAL REPORT

The Chairman of the Policy Development and Review Committee introduced the report. He thanked the Policy Officer and proposed the recommendation which was seconded by the Vice-Chairman.

The Leader gave thanks to the PDRC for their input on Area Committees, spoke about the proposals for Cabinet Advisory Committees to be discussed at the next PDRC meeting and thanked the Chairman, Vice-Chairman and Policy Officer.

The Leader of the opposition echoed the thanks given to members of the PDRC, Chairman, Vice-Chairman and supporting staff. He expressed concern that the proposals for Cabinet Advisory Committee would abolish PDRC.

A Member said that holding the meetings in the Committee Room had encouraged more effective working together. He added that the Area Committee format changed as a result of ideas arising from the PDRC and he thanked the Committee and officers for their input on this and the Heritage Strategy and Maritime Working Group. Another Member thanked the Committee but said that many of the suggestions from PDRC were ignored and he expressed his concern over the possible abolition of the Committee. In response, a Member insisted that changes were made to Area Committees as a result of suggestions from PDRC and he said

that the proposals for Cabinet Advisory Boards would extend involvement from Members.

Resolved:

(1) That the Policy Development and Review Committee's Annual Report for 2019/20 be noted.

174 EXCLUSION OF THE PRESS AND PUBLIC

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 1 of Part 1 of Schedule 12A of the Act:

Paragraph 1: Information relating to any individual.

175 APPOINTMENT OF CHIEF EXECUTIVE

The Leader introduced the report and explained the recruitment and selection process that had taken place over the previous three months. He said that the recommended person was the best candidate for Swale. The Leader gave some work experience history of the recommended person and thanked the Head of HR Services and Councillors Mike Baldock and Ken Ingleton.

In the discussion that followed Members gave their support to the decision.

The Leader gave his thanks to the Senior Management Team who had given an outstanding service through a range of difficult times over the previous 15 months, and said he looked forward to the new Chief Executive joining Swale Borough Council in January 2021.

Resolved:

(1) That the recommended appointment of Chief Executive Officer and Head of Paid Service for Swale Borough Council be approved.

(2) That the appointment be confirmed and remunerated in accordance with the Council's approved salary range at Scale 14.

(3) That delegated authority be given to the Chair of the Appointment Sub-Committee, in conjunction with the Head of HR Shared Services to finalise the arrangements and agree the start date for the Chief Executive/Head of Paid Service.

176 RECOMMENDATIONS FOR APPROVAL

Resolved:

(1) That Minute No. 152 from the General Purpose Committee held on 1 October 2020 be noted.

(2) That Minute No. 156 from the Appointment Sub-Committee held on 5 October 2020 be noted.

177 ADJOURNMENT

The meeting was adjourned at 8.43pm to 8.48pm and 10pm to 10.05pm.

178 EXTENSION OF STANDING ORDERS

At 10pm, Members agreed to the suspension of Standing Orders so that the Council could complete its business.

Chairman

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