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## COUNCIL

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**MINUTES** of the Virtual Meeting held via Skype on Wednesday, 24 February 2021 from 7.00 pm - 10.38 pm.

**PRESENT:** Councillors Mike Baldock, Cameron Beart, Monique Bonney, Lloyd Bowen, Derek Carnell, Roger Clark, Simon Clark, Richard Darby, Steve Davey, Mike Dendor, Simon Fowle, Tim Gibson, Alastair Gould, Ann Hampshire, Nicholas Hampshire, Angela Harrison, Alan Horton, James Hunt, Ken Ingleton, Carole Jackson, Elliott Jayes, Denise Knights, Peter Macdonald, Peter Marchington, 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, Eddie Thomas, Roger Truelove, Tim Valentine, Ghlin Whelan, Mike Whiting, Tony Winckless and Corrie Woodford.

**OFFICERS PRESENT:** Billy Attaway, David Clifford, Robin Harris, Jo Millard, Larissa Reed, Nick Vickers Emma Wiggins, Phil Wilson.

**APOLOGY:** Councillor James Hall.

**456 INTRODUCTION**

The Mayor explained that the Council 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 (SBC) officers were in attendance.

**457 TRIBUTE TO COUNCILLOR MARK ELLEN**

The Leader, Councillor Roger Truelove, paid tribute to Councillor Mark Ellen who sadly passed away last week. He spoke of Councillor Ellen's concern for the needs of Sheppey, the many glowing tributes received and of his devotion to his daughter Holly. The Leader said that Councillor Ellen was a very talented drummer who played in the band Vanity Fair, and he described a Birthday party at which Councillor Ellen had played an amazing solo on his drums. He said that Councillor Ellen was a 'good socialist, a good bloke and a good Dad' who had lived a good life.

Councillor Mike Baldock said that Councillor Ellen challenged policies he disagreed with and had a passion for the environment and helping those he considered were over-looked. He spoke of the many warm and positive comments written about Councillor Ellen, particularly on music social media pages and said that the Council had lost a human heart.

Councillor Ken Pugh said that Councillor Ellen was a valued and active member of Sheppey Matters and was also a volunteer radio presenter for Sheppey FM. He

said that his radio shows attracted a vast following from around the world and on behalf of Councillor Ellen's music fans, was thankful for the joy he gave.

Councillor Angela Harrison said that Councillor Ellen was active in looking out for his residents and she recounted his time as Chairman of the Environment Scrutiny Committee and his passion for environmental issues. She gave her condolences to Councillor Ellen's daughter.

Other Members also gave their personal experiences of Councillor Ellen, including Councillor Cameron Beart who described how Councillor Ellen had taught him to play the drums at school.

The Mayor led the minute's silence in memory of Councillor Ellen.

#### **458 MINUTES**

The Minutes of the Council meeting held on 6 January 2021 (Minute Nos. 376-390) and the Extraordinary Council meetings held on 3 February 2021 (Minute Nos. 433-434 and 435-438) were taken as read, approved and signed by the Mayor as correct records.

#### **459 DECLARATIONS OF INTEREST**

No interests were declared.

#### **460 MAYOR'S ANNOUNCEMENTS**

The Mayor had no announcements.

#### **461 LEADER'S STATEMENT**

The Leader said that it was nearly a full year since meetings were last held in Swale House when the General Purposes Committee and Cabinet met very briefly during urgent preparations to go into the first lockdown. He highlighted the human misery the Covid-19 pandemic had caused in Swale, the UK and across the world including:

- Over 100,000 people in the country had died according to the statistical analysis based on 28 days from a positive Covid-19 test;
- many others had died because of the suspension of other clinical care;
- widespread phenomenon of 'long Covid' with people suffering from persistent symptoms;
- people had endured severe isolation, cut off from families, isolated in care homes or incarcerated by the needs to shield;
- businesses in parts of the economy had been decimated;
- the impact on many people's livelihoods was evidenced by the growing use of food banks;
- people of all ages were suffering a mental health crisis;
- domestic abuse was growing alarmingly;

- people were enduring frustrating restrictions on lifestyle and the capacity to enjoy life to the full; and
- children were having their childhood and their opportunities taken from them.

The Leader said there was now more cause for hope, with the successful administration of the vaccine programme and the fall in infection rates but hopes had to be tempered with reality. He said that we could not leap into an overoptimistic abyss, the virus had not retreated, and we would not return to a normal state as before March 2020.

The Leader said that the Council had responded admirably to the challenges of the last year and once again thanked senior officers who had taken the lead and all staff who had put in so much extra work. He extended his thanks to all Members of the Council who had looked out for their communities and the whole Borough during difficult times. The Leader said that in being actively involved in community support, Councillors had re-enforced the public health message appropriately and as things had begun to get better, had encouraged people to take a more optimistic view.

Referring to the first lockdown in the Spring and Summer of last year, the Leader said that the Council moved quickly to take up the targets set by the Government. Action had included:

- Rough sleepers were placed into safe accommodation;
- the Community hubs had brought extensive relief to many in the community; and
- business grants were issued to local businesses with a painfully limited staff resource.

The Leader said that the whole of local government, especially district councils, responded well to the extra demands made on them.

Referring to the second wave of the virus in late Autumn 2020, the Leader said that Swale had encountered a set of different challenges and as the Borough became the most infected in the country, a robust response had been needed in the face of public and media scrutiny, despite SBC not being either the NHS, nor the local Public Health Authority. He said that some of the scrutiny was unpleasant, with deranged messages from parts of the country blaming the people of Swale for growing infections and MP's from other districts complaining that it was all Swale's fault that infections were growing. The Leader advised that it was soon discovered that this was a shallow and ill-informed claim as the whole of Kent moved first into Tier 3 and then into Lockdown. He highlighted that during Lockdown, Swale's infection rates had fallen to 97 in 1000, which was encouraging but still needed to come down further.

The Leader set out the following conclusions:

- It should now be apparent to Government that District Councils were the most efficient and cost-effective way of delivering very local services such as providing community hubs and supporting rough sleepers;

- that devolution of functions to local government worked better than centralised direction and it was clear that district councils such as SBC could and should manage more devolved responsibilities. District councils should be given an enhanced role in primary and acute care, the NHS was a brilliant national asset, but it was too top down, and its communication skills were limited and too fragmented. The Council had effectively helped out with the provision of sites for testing and for vaccinations and had been frustrated by the embargo on informing local people what was going on;
- districts councils should be at the centre of economic recovery.
- district councils had been effective because they were of a manageable size and in touch with real communities and larger unitary districts would not have been able to work so swiftly and effectively; and
- the pandemic had seen a greatly enhanced working relationship with Kent County Council (KCC) which might be a result of the circumstances or a leadership that was ready to work more closely with district leaders. All leaders in Kent had met weekly over recent months and irrespective of parties, mutual support had been good.

Finally, the Leader said that he hoped the Council would support his views and suggested that more operational duties should be devolved to Councils, especially to existing districts. He added that a great deal could be achieved through co-operation between districts and upper tiers but clarity over future funding was needed.

In response, the Leader of the opposition thanked the Leader for his update and highlighted the different impacts from Lockdown 1 to 3. He praised the NHS but agreed the bureaucracy behind it needed to be reformed. The Leader of the opposition agreed with and supported the Leader's Statement.

Other Members raised points which included:

- Praised ordinary people helping others through the Covid-19 pandemic;
- highlighted and praised the work of refuse collectors, shopworkers, delivery drivers, post office staff and volunteers in foodbanks;
- the Covid-19 pandemic had brought the community together;
- SBC did well to continue to deliver services throughout the Covid-19 pandemic;
- suggested a cross-party working group to consider the way forward for Councillors to conduct Council business as restrictions were lifted;
- support for the Leader's statement;
- praised the Housing team;
- concern for staff's health and wellbeing working from home;
- should have considered more efficient and flexible ways of working sooner; and
- praised the way that SBC staff managed and delivered grants during the Covid-19 pandemic.

In response, the Leader praised the work of the NHS and stressed it was the management that needed reforming. He agreed that the Swale community should be proud at how they had responded to the Covid-19 pandemic and he highlighted

the positive impact the lockdowns had had on the environment and on the exercise habits of residents. The Leader supported the praise given to the Economy and Community Services team in processing grants. Finally, the Leader gave his support to a cross-party group to consider how meetings were held in the future.

**462 NOMINATIONS FOR MAYOR 2021/22 - SPEECHES**

Councillor Mike Baldock nominated Councillor Paul Stephen for the role of Mayor elect for the 2021/22 civic year and gave a supporting speech. The nomination was seconded by Councillor Monique Bonney who also gave a supporting speech.

On being put to the vote, the nomination was agreed.

***Resolved:***

***(1) That the Mayor elect for the civic year 2021/2022 be Councillor Paul Stephen.***

**463 NOMINATIONS FOR DEPUTY MAYOR 2021/22 - SPEECHES**

Councillor Roger Truelove nominated Councillor Simon Clark for the role of Deputy Mayor elect for the 2021/22 civic year and gave a supporting speech. The nomination was seconded by Councillor Angela Harrison who also gave a supporting speech.

On being put to the vote, the nomination was agreed.

***Resolved:***

***(1) That the Deputy Mayor elect for the civic year 2021/2022 be Councillor Simon Clark.***

**464 QUESTIONS SUBMITTED BY THE PUBLIC**

There were no questions submitted by the public.

**465 QUESTIONS SUBMITTED BY MEMBERS**

The Mayor advised 3 questions had been received from Members. Each Member was invited to put his/her question, which was responded to by the relevant Cabinet Member. The questioner was then invited to ask a supplementary question.

Details of the questions and response are set out below:

**Question 1- Councillor Steve Davey**

I would like to ask if the Cabinet member for Housing, if he knows how many houses in Swale, managed by Housing Associations, are currently being sold off, either via agents or by auction, and the reasons that they give for this practice.

**Response – Cabinet Member for Housing**

Seven Optivo Housing Association homes have been listed for disposal this year (between August and December 2020), with all homes being sold through public auction sites. This is a legitimate practice as part of the disposal process governed by the Social Housing Regulator and Homes England. Deregulatory measures for social housing regulation (April 2017) introduced by the Housing and Planning Act 2016, changed the classification of Registered Providers (Housing Associations) to “non-public bodies” and as such they are no longer required to secure Homes England or Local Authority approval before selling existing vacant stock.

Of the seven properties listed by Optivo for disposal, 1 was in Lynsted (Aug 2020), 1 is in the Faversham Area, 2 in the Sittingbourne Area and 3 on Sheppey.

The seven homes put forward as disposals by Optivo were listed as uneconomical to maintain due to major levels of building repairs, refurbishment and SAP (Standard Assessment Procedure for Energy rating) improvement works required to bring the homes up to Optivo's decent home lettable standard. Capital receipts generated from local disposals are re-invested into new and more easily maintained homes to meet housing needs of the borough. So far this year the number of new build affordable and social rented homes delivered far outweighs the number taken to auction for disposal, with over 200 new affordable homes delivered so far this civic year. Optivo are currently developing 2 sites in the borough which will deliver 61 affordable rent homes and 27 shared ownership properties, some of these new homes have already been delivered, with others expected throughout the rest of the year.

We have previously partnered with Optivo to look into options of purchasing homes that are being sold for council use, however, the cost to purchase and repair them is outside of our budget.

There was no supplementary question.

**Question 2 – Councillor Lloyd Bowen**

At the Cabinet meeting held on the 16<sup>th</sup> December a Southern by-pass was discussed for Teynham. The minutes of the meeting referred to 1100 dwellings at Teynham and included reference that the allocation was not expected to come forward until 2028 due to the proposed Southern bypass at Teynham which would take traffic, including HGV traffic away from the A2.

Please could the Cabinet Member outline where this by-pass is being considered, where will it potentially start from and end and advise what the timescales are for building this?

Does this address the concern raised by KCC at the last local plan inquiry that the A2, in its current form, from Teynham through to Key Street could not support further development in Teynham and if this were to go ahead, would it not be in conflict with the administration decision and your resolution that housing should not be used to fund the creation of new roads south of Sittingbourne?

**Response – Cabinet Member for Planning**

The route of any potential new road has not yet been decided and would be considered as part of the detailed master planning exercise which would include consultation with residents, the Parish Council, landowners, KCC Highways and developers. It would be south of the A2, although no specific potential alignments have yet been identified. Evidence would need to be gathered as to any technical aspects, including landscape and heritage impacts and benefits to the existing village would need to be assessed against the harm caused. A phasing plan linking the development of new routes to site build outs would be required.

In terms of timescales, the pre-amble to the policy clearly states that the Council does not envisage any housing delivery from the area of opportunity until after 2028 and as stated above a phasing plan will be required to set out at what stage any new road would be required to be built.

As for your question as to whether this addresses the concerns raised during the last local plan inquiry, yes, it does as the potential new road is intended to provide some relief to the existing A2 through Teynham. The policy and the accompanying Transport Strategy also include a number of measures to improve sustainable and active travel which could further reduce pressure on the A2.

**Supplementary Question**

Would a new road make the lives of residents that much better when there is a probable addition of 8,000 car movements per day?

**Response:** This is a matter for the residents of Teynham and the other stakeholders in the masterplan and I cannot predetermine what residents would like to see in their village.

**Question 3 – Councillor Lloyd Bowen**

Teynham has had its fair share of building in recent years and with potentially more to come which will fundamentally change the village environment to that of a small town or a suburb of a town (Sittingbourne). Why does the cabinet member think that the village can accommodate a further 10% increase to the 1000 originally discussed at the local plan panel meetings following the call for sites?

A further potential 1100 houses in Teynham will only increase demands on an already stretched road network.

Could the cabinet member confirm that the Southern link road and Teynham bypass will be built before the provisional additional 1100 houses identified in your proposed housing allocation sites are commenced, if the site is agreed in your plan?

**Response – Cabinet Member for Planning**

Thank you for the question.

To be honest, Swale as a whole has had more than its fair share of building in recent years thanks to the ridiculous housing targets the Conservative Government has repeatedly imposed on the Borough.

It may be useful to familiarise ourselves with the actual policy at this point, as it answers many of the questions being asked.

#### *Policy AO 1 Teynham Area of Opportunity*

- 1. An area of land around Teynham, as shown indicatively on the Proposals Maps and Picture 5.5.1, is identified as an area of opportunity for development of approximately 1,100 homes, proportionate employment and accompanying infrastructure to be commenced in the mid to latter part of the plan period (post 2028).*
- 2. Landowners, agents and developers with interests in this area are required to work together, in liaison with the Borough Council, to contribute to the production of a Teynham masterplan Supplementary Planning Document (SPD) to be adopted by the Borough Council.*
- 3. The masterplan document will be evidenced by research and will follow the outline established in the text above and will include a commitment to:*
  - a. Community engagement and leadership*
  - b. Housing, economic land uses and infrastructure to meet local needs*
  - c. An urban design and landscape design approach, respecting and enhancing local landscape and heritage assets, and positively creating an efficient network of new streets to bring development forward*
  - d. Improving air quality and reducing the impact of private vehicles by creating viable alternatives*
  - e. Adaptation and mitigation to the risk of climate change, including flood risk and overheating*
  - f. Reversing declines in biodiversity and providing for a 20% biodiversity net gain*
  - g. A phased approach, delivering new development, community infrastructure and design, landscape and biodiversity gains in tandem*
  - h. Long term stewardship*
- 4. Until the adoption of the Teynham masterplan SPD, no significant development (aside from allocations within the Conservative Council's 2017 adopted local plan) is likely to be approved by the Borough Council within the area of opportunity. New development within the area of opportunity will accord with the requirements set out in the masterplan.*

Teynham itself is classed as a village service centre in the settlement hierarchy and as such Teynham has been identified as an 'area of opportunity' to support new housing development to take advantage of its central location, rail connections and existing services and facilities. The policy states that the area of opportunity will provide "approximately 1,100 homes" but it will be for the detailed master planning work to determine the exact final figure.

Hence the potential new road, which could provide some relief to the existing A2 through Teynham. The policy and the accompanying Transport Strategy also include a number of measures to improve sustainable and active travel which could further reduce pressure on the A2 and the surrounding road network.

There is only a potential link road proposed, not a southern link road and a Teynham bypass. The pre-amble to the policy clearly states that the Council does not envisage any housing delivery from the area of opportunity until after 2028 and a phasing plan will be required to set out at what stage any new road would be required to be built. This would be agreed in consultation with Kent Highways who would confirm the exact point of housing delivery that any such new road was needed to be operational.

**Supplementary question:**

The 1,100 houses as part of the additional 1400+ potentially form part of the numbers required by Central Government. You have said 10,000 houses are needed across the Borough – is this correct? The former Cabinet Member for Environment quoted a figure of 6290 houses required, or 7580 without any windfall sites. Please confirm the figures, has 10,000 been rounded up and have Members and residents been misled on the figures?

**Response:** A written response will be provided.

**466 BUDGET AND COUNCIL TAX FOR 2021/22**

The Leader introduced the report by explaining that it had already been agreed by Cabinet on a number of occasions and had been thoroughly examined by the Scrutiny Committee. He said that the financial planning of the Council had been overwhelmed by the Covid-19 pandemic and he highlighted its impact on Council finances and services as well as on the local communities and local economy.

The Leader referred to the impact that Government's decisions had on Swale, drawing attention to the high level of borrowing to finance the furlough scheme as well as business grants, community hub funding, rough sleeper initiatives, winter grants and support for local government. He warned of the financial consequences in the future that the high levels of borrowing to fight the disease would have, including mass and repeat vaccinations and he also highlighted the need for additional funding in NHS and mental health care.

Referring to the restrictions on entertainment and hospitality, the Leader said he hoped to soon see demand for Swale's local hospitality and entertainment.

The Leader reminded Members that the Chancellor of the Exchequer would be introducing his budget on 3 March 2021 and he hoped he would not introduce premature measures to start paying off the debt before the economy had time to grow again.

The Leader explained that many local Councils faced the prospect of issuing Section 114 Notices, but SBC were not in that position and had managed its way through the current financial year through good management and financial backing. He referred to the estimated £4million gap (approx. 20% on top of SBC's budget) had said that approximately the same amount of Government funding had been received.

Turning to the 2021/22 budget, the Leader said that Government had provided over 50% more than the £1m anticipated, and the call on reserves was therefore smaller than predicated, at £662k. He stressed that the use of reserves was not a long-term solution, but the current situation was extraordinary and the only alternative would be serious staff reductions or a freeze on staff pay, neither of which were palatable. The Leader said that a 2% pay award for staff had instead been agreed, as indicated in the Medium-Term Financial Plan, at a cost of £263k. He said that staff reductions or a pay freeze would have been a poor way of acknowledging the outstanding contribution staff had made in the current crisis.

The Leader warned that whilst, with support from Government, a balanced budget could be presented, further future challenges might emerge for Local Government which would need monitoring by Government. He said whilst Government had met a large share of the costs of the Covid-19 pandemic, core funding over the last decade had not kept pace with demand and need, and Government needed to consider the role of local government, the capacity for devolution and the role of districts in local economic growth. He said transparency on the future funding of Councils, whilst understandably delayed, was needed in the near future.

The Leader explained that the Council tax rise for Swale's part of the precept of £4.95 pa for a Band D property took the annual cost to £184.32, a rise of 9p per week and a weekly cost in Council Tax of £3.54 for Swale services. He explained that Swale's precept was only a small part of the total charge with KCC raising their charge by £67.50, Police and Crime Commissioner by £15 and Kent Fire and Rescue by £1.53, resulting in an overall Council Tax increase of £88.98 per year, or 4.91%. The Leader said that three-quarters of Council Tax income went to KCC and some residents had the additional costs of Parish precepts as set out on page 11 on Appendix 1.

The Leader said that whilst his intention was for the current robust reserves to remain robust, some reserves might be needed to help support economic and social resilience for the local community. He highlighted the table on page 51 of the report which set out the funding reserves, and drew particular attention to:

- Special Projects Fund, supported by the Business Volatility Fund;
- Town Centre Fund, drawn from Economic Growth funding which was set aside by the previous administration to assist KCC with a road design project;
- Economic Development Fund of £1.1million;
- Improvement and Resilience fund of £1million to make one-off public improvements for the sake of Swale's community; and
- Housing and Commercial Growth fund of £1.7million to be used to support housing strategies including the setting up of the Rainbow Housing Company.

The Leader said that all funds were made available to the Council to improve the local community but had previously been dormant.

The Leader drew Members' attention to Appendix III on page 18 of the report which set out the Council's Capital Strategy which was considered by Cabinet on 10 February 2021. He explained that the Chartered Institute of Public Financing and

Accountancy (CIPFA) and the Government discouraged borrowing for income generation purposes and, unlike SBC, some other Councils were in difficulty because their budgets were too dependent on diminishing income from property investments. The Leader said that the previous administration had invested in the Sittingbourne Town Centre (STC) project and Members of the current administration were seriously opposed to the project which they considered was a commercial risk. He said that nobody could have anticipated the current Covid-19 pandemic and he hoped for a major increase in demand for the leisure facilities provided at Bourne Place, Sittingbourne.

Referring to the investment in Swale Rainbow Homes Ltd, the Leader said that the initial borrowing for the project could be financed by predictable and appropriate rental income whilst the property asset value would be expected to increase in the future.

The Leader spoke about the refurbishment of Swale House and said that the £3million budget could increase or decrease once Cabinet considered its use in the future, the real level of savings from adaptions, the likely future market for lettings to business and the priorities for capital investment.

The Leader stressed that borrowing was not an easy option, but the Council were borrowing to invest in affordable housing because that was the highest priority and was financially sustainable. He said that whilst internal borrowing was the most cost-effective, borrowing from the Public Works Loan Board was becoming more reasonably accessible and borrowing from a mixed source was possible in the future.

The 2021/22 Medium Term Financial Plan (MTFP), and the departmental budget variables was set out in Appendix III on page 27 of the report, and had been considered by Cabinet and Scrutiny Committee. The Leader said the overall strategy had been discussed frequently by a Cabinet sub-group and with the inception of Cabinet Advisory Committees and then a full Committee system, he anticipated all Members having a future greater say in budget strategy.

In considering the MTFP for 2021/22, the Leader said that a combination of Tranche 5 Covid-19 pandemic funding, the unexpected Lower Tier Services Grant and the grant for Council Tax losses, had reduced the initial funding gap of £3million by £1.377million and along with the additional £276k above expected grant from New Homes Bonus, and a small increase in revenue support, the Council were in a much better position than expected. He added that other resisted pressures on expenditure and cost savings leaving a lower demand were already reported elsewhere.

Finally, the Leader said that the future outlook to 2024 was demanding and uncertain but SBC was in a much better place than many other Councils. He thanked the Chief Financial Officer, the Financial Services Manager and their team.

In proposing the recommendations as set out in the report, the Leader proposed an additional recommendation. He said that KCC had made a £6million allocation of one-off Covid-19 pandemic emergency grant funding to fund Council Tax Hardship Relief Support and this would be used to reduce the 2020/2021 Council Tax bill for

all existing Council Tax Reduction Scheme (CTRS) working age households by a maximum of £50 or the total Council Tax liability if this is lower than £50. As a result, he proposed the following recommendation:

*"That the Council's Council Tax Reduction Scheme be amended to reduce the Council Tax bill for CTRS working age households by a maximum of £50 or the total Council Tax liability if this is lower than £50".*

In seconding the recommendations The Deputy Cabinet Member for Finance reserved his right to speak.

In response, the Leader of the opposition thanked the Leader for his detailed analysis. He paid tribute to the Chairman and members of the Scrutiny Committee for the vigorous examination of the report and said that Scrutiny and the Policy and Performance Officer were a fundamental part of Local Government. He sent his good wishes to the Policy and Performance Officer who recently retired. The Leader of the opposition said that budgets were all about choices and he did not agree with all of the choices or the priorities in the budget. He said there were too many priorities and he could not support all five recommendations, although he had confidence in the Section 151's assessment of the overall financial position. The Leader of the opposition referred to the Leader's acknowledgement of Government support through the Covid-19 pandemic, and was pleased that KCC had made the additional £50 available as outlined in Recommendation (5).

The Deputy Cabinet Member for Finance thanked the Finance Team.

**In accordance with SI 2014 No. 165, a recorded vote was taken and voting on Recommendation (1) was as follows:**

**For:** Baldock, Beart, Bonney, Bowen, Carnell, R Clark, Darby, Davey, Dendor, Fowle, Gibson, Gould, A Hampshire, N Hampshire, Harrison, Horton, Hunt, Ingleton, Jackson, Jayes, Knights, MacDonald, Marchington, Ben A Martin, Ben J Martin, McCall, Neal, Palmer, Perkin, Pugh, Saunders, Simmons, P Stephen, S Stephen, Thomas, Truelove, Valentine, Whelan, Whiting, Winckless and Woodford. Total equals: 41

**Against:** 0

**Abstain:** 0

**In accordance with SI 2014 No. 165, a recorded vote was taken and voting on Recommendations (2), (3) and (4) was as follows:**

**For:** Baldock, Bonney, Carnell, Darby, Davey, Gibson, Gould, Harrison, Jackson, Jayes, Knights, Ben A Martin, Ben J Martin, McCall, Palmer, Perkin, Rowles, Saunders, P Stephen, S Stephen, Thomas, Truelove, Valentine, Whelan, Winckless and Woodford. Total equals 26.

**Against:** Beart, Bowen, R Clark, Dendor, Fowle, A Hampshire, N Hampshire, Horton, Hunt, Ingleton, MacDonald, Marchington, Neal, Pugh, Simmons, Whiting: Total equals 16.

**Abstain: 0.**

**In accordance with SI 2014 No. 165, a recorded vote was taken and voting on Recommendation (5) was as follows:**

**For: Baldock, Beart, Bonney, Bowen, Carnell, R Clark, Darby, Davey, Dendor, Fowle, Gibson, Gould, A Hampshire, N Hampshire, Harrison, Horton, Hunt, Ingleton, Jackson, Jayes, Knights, MacDonald, Marchington, Ben A Martin, Ben J Martin, McCall, Neal, Palmer, Perkin, Pugh, Rowles, Saunders, Simmons, P Stephen, S Stephen, Thomas, Truelove, Valentine, Whelan, Whiting, Winckless and Woodford. Total equals: 42.**

**Resolved:**

- (1) That Members note the Chief Finance Officer's opinion on the robustness of the budget estimates and the adequacy of reserves.**
- (2) That Minute Number 447/02/21 approved by the Cabinet on 10 February 2021 on the report on the Medium-term Financial Plan and the 2021/22 Revenue and Capital Budgets be approved.**
- (3) That the resolutions contained in Appendix I be approved.**
- (4) That in accordance with the proposals contained within SI 2014 no. 165 that a recorded vote be taken on the 2021/22 Budget and Council Tax.**
- (5) That the Council's Council Tax Reduction Scheme be amended to reduce the Council Tax bill for CTRS working age households by a maximum of £50 or the total Council Tax liability if this is lower than £50.**

#### **467 TREASURY MANAGEMENT STRATEGY 2021/22**

The Leader introduced the report which set out and sought approval of the Treasury Management Strategy 2020/21 and the Prudential and Treasury Management Indicators. He said that it was an economic cycle of low borrowing costs and low returns on deposits, and borrowing costs from the Public Works Loan Board were now more attractive and would be utilised in the future.

Once again, the Leader repeated that the Council had not invested in speculative property investments, but the previous administration had invested in the Sittingbourne Town Centre Regeneration scheme and future investment included the Swale Rainbow Housing Company, which he hoped would benefit the lives of the residents of Swale. He said that the Council held significant invested funds made up of income received in advance of expenditure plus balances and reserves and given the low return, the Council mainly used the money market fund for short-term investment.

The Leader proposed the recommendation which was seconded by the Deputy Cabinet Member for Finance.

The Leader of the opposition gave his support to the Treasury Management Strategy 2021/22 and the Prudential and Treasury Management Indicators. He praised the work of the Chief Financial Officer, Financial Services Manager, and the Finance Team.

A Member expressed her concern over future negative interest rates and drew attention to paragraphs 2.16 and 2.17 on page 57 of the report which outlined the possible impact of this. She said this should be monitored carefully.

***Resolved:***

- (1) That the Treasury Management Strategy 2021/22 and the Prudential and Treasury Management Indicators be approved.***

**468 PAY POLICY REPORT**

In introducing the report, the Leader drew attention to the key changes in the annual document which were in relation to the Chief Executive's salary which was reviewed in July 2020. Based on the review, the salary was reduced in line with Chief Executive salaries at other similar sized local authorities.

The Leader was pleased to draw attention to the pay increase of 2% to all staff. He referred to the other payments at paragraph 3.5 of the report and said they had also been updated.

The Leader highlighted Appendix 1 (H) on page 99 of the report which set out the salary details of senior employees at the Council whose salary was in excess of £50k per year. He reiterated that the staff were the Council's key asset and was pleased to advise Members that SBC continued to pay the Real Living Wage in line with the policy agreed in 2019. He proposed the recommendations which were seconded by the Deputy Cabinet for Finance who reserved his right to speak.

The Leader of the opposition extended his thanks to Head of HR Shared Service and her team and spoke in support of the Pay Policy.

The Deputy Cabinet Member for Finance thanked all staff for their hard work.

***Resolved:***

- (1) That the proposed Pay Policy Statement be agreed for publication on the Council's website.***

- (2) That the information within the Pay Policy Statement is updated with actual year-end figures before final publication.***

**469 ELECTION OF MAYOR AND DEPUTY MAYOR ELECT 2021/22**

The Mayor advised that as only one nomination was received for Mayor Elect 2021/22 and for Deputy Mayor Elect 2021/22, it was not necessary to hold the secret ballot and the vote had taken place.

**470 TIMETABLE OF MEETINGS**

The Leader introduced the report, highlighting the addition of quarterly Cabinet Advisory Committees from July 2021. He proposed the recommendation.

In seconding the recommendation, the Leader of the opposition spoke in support of the structured Timetable of Meetings 2021/22.

A Member asked for further consideration to be given to the alignment of Cabinet meetings with Scrutiny Committee meetings in order to consider more up to date Financial Management reports. The Chairman of the Scrutiny Committee advised that he had spoken to the Chief Finance Officer and was confident that the Scrutiny Committee could discuss financial information at the most appropriate time.

The Leader said that he hoped the implementation of the Cabinet Advisory Committees would provide for closer examination of the financial reports.

***Resolved:***

***(1) That the programme of meetings set out in Appendix I to the report be agreed.***

**471 UPDATED CABINET PORTFOLIOS**

The Leader introduced the report which provided a summary of an updated list of Cabinet portfolio responsibilities following some recent changes. He made a correction to the title of Community and Public Realm portfolio in the document, to Community portfolio. He proposed the recommendations which were seconded by the Deputy Leader.

***Resolved:***

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

***(2) That the Scheme of Delegations set out in Part 3 of the Constitution remains otherwise unchanged be noted.***

**472 RECOMMENDATIONS FOR APPROVAL**

***Resolved:***

***(1) That the recommendations in Minute Nos. 447 and 448 from the Cabinet meeting held on 10 February 2021 be noted.***

**473 URGENT ITEM - LOCAL PLAN REVIEW: EXTENSION OF CONSULTATION PERIOD**

The Cabinet Member for Planning introduced the report which sought to extend the Regulation 19 consultation period of the Local Plan Review to 30 April 2021. He said he wanted as many residents as possible and other interested parties to

engage with the consultation and make their views known. The Cabinet Member for Planning explained the impact that the current Covid-19 pandemic had in reducing consultation meetings and access to public buildings to view the consultation documents, but said that all information was on-line, hard copies were available, and virtual meetings with Parish Councils were taking place.

The Cabinet Member for Planning said that he had always hoped for a longer consultation period but was advised that this should not extend too far into the pre-election period. After seeking further legal advice, and working with other Councils, he considered the risk of extending into the pre-election period was appropriate. The Cabinet Member for Planning said the consultation could not wait until after the elections in May 2021 as the final Local Plan submission had to be submitted to the Planning Inspectorate in August 2021, to hold the Examination in Public (EiP) before the current plan expired in Spring 2022. He said that whilst running the consultation in the pre-election period had to remain non-party political to avoid any conflict, an extension to the consultation would enable more people to respond to the Regulation 19 consultation. He proposed the recommendation.

In seconding the recommendation, the Deputy Cabinet Member for Planning reserved his right to speak.

The Leader said the administration wanted to move forward, and there was a serious risk of unwanted and evasive planning applications if there was any further delay in holding the consultation. He said the uncertainty around the elections taking place in May 2021 had caused difficulties and there was a danger that the consultation would be used as a campaigning tool which he warned against. The Leader said that given the degree of public concern and the current restrictions because of the Covid-19 pandemic, he supported the extension of the consultation for public.

The Leader of the opposition said that the urgency of the report and proposed extension was of the Council's making as it had not planned properly. He compared the process with another Kent authority who agreed to a Regulation 19 consultation and whose anticipated submission for their plan was a month before SBC's deadline. The Leader of the opposition said that the administration had ignored opposition Members who had warned against missing out the Regulation B step of the consultation. He said that whilst the extension of the consultation would be supported, it did not go far enough, and he proposed the following additional recommendation which was seconded by Councillor Roger Clark:

*That this Council requires the Cabinet Member for Planning to bring the outcome of the consultation to Full Council for consideration by Members on completion of the analysis.*

In the debate that followed Members raised points including:

- should have listened earlier to public, Parish Councils and other organisations;
- it was wrong to rush when concerns had been raised;
- there was a duty and responsibility to ensure detailed information was complete and accessible;

- was pleased that the charge for providing hard copies of the document was dropped;
- virtual meetings between Parish Councils and residents should have been part of the communication process earlier;
- asked for the Regulation 19 communications plan to be provided outside of the meeting;
- signposting of all consultation documents on the website needed to be better;
- what were the opposition's alternative proposals to the plan?;
- highlighted late changes to the plan;
- why had the administration proposed the extension to the consultation now?;
- the Bearing Fruits Local Plan consultations carried out by the previous administration was also 6 weeks;
- original consultation period was far too short and the final document should be considered by Full Council;
- critical of communication to public;
- the current administration agreed not to have a politically balanced Local Plan Panel and had excluded the opposition's input;
- the previous administration carried out multiple consultations;
- supportive of amendment; and
- sought clarification that the outcome of the consultation come back to Full Council for noting only.

In response, the Cabinet Member for Planning said that the previous administration had not brought back the results of the consultation to Full Council whilst they were in power and he gave examples of late changes to the plan at that time. He said that the plan had been through many different discussions at various meetings and should not be a shock to the community as the opposition had described. He added that Ward Members should be keeping their residents updated. The Cabinet Member for Planning accused the opposition of delaying tactics in order for the plan to fail.

On being put to the vote the amendment was not agreed.

Members discussed the substantive motion.

Councillor Tim Valentine spoke in support of the extension of the consultation and proposed a further amendment. This was seconded by Councillor Ben A Martin:

*That the Council consider writing as soon as possible to all households in Swale to draw their attention to the consultation and inform residents how they can respond. The letter will list the location and number of homes of all new allocations under the local plan review.*

In debating the amendment, Members raised points including:

- The Inside Swale publication was already about to be circulated – were details of the consultation contained in it?;
- there was a significant budget implication in advising individual households of the consultation;

- spoke in support;
- would rather cancel Inside Swale and use costs to fund a consultation letter to all households;
- the amendment was practical and a worthwhile suggestion;
- more consistency and clarity from the administration was needed;
- high cost to consult but was a good use of money;
- voting against the amendment would exclude the public's views;
- could adapt the information in Inside Swale to make it as consumer-friendly as possible;
- could not cancel Inside Swale as had a contract;
- individual letter consultation was an unnecessary use of public money;
- a letter consultation was a duplication of information in Inside Swale and was counter-productive;
- some residents were not technically minded and could not access the information online; and
- during the current restrictions, Councillors could not visit residents with information.

In response, the Cabinet Member for Planning encouraged residents to take part in the consultation and said whilst there was an environmental and cost impact in sending out individual consultation letters, he did not mind if individual consultation letters were sent out.

On being put the vote, the amendment was agreed.

***Resolved:***

***(1) That the period of consultation for the Local Plan review be extended for an additional five and a half weeks to close on Friday 30 April 2021.***

***(2) That the Council writes as soon as possible to all households in Swale to draw their attention to the consultation and inform residents how they can respond. The letter to list the location and number of homes of all new allocations under the local plan review.***

**474 ADJOURNMENT**

The meeting was adjourned at 20:57 and reconvened at 21:03 and at 21:58 and reconvened at 22:08.

**475 EXTENSION OF STANDING ORDERS**

At 10pm and 10.30pm Members agreed to the suspension of Standing Orders in order that Council could complete its business.

Chairman

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language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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