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## CABINET

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**MINUTES** of the Virtual Meeting held via Skype on Wednesday, 28 October 2020 from 7.00pm - 8.23pm.

**PRESENT:** Councillors Mike Baldock (Vice-Chairman), Monique Bonney, Angela Harrison, Ben J Martin, Richard Palmer, Roger Truelove (Chairman) and Tim Valentine.

**DEPUTY CABINET MEMBERS:** Councillors Derek Carnell, Alastair Gould, Julian Saunders, Sarah Stephen, Eddie Thomas and Ghlin Whelan.

**OFFICERS PRESENT:** Jayne Bolas, Zoe Callaway, David Clifford, Debbie Fallis, Zoe Kent, Kieren Mansfield, Ryan Miles, Jo Millard, Lyn Newton, Roxanne Sheppard and Nick Vickers and Emma Wiggins.

**ALSO IN ATTENDANCE:** Councillors Cameron Beart, Steve Davey, Mike Dendor, Tim Gibson, Ken Ingleton, Elliott Jayes, Denise Knights, Pete Neal, David Simmons, Paul Stephen and Corrie Woodford.

**APOLOGY:** Deputy Cabinet Member Councillor Hannah Perkin.

### 207 MINUTES

The Minutes of the Meeting held on 23 September 2020 (Minute Nos. 121 – 131) were taken as read, approved and signed by the Chairman as a correct record.

### 208 DECLARATIONS OF INTEREST

Councillor Richard Palmer declared a Disclosable Pecuniary Interest in respect of Item 4 Review of Fees and Charges 2021/22 (page 37 of the report) as his company delivered Food Hygiene Training, Councillor Palmer was advised that as his company did not pay the fees charged, a declaration was not necessary.

### 209 REVIEW OF FEES AND CHARGES

The Leader and Cabinet Member for Finance introduced the report which invited Cabinet to consider the proposals for the level of fees and charges to be levied for the next financial year 2021/22.

The Cabinet Member for Planning referred to pages 23 and 24 of the report and considered that all fees for Travelling Fairs and Circuses should be set the same, at £200. He highlighted the variances in fees for similar events. The Cabinet Member for Economy and Property highlighted the costs on Street Trading fees. Further information on the cost variances was requested. In the debate that followed, the Monitoring Officer suggested that the following recommendation could be added, to allow for further clarification on the costs:

*That delegated authority be given to the Leader and Cabinet Member for Finance to amend the fees and charges and/or the wording to the Travelling Fairs and shows, and Street Trading fees prior to reporting Scrutiny Committee, following consultation with the Head of Commissioning, Environment and Leisure Services and the Chief Financial Officer for further detail on costs and taking into account the view expressed by the Cabinet Member for Planning and the Cabinet Member for Economy and Property.*

On being put to the vote, Members agreed the inclusion of the additional resolution.

The Cabinet Member for Health and Wellbeing drew attention to all enquiries that charged a fee, as highlighted on page 12 of the report, and that they should be charged regardless of whether the enquiry was as a Freedom of Information request or not.

The Deputy Leader of the opposition highlighted the increase to Garden Waste Subscription at page 28 of the report and asked Cabinet to consider whether the increase might discourage use of the service.

***Recommended:***

***(1) That the proposed fees and charges 2021/22 as set out in this report be approved subject to any amendments set out under delegations (2) and (3).***

***(2) Regarding Pest Control that delegated authority be given to the Head of Commissioning, Environment and Leisure Services in consultation with the Chief Financial Officer and the Cabinet Member for Environment to amend the fees and charges and/or the wording to the Pest Control charges bases on the outcomes from industry research and expressions of interest over the coming months, and to implement the revised charges to reflect any new pest control contract start dates (which may be before or after 1 April 2021). If a suitable contract is not deemed viable, these fees and charges will be removed.***

***Resolved:***

***(3) That delegated authority be given to the Leader and Cabinet Member for Finance to amend the fees and charges and/or the wording to the Travelling Fairs and shows, and Street Trading fees prior to reporting Scrutiny Committee, following consultation with the Head of Commissioning, Environment and Leisure Services and the Chief Financial Officer for further detail on costs and taking into account the view expressed by the Cabinet Member for Planning and the Cabinet Member for Economy and Property.***

**210 COUNCIL TAX SUPPORT SCHEME 2020/21**

The Leader introduced the report and said that no changes to the existing scheme were proposed.

***Recommended:***

**(1) That the Council Tax Support scheme for 2021/22 is kept the same as 2020/21 and the Council Tax Support continues as a maximum reduction of 80%**

## 211 EXTENSION TO MATRIX CONTRACT

The Human Resources Manager introduced the report which sought to extend the current contract with Matrix to provide agency workers, by a further year and to re-tender the service in 2021. She explained that there had been a review of the service provided by Matrix from November 2018 to December 2019 as outlined at paragraph 2.4 on page 95 of the Agenda.

### **Resolved:**

**(1) To extend the Matrix contract by 1 year in December 2020 on the existing framework arrangements.**

**(2) To re-tender the service in 2021 to allow the necessary time to undertake the tendering and implementation process for the Managed Service Provider Contract.**

## 212 HOUSING ALLOCATIONS POLICY

The Cabinet Member for Housing introduced the report which sought to adopt the Housing Allocations Policy 2020. He explained that a public consultation on the policy had been carried out and said that it was a fair, transparent and liberal policy which would enable the Council to make efficient use of affordable housing, prioritising those with the greatest need.

The Cabinet Member for Housing said that the respondents to the public consultation broadly agreed with the changes proposed, although a minority wanted to prevent the introduction of the lower residency criteria. He explained that the current criteria of living in the Borough for 4 out of 5 years caused significant issues and was excessive compared to other Councils, and Government guidelines which recommended 2 years as proposed in the new Policy.

The Cabinet Member for Housing drew attention to Band E: Rural Housing on page 147 of the Agenda which, as a result of the consultation, had been expanded to include residents who qualified for community-led housing from the Community Land Trust.

The Cabinet Member for Planning congratulated the Cabinet Member for Housing on the Policy and said it was the correct way forward.

A Member agreed that those in the highest need should be prioritised but he did not think the policy addressed the existing need, and would increase the numbers to an unachievable level, giving non-residents more priority. He expressed his disappointment that some comments arising out of the consultation had been disregarded. In response, the Cabinet Member for Housing gave an example of how the current policy was unfair and said that living in a Borough for 2 years was standard criteria throughout the country. He said the policy addressed the issue for

those residents that had to leave the Swale area, for example due to educational or employment reasons, but it was still their home. The Cabinet Member for Housing agreed that the new Policy would increase the numbers on the housing list but would allow the Council to gauge the issue. Finally, he said that the Policy would meet the true needs of the Borough.

***Resolved:***

***(1) That the Housing Allocations Policy 2020 be adopted.***

**213 VISITOR ECONOMY FRAMEWORK ACTION PLAN**

The Cabinet Member for Economy and Property introduced the report and explained that Cabinet Members noted the Visitor Economy Framework Action Plan at Cabinet in July 2020 which then went out to public consultation. She referred to the public consultation feedback within the report and gave thanks to officers and various organisations for their input.

The Leader and Cabinet Member for Finance also gave his thanks and said that there was great potential to development the visitor economy in Swale.

A Member suggested that more detail on aviation and birdwatching be included in the document. He asked how the priorities would be achieved with limited staff and funding resources and suggested a more achievable priority list and more detail of the partnerships with other organisations. In response, the Leader and Cabinet Member for Finance said there would be resources to ensure the priorities were delivered. The Cabinet Member for Economy and Property referred to Appendix II which outlined the prioritisation of the actions and said that many organisations were involved and Swale Borough Council (SBC) were acting as the enabler in the partnership working. She drew attention that delivery partners and timescales were outlined in the document and said that work on some of the short-term priorities had already commenced.

***Resolved:***

***(1) That the Visitor Economy Framework Action Plan consultation feedback be noted.***

***(2) That the Visitor Economy Framework Action plan be endorsed.***

**214 ECONOMIC IMPROVEMENT PLAN**

The Cabinet Member for Economy and Property introduced the report and said that the Economic Improvement Plan was an overarching framework. She said that the Council had to take advantage of any opportunities during the Covid-19 pandemic and the plan set out the Council's priorities. The Leader and Cabinet Member for Finance referred to paragraph 2.2 on page 199 of the Agenda which gave the overarching priorities and highlighted the impact the lack of skills within Swale had had on growth in the Borough and how vital the skills agenda was.

A Member supported the Economic Improvement Plan and recognised the impact the Covid-19 pandemic had. He referred to the lorry and coach parking provision

and improvement to broadband in rural areas, listed as priorities on page 207 of the agenda. The Leader said the provision of a lorry park required proper planning for the whole of Swale.

**Resolved:**

**(1) That the Economic Improvement Plan 2020-2023 be approved and adopted.**

**215 LOCAL HOUSING COMPANY**

The Leader and Cabinet Member for Finance reminded Members that any discussion on the exempt Appendix Business Plan would take place in closed session.

The Cabinet Member for Housing introduced the report and said that prior to the Covid-19 pandemic a paper was considered by Cabinet, highlighting the options for the delivery of additional, affordable housing within the Borough and the establishment of a Local Housing Company (LHC) was part of that delivery. He said that the Business Plan, governance structures and financing of the company had been carefully considered and developed by officers and members of the Cabinet.

The Cabinet Member for Housing said the plan was for additional housing on Council-owned land, with the highest possible environmental standards that could viably be achieved. He said that the forming of the company offered long-term opportunities for the Council to directly intervene in the housing market, along with tenure flexibility to ensure that projects were financially viable and did not place the Council in any undue, significant financial risk. The Cabinet Member for Housing highlighted that many other Councils throughout the country had successfully established their own housing companies to deliver affordable housing and long-term income for their authorities. Finally, he said that, if approved, the proposal would be the second largest investment by the Council, after the Spirit of Sittingbourne project which had carried more risk, and the Council was fully committed to delivering additional affordable housing.

The Deputy Cabinet Member for Housing highlighted the rise in homelessness and those households in temporary accommodation in Swale, despite more recent additional resources. He referred to previous proposals to address the homeless issue which were considered to be unviable by the previous administration, and he referred to the report which set out the viability of the proposal. The Deputy Cabinet Member for Housing said that the proposal indicated a fundamental change in direction that was essential if the Council were to combat the effects of Universal Credit, the Covid-19 pandemic and BREXIT on the unemployment figures and their consequence. He referred to the income stream that would be received from the LHC which would assist in the revenue budget.

The Cabinet Member for Economy and Property said that the proposal, if agreed, would be a huge investment in the Council's time and resources but was one of the few things the Council could do to influence its housing stock. She said that the setting up the LHC would be a milestone for the Council and would be for the

benefit of the residents of the Borough. The Cabinet Member for Economy and Property acknowledged the huge task of setting the company up but gave her full support.

The Leader and Cabinet Member for Finance reminded Members that when the coalition came into office, they wanted to make better use of the planning system to secure more affordable housing and he said that if all the planning approvals that had been granted with affordable housing were implemented over the next five years, there would be a substantial amount of affordable housing from various perspectives, in the Borough. He said that various other options to provide affordable housing had been considered and the proposal was a substantial start to SBC's future. The Leader and Cabinet Member for Finance stressed that the Council would not embark on the project unless it was considered to be financially sound and viable and would not be a burden on the base budget or council taxpayers. He was certain that the property assets would grow in value and the debt and loan charges would be met by rents and that it was a financially sound investment that met the social and community aim of the administration. He hoped the Council would purchase land in parts of the Borough that desperately needed affordable housing but were not receiving it under the planning system.

The Cabinet Member for Environment welcomed the proposal and said that high-density, energy-efficient homes in the town centre where residents could live and travel without needing a car would bring vitality to the town centre. He said that he understood the viability issues but hoped there was a way to make the houses zero or low-carbon and he gave some examples at other Councils in York and Lewes. He encouraged the use of high-energy efficiency techniques when affordable housing was built. He referred to retaining 10% of the affordable homes in perpetuity as at paragraph 2.21 on page 215 and hoped that Council would retain a higher proportion of the properties and sought clarity on borrowing and interest rates as at paragraph 2.29 on page 216. In response, the Cabinet Member for Housing said the 10% retention of affordable housing would be included as part of the Section 106 Agreement and whilst he too hoped for higher retention, there needed to be flexibility. Responding to the question on borrowing and interest rates, he advised that state aid rules applied when affordable housing was not being built.

***Resolved:***

***(1) That a Local Housing Company (LHC) called Swale Rainbow Homes Ltd be created.***

***(2) That Councillors Ben J Martin and Monique Bonney, Emma Wiggins and Charlotte Hudson be appointed as directors of the LHC.***

***(3) That the Monitoring Officer be appointed as Company Secretary for LHC.***

***(4) That the Leader and Cabinet Member for Finance, Deputy Cabinet Member for Housing, Deputy Cabinet Member for Health, Chief Executive and Chief Financial Officer be appointed to the shareholder panel.***

***(5) That the business plan shown in Appendix I be adopted.***

**(6) That the Council-owned land at the old bus depot (East Street), Fountain Street and Cockleshell Walk Car park, Sittingbourne be transferred to the LHC in exchange for an equity share in the LHC.**

**(7) That up to £23million be loaned to the LHC to fund the Capital development.**

**(8) That the Chief Financial Officer, in conjunction with the Leader and Cabinet Member for Finance be given delegated authority to allocate working capital to LHC from the North Kent Shared Business Rates.**

**216 URGENT ITEM - RECOMMENDATIONS FROM THE LOCAL PLAN PANEL MEETING HELD ON 8 OCTOBER 2020**

**Resolved:**

**(1) That the recommendations in Minute Nos. 182 and 183 be agreed.**

**217 EXCLUSION OF PRESS AND PUBLIC**

The Leader proposed that the meeting be held in closed session in order to consider the exempt appendix. The proposal was seconded.

**Resolved:**

**(1) That under Section 100A(4) of the Local Government Act 1972, as amended, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.**

**3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

**218 EXEMPT APPENDIX - LOCAL HOUSING COMPANY**

Members noted the confidential appendix Business Plan.

**219 ADJOURNMENT**

The meeting was adjourned from 8.13pm to 8.16pm.

Chairman

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