
COUNCIL

MINUTES of the Meeting held in the West Faversham Community Centre, Bysing Wood Road, Faversham Kent ME13 7RH on Wednesday, 23 June 2021 from 7.00 pm - 8.15 pm.

PRESENT: Councillors Mike Baldock, Monique Bonney, Derek Carnell, Steve Davey, Mike Dendor, Tim Gibson, Alastair Gould, James Hall, Nicholas Hampshire, Angela Harrison, Alan Horton, James Hunt, Ken Ingleton, Carole Jackson, Elliott Jayes, Denise Knights, Peter Macdonald, Benjamin Martin (Deputy Mayor), Ben J Martin, Lee McCall, Pete Neal, Richard Palmer, Hannah Perkin, Ken Pugh, Ken Rowles, Julian Saunders, David Simmons, Paul Stephen (Mayor), Sarah Stephen, 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 and Larissa Reed.

APOLOGIES: Councillors Cameron Beart, Lloyd Bowen, Roger Clark, Simon Clark, Richard Darby, Ann Hampshire, Peter Marchington, Padmini Nissanga and Bill Tatton.

109 EMERGENCY EVACUATION PROCEDURE

The Mayor outlined the emergency evacuation procedure.

110 MINUTES

The Minutes of the Annual Council Meeting held on 26 May 2021 (Minute Nos. 1 - 14) were taken as read, approved and signed by the Mayor as a correct record.

111 DECLARATIONS OF INTEREST

No interests were declared.

112 MAYOR'S ANNOUNCEMENTS

The Mayor announced that he had opened the Light Cinema and bowling alley in Bourne Place, Sittingbourne on 27 May 2021 and spoke positively about the visit. He said the entertainment venue and restaurants were an asset to Sittingbourne and provided good family entertainment.

The Mayor invited Councillor James Hunt to pay tribute to former Councillor and Mayor of Swale, Lesley Ingham who had sadly passed away recently. In his tribute, Councillor Hunt said that in Lesley's term as Mayor, Council meetings were never dull and she was the best Mayor in his time as a Councillor. He said that with Lesley's daughter Ashlee as Mayoress, they had made a strong Mayoral team and he spoke of the positive impact and memories she had made.

The Leader spoke fondly of Lesley, and of her friendliness to others. He said she was a good Mayor who was firm and fair, and he sent his condolences to her family.

All those in attendance paid tribute to former Councillor and Mayor of Swale, Lesley Ingham, with a minute's silence.

113 LEADER'S STATEMENT

The Leader started his statement by explaining that Central Government were looking again at the expired legislation that allowed remote decision making, and said it should have been considered by Government before it had expired.

He referred to the introduction of Cabinet Committees which were commencing in July 2021 and said that whilst there would likely be teething problems, he hoped all members would treat this initiative in the right spirit and with intelligence so it would be a progressive change to the Council. He said the change would make the role of every Councillor more representative. The Leader said that the Committees were only advisory, but they would involve Members in a way the Cabinet-only structure did not and if after this year Council were minded to move to a full Committee system, then decisions would then be made by Members representing all parts of the Council.

The Leader was pleased to confirm that Larissa Reed had completed her probation as Chief Executive to which Members applauded.

Referring to the announcement in the Queen's speech that there were further measures planned to diminish the role of local councils in the planning process, the Leader said that this came on top of the excessive housing target figures for the South East of England, and London, and caused intense anger from politicians of all parties and communities.

The Leader said that lockdown conditions did not end, as expected, on June 21 2021 and that this was bad news for the many entertainment and hospitality businesses in Swale who were planning around this date. He said this news was exacerbated by the need for continued financial backing without any guarantee of those finances. In particular, he drew attention to the Light Cinema investment in Sittingbourne.

The Leader said this had a great launch and it was sad that it could not immediately meet the very high level of demand. For many reasons he wanted this to succeed, not least because of the serious level of risk invested in it by the Council.

Drawing attention to the recovery, the Leader said that Swale Borough Council (SBC) had a cardinal role in achieving recovery from the pandemic and this meant support to the economy but also support for individuals and groups who had suffered in a variety of ways, from homelessness to an increase in other health conditions, not least in mental health. He said it was not just getting back to where we were but making economic improvements and reaching out. There were a range of potential resources that the Council hoped to turn to over in the next two years. The Leader said the Council had its own already dedicated funds, funds that

could not, even if it wanted to, be used to sustain the base budget. There were also Government recovery funds which the Council were vigorously applying for:

The Communities Renewal Fund for £3 million, submitted on SBC's behalf by Kent County Council (KCC) but with a steer from a panel that included the Leader, the Director of Regeneration, local business interests and our two MPs. Secondly, there was the Welcome Back fund worth over £200k which would help Swale's local retailers. The Leader spoke about the High Street Task Force which, on the insistence of Councillor Monique Bonney and himself, would be focussing on Sheerness. He said SBC were also open to exploring with the Government and Homes England the potential of the First Homes initiative to really benefit the people in Swale.

The Leader stressed that SBC were working with urgency to make a bid for the levelling-up funding, funding that must come to a Borough such as Swale. He referred to the recent media headline which implied that SBC wished to turn their back on this and he stated that this was utterly false. The Leader explained that the reality was that there would be more than one phase to the distribution of this fund and that those initially submitted by some Councils had to be already in a finite state and able to be starting construction in the current year. He said that SBC decided:

- Not to submit a rushed half prepared bid in the very short time span allowed for the initial application because there would only be one chance; and
- most significantly, made it clear to officers, that if a rushed bid did not include a well-resourced plan for the Isle of Sheppey, then further work needed to be done, because levelling up and the Isle of Sheppey instinctively fell together.

The Leader said the previous Friday had not been a deadline, but the Government's first funding scheme for pre-existing projects and further funding would be available for more thorough bids and SBC would work with the local MP's to produce a valuable scheme for the people of Swale.

The Leader said SBC had several clear policy pillars for the next two years. As well as economic improvement and reaching out to the community, he advised the Rainbow Company was now incorporated and projects would begin. He said that growing support for Swale's heritage and culture would be built on further improvements made to Swale's public places. He added that SBC would also continue to build on its growing reputation as a leader in the climate change emergency. The Leader said he felt that this priority should not really be diluted into the wider responsibilities of the Environment Portfolio and climate emergency and air quality monitoring would be transferred from the current Environment Portfolio and new Climate Change appointments would be made: Councillor Tim Valentine, with his encyclopaedic knowledge of the subject as Cabinet member and Councillor Benjamin A Martin as Deputy.

In response, the Leader of the opposition expressed his sympathy to the difficulties faced by businesses and the homeless during lockdown. He said it was not possible to keep businesses open and protect the vulnerable people in the community and many young people had paid the price and lost opportunities to live a normal life. The Leader of the opposition said that everyone needed to work

together to rebuild lives, particularly the young. Referring to the media article on funding, the Leader of the opposition said that lessons in putting out the right message needed to be learned. Finally, he said he looked forward to the delivery of the administration's programme of works over the next 2 years.

Other Members raised questions and raised points including:

- The country needed housing, what were the Government doing wrong?;
- supported the financial bid to support the Isle of Sheppey;
- sought clarification that there could only be one bid as there was only £20million so the bid needed to be submitted properly;
- did Government make the wrong call by suspending the opening of pubs?;
- affordable houses in the right places were needed, not 5-bedroomed houses;
- support for Rainbow Homes and highlighted additional social housing provided over the last two years;
- joined up working with KCC and the health service to tackle mental health and improve support was essential;
- could the Leader confirm that this Council had always supported improvements to Stockbury roundabout?; and
- did the Leader believe the Government would deliver funding this time?

In response the Leader said that whilst more homes were required, more social and affordable housing was needed in the right places and local housing needs were not being met. He said there was a concentration of excessive housing in the South East which caused regional migration.

He urged Members to check information in the media before broadcasting incorrect information. The Leader commended the MP who had confirmed the facts with him and would be working with SBC to produce a plan for the funding bid. In addressing the lockdown and travel bans, the Leader said whilst it was vital the lockdown was extended he questioned why the UK borders were so slack throughout the pandemic and said there was a failure of the Government and Public Health to protect the public.

114 QUESTIONS SUBMITTED BY THE PUBLIC

The Mayor advised that there were 2 questions from public. Mr Kay was not present at the meeting and his question was read out by the Mayor. The question and response were circulated to Mr Kay after the meeting.

Question 1 – Mr Collins

Policy DM3 of the Local Plan states at some length the areas in which development proposals are expected to contribute to the Council's net-zero carbon by 2030 targets. There is little detail: Has the Council produced specific requirements of new housing stock in the light of the climate and ecological emergency, for example in terms of minimum thermal insulation standards, proportion of roof given to solar panels, installation of EV charging points: How is developers' conformity to such requirements monitored, how are the results to be made public and what sanctions

are employed in the event of a company disregarding what the Council has decided?

Response – Cabinet Member for Planning

The Council has worked with the Consultancy Square Gain to produce a set of Sustainable Design & Construction Standards to inform the Local Plan Review and in particular Policy DM3. This document can be found here:

<https://services.swale.gov.uk/assets/Planning%20Policy%202019/Square%20Gain%20Policy%20Recommendations%20table%20FINAL%20January%202021.pdf>

The document sets out the specific standards sought (eg for operational energy, operational carbon, renewable energy and carbon offsetting as well as Building Research Establishment Environmental Assessment Method (BREEAM) and Home Quality Mark standards) and the mechanisms for measuring and monitoring.

With regards to EV charging, the approach is set out in the Swale Borough Council Parking Standards Supplementary Planning Document, here:

<https://services.swale.gov.uk/assets/Planning-Forms-and-Leaflets/Supplementary-Planning-Documents/SBC-Parking-Standards-May-2020.pdf#:~:text=This%20Supplementary%20Planning%20Document%20%28SPD%29%20provides%20guidance%20on,issues%20relating%20to%20new%20development%20across%20the%20Borough.>

Chapter 8 of the emerging Local Plan Review The Swale Borough Local Plan Review February 2021 explains the approach to monitoring policies in the Local Plan (through the Authority Monitoring Report) and Appendix I sets out the indicators and targets for each Local Plan policy, including DM3.

Standards would be enforced through regular Planning and Building Control enforcement procedures.

Supplementary question

Does the Council have a programme to retrofit Council-owned properties with high levels of insulation and where suitable, heat pumps? Is it enforcing minimum energy efficiency standards in the private-rented sector?

Response

A written response would be provided.

Question 2 – Mr Kay

In view of reports that SBC is to provide £75,000 in a grant to the West Faversham Community Association to fund its expansion plans:

- The Association's financial statements have been published on the Charity Commission website charity shown an adverse record (even before COVID-19)
- Over the past three years they have had a net negative movement in funds of over £499,000 and this is prior to impact from COVID-19
- At 31 March 2020 the net current assets of the Association were £20,266 in deficit and the Association had £206,628 of loans repayable over future years
- The cash and loans position of West Faversham was £157,974 worse in just one year (even before COVID 19)
- The last published financial statement shows a figure for prior year adjustments of £29,406 and the explanation suggests that the organisation's administration is unsatisfactory
- The plans are completely contrary to the vision and project that was put into place after extensive public consultation to build a proper community centre run by residents for residents, for which £3 million in grants was obtained and which had an Official Royal Opening
- The expansion plans involve destroying approximately £500,000 of facilities regularly used by the community
- Many organisations that hundreds of residents attended have been told that they cannot use the Centre anymore.

Would the Cabinet Member please state whether the Council was aware of the points set out above, and why a grant was awarded to fund such a high risk unnecessary project, that destroys existing facilities?

Response – Cabinet Member for Communities

Mr Kay thank you for your question.

A comprehensive business plan had been received from the West Faversham Community Association which was proposing the expansion of its current community centre, with a new building at the rear of the site, and repurposing some of the current building. In their submission to the Council it was highlighted that external funding of close to £600k had been raised. There was an examination of the business case and it was agreed to allocate initially £25k from the Council to feasibility work and this has been paid. There is a further £50k allocated provisionally but not yet paid.

By definition the Special Project Fund is intended to assist in making community based projects financially viable and that has a degree of risk.

115 QUESTIONS SUBMITTED BY MEMBERS

The Mayor advised that 3 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.

Question 1 – Councillor Alistair Gould

Is it possible to state how much of the waste from recycling bins in Swale goes to incineration as opposed to truly being recycled? And how much CO₂ equivalent this represents?

Response – Cabinet Member for Environment

Swale Borough is the waste collection authority whereas Kent County Council (KCC) is the waste disposal authority and is responsible for the contracts for processing of waste. The detail below has been provided by KCC.

The dry mixed recycling that was collected in Swale and was accepted as such at the Sittingbourne transfer station totalled 15,043 tonnes in 2020/21. Of this collected material, 611 tonnes were rejected on arrival at the Viridor Crayford materials recycling facility (MRF) due to being too contaminated to be processed at the site. A further 1,701 tonnes of the accepted material delivered to Viridor was calculated (based on legislated sampling procedures) to be materials that could not be recycled e.g. sanitary/nappy waste.

We do not have information on the CO₂ equivalent for the disposal of the contaminated materials. There are many factors that determine this calculation. Those rejected, contaminated materials are sent to facilities to provide 'energy from waste' which acts as a fossil fuel replacement for the production of electricity. The energy from the waste facility that receives the highest proportion of this contaminated waste, undertakes further sorting on-site in order to recover recyclable materials and therefore maximise recycling.

Supplementary Question

Is there an audit trail following the material that goes to the recycling unit to check it is recycled further down the line?

Response

In the information that KCC have provided, they gave assurances about how the disposal of waste was handled:

"The disposal and receipt of waste is highly regulated by legislation and environmental regulations. KCC Waste Management works closely with its contractors, Viridor, to ensure that materials processed on behalf of the Council are ethically handled by responsible companies. Viridor's senior commercial teams visit the end destinations in the UK and overseas and remain committed to the high standards and ethical conduct"

Question 2 – Councillor Mike Whiting

My residents in Heron Fields would like clarity as to whether the Cabinet Member wants to see the Northern Relief Road built and, if he does, when his new local plan will deliver it?

Response – Cabinet Member for Planning

As the Councillor will know, KCC have stated that they see no economic case to justify the Northern Relief Road, and that they cannot envisage it being paid for out of public funds. Despite a significant amount of hyperbole from some quarters since that time, I am not aware of any document that changes KCC's fundamental position.

Delivery of such a road on the back of thousands of extra housing is not an approach that this Council has deemed appropriate, and consequently it is not in the Local Plan.

Instead, there is a recognition that residents in Great Easthall and Heron Fields need a safer and more environmentally appropriate access to the A2 and the Council have committed to investigating potential opportunities to seek effective connections between Stones Farm and Great East Hall to the A2 that would avoid the considerable increase in traffic pressures on Teynham, Ospringe and Bapchild that traffic modelling has shown a Northern Relief Road would cause.

Supplementary Question

What mitigation is there for the increase in traffic through Sittingbourne and Teynham that the Northern Relief Road will bring and is the Cabinet Member ruling out a Southern Relief Road through to the M2?

Response

The Mayor suggested a written response was appropriate.

Question 3 – Councillor Mike Whiting

Your planning team invited a number of landowners, agents and developers within the so-called "Teynham Area of Opportunity" to a meeting on 28 April 2021, to discuss your administration's aspirations for the future of Teynham and Lynsted. My colleague, Councillor Lloyd Bowen, and I requested to attend the meeting, but it was subsequently cancelled.

In correspondence with Lynsted with Kingsdown Parish Council, the Chief Executive wrote, "this meeting is not to brief developers and landowners on the Council's aspirations for the future of Teynham and Lynsted."

However, the invitation letter sent from your officer to agents, developers and landowners states:

"I am trying to organise a meeting of relevant agents/developers/landowners within the Teynham Area of Opportunity for 10am on Wednesday 28th April. This will be to discuss the Council's aspirations for the future of Teynham and Lynsted."

Can you explain this clear difference of opinion about the reason your officers were calling the meeting and can you also explain why the meeting was cancelled?

Further, is it not the case that your aspirations for the future of Teynham and Lynsted should be discussed with ward councillors and the Parish Council prior to your officers' private meetings with local agents, developers and landowners, and if not, why not?

Response – Cabinet Member for Planning

Thank you for your question. I have spoken to the Chief Executive and her officers and they are all in agreement as to the purpose of the meeting. As an 'Area of Opportunity', the various landowners and associated interests would be required to work with the Council in developing a masterplan Supplementary Planning Document (SPD). It is anticipated it could take several years to undertake all the preliminary work (which includes the preparation of further evidence) to support and inform a draft masterplan. The purpose of the meeting was to update attendees on the process of the Local Plan and discuss with the landowners the need for collaborative working with a view to establishing a co-ordinated work programme and framework for moving the Masterplan SPD forward. As we have said repeatedly to the Parish Council, the Council is committed to liaising with the local Parish Councils at the appropriate time to seek their views on how best to progress work on the SPD.

The original meeting with landowners was cancelled in response to the concerns expressed by the Parish Councils and to reconsider the way forward in the light of the representations received during the Regulation 19 consultation.

As the Councillor ought to be aware, such meetings are very much the usual practice of Planning and to portray them as anything different only causes unnecessary concern and anguish to the public. Indeed, in the first 5 months of 2019 under the previous administration there were 5 such meetings, none of which involved Ward Members.

It is increasingly noticeable that certain members of the opposition are demanding of this administration actions that they themselves never engaged with or supported whilst they were in power.

I would of course be happy to meet with the two Ward Members for them to express their views on the way forward should they wish to do so.

Supplementary Question

I welcome the invitations. I was recently invited to a pre-app meeting with a developer looking to develop land in Teynham and it would have been helpful to include Ward Members in any discussions.

In proposing the motion to support the Climate and Ecological Emergency Bill, Councillor Tim Valentine spoke of the continued climate crises and stressed the urgency to take action. He referred to the Government's spending plans on infrastructure and development including 300,000 new houses per year, many built to inadequate efficiency standards. Councillor Valentine explained the Government's new target, set in December 2020, to reduce greenhouse gas emissions by 78% by 2035 and a ten point plan for a green industrial revolution but said the strategy for delivery lacked detail. He explained that the current target for carbon reduction gave the world a 50% chance of limiting global heating to only one and a half degrees if every country delivered on its pledges.

Councillor Valentine referred to the Climate and Ecological Emergency declared by SBC in June 2019 aiming for the Borough to be net zero by 2030. He spoke of the work and monitoring SBC had carried out but said that the Council lacked the power and budget to do all that was necessary.

Finally Councillor Valentine explained what would be required of the Government in the Bill, as set out in the Agenda. He highlighted the ecological, health and financial benefits, and sought Members' support to agree the motion.

In seconding the motion, Councillor Alistair Gould reserved his right to speak.

The Leader said that the Climate and Ecological Emergency could not be relegated to the side-lines and had to be tackled globally.

The Leader of the opposition said everyone had a responsibility to act.

Councillor Alistair Gould spoke of the urgent need to take action and the impact if no action was taken.

There was full support for the motion from all groups.

Resolved:

(1) That Council notes this Council declared a climate and ecological emergency on 26 June 2019.n

(2) That Council notes that many local authorities are playing an important role in the UK taking action to achieve net zero

(3) That Council notes there is a bill before Parliament – the Climate and Ecological Emergency Bill (published as the Climate and Ecology Bill) according to which the UK Government must develop an emergency strategy that:

- a. Requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with at least a 66% chance of limiting global temperature increase to 1.5 degrees Celsius above pre-industrial temperatures; this corresponds to the most ambitious**

global mitigation pathway available according to the 1018 IPCC 1.5C Report;

- b. Ensures that all the UK's consumption emissions are accounted for, including international aviation and passenger shipping;**
- c. Ensures that steps to mitigate emissions do not damage ecosystems, food and water availability and human health;**
- d. Ensures that steps taken to increase the health, abundance, diversity and resilience of species, populations and ecosystems follow the mitigation and conservation hierarchy – avoid, minimise, restore and offset;**
- e. Restore and expands natural ecosystems, and enhances the management of cultivated ecosystems to protect and enhance biodiversity, ecological processes and ecosystem service provision, including optimising the state of resilient carbon sinks;**
- f. Includes measures to protect, restore and enhance ecosystems in the United Kingdom and elsewhere, where activity is generated from within the United Kingdom that is harmful to ecosystems;**
- g. Ensures an end to the exploration, extraction, export and import of fossil fuels by the United Kingdom as rapidly as possible; and**
- h. Sets up an independent citizens' assembly, representative of the UK's population to engage with the UK Parliament and UK Government to help develop the emergency strategy.**

(4) That Council supports the Climate and Ecological Emergency (CEE) Bill;

(5) That Council informs the local media of this decision;

(6) That Council writes to local Members of Parliament, asking them to support or thanking them for supporting the CEE Bill;

(7) That Council writes to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk)

117 MOTION - VAPING

In proposing the motion to extend the Council's Smoking at Work Policy so that it also applied to Members and to amend 3.1 of the Policy as set out on the Agenda, Councillor Mike Whiting said he hoped the motion would be well received. He added that it was wrong to set Councillors above staff and visitors to Swale House and Councillors should seek to lead.

In seconding the motion, the Leader of the opposition suggested that the wording of the existing policy might have been caused by a simple drafting error and it was not the intention to put Councillors above staff. He added that morally, the proposed amendments were the right thing to do.

The Leader spoke in support.

Resolved:

(1) That this Council agrees to extend its Smoking at Work Policy so that it also applies to Members and to amend paragraph 3.1 of the Policy to read as follows:

“3.1 This policy applies to all Members, employees and agency staff. It also applies to consultants and contractors whilst they are working for the Council and visitors and members of the public whilst they are in Council buildings or Council vehicles.”

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different 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