
COUNCIL

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 10 November 2021 from 7.00 pm - 8.09 pm.

PRESENT: Councillors Mike Baldock, Cameron Beart, Monique Bonney, Lloyd Bowen, Derek Carnell, Simon Clark, Steve Davey, Mike Dendor, Oliver Eakin, Simon Fowle, Tim Gibson, Alastair Gould, James Hall, Ann Hampshire, Nicholas Hampshire, Angela Harrison, Mike Henderson, Alan Horton, James Hunt, Denise Knights, Peter Macdonald, Peter Marchington, Ben J Martin, Pete Neal, Padmini Nissanga, Richard Palmer, Hannah Perkin, Ken Rowles, Julian Saunders, David Simmons, Paul Stephen (Mayor), Sarah Stephen, Bill Tatton, Eddie Thomas, Roger Truelove, Ghlin Whelan, Mike Whiting, Tony Winckless and Corrie Woodford.

PRESENT (REMOTELY): Councilors Hannah Perkin and Mike Whiting.

OFFICERS PRESENT: Billy Attaway, David Clifford, Lisa Fillery, Robin Harris, Kellie Mackenzie, Larissa Reed and Emma Wiggins.

APOLOGIES: Councillors Roger Clark, Richard Darby, Carole Jackson, Elliott Jayes, Ken Pugh and Tim Valentine

413 EMERGENCY EVACUATION PROCEDURE

The Mayor drew attention to the Emergency Evacuation Procedure.

414 MINUTES

The Minutes of the Extraordinary Council Meeting (Minute Nos. 332 – 334) and Council Meeting (Minute Nos. 335 – 354) held on 6 October 20221 were taken as read, approved and signed by the Mayor as correct records.

415 DECLARATIONS OF INTEREST

No interests were declared.

416 TRIBUTE

The Leader paid tribute to Nigel Alexander, Facilities Officer at Swale Borough Council (SBC) who sadly passed away recently. The Leader said that Nigel had been a fantastic servant of SBC and the sort of person who got enormous joy out of helping people. The Leader said that Nigel was incredibly kind and generous and gave more to SBC than he was contracted to do.

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

417 MAYOR'S ANNOUNCEMENTS

The Mayor reported that from mid-June 2021 he had attended 28 events on behalf of the Council which included:

- South East Reserve Forces Cadet meeting via zoom;
- launch of the health and wellbeing Women's experiences of Covid-19 hosted by Diversity House;
- afternoon tea at Woodstock Club, Sittingbourne with The Royal Society of St George;
- afternoon tea at Judd's Folly with Multiple Sclerosis (MS) Swale;
- Swale Arts Media event at 34 High Street, Sittingbourne;
- Parish mass at St Peter & Paul's Church, Borden to rededicate the new east window;
- the Lord Lieutenant of Kent Lady Colgrain presented the Queen's Award for Voluntary Services to the Historical Research Group of Sittingbourne at the hub in The Forum Sittingbourne;
- Mayor of Maidstone's charity cruise along the river Medway and guided tour of Allington Castle, Maidstone;
- Licensing of the Revendend David Ridley at St Michael's Church, Sittingbourne;
- MS Swale BBQ in Teynham;
- Boxing for Parkinsons event at Beachfield Park, Sheerness;
- Swale Migration Dissemination event at 34 High Street, Sittingbourne to view the pop-up exhibition regarding 250 years of migration stories and objects across Swale;
- The Dissemination of Swale Migration Stories and Articles over the past 250 years event held at the Avenue Theatre, Sittingbourne;
- the MS Swale Garden Party;
- quiz evening at The Woodstock Club, Sittingbourne on behalf of The Royal Society of St George;
- Diversity House Adult Bike Event held at Milton Creek, Sittingbourne;
- 17th Annual AGM Citizens Advice at Judd's Folly, Faversham;
- Swale Youth Forum;
- Swale Friends of Earth - Swale Big Green Exhibition at the Guildhall, Faversham;
- Art exhibition at The Swale Media Centre;
- Diversity House Family Festival Day held at Diversity House, Sittingbourne;
- Unveiling of the Roman Temple at Watling Drive, Newington hosted by Persimmon Homes;
- Opening of the Poppy Day Appeal at The Forum, Sittingbourne;
- Trafalgar Day Meal with the Royal Society of St George; and
- Charity Dog Show for the Happy Endings Rescue Charity.

418 LEADER'S STATEMENT

The Leader opened his statement by saying that he had indicated at the Extraordinary Scrutiny Meeting on 21 October 2021 that he would use his statement to reflect on the significance for all of us involved in politics of the dreadful murder of the MP for Southend West Sir David Amess the previous Friday.

Since then, he noticed a motion had been put to this Council, so he had edited down some of the things he had wanted to say.

The Leader said violent attacks on elected representatives had become far too commonplace, and nobody should pretend that all had been well meaning bliss in the past. He said that Members would recall that in 1841 Parliament spent much time debating the violent intimidation and bribery of that year's elections. However, he considered there had been a transparent increase in toxicity in the last decade in this country. He said that there was nothing disrespectful about saying to opponents, I profoundly disagree with your point of view, these are my reasons and here is the evidence to back-up my point of view. Indeed, this was respectful in the sense that it was taking those with different opinions seriously but it was unacceptable to have the degree of simple hatred that had made our politics toxic, hatred that was deliberately spread as widely as possible. The Leader stated that it was said that social media was the culprit, but social media took much of its lead from our mainstream media, which over a period of time had used the promotion of hate as a device to achieve the political aims of the newspaper proprietors.

The Leader asked whether SBC's house was in order and said that if he followed the question through, and stressed that he did not have any particular members or events in mind. However he considered that Members needed to look at themselves and to this end the Standards Committee led by Councillor Hannah Perkin would be looking at the way the Council demonstrated respect for each other. The Leader added that nobody wanted to eschew robust political debate, and to do that would question the whole point of electing Members, but the Council needed to debate more around principle and performance and less on personalities.

The Leader said that as he had mentioned before, Members in their groups might like to consider the future of local government, though there was no clear picture of what that might be.

The Leader stated that major capital funding was going to Mayors in city regions of the country and we naturally asked, with colleagues, what about us in the shire counties? We had infrastructure needs too, especially a county like Kent. The Leader said that early indications from government were not entirely palatable and we had been told about County deals, of Mayors and devolution. He considered that some County Council Leaders had been quite excited about that but not he thought the Leader of Kent County Council. The Leader considered that there might now be some flexibility around what a County deal might mean and that there had recently been a meeting of Kent Leaders and Chief Executives where he had stressed the primacy of keeping district councils, which had performed so well for the government during the pandemic, at the same time as districts and County Councils working together on obviously shared strategic issues. This he thought was the majority view in Kent but there was a minority with an over exuberant passion to create single tier Unitaries in Kent, and for all he knew there may be enthusiasts on this Council too.

The Leader said that the rather nuanced approach, of working together in the existing local Government structure, had been put to Government but it remained to be seen whether it met the ministerial agenda. Mr. Gove had said at the Conservative Conference that there were "more Mayors coming".

The Leader said that there was another aspect to this unclear situation that they needed to be conscious of at local level. The Government talked about devolution being part of the County deal/Mayor offer. However, the Council had to be acutely aware that devolution could mean Local Government officers carrying out more functions on behalf of Government but from central directives not from decision making by locally elected Members.

The Leader said it was an agenda that Members needed to be aware of, but he acknowledged that the terms of discussion were far from clear.

The Leader stated that one of the inevitable restraints on local Councillors were the financial limitations that all Councils experienced. He said that long-term reductions in funding plus the ongoing impact of the pandemic left the Council and others facing tough decisions on its core budget. The Leader added that it had been the aim of the current administration to offset the poverty of its revenue budget with beneficial use of one-off funds, but that was limited, and one-off meant one-off. The Leader said that he had shared the challenges the Council faced with the Cabinet Advisory Committee on two occasions and anticipated bringing a summative position to Members as soon as possible.

The Leader reported that one of the administration's objectives had been to increase the supply of affordable housing in the borough. The Leader said this had been happening through the planning system but the Council had now reached a signal stage in the setting-up of the Council's own inhouse Housing Company. The Leader said that the company was incorporated in April 2021 and since then design and feasibility work had been carried out and had now reached an advanced stage. The Company aimed to submit a Planning application in the New Year. There would be challenges with costs in the construction industry rising by 15% and with labour shortages but it was essential that delivery of homes took place.

The Leader concluded that he hoped that the whole Council would join him in celebrating the success of local organisations in accessing funds from the Community Renewal Fund, with bids being supported by a local panel of the two local MPs, local businesses, the Council's Regeneration Director and himself.

In response, the Leader of the main opposition group thanked the Leader for his statement and for allowing him sight of it before the meeting. He congratulated the success of local organisations in accessing funds from the Community Renewal Fund and stated that it was good for them, for Swale and for local residents. The Leader of the main opposition group congratulated the role of all of the districts in Kent in the fight against Covid-19 and the outstanding job that officers at Swale had done in supporting the Council during that very difficult time. The Leader of the main opposition group welcomed the news that Councillor Perkin would be leading the Standards Committee looking at the way the Council demonstrated respect for each other and asked that they also explore the occasions when they did not.

The Leader of the main opposition group drew attention to an article in the Guardian newspaper that announced that there had been a four-fold increase in death threats in the last decade to politicians, teachers, doctors and others in the public eye. He then read out an extract from a book written by Sir David Amess in which he referred to the murder of Jo Cox MP.

"The murder of Jo Cox was still totally unexpected. She had been an MP for a very short time, having been elected in May 2015. She was approaching the library

where her constituency surgery was to be held, when she was attacked and killed in the most barbaric fashion imaginable. This event took place during the 2016 EU Referendum Campaign and had a galvanising effect on the campaign, the general public and embers themselves. My colleague Mark Francois alerted me to the attack, at which time he was unaware that Jo had actually died. She was a young woman with a family going about her duties as we all do, completely unaware of the threat that she faced. While it is often said that good can come out of someone's death, it is difficult to see what good can come from this senseless murder. Nevertheless, it is to be commended that the Jo Cox Foundation has been established to combat loneliness.

There can be no doubt that as a result of these heightened security concerns most Members have modified or change the way they interact with the general public. The Commons authorities have taken threats very seriously and have issued guidance for the safety and security of not only Members, but their families. This includes security in their own home. I myself have over the years experienced nuisance from the odd member of the general public at my own property we regularly check our locks and many others have CCTV cameras installed but probably the most significant change has been with constituency surgeries.

The British tradition has always been that Members of Parliament regularly make themselves available for constituents to meet them face to face at their surgeries. Now advice has been given to be more careful when accepting appointments. We are advised to never see people alone, we must be extra careful when opening post and we must ensure that our offices are properly safe and secure. In short, these increasing attacks have rather spoil the great British tradition of the people openly meeting their elected politicians."

The Mayor invited other Members to respond and comments made included:

- To allow the Leader of the Independent First group to give official responses at future Council meetings. The Leader of the main opposition group stated that it was already in the Constitution to allow this;
- Members had a responsibility to ensure that words could not stoke the fires of hatred and Members should stop and think of the implications of their words as well as actions;
- with regard to the future of Local Government, which direction did the Leader think Swale was looking East towards east Kent, West towards Medway or South towards Maidstone?; and
- referred to a previous Local Government review on unitary authorities and stated that the Council had councillor, business and resident agreement that SBC should be a unitary authority, however the Government Commission recommended that they should not. It had been a political decision which was wrong, each area should have been able to decide themselves.

In response the Leader thanked the Leader of the main opposition group for supporting the Local Renewal Fund. All five successful bids were important and leant towards skills and employment, and he stated that top of the administrations priority list was East Kent colleges and he would like their input into Swale to be greater in offering more vocational training into Swale.

In response to a question about which direction Swale looked to in regard to local government, the Leader stated that in his view the Council looked to Swale retaining its integrity and not unitary authorities.

419 QUESTIONS SUBMITTED BY THE PUBLIC

The Mayor announced that there had been a questions submitted by a member of the public but it had subsequently been withdrawn.

420 QUESTIONS SUBMITTED BY MEMBERS

The Mayor advised that five 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 Steve Davey

Could the Cabinet member for Housing report on progress towards getting more affordable housing from the planning system, and especially if there has been an increase in the housing for social rent?

Response – Cabinet Member for Housing

Affordable housing s106 contributions are only applicable on certain sites in Swale that meet the thresholds of the Councils current Local Affordable Housing policy DM8. These homes are delivered by Registered Providers (RP) with nil grant contribution. Additional affordable homes, including social rented housing, has been secured and is being delivered across different sites using Homes England Strategic Partnership Funding (HESP), the Affordable Homes Programme (AHP) and RP recycled grant funding.

Since May 2019 up until the end of September 2021, 493 new affordable dwellings have been provided in the borough, of which 220 have been affordable rent tenure, a further 88 are social rent and 185 are shared ownership. Further delivery of social rented housing is expected to continue across the borough as part of the 581 new affordable homes in the pipeline on sites across Swale including in Faversham, Sittingbourne, Halfway and the villages. In the previous 4 year period to May 2019 there were 412 new affordable dwellings provided and no new social rent homes.

In short, in 2 and half years, the council has delivered more new affordable homes than had been delivered in the previous 4 years with more on the way. Big thanks has to go to the Council's Affordable Housing Manager, Rebecca Walker for her tireless work securing the right mix and volume of affordable housing from both section 106 planning and from RPs utilising grant funding here in Swale.

Supplementary Question

Welcomed the Leader's comments about the Council's in-house housing company and asked that, given the inevitable difficulties around planning and problems that may arise, could the Cabinet Member provide any information on timescales for that much needed housing?

Response

The Cabinet Member for Housing stated that it was hoped that a planning application would be submitted in the new year with a hope to start building within the next financial year. He added that there may have been social homes delivered but a lot more were needed and those in temporary accommodation were at record levels and approximately 1,200 people were on Swale's housing register. It was the aim of the Council's Rainbow Homes board to ensure the housing was provided as quickly as possible, efficiently and to a good quality.

Question 2 – Councillor Tim Gibson

Please could the Cabinet Member for Economy and Property give us a progress report on the "makeover" of town centres?

Response – Cabinet Member for Economy and Property

In Sittingbourne town centre some of the old street name plates have been replaced, changes and improvements have been made to the wayfinding including removal of outdated and unnecessary wayfinding signage, a declutter of unnecessary street furniture including the relocation of a notice board and cycle hoops near the Bargeman monument & removal and relocation of bollards has taken place. The existing chalk artwork in alleyways leading from the lower end of the High Street has been refreshed, and the replacement of all the old artwork in Hanson Alley has taken place, recognising Sittingbourne's barge history. The painting of street furniture is currently underway, and further artwork and murals, landscaping of Central Avenue, reconstruction of St. Michael's church flint stone wall and a creation of a footpath to improve flow from the Forum car park to Bourne Place are all being progressed.

In Sheerness town centre work has begun on the restoration of the Clocktower following its removal on 30th September, street furniture painting in the High Street and Broadway has been completed, all town centre benches have been refurbished, 12 sustainable planters introduced, and replacement and realignment of bollards and cycle hoops has taken place. The improvement works around the clocktower including new uplighters are planned to coincide with the reinstatement of the clock tower, and the Capital Projects team are working with KCC to replace remaining defective lamp column doors and the yellow sign at the end of the High Street.

In Faversham town centre a consultant has been procured to undertake a review of the existing wayfinding infrastructure, alongside the design of new signage, a contractor is in place to deliver improvement works to the Forbes Road underpass (the start date has been put back by KCC due to the works being undertaken on the A2 by the school), bench refurbishment works are planned along with landscaping work and street furniture painting works in Cross Lane and the Capital Projects team are working with KCC To introduce additional drop kerbs around the town centre.

Following the informal consultation for the permanent town centre road closures in all three town centres work is currently being progressed with a consultant on the second stage to develop options and proposals specifically for Faversham.

Supplementary Question

What events were planned in Swale's town centre areas over the coming months?

Response

Santa's Post Train Stops Here! A large train would be visiting the three main town centres around the borough stopping at: Sittingbourne High Street on Saturday 20 November 2021; Faversham on Saturday 27 November 2021; and Beachfields Park, Sheerness on Saturday 4 December 2021. Residents and businesses were encouraged to attend the event which had been funded by the Welcome Back funding. A great way of holding an event which would bring footfall to our town centres. Members were encouraged to support the event.

Question 3 – Councillor Tony Winckless

Can the Leader of the Council tell me how the councils application for the governments levelling up funding is progressing.

Response – Leader

Thank you Cllr Winckless,

You will be aware that the Community, Economic Growth and Property Cabinet Advisory Committee were asked to consider proposals for the focus of Swale Borough Council's Levelling-Up Fund bid. These have been assessed for fit with government's fund criteria, and a member and officer scoping group has been established. This group first met in early October, with a focus on the Isle of Sheppey, and I am fully committed to this being the priority area for our bid given the relative levels of deprivation experienced on the Island. It is these which make it right to focus our bid on an area that has for too long been overlooked, and which will therefore secure our bid's strong position in the eyes of government.

You may recall that each Member of Parliament is able to formally support one bid, and I pleased to note that we are in contact with Gordon Henderson with regard to Swale's application. The member and officer group will continue to meet to steer the bid's development.

We are taking a partnership approach to the Levelling-Up Fund, looking to develop a project that will benefit multiple residents in multiple ways. Once initial conversations have progressed, we will share emerging plans and priorities, and embark upon a period of public consultation. I am pleased to let you know today that our plans centre around the regeneration of the Beachfields area, and will bring new cultural, tourist, outdoor leisure and civic facilities, boosting pride in this much-loved part of Sheerness, meeting the Council's priorities of health, wellbeing, good quality homes and skills. We will be consulting with local businesses, community groups and residents as part of the bid process.

We have recently received a capacity funding grant of £125k to develop our bid, and we will spend this in developing our plans to maximise chances of success. I am pleased to remind members that Swale is a high priority area for Levelling-Up Fund investment, and I understand from round 1 outcomes that this indicates roughly between a 1 in 2 and 1 in 3 chance of success. Even if the bid is not successful on this occasion, we will have prepared a robust case for investment which we know will appeal to a range of funders.

We know from the recent budget that the Levelling-Up Fund round 2 will open in Spring 2022, which is when Swale's bid will be submitted. Levelling-Up Funds available across all rounds total £4.8bn, and with approximately £1.7bn allocated in round 1, there is still much to play for. Individual bids can be up to £20m per place, and we intend be very close to this ceiling with our application.

Supplementary Question

With regard to the Isle of Sheppey how did the Leader think that the follow-up plan fitted in with the Sheerness Plan with the overall money that was on the table?

Response

The Cabinet Member for Economy and Property had already outlined some of the things the Council were doing with the clocktower, Master's House and supporting education. There were a whole range of things that the Council were trying to do to help the Isle of Sheppey and had requested that the Government's Town Centre Task Force visit Sheerness town centre. A lot of advice had come back from their visit including their emphasis on involving local people which the Council were carrying forward with the Levelling-up process and also encouraging local identity and local pride. There was a real passion to revive that seashore area that the Council was going to work on and return Sheerness to being a place that people really wanted to visit. With the increase in staycations and people making more visits domestically that was a real objective of the Council.

Question 4 – Councillor Ann Hampshire

Can the Cabinet Member for Planning confirm that his revised Local Plan will include a commitment to creating access for my residents in Great East Hall to the A2 via Stones Farm?

Response – Cabinet Member for Planning

I thank the Councillor for her question.

However, as the question refers to 'my revised local plan' and as I don't personally have a revised Local Plan, only the Council has one, the question is unanswerable.

Supplementary question

There was no supplementary question.

Question 5 – Councillor Oliver Eakin

Abandoned vehicles are a large problem on Sheppey, particularly Sheerness. What action is Swale taking against vehicles abandoned and what actions are being taken to prevent vehicles being abandoned on council property such as car parks.

Response – Cabinet Member for Environment

We aim that all reports of suspected Abandoned Vehicles are investigated within 24hrs. Officers will door knock in the vicinity to make enquiries. If the door knock is unsuccessful, a card is left on the windscreen to inform the registered owner (RO) that it has been reported as abandoned. If no one comes forward, a DVLA check is done on the vehicle, if the RO lives in the vicinity an officer would then call at the address. If the RO lives elsewhere, a letter is sent to inform them of suspected abandonment. On the expiry of the notice, if no one has come forward, a removal request is sent to our contractor. Where it is contested by the RO, we do have other enforcement powers, but these often take time to go through the relevant court processes.

We are aware of a number of vehicles in Sheerness but cannot comment publicly on open investigations.

Supplementary Question

There was no supplementary question.

421 MOTION - CONDOLENCES TO SIR DAVID AMESS MP AND SAFETY OF POLITICIANS

The Leader of the main opposition group stated that he was saddened and disappointed at the response that the motion had generated by some Members and withdrew the motion.

422 STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

The Cabinet Member for Community introduced the report and proposed the recommendations which asked Members to adopt the draft version of the Swale Statement of Principles under the Gambling Act 2005, so that it could be published on 3 January 2022, and that the draft Local Area Profile be adopted as Appendix 3 to the Statement of Principles. On seconding the recommendations Councillor Mike Baldock reserved his right to speak.

Councillor Alan Horton thanked officers for the very detailed report which he supported.

The Mayor invited other Members to respond and comments made included:

- On page 21 paragraph 23 of the report it listed the persons or bodies to use in exercise of its functions, and referred to an 'enforcement officer', and suggested that it specify and explain what kind of enforcement officer e.g. police officer, KCC Enforcement officer etc.;

- referred to page 45 of the report which mentioned that door supervisors at casino and bingo services were not required to be registered by the Security Industry Authority (SIA), why was this?;
- typographical error in paragraph 36 on page 23 of the report, sub-paragraph a) should read “Every person is entitled to the peaceful enjoyment of **their** possessions....” not **his** as stated;
- thanked the Licensing Officer and the team for their work on the report; and
- noted that there were two responses to the consultation.

In summing-up the Cabinet Member for Community thanked the licensing team for their work on the report. In response to questions raised he stated that the enforcement officer referred to in paragraph 23 would be a licensing enforcement officer, he agreed to ask the licensing team to ensure that it was clear in the report. Referring to the query about door supervisors, the Cabinet Member for Community explained that unfortunately that was what the Act required but noted that as outlined in the report door supervisors not employed by a casino or bingo operator did have to be SIA registered. The typographical error in paragraph 36 on page 23 of the report would be amended.

Resolved:

- (1) ***That the draft version of the Swale Statement of Principles under the Gambling Act 2005 be adopted and published on 3 January 2022.***
- (2) ***That the draft version of the Local Area Profile be adopted so that it can be published as Appendix 3 of the Swale Statement of Principles under the Gambling Act 2005.***

423 ALLOCATION OF COMMITTEE SEATS

The Leader introduced the report which set-out changes to the political balance and committee seat allocations and memberships as a result of recent changes to the membership of political groups.

The Leader drew attention to an amendment to Appendix III of the report, Membership of Committees, as there was a Swale Independents Alliance group vacancy on the General Licensing Committee. The Leader of the Swale Independents Alliance group advised that Councillor Richard Palmer would fill the vacant seat for that Committee. The Leader proposed the recommendations in the report which were seconded by the Leader of the main opposition group.

Resolved:

- (1) ***That the political calculation as set-out in Appendix II, as amended to allocate the unallocated seats on Emergency and Standards Committee be agreed.***
- (2) ***That the allocation of seats and appointments of Members to those Committees, in accordance with the wishes of Group Leaders, as set-out in Appendix III of the report, and as updated, be agreed.***
- (3) ***That the Chairman and Vice-Chairman of those Committees, as set-out in Appendix IV of the report be agreed.***

424 RECOMMENDATIONS FOR APPROVAL

Resolved:

- (1) That Minute No. 401 from the Audit Committee held on 26 October 2021 be noted.**

Chairman

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