
POLICY AND RESOURCES COMMITTEE

MINUTES of the Meeting held The Sapling Room, The Appleyard, Avenue of Remembrance, Sittingbourne, Kent ME10 4DE on Wednesday, 19 October 2022 from 7.00 pm - 8.24 pm.

PRESENT: Councillors Mike Baldock (Chair), Monique Bonney (Vice-Chair), Lloyd Bowen, Mike Dendor, Tim Gibson, Alan Horton, James Hunt (substitute for Councillor Mike Whiting), Richard Palmer (substitute for Councillor Corrie Woodford), David Simmons, Bill Tatton, Roger Truelove and Tim Valentine.

OFFICERS PRESENT: Flo Churchill, Kellie MacKenzie, Jo Millard and Larissa Reed. Saunders

OFFICERS PRESENT (Virtually): Keith Alabaster, David Clifford, Natalie Earl, Jill Peet and Tony Potter.

ALSO IN ATTENDANCE (Virtually): Councillors Steve Davey, Alastair Gould and Ken Ingleton.

APOLOGIES: Councillors Mike Henderson, Mike Whiting and Corrie Woodford.

395 **Emergency Evacuation Procedure**

The chair outlined the emergency evacuation procedure.

396 **Declarations of Interest**

No interests were declared.

397 **Minute's Silence**

The Leader announced the recent sad loss of Alison Peters, Principal Urban Design and Landscape Officer. He referred to her excellent work on the Sittingbourne Town Centre Supplementary Planning Document and said she was a great loss. There was a minute's silence in memory of Alison.

398 **Minutes**

The Minutes of the Meeting held on 28 September 2022 (Minutes Nos. 331 – 338) were taken as read, approved and signed by the Chair as a correct record.

399 **Changes to Performance Reporting**

The Chief Executive introduced the report by explaining that under the Cabinet system, performance monitoring had previously been reported quarterly but under the Committee system due to the timings of service committees, monitoring reports were very often out of date by the time they were presented to the Policy and Resources Committee. She explained that there had been discussions between officers and members to report six-monthly in line with service committees, and to include information on the performance and delivery of the Council's priorities and projects in the performance report.

The Leader proposed the recommendations which were seconded by Councillor Monique Bonney.

In the discussion that followed Members made points including:

- Initially thought six months was too long but on reflection was a good idea to have a strategic overview;
- suggested a 12 month trial, then review of six-monthly reporting;
- six months was too long between reviewing performance;
- understood the reasons but six-monthly reporting was too long as there were no updates at service committees as there had been under the Cabinet system;
- performance reporting was on the website but was sometimes missing information;
- supported the proposal and said if an update was needed, a member could ask for one;
- supported six months reporting as this reflected the role of the committee;
- some members seemed to struggle with a strategic overview;
- it was important that Policy and Resourced Committee gave a lead to service committees;
- supported a regular review as this should be carried out anyway, but not to a time limit; and
- expected more full reports if only presented every six months.

The Leader reminded members that Group Leaders held bi-monthly meetings and issues could be discussed at those meetings. He agreed with a member that processes should be reviewed constantly to ensure it was working efficiently.

The members that suggested a twelve-monthly review withdrew the suggestion as they agreed that the process should be reviewed regularly.

Resolved:

(1) That the performance report be considered by the committee every six months.

(2) That the performance report be updated to show performance in the delivery of projects.

400 Local Plan Review Update and Next Steps

The Leader advised the Committee that the Prime Minister had committed to removing Planning Inspector's rights to overrule Council planning decisions. In response to a member's question he advised it was not yet policy.

The Interim Head of Planning Services introduced the report and said that the Council had published a Local Development Scheme setting out when the Council would be undertaking various stages of the local plan review preparation. The Regulation 19 consultation on the pre-submission draft was due to take place in the coming months and the report set out recommendations to postpone the consultation until the Levelling-Up and Regeneration Bill had gained royal assent. The Interim Head of Planning Services said that a new Planning Bill was also due to be introduced. She referred to some of the proposals included in the new Levelling-Up and Regeneration Bill (LURB) but said there was currently no indication of when it would be introduced. The Interim Head of Planning Services referred to the current uncertainty in Government and said that certainty was

needed to progress with a sound plan. She said the Council wanted to avoid abortive work and the situation would continue to be monitored.

Members raised questions and made points including:

- A delay was disappointing but understood the rationale;
- did not accept that the Levelling-Up and Regeneration Bill were the only cause of the delay as the Council had previously stalled;
- praised Town and Parish Councils who had been working together and were now in limbo;
- supported the pause in the process but queried whether there would be a 12 or 18 month pause; and
- drew attention that the legal implications needed to be updated at section 6 of the report.

The Leader said that Town and Parish Councils understood the process. He said that when the Council had prepared the original Regulation 19 work there had been a possibility that new targets with higher housing targets were about to be introduced. Having prepared the work it was sensible to go out to consultation on the proposals even after the new targets were cancelled and strategies had to be tested as there was no straight forward way of building over 10,000 more houses without the necessary infrastructure, and it took time to get evidence to challenge. The Leader said that other Councils were also waiting for certainty from Government. He praised Parish Councils and active community groups and said they should continue to work together as Swale, and Kent had enough housing. The Leader said he understood the uncertainty around speculative development proposals, but residents of the Borough knew that the infrastructure was not in place to accommodate more housing. He said that local employment and entertainment needs had to be met.

The Interim Head of Planning said it would be prudent to allow up to 18 months for any potential delay but if things could be moved more quickly, they would be. She said there would be training for members and Town and Parish Councils on the implications of the new Acts. She confirmed that the word '**Legislation**' should be added after '....national' in the Implications section in paragraph 6 of the report.

The Chair proposed an alteration to the wording of the recommendation to add '....once the guidance was published'. This was seconded by Councillor Alan Horton and on being put to the vote members agreed.

In the debate that followed further points were raised including:

- Supported the recommendation to delay, as evidence was still being gathered and there was too much uncertainty on what Government would set out in the proposed new Regulations;
- a delay gave time to understand the infrastructure needs and gave examples of poor health care in Kent that needed addressing;
- had raised previously that more evidence was needed, and this was another reason for the delay now;
- there was still a lot of good information that could go into the document to make it a strong local plan; and
- did not want to see further delays once the new regulations were published.

The Leader reminded Members the previous Regulation 19 consultation had been prepared when there were concerns the housing target would be pushed even higher at 14,000 homes. He added that it was only by going out to Regulation 19 consultation that some formal evidence needed to challenge the housing numbers would be provided from official consultee responses.

The Leader proposed the recommendations which were seconded by Councillor Richard Palmer.

Resolved:

(1) To postpone the Regulation 19 consultation until the LURB gained Royal Assent and the guidance was published and there was greater certainty regarding national policy direction in relation to the local plan system.

401 **Elections Risk**

The Chief Executive introduced the report which set out the possible risks arising out of the implementation of voter identification. She explained that there was not yet any secondary legislation and requirements were therefore unknown. The Chief Executive said that training could not be carried out without the guidance and many residents in the Borough did not have acceptable ID. She drew attention to paragraph 2.16 of the report which highlighted that the Government and other organisations were concerned about the issue.

The Chief Executive reminded members that there were Borough elections in Swale in 2023, and under the new legislation it would be the responsibility of the Presiding Officer if a resident could vote, according to the ID produced. She said everyone would be sent a polling card under the assumption they would have Voter ID that they would bring to the polling station to vote, and it would be the decision of the Presiding Officer whether an ID was a good enough likeness for a resident to vote. The Chief Executive said where voting results were close in numbers, it would be a risk. She added that, as Returning Officer, it would be her risk.

To address the risk, the Chief Executive said that Kent Chief Executives were all working together with each other and their elections teams to work through the risks listed in Appendix A of the report.

The Chief Executive then informed members of a further risk to the election that was not set out in the report, around the Coronation of the King which was scheduled to be held on 6 May 2023. She explained that the scheduled Bank Holiday might be moved to 5 May which was the usual day of counting votes. The Chief Executive further explained that the term of existing Councillors ceased just past Midnight on Sunday 7 May. She said that Borough and Parish elections and verifications would make it difficult if overnight counting was required. The Chief Executive said a similar report was being discussed at other Kent Councils and she had also raised the risk with the Borough MP's, one of whom had written to the Government Minister.

Members were invited to ask questions and make points which included:

- Thanked the Chief Executive for the update which was alarming but out of SBC's control;

- clarification on the mitigation of risks;
- suggested thumb prints would work better as ID;
- it was unfair of Government to introduce a scheme with no detail that if went wrong meant SBC would be out of pocket – was there insurance?;
- what would the impact be if there was a General Election?;
- was it the same impact on Parish elections?;
- some residents did not have photo ID such as a driving licence or passports;
- how would residents access the Government Portal to receive a Voter Identification document, would there be access across the SBC offices throughout Swale?;
- would there be liaison with the Gypsy and Traveller community?;
- concerned that the Presiding Officer had the responsibility;
- needed to consider the health and wellbeing of counting staff if it was necessary to count overnight;
- was the physical risk to Presiding Officers set out in the risk register?;
- had fraudulent ID been considered?; and
- postal voting should be promoted as this was easier.

The Chief Executive explained that the rules were set by Government and although suggestions could be made, the legislation had been set. She said fingerprint recognition required a data base and it was unlikely that Government would support this. The Chief Executive said that insurance was taken out and checks were being made whether the Council would be indemnified for an election having to be re-run but the biggest issue was that if an election was null and void, there would be no Councillors and a Council could not operate without them. She said there was provision in the Act that Government could choose not to use Voter ID in a General Election and Government also had the ability to move the date of the end of a Councillor's term.

The Chief Executive confirmed that they were looking at ways in which everyone who had the right to vote could do but they did not know enough information yet. She said there would be wide scale communication with groups such as Age UK, Citizens Advice Swale, homeless organisations and with the Gypsy and Traveller community, and members should also be engaging with their residents to keep them informed. She said that she hoped the list of approved ID would be widened and she listed Swale and Kent Councillor and Officer ID badges as acceptable ID.

Turning to the physical risk to Presiding Officers, the Chief Executive said this was listed as a risk and there had already been liaison with the Police.

In response to a member's question on ID with a changed name through marriage, the Elections Manager advised that if a marriage certificate was produced with the ID, it would be verified. He added that the Government had confirmed that out of date ID could be used if the photo was a reasonable likeness.

The Chief Executive said there were also some voters who needed anonymity and a safe space at the polling station where identity could be shown was also needed.

Referring to accessibility, the Chief Executive said that 80% of residents had access to photo ID or a computer, and although 4% had been quoted as those that might need to apply for Voter ID, she thought the figure would be higher as others who already had other ID might also apply. She said if the secondary legislation was not laid down in time, there was a small chance that the requirement for Voter ID would be delayed.

The Chief Executive said that postal voting was always promoted but the Council needed to enable the choice of voters to vote in the way they chose. She added that there would be changes to postal voting but this was not due to be implemented until after the Borough elections.

The Chair proposed the recommendation which was seconded by Councillor David Simmons.

Resolved:

(1) That the specific risks to the local elections in May 2023 arising from the implementation of Voter Identification be noted.

402 Forward Decisions Plan

In response to a member's question on whether the Gypsy and Traveller Policy would sit within the Local Plan or would it be covered separately, the Interim Head of Planning said the decision had not yet been made whether to progress the policy out of the Local Plan framework.

Resolved:

(1) That the report be noted.

Chair

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