



AGENDA

COUNCIL MEETING

Date: Wednesday, 27 July 2022

Time: 7.00 pm

Venue: Swale House, East Street, Sittingbourne, Kent, ME10 3HT*

Quorum = 16

Pages

Information for the Public

*Members of the press and public may follow the proceedings of this meeting live via a weblink which will be published on the Swale Borough Council website.

Link to meeting: to be added

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1. Emergency Evacuation Procedure

The Chair will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chair will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chair will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chair has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chair is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence

3. Minutes

To approve the Minutes of the Meeting held on 15 June 2022 ([Minute Nos. 87 - 96](#)) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Mayor will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary Interests (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

5. Mayor's Announcements

6. Leader's Statement

7. Questions submitted by the Public

To consider any questions submitted by the public. (The deadline for questions is 4.30 pm on the Wednesday before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

8. Questions submitted by Members

To consider any questions submitted by Members. (The deadline for questions is 4.30 pm on the Monday the week before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

9. Motion concerning loss of water supply on the Isle of Sheppey

Following the major emergency declared on the Isle of Sheppey on the 13th July 2022, resulting from the loss of water supply islandwide, and similar incidents in January 2016 and September 2017, this council resolves;

1) To undertake urgent investigations to ascertain whether legislation exists to enable the introduction of an emergency moratorium on

determining planning applications for new housing on the Isle of Sheppey;

2) To ask the Planning and Transportation Policy Working Group to consider commissioning an independent study into the sustainability of water infrastructure to form part of the Infrastructure Delivery Plan for the Local Plan Review and;

3) For the Chief Executive to make a formal complaint to the Water Services Regulation Authority (Ofwat) over the recent outage.

The Chief Executive is asked to write to the CEO of Southern Water to notify them of this decision. A copy of this complaint should also be issued to the MP for Sittingbourne and Sheppey and the Secretary of State at the Department for Environment, Food and Rural Affairs.

Proposer: Cllr Cameron Beart

Seconder: Cllr Oliver Eakin

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Issued on Tuesday 19 July 2022

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**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

Council	
Meeting Date	27 July 2022
Report Title	Constitution changes: Amendments to recommendations in committee reports, and notification to parish councils when the head of planning determines representations are not based on relevant planning considerations
EMT Lead	David Clifford
Head of Service	Head of Policy, Governance and Customer Services (Monitoring Officer)
Lead Officer	
Classification	Open
Recommendations	<p>Council is asked to:</p> <ol style="list-style-type: none"> 1. Agree the constitutional changes set out in paragraphs 3.4 and 3.6 of the report. 2. Agree the constitutional change set out in paragraph 3.11 of the report.

1 Purpose of Report and Executive Summary

- 1.1 This report asks council to agree a constitutional change intended to ensure that amendments to recommendations in service committee reports are notified in sufficient time for officers to appraise their financial and other implications in order that committees are able to take appropriately informed decisions.
- 1.2 In addition, the report asks council to agree a further change intended to ensure that in cases where the head of planning determines that they are able to exercise their delegation to determine applications because representations received from town or parish councils are not based on relevant planning considerations, they will write to the town or parish council concerned to advise them of this.

2 Background

- 2.1 Council voted unanimously in October last year to move to a committee system of governance from the 2022/23 municipal year. At the same meeting, council requested the cross-party working group which had been established to consider this governance change to continue its work in overseeing the detail of the new constitution. The working group comprises Cllrs Baldock (chair), Bonney, Darby, Ingleton, Martin, Simmons, Truelove and Valentine.
- 2.2 Since the adoption of the new constitution in April and its coming into effect in May, the working group has continued to meet, with a view both to monitoring the

working of the new constitution in practice and recommending improvements where necessary, and to working through the 'issues log' of areas of the old constitution which the group agreed could benefit from review but which were not essential to implementing the move to the committee system.

- 2.3 In the old constitution there was an element of confusion with regard to the extent to which council procedure rules were also applicable to committee meetings. A rule was included which indicated which rules did and did not apply to committees, but it was not always obvious at first glance whether or not a given rule was applicable. The new constitution tries to improve on this situation by marking rules which are only applicable to council meetings and not to committees with an asterisk.
- 2.4 Because the rules of debate on motions with notice at a council meeting are necessarily more restrictive than would be appropriate for other decision-making meetings, the rules of debate at section 3.1.16 of the new constitution are correctly marked with an asterisk to show that they apply only to council meetings. These rules of debate include (at section 3.1.16.4) the rules on amendments to motions, covering among other things the requirement for amendments generally to have been notified in advance of meetings, not least in order that officers can consider whether there are financial or other significant implications.
- 2.5 In the cabinet system, amendments to recommendations being considered at formal cabinet meetings were extremely rare, because the relevant cabinet member and senior officers would have worked with the rest of cabinet in advance of the meeting to ensure that the recommendations as written would be acceptable to the whole meeting.
- 2.6 Clearly in the committee system there is more scope for members to propose amendments to officers' recommendations, and this is as it should be, but service committees still need to take decisions in an informed and evidence-based way. Without officers having an opportunity to work through the implications of amendments in advance of committee meetings, members could find themselves in the invidious position of having to choose between making a decision the ramifications of which are not fully understood and deferring making any decision at all until a subsequent meeting, which of course could carry significant risks of its own.

3 Proposals

- 3.1 In order to prevent this type of scenario arising, the constitution working group's proposal, endorsed by the policy and resources committee, is that the constitution should be altered to introduce a requirement for amendments to recommendations in reports at service committees to be notified in advance of the meeting in a similar way to amendments to council motions.
- 3.2 This is not as straightforward as simply making the council rule apply to other committees, partly because the requirement is different and partly because there

is no requirement for the new rule to change the way committees other than service committees operate, so the rule needs to apply only to service committees.

- 3.3 As is the case already with council motions, the working group's view is that committee chairs need to have a degree of flexibility to waive the requirement for prior notification of amendments in cases where a majority of the committee appears to be supportive of the proposed amendment and any implications are either de minimis and/or already clearly understood.
- 3.4 With this in mind, the proposal is to add a new procedure rule as section 3.1.17 of the constitution, as follows:

3.1.17 Amendments to report recommendations at service committees including Policy and Resources committee

Written notice of every proposed amendment to a recommendation in a report to a service committee, signed or forwarded by email by the proposer, must be given to the proper officer not later than 10.00am on the day preceding the relevant service committee meeting. These will be recorded and open to public inspection. Committee chairs may waive this rule during meetings in cases in which it appears to them that a proposed amendment would have the committee's support and that any implications arising from the amendment would be de minimis and/or clearly understood prior to the amendment being agreed.

- 3.5 In practice, this would mean that all members would be notified by Democratic Services of the proposed amendment the day before the meeting. It would also allow time for the officer presenting the report and recommendation to consider the implications of the amendment, taking advice from statutory and other senior officers as appropriate, in order to be in a position to answer members' questions on the amendment and thereby ensure committee decision-making is as informed and as evidence-based as it should be.
- 3.6 In order to assist readers in understanding the difference between this rule and that applying to motions at council meetings, the constitution working group further recommends adding a sentence to the final paragraph of section 3.1.16.4 on amendments to motions. The paragraph currently reads:

Amendments to recommendations contained in committee or officer reports to be considered by Council will be debated in the same way as amendments to motions.

It is proposed to add the following sentence to this:

Amendments to recommendations in reports to service committees are dealt with in section 3.1.17 below.

- 3.7 Council is now **recommended** to agree the changes to the constitution set out above.

3.8 A further constitutional matter which has arisen in the working group is that of the head of planning's delegation to determine applications (delegation 2.18.15.1) and the qualifications that apply to this delegation (set out in delegation 2.18.15.2).

3.9 Among other restrictions, delegation 2.18.15.2 states that the delegation to determine applications will not be exercised in cases where the decision of the head of planning would conflict with written representations from a parish or town council, provided that such representations are, in the opinion of the head of planning, based on relevant planning considerations. This section of the delegation as it stands reads as follows:

The delegated powers in [2.18.15.1] above shall not be exercised in the following circumstances: [...]

Applications where the decision of the Head of Planning would conflict with any written representation received within the specified representation period from:

(i) Any Member of the Borough Council;

(ii) A statutory consultee;

(iii) A Parish or Town Council;

Provided that any such representations from (ii) or (iii) above are, in the opinion of the Head of Planning, based upon relevant planning considerations.

3.10 The working group considered and debated this delegation, and reached a consensus that the substance of the delegation and the qualifications to it do not need to be amended, but that in cases where the head of planning determines that a town or parish council's representation is not based on relevant planning considerations – and that determination of the application does not therefore need to be a matter for the planning committee – the town or parish council should be advised of this.

3.11 The working group therefore proposes to add the following text to delegation 2.18.15.2:

Where the head of planning determines that a representation from (iii) above is not based on relevant planning considerations, they will write to the town or parish council to advise them of this.

3.12 When this was considered and endorsed by the policy and resources committee, an amendment was adopted, adding the following wording to this paragraph:

The member(s) for the ward within which the parish falls will also be urgently notified.

3.13 Council is now **recommended** to agree these changes to the constitution.

4 Alternative Options

- 4.1 Council could decide that there is no need for these changes and therefore not agree them. However, this could create situations in which service committees had either to take decisions based on insufficient information or to defer those decisions until the information was available, or in which town and parish councils were left unaware that a planning application on which they had submitted representations would not go the planning committee. This option is therefore not recommended.

5 Consultation Undertaken or Proposed

- 5.1 The recommendations in the report have been developed by the cross-party constitution working group, the membership of which is set out in paragraph 2.1 above. In line with the new constitutional process for constitutional amendments, the proposals were considered and endorsed by the policy and resources committee when it met on 13 July. The policy and resources committee debated an amendment to the original recommendation, which resulted in some additional wording as set out at paragraph 3.12.

6 Implications

Issue	Implications
Corporate Plan	The recommendations in the report would support the council's fourth corporate plan priority of 'Renewing local democracy and making the council fit for the future'.
Financial, Resource and Property	One of the most significant scenarios which the first recommendation in the report is intended to avoid is that in which an amendment with cost implications is tabled on the night of a committee meeting, and the officers present, in the absence of any notice, are unable to provide members with sufficient detail on those costs and the relevant budgets for them to make an informed decision.
Legal, Statutory and Procurement	There is an extensive body of case law in which the courts have developed legal principles governing how public authorities exercise their powers and make decisions. These include a need for decisions to have been made reasonably, taking into account relevant factors and not taking into account irrelevant factors. The first recommendation in the report would strengthen the likelihood that members were adequately apprised of relevant factors when deciding whether to agree amendments to report recommendations.
Crime and Disorder	No specific implications identified at this stage.

Environment and Climate/Ecological Emergency	No specific implications identified at this stage.
Health and Wellbeing	No specific implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No specific implications identified at this stage.
Risk Management and Health and Safety	No specific implications identified at this stage.
Equality and Diversity	No specific implications identified at this stage.
Privacy and Data Protection	No specific implications identified at this stage.

7 Appendices

7.1 There are no appendices.

8 Background Papers

8.1 There are no background papers.

Council Meeting	
Meeting Date	27 July 2022
Report Title	Community Governance Reviews – initial consultation stage recommendations
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	David Clifford - Head of Policy, Communications and Customer Services
Lead Officer	Keith Alabaster – Electoral Services Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the results of the initial stage consultations for the Community Governance Reviews conducted at: <ol style="list-style-type: none"> a) Great Easthall Estate – Tonge Parish area b) Lucas Close – Sheerness Town Council area 2. That having considered the results of the initial consultations, the Council agrees the following: <ol style="list-style-type: none"> a) Great Easthall (Tonge Parish area) – no further action is taken, and the review is concluded. b) Lucas Close (Sheerness Town Council area) – a second stage consultation is conducted with residents and interested parties, recommending the town council boundary is changed, so that Lucas Close becomes part of the Queenborough Town Council area.

1 Purpose of Report and Executive Summary

- 1.1 The council agreed to undertake Community Governance Reviews at its meeting on 27 April 2022. There followed an initial consultation with residents and interested parties during May and June 2022.
- 1.2 The purpose of this report is to present the initial stage consultation results and to ask council to make decisions regarding the next steps of the reviews.

2 Background

- 2.1 The Council has a statutory duty under the Local Government and Public Involvement in Health Act 2007 to regularly review anomalous parish boundaries. Whilst it only has to commence a community governance review if a valid petition is received, it is good practice to undertake a review wherever anomalous parish boundaries have occurred.

2.2 Ward Members for Queenborough & Halfway and Murston have requested a review of anomalous parish boundaries. New housing developments, that are now occupied by residents, have parish boundaries dissecting parts of the developments. Access to these developments, are exclusively through other parishes or unparished areas. This has led to neighbours being in a different parish or in an unparished area and their voting arrangements are different for parish/town council elections. The areas reviewed were:

- **Lucas Close, Queenborough – Sheerness Town Council area.**
- **Great Easthall Estate – Tonge Parish area.**

3 Proposals

3.1 Taking into consideration the results of the consultations, as set out in the appendices, the council is asked to consider the following for the two Community Governance Reviews:

Great Easthall (Tonge Parish area) – Summary of Responses

3.2 Residents' responses:

169 responses received out of 637 leaflets / questionnaires sent out – 26.53% response rate.

YES (in favour of reviewing the boundary) = 8.88% / 15 responses.

NO (do not wish the boundary to be reviewed) = 91.12% / 154 responses.

3.3 Ward members' responses:

Murston ward members = YES (in favour of reviewing the boundary)

Teynham & Lynsted ward members = NO (do not wish for the boundary to be reviewed)

3.4 Parish Council response:

Tonge Parish Council = NO (do not wish for the boundary to be reviewed)

3.5 Kent County Council (KCC) response:

KCC Members - Swale East County Councillor = NO (does not wish for the boundary to be reviewed)

KCC Officers– do not wish to comment at this stage until the results of the initial consultation with residents is known.

3.6 Summary and recommendation:

As residents are overwhelmingly against reviewing the current boundary; Swale ward members are split evenly, based on locality; Tonge Parish Council and one KCC member are also against it, there is no justification in proceeding with the Community Governance Review at this point and no further action should be taken. From the comments on the questionnaires, residents appear happy being part of Tonge Parish and Teynham & Lynsted ward and do not wish to become part of Murston.

A separate polling district was created in 2021, so that Great Easthall Tonge Parish residents could vote at their local polling station at Lakeview Village Hall, so there are no voting issues with the current arrangement.

A full list of responses and comments can be viewed in Appendix (I)

A map of the Great Easthall estate with the current Tonge Parish boundary can be viewed in Appendix (II)

Lucas Close, Queenborough (Sheerness Town Council area) – Summary of Responses

3.7 Residents' responses:

5 responses received out of 18 leaflets / questionnaires sent out – 27.78% response rate.

YES (in favour of reviewing the boundary) = 20% / 1 response.

NO (do not wish the boundary to be reviewed) = 80% / 4 responses.

3.8 Ward members' responses:

Sheerness ward members x 3 = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

Queenborough & Halfway ward member x 1 = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

3.9 Town Council responses:

Sheerness Town Council = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

Queenborough Town Council = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

3.10 Kent County Council (KCC) response:

KCC – do not wish to comment at this stage until the results of the initial consultation with residents is known.

3.11 Summary and recommendation:

The response from residents of Lucas Close demonstrated a lack of support for changing the boundary. However, no concrete reasons were given from the 4 x NOs, except one indifferent comment stating, "it makes no difference to me". The 1 x YES stated, "Can't understand why we aren't within Queenborough boundary".

All other responses showed complete support for changing the boundary and moving Lucas Close into the Queenborough Town Council area.

Resident's responses do not carry more weight than other responses from town/parish councils or ward members. The Local Government Boundary Commission for England published guidance on community governance reviews. In this, it sets out that there is a need to consult local people and take into account any representations received, having regard to identities and interests of the community in the area under review. It is clear that this should involve

consultation with any other person or body with an interest in the review (i.e. ward members, parish/town councillors and KCC). This is also explicitly set out in Section 96 of the Local Government and Public Involvement in Health Act 2007.

The total number of responses to the initial review were:

8 x YES (in support of reviewing the boundary)

4 x NO (do not wish the boundary to be reviewed)

Given the above, it is recommended that we continue the Community Governance Review at Lucas Close and proceed onto the 2nd stage consultation. The 2nd stage consultation will recommend moving the Queenborough Town Council boundary north to encompass Lucas Close and go up as far as the A249 which is a natural boundary. This will remove the anomalous “V” shape in the current Sheerness boundary. Given the lack of resident support, the 2nd stage consultation will also be another opportunity for residents to comment for or against the boundary change.

A full list of responses and comments can be viewed in Appendix (III)

A map of the proposed new Queenborough Town Council boundary can be viewed in Appendix (IV)

4 Alternative Options

4.1 **Great Easthall Community Governance Review** - the alternative is to proceed with a 2nd stage consultation, however given that 91% of residents are against reviewing the boundary, ward members are split and Tonge Parish Council are opposed to changing the boundary, this course of action is not recommended

4.2 **Lucas Close Community Governance Review** – given the lack of resident support, the alternative is to conclude the current review and no further action will be taken and the boundary will remain as it is. If the boundary is left as it is, residents will still have to make an 8 mile round trip to vote at their polling station in Sheerness and will continue to be represented by Sheerness Town Councillors and Sheerness Borough Ward Councillors, despite being geographically part of Queenborough.

As no compelling reasons have been given for not changing this boundary, and those in support of changing the boundary have highlighted many good reasons to proceed with the boundary change, it seems prudent to proceed with a 2nd stage consultation

5 Consultation Undertaken or Proposed

Great Easthall, Tonge Parish area:

5.1 The initial stage consultation started in May and ran to the end of June 2022:

Residents: 637 leaflets/questionnaires were sent to residents. 169 responses were received (26.53% response rate)

In addition, the following interested parties were asked for comment on the boundary review:

- a) Ward members for Murston and Teynham & Lynsted wards
- b) Tonge Parish Council
- c) Kent County Council – KCC members for Swale East and Sittingbourne North plus Lizzy Adam (Operations & Client Relationship Manager, Governance, Law & Democracy) and the Electoral & Boundary Review Committee.
- d) Kent Association of Local Councils
- e) Local Government Boundary Commission for England
- f) Boundary Commission for England

Full details of responses and comments can be viewed in Appendix (I)

Lucas Close, Sheerness Town Council area:

- 5.2 The initial stage consultation started in May and ran to the end of June 2022:

Residents: 18 leaflets/questionnaires were sent to residents. 5 responses were received (27.78% response rate)

In addition, the following interested parties were asked for comment on the boundary review:

- a) Ward members Sheerness and Queenborough & Halfway wards
- b) Sheerness Town Council
- c) Queenborough Town Council
- d) Kent County Council – KCC members for Sheppey plus Lizzy Adam (Operations & Client Relationship Manager, Governance, Law & Democracy) and the Electoral & Boundary Review Committee.
- e) Kent Association of Local Councils
- f) Local Government Boundary Commission for England

Full details of responses and comments can be viewed in Appendix (III)

Lucas Close - Stage 2 Consultation Proposed

- 5.3 If the 2nd stage consultation is approved by council, it will be very similar to the initial stage consultation. We will send residents an updated leaflet and questionnaire proposing the new boundary change and detailing the results of the initial consultation. It will also contain information about possible changes to the precept if residents moved from Sheerness Town Council to Queenborough Town Council. Residents will be invited to make further comments and will be asked whether they support the proposed changes to the boundary. In addition, we will continue to consult with all other interested parties as listed in 5.2.

- 5.4 The Local Government Boundary Commission for England have confirmed that “None of the parish arrangements in your borough are protected so you can

proceed with the parish changes without needing to seek the Commission's consent." However, if the proposed Town Council boundaries were changed, we would need the Commission's approval to change the borough ward boundaries, so they are co-terminus with the new town council boundaries. Ideally, they would need confirmation of the changes by October 2022 in order to make the ward boundary changes in time for May 2023 local elections.

6 Implications

Issue	Implications
Corporate Plan	Conducting the review in a way which fulfils our statutory obligations as efficiently as possible while also encouraging all sections of the community to make their views known will contribute to the council's corporate Priority 4: Renewing local democracy and making the council fit for the future.
Financial, Resource and Property	The reviews will be financed through existing resources and £5,000 has been budgeted to conduct the review, within the Electoral Services budget.
Legal, Statutory and Procurement	<p>Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes, changes to parish boundaries and electoral arrangements including warding and numbers of parish councillors from the Secretary of State and the Electoral Commission to principal councils in England. Principal councils are also required to have regard to guidance on undertaking community governance reviews, which has been published by the Boundary Commission.</p> <p>Lucas Close 2nd stage consultation – given the lack of resident support, legal advice was sought to determine, whether to recommend proceeding with the Community Governance Review. Whilst Legal felt they couldn't give a definitive answer, they agreed that resident's views carry no more weight than other interested parties. They also noted "Section 84 of the Local Government and Public Involvement in Health Act 2007 which states '<i>a boundary change between existing parishes, or parishes and unparished areas, rather than the creation of an entirely new parish, will be sufficient to ensure that parish arrangements reflect local identities and facilitate effective and convenient local government.</i>' It is clear from the map provided that Lucas Close forms part of Queenborough and appears to satisfy this." Given that all other responses, from both Town Councils and ward members from both wards affected, were 100% in favour of changing the boundary, Legal deemed it appropriate to continue the Community Governance Review for Lucas Close.</p>

Crime and Disorder	None identified at this time.
Environment and Climate/Ecological Emergency	None identified at this time.
Health and Wellbeing	None identified at this time.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this time.
Risk Management and Health and Safety	None identified at this time.
Equality and Diversity	In undertaking the consultation, the council will have regard to the joint statutory guidance issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England in respect of reflecting the identities and interests of the local community and that it is effective, convenient, and accessible to everyone. A full Equality Impact Assessment will be undertaken by the council before any final decision is taken on the review.
Privacy and Data Protection	None identified at this time

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix (I): Great Easthall CGR Responses
- Appendix (II): Great Easthall map with current boundary
- Appendix (III): Lucas Close CGR Responses
- Appendix (III): Lucas Close Map – proposed new boundary

8 Background Papers

Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007. The full text of the 2007 Act can be accessed at: [Local government and public involvement in health act 2007](#).

Guidance on Community Governance Review which is issued by the Department for Communities and Local Government. The guidance can be accessed at: [Guidance on community governance reviews](#).

GREAT EASTHALL ESTATE, TONGE PARISH AREA – INITIAL CONSULTATION RESPONSES AND COMMENTS

Residents Response (where Q = Questionnaire)

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
25/05/2022	Q	000068	YES	Will like to see a GP and more recreational area
26/05/2022	Q	000090	YES	
23/05/2022	Q	000111	YES	
23/05/2022	Q	000112	YES	I'm in favour of this change
29/06/2022	Q	000328	YES	To be able to vote in the community hall on Great Easthall or the nearest walkable polling station
29/06/2022	Q	000329	YES	To be able to vote at the community centre at the bottom of Great Easthall Way
23/05/2022	Q	000355	YES	Great Easthall must present a united front to Hyde Housing and make them explain their changes or terminate their contract
23/05/2022	Q	000356	YES	Great Easthall should be together to manage Hyde Housing properly
23/05/2022	Q	000357	YES	Hyde Housing is a grasping corporation that must be held to account
06/06/2022	Q	000553	YES	
23/05/2022	Q	000556	YES	The only changes should be to move the boundary across to Mulberry Way and the lake. This will keep Great Easthall and Heron Fields under Tonge and all other houses on the other side of the bus lane i.e., Oak Road, under Murston. The lake should also come under Great Easthall and Heron Fields, Tonge. No new houses to be built but the relief road, yes.
08/06/2022	Q	000591	YES	1. Great Easthall is better aligned to Murston geographically. The review should also provide a 2nd driving access to town as we currently only drive through Swale Way and with the increased use of Swale Way by HGVs from Eurolink V, please consider providing an alternative driving route for residents. Thank you. 2. Please adapt Great Easthall roads. Thank you.
26/05/2022	Q	000628	YES	Remove all of Great Easthall from Tonge Parish
26/05/2022	Q	000636	YES	I don't want to stay in Teynham ward
26/05/2022	Q	000637	YES	I feel we are too far from Teynham to be included in that ward. I'm happy to belong to Tonge Parish

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
26/05/2022	Q	000015	NO	We want to stay with Tonge Parish Council
26/05/2022	Q	000016	NO	
17/06/2022	Q	000039	NO	If we are removed from Tonge Parish we will be 'unparished' and nobody will be responsible or accountable for our local community
17/06/2022	Q	000044	NO	
17/06/2022	Q	000045	NO	
06/06/2022	Q	000057	NO	
06/06/2022	Q	000058	NO	
25/05/2022	Q	000059	NO	
06/06/2022	Q	000076	NO	
23/05/2022	Q	000087	NO	
23/05/2022	Q	000088	NO	
26/05/2022	Q	000089	NO	
23/05/2022	Q	000104	NO	
23/05/2022	Q	000105	NO	
23/05/2022	Q	000106	NO	
06/06/2022	Q	000107	NO	We strongly advocate remaining within Tonge Parish Council to benefit from their representation
06/06/2022	Q	000108	NO	I do not believe a review is warranted. I strongly wish to remain in Tonge Parish council with the benefits of parish council support and representation
25/05/2022	Q	000109	NO	
25/05/2022	Q	000110	NO	
23/05/2022	Q	000113	NO	I wanted to stay under Tonge Parish, that's why I have my house here. I live on Deane Close.
23/05/2022	Q	000114	NO	
23/05/2022	Q	000122	NO	
23/05/2022	Q	000123	NO	
30/05/2022	Q	000126	NO	
30/05/2022	Q	000127	NO	
31/05/2022	Q	000129	NO	
01/06/2022	Q	000130	NO	
25/05/2022	Q	000131	NO	Our house price will drop dramatically if merged with Murston.
25/05/2022	Q	000132	NO	Our house price will drop dramatically if merged with Murston.
25/05/2022	Q	000135	NO	
25/05/2022	Q	000136	NO	
09/06/2022	Q	000139	NO	I wish to remain within the Tonge Parish area
09/06/2022	Q	000140	NO	I wish to remain in the Tonge Parish area and do not want to be reviewed.

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
26/05/2022	Q	000141	NO	No - Our house values will decrease significantly, and you need to keep the history of Sittingbourne and its surrounding villages intact!! There is a big difference between Tonge and Murston. It needs to stay that way as it has for generations.
09/06/2022	Q	000143	NO	
25/05/2022	Q	000145	NO	
25/05/2022	Q	000146	NO	
26/05/2022	Q	000150	NO	I would like to remain part of Tonge Parish - no need for review
26/05/2022	Q	000151	NO	I wish to remain in Tonge Parish Council
06/06/2022	Q	000152	NO	I would like to remain in the Tonge Parish area. I DO NOT support
06/06/2022	Q	000153	NO	I wish to remain in the Tonge Parish
10/06/2022	Q	000155	NO	
10/06/2022	Q	000156	NO	
27/05/2022	Q	000172	NO	
27/05/2022	Q	000173	NO	
25/05/2022	Q	000176	NO	
25/05/2022	Q	000177	NO	
23/05/2022	Q	000180	NO	
23/05/2022	Q	000181	NO	
30/05/2022	Q	000187	NO	
30/05/2022	Q	000188	NO	
25/05/2022	Q	000192	NO	
25/05/2022	Q	000193	NO	
13/06/2022	Q	000214	NO	
13/06/2022	Q	000215	NO	We want to stay with Tonge Parish council
13/06/2022	Q	000216	NO	
25/05/2022	Q	000220	NO	
25/05/2022	Q	000221	NO	
23/05/2022	Q	000228	NO	
23/05/2022	Q	000229	NO	
23/05/2022	Q	000230	NO	
24/06/2022	Q	000243	NO	We want to stay in Tonge Parish and NOT move to Murston
24/06/2022	Q	000244	NO	We want to stay in Tonge Parish and not move to Murston
26/05/2022	Q	000261	NO	We want to stay with Tonge Parish Council
26/05/2022	Q	000262	NO	We want to stay with Tonge Parish Council
23/05/2022	Q	000263	NO	
23/05/2022	Q	000264	NO	
06/06/2022	Q	000265	NO	We would like to stay under the Tonge parish area
06/06/2022	Q	000266	NO	To stay as Tonge because we would have a parish

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
25/05/2022	Q	000267	NO	
25/05/2022	Q	000268	NO	
20/05/2022	Q	000280	NO	
20/05/2022	Q	000281	NO	
30/05/2022	Q	000292	NO	
30/05/2022	Q	000293	NO	
24/05/2022	Q	000299	NO	
25/05/2022	Q	000300	NO	
27/05/2022	Q	000308	NO	I don't want any changes, stay as it is in Tonge Parish
27/05/2022	Q	000309	NO	I want to stay in Tonge Parish area
06/06/2022	Q	000313	NO	We are currently in Tonge Parish and would like to stay in Tonge Parish. We don't support the review
06/06/2022	Q	000314	NO	I do not support the review; we currently fall under Tonge Parish and would like to stay in Tonge Parish
16/06/2022	Q	000320	NO	
17/06/2022	Q	000321	NO	
08/06/2022	Q	000341	NO	
27/05/2022	Q	000350	NO	
30/05/2022	Q	000361	NO	
20/05/2022	Q	000365	NO	
20/05/2022	Q	000366	NO	
20/05/2022	Q	000367	NO	
26/05/2022	Q	000376	NO	
26/05/2022	Q	000377	NO	
06/06/2022	Q	000379	NO	
06/06/2022	Q	000380	NO	
23/05/2022	Q	000383	NO	
23/05/2022	Q	000384	NO	
01/06/2022	Q	000390	NO	
01/06/2022	Q	000391	NO	
20/06/2022	Q	000412	NO	
20/06/2022	Q	000413	NO	
27/05/2022	Q	000418	NO	
27/05/2022	Q	000419	NO	
27/05/2022	Q	000420	NO	
27/05/2022	Q	000421	NO	
26/05/2022	Q	000424	NO	
26/05/2022	Q	000425	NO	
27/05/2022	Q	000432	NO	
27/05/2022	Q	000433	NO	
27/05/2022	Q	000458	NO	
27/05/2022	Q	000459	NO	
27/05/2022	Q	000460	NO	
27/05/2022	Q	000461	NO	

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
23/05/2022	Q	000463	NO	
23/05/2022	Q	000464	NO	
06/06/2022	Q	000465	NO	
06/06/2022	Q	000468	NO	I would like to stay in the boundary of Tonge Parish
06/06/2022	Q	000469	NO	I would prefer to remain in Tonge Parish
27/05/2022	Q	000471	NO	
27/05/2022	Q	000472	NO	
23/05/2022	Q	000475	NO	
23/05/2022	Q	000476	NO	
22/06/2022	Q	000486	NO	I don't agree with Great Easthall (the part that is in Tonge being moved to Murston. I agree with a review. There are proposals to extend Great Easthall eastwards with around 330 houses in total. Moving the boundary to the existing limit of Great Easthall will give rise to the same problem in a few years' time. i would prefer either a) move the boundary westward so that all of Great Easthall is in Tonge or, b) leave the boundary as per the current location.
08/06/2022	Q	000488	NO	
14/06/2022	Q	000489	NO	
26/05/2022	Q	000494	NO	I do not want to be removed from Tonge Parish
26/05/2022	Q	000495	NO	I do not want my household to be placed from Tonge in Murston Parish area
27/05/2022	Q	000496	NO	I wish to remain in Tonge Parish
15/06/2022	Q	000497	NO	
06/06/2022	Q	000500	NO	
23/05/2022	Q	000520	NO	
23/05/2022	Q	000521	NO	
22/06/2022	Q	000529	NO	Stay in Tonge. We paid a hefty price for these houses due to being in Tonge, why should we miss out on the increase when we come to sell?
22/06/2022	Q	000530	NO	
14/06/2022	Q	000534	NO	I would very much like to remain a part of <u>Tonge Parish</u> . I feel it's really important to have that extra layer of government - people who <u>know</u> and care about the area, and really understand the needs of those areas and people. This is something we should strive to keep - especially as we do fall in a more rural part of the town. If houses are split by the boundary, perhaps the line could be wiggled slightly to slide between the houses and make it more definite for those houses affected. Otherwise, I <u>do not</u> support a review.

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
30/06/2022	Q	000576	NO	I do not want a review of the current boundary, and wish to stay part of the Tonge Parish
08/06/2022	Q	000577	NO	
08/06/2022	Q	000578	NO	
08/06/2022	Q	000579	NO	
08/06/2022	Q	000580	NO	
26/05/2022	Q	000581	NO	
26/05/2022	Q	000582	NO	
13/06/2022	Q	000583	NO	
13/06/2022	Q	000584	NO	
23/05/2022	Q	000585	NO	
23/05/2022	Q	000586	NO	Especially no to moving if the Trenport houses to the side of us get built. Will the boundary move again? Why can't the boundary move to encompass ALL Great Easthall so no divide. Oak Road is the boundary line.
23/05/2022	Q	000587	NO	
23/05/2022	Q	000588	NO	
23/05/2022	Q	000589	NO	
20/05/2022	Q	000590	NO	
23/05/2022	Q	000607	NO	
23/05/2022	Q	000608	NO	
30/05/2022	Q	000630	NO	We wish to remain in the Tonge Parish area
30/05/2022	Q	000631	NO	We wish to remain in the Tonge Parish area
26/05/2022	Q	000633	NO	
24/06/2022	Email	N/A	NO	We do not want the boundary changed

Borough Ward Members Response

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF BOUNDARY REVIEW?	COMMENTS
15/06/2022	Email	Cllr Hall – Murston ward member	YES	I have as you know always supported this project as do 99% of residents
21/06/2022	Email	Cllr Ann Hampshire – Murston ward member	YES	I support the boundary review for the Great Easthall Parish area

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF BOUNDARY REVIEW?	COMMENTS
15/06/2022	Email	Cllr Whiting – Teynham & Lynsted ward member	NO	<p>Those of my residents that have contacted me are overwhelmingly in favour of keeping the Tonge Parish boundary as is. This position is supported, to the best of my knowledge, by the Tonge Parish Council.</p> <p>Additional Comments - I have some requests to amend the CGR to enlarge the parish to include all of Great Easthall, which those who wrote believe could help galvanise the community across the whole estate within Tonge. Another concern related to me is that the Trenport planning application could add another layer of complexity if it is given the go ahead by planning, which may require a further CG review in the future. Overall, I am content for the review to proceed with the caveat that the additional concerns raised with me by residents are given full consideration.</p>
15/06/2022	Email	Cllr Bowen – Teynham & Lynsted ward member	NO	As Cllr Whiting's comments above

Parish Councils Response

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF BOUNDARY REVIEW?	COMMENTS
22/06/2022	Letter	Tonge Parish Council	NO	<p>Tonge Parish Council have taken their time and given great consideration to the proposed review of the parish boundary that dissects Great Easthall and separates Heron Fields from Murston. We firmly believe that the decision must be that of the residents and in their best interests and we needed to ensure that they felt in a position to give informed consent. Following your mailshot, we invited them to a meeting on 23rd May 2022 where they could ask us questions face-to-face and to hear from them what they wanted to do, which would inform our response to the Review. We explained that Tonge Parish Council is non-political and our role at this meeting was to empower them to make their decision. Mike Whiting (SBC) and Rich Lehmann (KCC) were also in attendance and answered questions openly; explaining that their roles would stay the same but be undertaken by different councillors. The meeting was well attended, with the overwhelming view that the residents wanted to remain in Tonge Parish and retain their Parish Council. They were a little confused by the questionnaire as although they wanted to say 'No' to the review, some residents wanted to expand the boundary to embrace the whole of Great Easthall, into Tonge Parish. Furthermore, should any further housing developments occur between Heron Fields and Church Road, the issue of a boundary review would raise its head again. Tonge Parish Council do not want a review of Tonge boundary if it means losing Heron Fields; we feel passionately that Heron Fields belongs in Tonge and, although their needs are different from the rural residents of Tonge, we believe we can continue to provide them with the same opportunities and service as the rest of Tonge. In fact, all residents are united in their desires to safeguard rural opportunities/spaces and live happily in a rural community.</p>

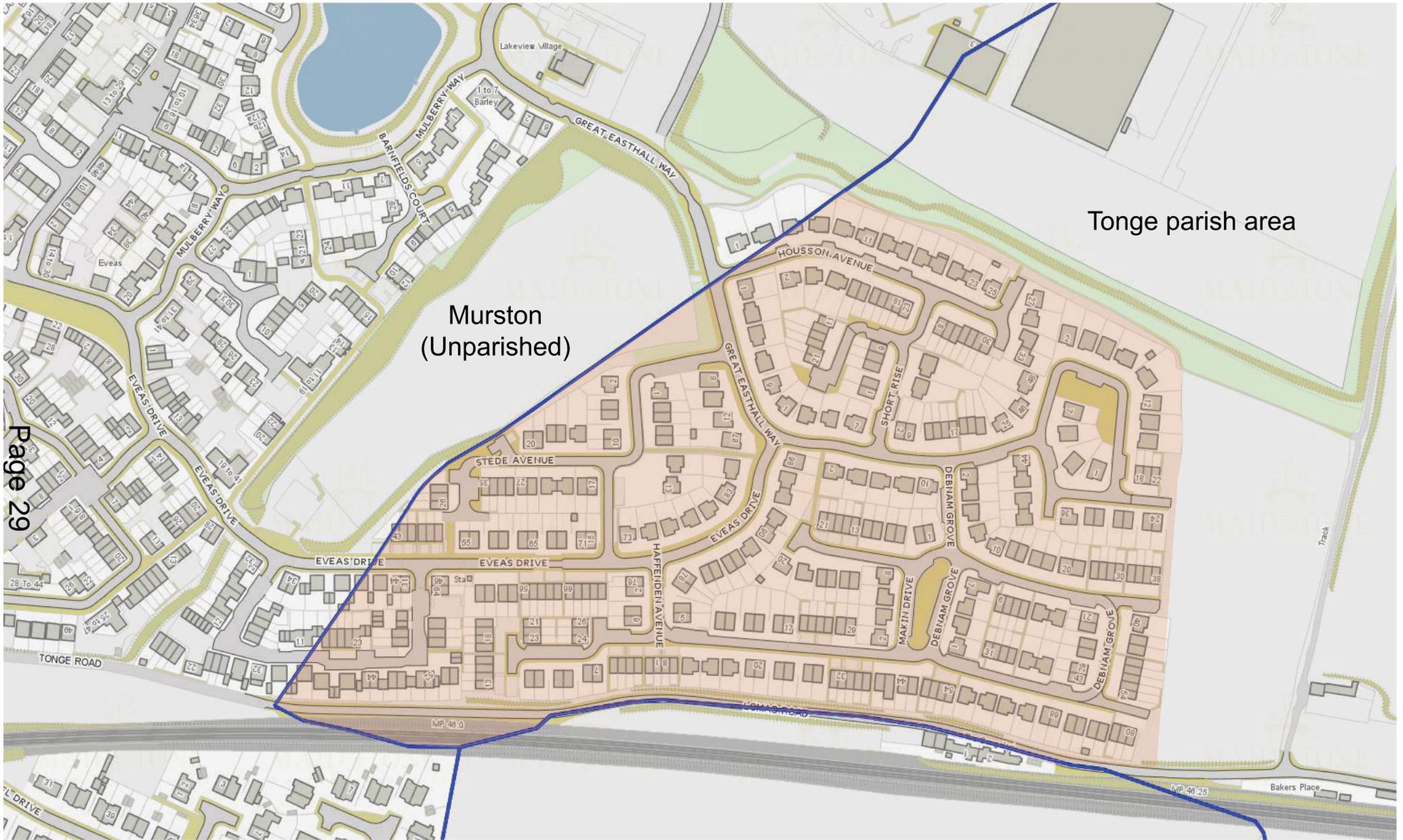
KCC Response

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF BOUNDARY REVIEW?	COMMENTS
18/05/2022	Email	Cllr Lehmann – KCC member for Swale East Division	NO	<p>Many thanks for your mail. I have a few thoughts on this, but I'll keep them fairly brief. I'm not sure if the information about voter turnout is in any way confidential, which is partly why I am responding directly to you rather than to the consultation email address. Please feel free to remove this paragraph from my comments if you feel it is inappropriate. Having leafleted almost every village in Swale East and canvassed across the area extensively in the spring of 2021, my initial thoughts are that the character of Great Easthall is more aligned with Sittingbourne than with the rural character of Tonge and the wider area to the east. This impression appears to be supported by the data contained in the marked registers for the 2019 borough council elections, which show a significantly lower turnout for this area compared to any other village or parish in Swale East (although it's possible the area had a number of houses at the time of the elections in May 2019, so it's possible this data is unreliable). Having said this, members of Tonge Parish Council spoke very strongly at their council meeting last week about having spoken to a number of residents in Great Easthall who would prefer to remain part of Tonge. If the consultation responses prove that is the case, then I would support their wishes to keep the boundaries as they currently are. On looking at the data from last year's KCC elections, I also note that Sittingbourne North is the second largest single member electoral division in Kent (behind Swale West). Transferring 300+ houses out of a smaller-than-average division and into such a large one feels counterintuitive to me, unless the Sittingbourne North/Sittingbourne South boundary could also be redrawn somewhere to offset the increase that this change would bring.</p>

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF BOUNDARY REVIEW?	COMMENTS
16/06/2022	Email	Lizzy Adam – KCC Operations & Client Relationship Manager / Governance, Law & Democracy	See comments	<p>As an update, we've shared the CGR documentation with the relevant KCC Members and invited them to respond directly to you on whether the parish boundaries should be reviewed with ERBC Committee copied in for information. Although KCC has been consulted on the reviews, the Committee is not planning on submitting comments at this stage until the views of the residents are known via the CGR consultation.</p>

Local Government Boundary Commission Response

DATE R/C	MEDIA	RESPONDER	COMMENTS
31/05/2022	Email	Richard Buck – Review Manager – Local Government Boundary Commission	<p>After completion of your CGR, you can request related alterations to borough ward boundaries so that they are coterminous with new parish boundaries. I have attached a copy of our joint guidance with the department here. The parts relating to the Commission are Chapters 5 and 6 https://s3-eu-west-2.amazonaws.com/lgbce/_data/assets/pdf_file/0019/10387/community-governance-review-guidance.pdf</p> <p>None of the parish arrangements in your borough are protected so you can proceed with the parish changes without needing to seek the Commission’s consent. However, only the Commission that has the power to make related alterations to borough ward/division boundaries via our related alteration process. As you will see, we will need some information from you before we could consider changing the ward boundaries. The process can take some months to complete as we will need to instruct our lawyers in Cabinet Office to draft an electoral changes order if the Commission agrees to ward boundary changes. The Commission might reject such a request if, for example, the electoral variances that result are considered too high. In terms of timings, this does look a little tight to be sure we could make such changes in time for the May 2023 elections. If we receive such a request after October, we cannot guarantee completion in time for elections in 2023.</p> <p>Happy to discuss further if you would find that useful.</p>



Tonge parish area

Murston
(Unparished)

Page 29

- Area affected by proposed parish boundary review
- Current parish boundary

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LUCAS CLOSE, SHEERNESS TOWN COUNCIL AREA – INITIAL CONSULTATION RESPONSES AND COMMENTS

Residents Response (where Q = Questionnaire)

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
23/05/2022	Q	0024	YES	Can't understand why we are not within Queenborough boundary
DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
20/06/2022	Q	0012	NO	It makes no difference to me
20/06/2022	Q	0013	NO	
27/06/2022	Q	0030	NO	
27/06/2022	Q	0031	NO	

Parish Councils Response

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
13/06/2022	EMAIL	Lisa Grandsen on behalf of Queenborough Town Council	YES	I can report that Town Councillors' support the review of boundaries being redrawn and Lucas Close becoming part of the Queenborough & Rushenden Community and Queenborough Town Council serving the residents of the Close.
20/06/2022	EMAIL	Linda Brinklow on behalf of Sheerness Town Council	YES	As a resident on the island and a person conversant with the area in question, I agree fully with the residents of Lucas Close that they should be part of the town of Queenborough. Being part of Sheerness makes no practical sense
24/06/2006	EMAIL	Becci Duffus (Finance Assistant) on behalf of Sheerness Town Council	YES	Sheerness Town Council agreed to support the proposal to amend the boundary lines on Monday 20th June 2022 Minute number 2022/473

KCC Response

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
16/06/2022	Email	Lizzy Adam - KCC Operations & Client Relationship Manager / Governance, Law & Democracy	See comments	As an update, we've shared the CGR documentation with the relevant KCC Members and invited them to respond directly to you on whether the parish boundaries should be reviewed with ERBC Committee copied in for information. Although KCC has been consulted on the reviews, the Committee is not planning on submitting comments at this stage until the views of the residents are known via the CGR consultation.

Borough Ward Members Response

DATE R/C	MEDIA	RESPONDER	IN FAVOUR OF A BOUNDARY REVIEW?	COMMENTS
18/05/2022	Email	Cllr McCall - Sheerness ward member	YES	I fully support the governance review and wholeheartedly believe that Lucas close belongs as part of the Queenborough and Halfway Ward, and part of Queenborough Town Council parish. It makes no sense for residents to travel 3 miles to vote in any election so therefore I support the changes.
13/06/2022	Email	Cllr Eakin - Sheerness ward member	YES	I fully support the new proposal as it makes a lot of sense. I can't see how anyone would find much of an argument against this.
28/06/2022	Email	Cllr Beart - Queenborough & Halfway ward member	YES	As the SBC Ward Member for Queenborough and Halfway, as well as the QTC Ward Member for Queenborough, Deputy Mayor of Queenborough and KCC Divisional Member for Sheppey, I fully support the boundary move to incorporate Lucas Close into the parish boundary of Queenborough. It is an anomaly with the way the original boundary was drawn that should be rectified. Lucas Close is only accessible from Sterling Road and Moat Way which are in Queenborough, and the new homes have been registered with the post office under the ME11 postcode so form part of the town. It makes no logical sense to keep this road within the boundary of Sheerness with the residents contributing council tax to Sheerness Town Council for services they aren't receiving. For these residents to be able to vote in elections, their polling station is currently in Sheerness, an 8-mile round trip. With this change, their polling station will be less than half a mile away, a short 5–10-minute walk. This makes it common sense to me. As indicated informally prior to the consultation, I believe the borough council should now move the boundary to a more natural positioning and propose this would most sensibly be the A249 Brielle Way. Simply redrawing the line around Lucas Close will still leave a large area of land within this area in the wrong parish and if there were ever future development, this would require this process to be run again so should be future proofed now.
02/07/2022	Email	Cllr Harrison - Sheerness ward member	YES	This seems to be a common sense change to me. When the lines were originally drawn, there were many grassy areas, which have since been built on, so I would expect that this will not be the last proposed change you bring forward.

Local Government Boundary Commission Response

DATE R/C	MEDIA	RESPONDER	COMMENTS
31/05/2022	Email	Richard Buck – Review Manager – Local Government Boundary Commission	<p>After completion of your CGR, you can request related alterations to borough ward boundaries so that they are coterminous with new parish boundaries. I have attached a copy of our joint guidance with the department here. The parts relating to the Commission are Chapters 5 and 6 https://s3-eu-west-2.amazonaws.com/lgbce/_data/assets/pdf_file/0019/10387/community-governance-review-guidance.pdf</p> <p>None of the parish arrangements in your borough are protected so you can proceed with the parish changes without needing to seek the Commission’s consent. However, only the Commission that has the power to make related alterations to borough ward/division boundaries via our related alteration process. As you will see, we will need some information from you before we could consider changing the ward boundaries. The process can take some months to complete as we will need to instruct our lawyers in Cabinet Office to draft an electoral changes order if the Commission agrees to ward boundary changes. The Commission might reject such a request if, for example, the electoral variances that result are considered too high. In terms of timings, this does look a little tight to be sure we could make such changes in time for the May 2023 elections. If we receive such a request after October, we cannot guarantee completion in time for elections in 2023.</p> <p>Happy to discuss further if you would find that useful.</p>

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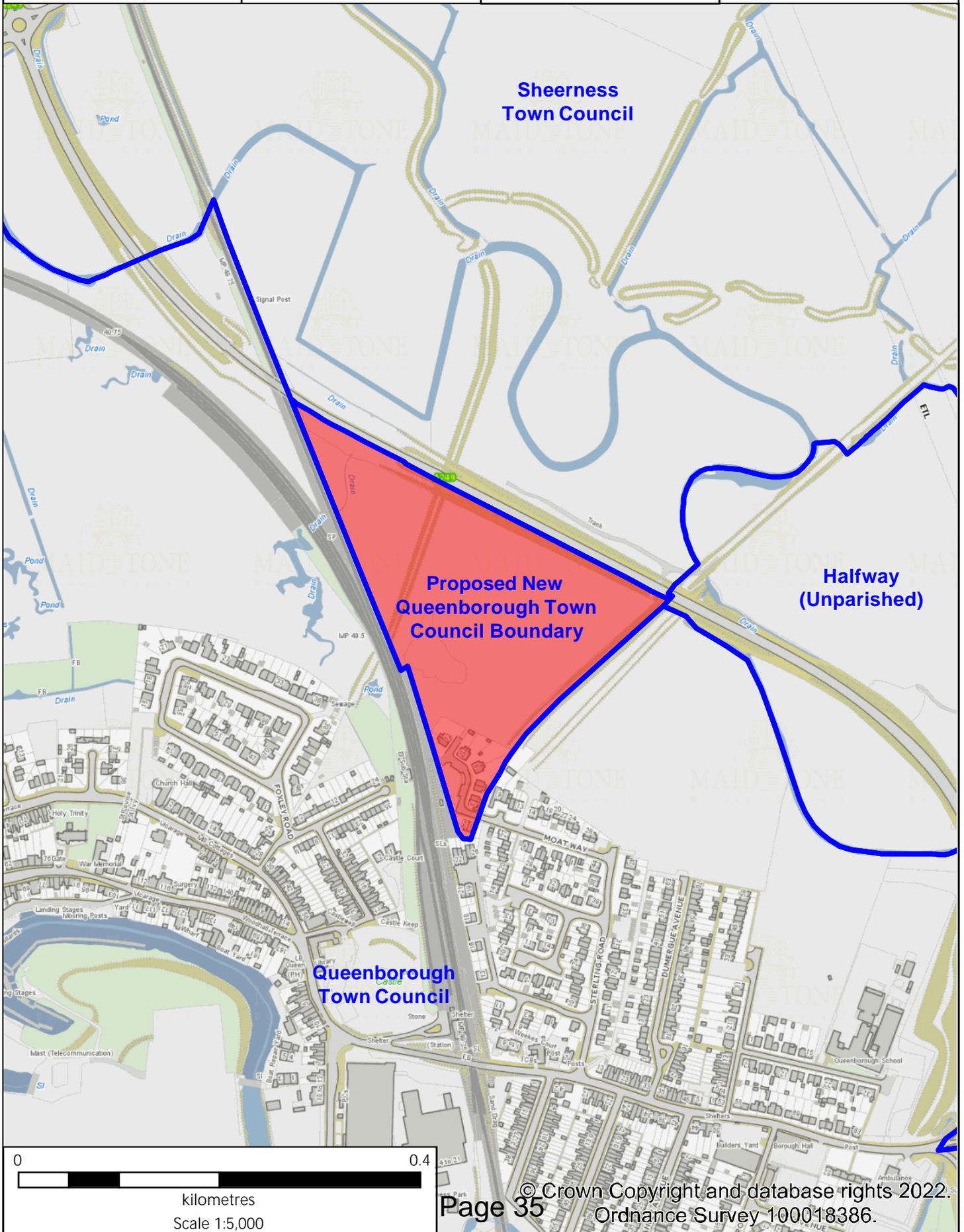


Proposed Boundary Change

Drawn By:
GIS

Date:
18/07/2021

Area in red to be removed from Sheerness Town Council and added to Queenborough Town Council



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