

Agenda

Annual Council Meeting

Date: Wednesday, 17 May 2023

Time 7.00 pm

Venue: The Appleyard, Avenue of Remembrance, Slittingbourne, Kent ME10 4DE*

Quorum = 16

Pages

Information about this meeting

*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website by 16 May 2023.

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1. Emergency Evacuation Procedure

Visitors and members of the public who are unfamiliar with the building and procedures are advised that:

- (a) No fire drill is planned during the meeting. If the alarm sounds please leave the building quickly without collecting any of your possessions, using the doors signed as fire escapes, and assemble outside where directed.
- (b) Await instructions before re-entering the building.
- (c) Anyone who requires assistance in evacuating the building should make officers aware of any special needs so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence

3. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPis) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

4. Minutes

To approve the [Minutes](#) of the meeting held on 18 May 2022 (Minute Nos 1- 11) and the [Minutes](#) of the meeting held on 5 April 2023 (Minute Nos. 804 – 816) as correct records.

5. Presentation to Honorary Alderman and Honorary Alderwomen

In accordance with Section 249 of the Local Government Act 1972, as amended, a resolution must be passed by not less than a two-thirds majority of the Members voting. The Council are accordingly requested to pass the following resolution:

"That this Council in pursuance of Section 249 of the Local Government Act 1972, as amended, do confer upon Nicholas Hampshire, Ken Pugh, David Simmons, Roger Truelove and Ghlin Whelan the title of Honorary Alderman in recognition of the valuable service given to the Council by those Members as past Members of the Council"

The past Members will be called forward to be presented with their certificates.

6. Presentation to Past Members

The Mayor will present past Members who have served at least one term of office, with their certificates.

7. Appointment of Mayor

To confirm the appointment of Councillor Sarah Stephen as Mayor for the civic year 2023/24.

8. Forthcoming Mayoral Year

The new Mayor will outline the forthcoming Mayoral Year.

9. Vote of Thanks to Retiring Mayor

A vote of thanks will be given to the retiring Mayor, Councillor Simon Clark.

The retiring Mayor is invited to say a few words about their Mayoral Year.

10. Election of Deputy Mayor

To elect a Deputy Mayor for the civic year 2023/2024.

11. Pay Award 2023

5 - 8

12. Election of Leader

13. Establishment of Committees and their Terms of Reference - Appendix II to follow

9 - 30

To agree the Council's Committees and their terms of reference.

14. Allocation of Committee Seats and Committee Appointments 2023/24 -
to follow
15. Borough Council Nominations to Outside Bodies and Trusts 31 - 36
Administered by Swale Borough Council and Statutory Bodies

To confirm Borough Council's nominations to outside bodies and trusts
administered by Swale Borough Council and statutory bodies.
16. Timetable of Meetings 37 - 42

To agree the timetable of meetings for the municipal year 2023/24.

Issued on Tuesday, 9 May 2023

The reports included in Part I of this agenda can be made available in alternative formats. For further information about this service, or to arrange for special facilities to be provided at the meeting, please contact **DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Council, please visit www.swale.gov.uk

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

Council Meeting	
Meeting Date	17 May 2023
Report Title	Staff pay award
EMT Lead	Larissa Reed, Chief Executive
Head of Service	Bal Sandher, Head of HR Lisa Fillery, Director of Resources
Lead Officer	Larissa Reed, Chief Executive
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That full council approve the pay award set out in 2.7 of this report 2. That an amount of £100,000 is taken from the budget contingency reserve to cover the shortfall from the budgeted amount.

1 Purpose of Report and Executive Summary

- 1.1 Swale Borough Council recognises the importance of managing pay fairly and in a way that motivates staff to make a positive contribution and support the delivery of the Council's objectives.
- 1.2 This report sets out the background to the proposed pay award for staff and the proposal to fund the award,

2 Background

- 2.1 The council has almost 300 staff and recognises the importance of paying staff fairly for the work they do. The council is aware that many staff have struggled with the increased costs of goods and services over the past 12 months.
- 2.2 Many council salaries have historically been higher than comparator councils. Despite this we, like others have experienced challenges in recruiting and retaining staff.
- 2.3 The council, like many organisations has been negatively affected by increased costs associated with hyperinflation. This has reduced the available budget to fund pay rises for staff.
- 2.4 Due to the financial difficulties faced by Swale Borough Council, members approved a reduction in the working week, from 37 to 34 with no loss of pay in lieu of a pay rise. The purpose of this was partly to save money but was also to

improve work life balance for staff and to aid recruitment. This began from 5 May 2023.

- 2.5 An amendment was accepted by Budget Council on 22 February 2023, which proposed a one-off payment of £1,000 to all staff working at grade 5 and under. This was agreed to be funded from the budget contingency reserve.
- 2.6 The Council has a collective bargaining agreement with Unison (our recognised Trades Union) and put the offer to their members. This was rejected.
- 2.7 The Chief Executive and Unison have worked closely together to find an agreement which is both beneficial to staff and affordable to the council. The proposal agreed by Unison is as follows

Grade	Proposed one off payment per fte
2	£1000
3	£1000
4	£1000
5	£1000
6	£800
7	£750
8	£750
9	£500
10	£500

- 2.8 Staff at Grade 2 are paid the Real Living Wage, so they received an increase in their hourly rate of 10% when this increased in April 2023.
- 2.9 Staff at scale 10 are team managers. It is not proposed to provide any additional payment to Heads of Service, Directors or the Chief Executive.

3 Proposals

- 3.1 That staff at the grades indicated in the above table (2.7 of the report) receive a one-off payment in lieu of a pay increase for the year 23/24.
- 3.2 That £100,000 is taken from the 'Budget Contingency Reserve' to fund the pay rise (this is in addition to the budgeted figure agreed by council on 22 February 2023)

4 Alternative Options Considered and Rejected

- 4.1 Option 1 – that no pay award is given. This is not recommended as SBC staff, like many people across the country are struggling with the cost-of-living crisis. The proposal put forward ensures that a staff are more able to cope with increased costs.

- 4.2 Option 2 – that a percentage pay award is given to staff. This is not recommended due to the current financial position of the council. To pay for an on going pay award, the council would most likely to have reduce services and make staff redundant.
- 4.3 Option 3 – that a pay award is given to all staff. This is not recommended as the cost would be prohibitive and the recommended proposal ensures that staff on lower grades receive a greater benefit.

5 Consultation Undertaken or Proposed

- 5.1 The Chief Executive has consulted with Unison who have confirmed their members accept this offer

6 Implications

Issue	Implications
Corporate Plan	To deliver this and future corporate plans, the council needs to be resourced to deliver administrations objectives. The proposal will assist the council in retaining staff.
Financial, Resource and Property	The overall cost of the pay award is approximately £300,000. This figure is dependent on how many of our staff are in the pension fund. This can be funded from the allocated budget and the additional £100,000 requested in this paper. This is a one off spend and so will not be an ongoing pressure to the council.
Legal, Statutory and Procurement	There is no statutory requirement for the council offer a pay award.
Crime and Disorder	There are no direct crime and disorder implications of this proposal
Environment and Climate/Ecological Emergency	There are no direct Environmental Emergency implications of this proposal
Health and Wellbeing	Staff have been affected by the cost-of-living crisis, with some lower paid staff disproportionately affected. This proposal will have a positive effect on the wellbeing of staff
Safeguarding of Children, Young People and Vulnerable Adults	There are no direct safeguarding implications of this proposal
Risk Management and Health and Safety	There are no direct health and safety implications of this proposal

Equality and Diversity	The council has 72% of female staff, many of whom work in lower paid roles and part time. Those staff will benefit from this proposal and the sliding scale of payments will ensure that lower paid staff are not adversely affected
Privacy and Data Protection	There are no direct privacy or data protection implications of this proposal

7 Appendices

None

8 Background Papers

Minutes of the meeting of council 22 February 2023.

Annual Council Meeting	
Meeting Date	17 May 2023
Report Title	Establishment of Committees and their terms of reference
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	
Lead Officer	Jo Millard – Democratic Services Manager
Classification	Open
Recommendations	1. To establish the Committees of the Council for the Municipal Year 2023/24 and agree their terms of reference as set out in Appendix I

1 Purpose of Report and Executive Summary

- 1.1 This report requests the Council to formally establish the Committees for the municipal year 2023/24 and to agree their terms of reference.

2 Background

- 2.1 Council agreed Committees and terms of reference as part of the updated Constitution when moving to the Committee System in 2022. It is normal practice for the Committees and terms of reference to be confirmed each year at Annual Council.
- 2.2 Appendix I sets out the terms of reference of Committees as currently agreed by the Council.

3 Proposals

- 3.1 To establish the Committees of the Council for the Municipal Year 2023/24 and agree their terms of reference.

4 Alternative Options

- 4.1 Any changes to the number of Committees, or their terms of reference, must be included in the Constitution and as such will require approval of the Council. Any proposal to establish or discontinue a Committee that is currently included within the Constitution, would affect the calculation of the allocation of seats on Committees and would require approval of the Council.

5 Consultation Undertaken or Proposed

- 5.1 All Group Leaders have been asked to provide Democratic Services with their Group's allocation to seats on Committees.

6 Implications

Issue	Implications
Corporate Plan	The recommendations in this report contribute to the council priority to renew local democracy and make the council fit for the future.
Financial, Resource and Property	The cost of servicing the Council's committees will be met within existing budgets. The establishment of any additional Committees would have financial and human resource implications.
Legal, Statutory and Procurement	The Head of Legal has been consulted. The relevant legal provisions are set out in the body of the report.
Crime and Disorder	The Council's Committee Structure includes Committee(s) with Crime and Disorder within their remits
Environment and Climate/Ecological Emergency	The Council's Committee Structure includes Committee(s) with Environment and Climate/Ecological Emergency within their remits
Health and Wellbeing	The Council's Committee Structure includes Committee(s) with Health and Wellbeing within their remits
Safeguarding of Children, Young People and Vulnerable Adults	The Council's Committee Structure includes Committee(s) with Safeguarding of Children, Young People and Vulnerable Adults within their remits
Risk Management and Health and Safety	The Council's Committee Structure includes Committee(s) with Risk Management and Health and Safety within their remits
Equality and Diversity	The Council's Committee Structure includes Committee(s) with Equality and Diversity within their remits
Privacy and Data Protection	The Council's Committee Structure includes Committee(s) with Privacy and Data Protection within their remits

7 Appendices

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

- Appendix I: Terms of Reference of the Committees
- Appendix II: Committee membership – appendix to-follow

8 Background Papers

Extraordinary Council 27 April 2022 - [Committee System - Revised Constitution](#).

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PART 2 – RESPONSIBILITY FOR FUNCTIONS

2.0 Introduction

The Local Government Act 1972 (as amended) sets out the arrangements authorities can make for the discharge of their functions. Authorities may discharge their functions through Committees, Subcommittees, etc. There is no power to delegate Council functions to an individual Member, but powers can be delegated to an Officer in consultation with a Member.

2.1 Functions of Full Council

2.1.1 The following functions are the responsibility of the Full Council and will be discharged by the Full Council unless specifically delegated to another Committee, Subcommittee, body or Officer elsewhere in this Constitution:

- a) to adopt and approve the budget and any amendments to it which cannot be made by other bodies pursuant to the Financial Regulations;
- b) to adopt and amend any policies reserved to Full Council by law or this constitution;
- c) to adopt and amend the Constitution;
- d) to appoint the Mayor and Deputy Mayor;
- e) to elect the non-executive Leader of the Council;
- f) to make appointments to Committees;
- g) to make appointments to outside bodies;
- h) to nominate directors of any companies in which the Council has shares or owns wholly or partly, where the Council has a right to nominate directors;
- i) to change the name of the area;
- j) to confer the title of Honorary Alderman/Alderwoman or Freeman of the Borough;
- k) to adopt the Codes of Conduct for Members and Officers;

- l) to adopt a Members' Allowances Scheme, after considering the report of the Independent Members' Allowances Panel;
- m) to appoint or dismiss the Head of Paid Service and Returning Officer, the Monitoring Officer or the Section 151 Officer;
- n) to resolve any matters requiring Member involvement, relating to local elections, electoral registration, revisions of electoral boundaries, orders in respect of parishes and related matters pertaining to the Borough or Parish Councils;
- o) to make, amend, revoke, re-enact or adopt bylaws and promote or oppose the making of local legislation or personal Bills; and
- p) all other matters which, by law, must be reserved to Council.

2.2 Committees of the Council

2.2.1 Policy and Resources Committee

Membership and functions of the Policy and Resources Committee

2.2.1.1 The Policy and Resources Committee shall be comprised of 15 members of the Council.

2.2.1.2 The functions of the Committee are:

- i. to propose an annual revenue budget, capital budget, medium-term financial plan, and schedule of fees and charges to Council;
- ii. to coordinate the development of the Council's strategy and policy across service committees, and to adopt strategies and policies, where appropriate based on proposals from other service committees;
- iii. to propose to Council the strategies and policies the adoption of which is reserved to Council;
- iv. to maintain strategic oversight of all Council services, including oversight of resources, performance and risks;
- v. to exercise and delegate authority on behalf of the Council over all non-regulatory matters falling within the Committee's area of responsibility;
- vi. to exercise and delegate authority on behalf of the Council over all non-regulatory matters which fall within the area of responsibility of multiple service committees, or to determine which service committee should exercise or delegate such authority;
- vii. to commission, procure and manage external contractors on matters falling within the Committee's area of responsibility, and to maintain

- strategic oversight of the Council's commissioning and procurement processes;
- viii. to oversee the Council's relationships with partner organisations, and involvement in formal and informal partnerships, in matters falling within the committee's area of responsibility, including strategic relationships with government and Kent County Council;
 - ix. to receive, and optionally to give effect to, recommendations from other Service Committees and from Subcommittees of the Policy and Resources Committee; and
 - x. To consider amendments to the Constitution and to make recommendations on amendments or changes to Full Council.

2.2.1.3 The areas of responsibility of the Policy and Resources Committee are:

- i. corporate strategy and corporate plan;
- ii. development of annual budget and medium-term financial plan;
- iii. overall budget management;
- iv. overall risk management;
- v. overall performance management;
- vi. organisational health and safety;
- vii. customer services, including oversight of service-related complaint handling;
- viii. communications including website;
- ix. transformation and digitisation;
- x. commissioning and procurement systems and processes;
- xi. revenues and benefits, including council tax collection and council tax support;
- xii. corporate services including all Mid-Kent Services functions;
- xiii. cemeteries;
- xiv. members' and officers' learning and development;
- xv. equality and diversity;
- xvi. resilience, including emergency planning and business continuity; and
- xvii. all matters relating to the Council's responsibilities as an employer.

Subcommittees and Working Groups

2.2.1.4 The Policy and Resources Committee may establish such subcommittees and/or working groups as it requires and may set the terms of reference and membership of those subcommittees and working groups. It shall also have the following subcommittees each comprised of 7 members of the Committee who have received appropriate training on the conducting of hearings and employment:

Appointments Subcommittee

2.2.1.5 The functions of the Appointments Subcommittee shall be to:

- i. agree the appointments of Directors of the Council/Shared Services; and
- ii. make recommendations to Full Council on the appointments of the Head of Paid Service, Monitoring Officer and Section 151 Officer.

Investigation and Disciplinary Subcommittee

2.2.1.6 The function of this Subcommittee shall be to consider any disciplinary action against one of the Council's statutory officers, the Head of Paid Service, Monitoring Officer or the section 151 Officer. The powers of the Subcommittee shall include, in accordance with the Employment Procedure Rules to;

- i. suspend a statutory officer;
- ii. appoint an investigating officer to carry out a disciplinary investigation in respect of a statutory officer;
- iii. conduct a disciplinary hearing;
- iv. recommend to Council the dismissal of a statutory officer; and
- v. determine disciplinary action short of dismissal in respect of a statutory officer.

Statutory Officers Disciplinary Appeals Subcommittee

2.2.1.7 The function of this Subcommittee shall be to hear any disciplinary appeals brought by a statutory officers on any disciplinary sanction short of dismissal. No member may sit on the Appeals Subcommittee on a case which has been considered by them as a member of the Investigation and Disciplinary Subcommittee.

Planning and Transportation Policy Working Group

2.2.1.8 The Policy and Resources Committee shall establish a working group to make recommendations to it on the following areas:

- i. The development of planning policy including policies forming the local plan for recommendation to Council;
- ii. Section 106 and community infrastructure levy;
- iii. building and development control;
- iv. transport; and
- iv land charges.

2.3 Service Committees

2.3.1 Membership and functions of all service committees

2.3.1.1 All service committees shall be comprised of 15 members of the Council.

2.3.1.2 All of the service committees shall exercise the following functions within their areas of responsibility:

- i. to exercise and delegate authority on behalf of the Council over all non-regulatory matters falling wholly within the committee's area of responsibility;
- ii. to provide strategic oversight of Council services falling within the committee's area of responsibility, including oversight of resources and performance;
- iii. to commission, procure and manage external contractors on matters falling within the committee's area of responsibility;
- iv. to oversee Council relationships with partner organisations, and involvement in formal and informal partnerships, in matters falling within the committee's area of responsibility;
- v. to make recommendations to the Policy and Resources Committee on policies, strategies, budgets, fees and charges concerning services and other matters falling within the committee's area of responsibility; and
- vi. to appoint and oversee the work of any subcommittees.

2.3.2 The areas of responsibility of the Community Committee are:

- i. inclusivity and tackling disadvantage;
- ii. crime, disorder and antisocial behaviour;
- iii. CCTV;
- iv. culture
- v. leisure and sport
- vi. play areas and outdoor fitness equipment
- vii. voluntary and community sector;

- viii. liaison with town and parish councils;
- ix. parking;
- x. heritage and conservation, including closed churchyards and
- xi. to act as the Council's crime and disorder (overview and scrutiny) committee for the purposes of and with the powers set out in the Police and Justice Act 2006, the Local Government and Public Involvement in Health Act 2007 and any regulations made under those Acts.

2.3.3 The areas of responsibility of the Environment Committee are:

- i. refuse collection and recycling;
- ii. street cleansing;
- iii. climate and ecological emergency;
- iv. environmental response, including fly-tipping, contaminated land, animal welfare, pollution control, littering and illegal encampments;
- v. environmental health, including management of public health and safety risks;
- vi. air quality;
- vii. green spaces, open spaces and grounds maintenance;
- viii. flooding, sea defences and coastal protection;
- ix. active travel; and
- x. public conveniences.

2.3.4 The areas of responsibility of the Housing and Health Committee are:

- i. housing advice, homelessness prevention and housing register;
- ii. affordable and social housing;
- iii. disabled facilities grants, home improvements and Staying Put;
- iv. empty dwellings;
- v. private-sector housing support and enforcement;
- vi. health inequalities;
- vii. liaison with public health, health providers and adult social care;
- viii. children and young people, including liaison with children's services; and
- ix. child and vulnerable adult safeguarding.

2.3.5 The areas of responsibility of the Regeneration and Property Committee are:

- i. Regeneration;
- ii. economic development;
- iii. town centres and markets;
- iv. visitor economy;
- v. property asset management, including beach huts;
- vi. learning and skills; and
- vii. sea fronts, harbours and quays.

2.3.6 Subcommittees and Working Groups

2.3.6.1 Service committees may set up subcommittees and/or working groups. The subcommittees will have decision making powers where these are delegated to them by the Committee. The subcommittees may make recommendations to the whole committee on particular elements of the area of responsibility of the committee.

2.3.6.2 The Housing and Health Committee shall have a Subcommittee called the Swale Rainbow Homes Shareholder Representation Subcommittee which shall be made up of members who have received appropriate training. This shall make decisions in respect of the Council's role as shareholder of Swale Rainbow Homes.

2.3.6.3 Any Subcommittee or Working Group must report to the Service Committee and its membership will be set by the Service Committee. The membership of a Subcommittee must be drawn from the parent committee but the membership of a working group need not do. The political balance rules and access to information rules will not apply to any working groups but they will operate in an open and transparent way and membership will be drawn from members who are from different political groups on the Council. Where a working group is to be supported by officers the Chief Executive will be consulted before it is established.

2.4 Other Committees

2.4.1 Audit Committee

2.4.1.1 The Audit Committee shall comprise of 9 members of the Council.

2.4.1.2 The purpose of the Audit Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control

environment, independent scrutiny of the authority's financial and nonfinancial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

2.4.1.3 The Audit Committee has responsibility for:

Audit Activity

- i. To consider the Head of Audit Partnership's annual report and opinion, and a summary of audit activity (actual and proposed) and the level of assurance it can give over the council's governance arrangements, and any report from Internal Audit on agreed recommendations not implemented within a reasonable timescale;
- ii. To consider reports dealing with the management and performance of Internal Audit Services, including consideration and endorsement of the 3 year Strategic Internal Audit Plan;
- iii. To consider the external auditor's annual letter, the report to those charged with governance, and any specific reports as agreed with the external auditor;
- iv. To oversee the appointment of the Council's external auditor, comment on the scope and depth of external audit work and ensure that it gives value for money;

Regulatory Framework

- v. To review any issue referred to it by the Chief Executive or the Director or any Council body;
- vi. To monitor the effective development and operation of risk management and corporate governance in the Council;
- vii. To monitor council policies on 'Whistleblowing' and the 'Antifraud and Corruption Strategy';
- viii. To consider and comment on the authority's Annual Governance Statement and agree its adoption as part of the
- ix. approval of the annual accounts;
- x. To consider the Council's arrangements for governance and whether adequate safeguards are in place to secure compliance with its own and other published standards and controls and best practice;

Accounts

- xi. To review and approve the annual statement of accounts. Specifically, to consider whether there are concerns arising from the

- financial statement or from the audit that need to be brought to the attention of the Policy and Resources Committee or the Council;
- xii. To consider the external auditor's report to those charged with governance on issues from the audit of the accounts;
 - xiii. To be responsible for ensuring effective scrutiny of the treasury management strategy and policies (Note: Council is responsible for adopting the Treasury Management strategy and policy); and

Reporting

- xiv. To present an annual report to the Council providing assurance that the responsibilities of the Committee have been met.

2.4.2 Urgent Decisions Committee

2.4.2.1 The Committee shall comprise of 7 Members of the Council, to include the Group Leaders subject to political balance rules.

2.4.2.2 The Committee shall have responsibility for exercising the functions of Full Council, if necessary, in cases where it is not possible to call a Full Council meeting, subject to a full report to the next available meeting of Full Council for information.

2.4.3 Licensing Committee

2.4.3.1 The Licensing Committee shall comprise of 15 members of the Council who have received appropriate training on licensing.

2.4.3.2 The Committee shall have responsibility for:

- i. To review and make recommendations to Policy and Resources Committee and thereafter full Council upon policy in relation to licensing matters under the Licensing Act 2003 and the statement of licensing policy;
- ii. To discharge the Council's functions as a Licensing Authority under the Licensing Act 2003, within agreed policy;
- v. To arrange for the discharge of any of the licensing functions exercisable by the Committee to an Officer of the Licensing Authority subject to the limitations set out in Section 10(4) of the Licensing Act 2003;

- vi. To review and make recommendations to Policy and Resources Committee and thereafter full Council upon policy in relation to licensing matters under the Gambling Act 2005 and the statement principles;
- vii. To discharge the Council's functions as a Licensing Authority under the Gambling Act 2005, within agreed policy;
- viii. To arrange for the delegation of any of the licensing functions exercisable by the Committee to an Officer of the Licensing Authority subject to the limitations set out in Section 154 of the Gambling Act 2005;

General Licensing Matters

- ix. To make recommendations to Policy and Resources Committee on any matters of licensing policy;
- x. To review and make decisions in accordance with Council policy in licensing matters under the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 (Sex Establishments) and Schedule 4 (Street Trading) and the statement of principles;
- xi. to discharge the Council's functions as a Licensing Authority under the Local Government (Miscellaneous Provisions) Act 1982, within agreed policies;
- xii. To arrange for the delegation of any of the licensing functions exercisable by the Committee to an officer of the Licensing Authority subject to the limitations set out in Schedule 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982;
- xiii. To consider enforcement action against Hackney Carriage and Private Hire Vehicle Operators under the Local Government Miscellaneous Provisions Act 1976 and Town Police Clauses Act 1984;
- xiv. To discharge all licensing functions of the Council not reserved to Full Council;

- xv. To exercise the Council's functions under any of the relevant statutory provisions relating to Health and Safety at Work etc. Act 1974, as far as they are the responsibility of the Council; and
- xvi. To make decisions on matters relating to the Council's responsibilities in respect of Hackney Carriage and Private Hire Vehicles and Drivers.

2.4.3. The Licensing Committee shall have a Licensing Act Subcommittee and a General Licensing Subcommittee each comprised of 3 members of the Committee.

2.4.3.1 The Licensing Act Subcommittee shall have responsibility for:

Licensing Act 2003

- i. Application for a personal licence if any objection is made;
- ii. Application for a personal licence where a person has any unspent convictions;
- iii. Application for a premises/club premises licence if a representation is made;
- iv. Application for a provisional statement if representation is made;
- v. Application to vary the DPS if the police object;
- vi. Application for the transfer of premises licence if the police object;
- vii. Application for interim authority if the police object;
- viii. Application to review a premises/club premises licence
- ix. Decision to object when the Councils a consultee and not the Licensing Authority; and
- x. 10. Application for a temporary event notice when the police object.

Gambling Act

- xi. Application for a premises licence where representations have been received;
- xii. Application to vary a premises licence where representations have been received;
- xiii. Application to transfer a licence where representations have been received;
- xiv. Application for a provisional statement where representations have been received;
- xv. Review of a premises licence;

- xvi. Application for club gaming machine permits where representations have been received;
- xvii. Cancellation of a club gaming machine permit; and
- xviii. Application for more than 4 gaming machine permits in a licensed premises.

2.4.3.2 The General Licensing Subcommittee shall have responsibility for making decisions about individual licensing matters and appeals where not otherwise delegated to the Head of Environment and Leisure Services or the Head of Housing and Community Services.

2.4.4 Planning Committee

2.4.4.1 The Planning Committee shall be comprised of 17 members of the Council who have received appropriate training on planning.

2.4.4.2 The Committee shall have responsibility for making decisions under the Town and Country Planning Act 1990 (as amended) and Planning (Listed Buildings and Conservation Areas) Act 1990, including:

- i. The granting of permissions, or approvals;
- ii. Refusals of permissions;
- iii. Applications for listed building and conservation area consent;
- iv. Resolution to make and confirm tree preservation orders;
- v. Orders under Section 215 relating to maintenance of waste land and resolution to prosecute for noncompliance with an order;
- vi. Resolution to serve enforcement notices and listed building enforcement notices and service of "stop notices", or resolution to prosecute in the case of failure to comply with any type of confirmed order;
- vii. Resolution to serve a repairs notice and to carry out urgent works to preserve listed buildings under Sections 48 and 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- viii. Resolution to prosecute for the unauthorised display of advertisements.

- ix. Agreements under Section 106 of the Town and Country Planning Act 1990 (as amended);
- x. Notices under Section 79 of the Building Act 1984;
- xi. To respond to consultations on any planning applications to be carried out by and/or determined by other Authorities, Agencies or Government Departments;
- xii. The determination of applications for development to be carried out by the Council;
- xiii. To resolve to make an Article 4 Direction;
- xiv. To resolve to make an 'Area of Special Control' under the Advertisement Regulations;
- xv. To resolve to secure the preservation of a building under Sections 3 and 4 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or such other relevant legislation as may be enacted thereafter;
- xvi. To resolve to revoke a planning permission;
- xvii. To resolve to accept a Purchase Notice;
- xviii. To resolve to serve a discontinuance order;
- xix. To determine other related planning matters including conservation, tree preservation, advertisement control, building preservation and functions the subject of agency.

NOTE

- A. that in cases where the Committee is minded to make a decision that would be contrary to officer recommendation and contrary to policy and/or guidance, the Chair should invite the Head of Planning to request the Committee to consider if the application should be deferred to the next meeting of the Committee or if there should be a short adjournment for Officers to consider the views of the Planning Committee and to give further advice.

- B. that in cases where the Committee determines an application contrary to officer recommendation a full record should be made of the reasons for rejecting the recommendation.

2.4.4.3 The Committee shall have a Working Group called the Planning Committee Site Visits Group. It shall be comprised of members of the committee and ward councillors will be invited to attend. Its responsibility will be to visit sites the subject of planning applications, as directed by the Planning Committee, and report back to the subsequent meeting Planning Committee. See Planning Committee Procedural Rules in Part 3 of this Constitution.

2.4.5 Standards Committee

2.4.5.1 The Committee shall be comprised of 11 members of the Council plus three non-voting co-opted Parish representatives.

2.4.5.2 The Committee shall have the following responsibilities:

- i. to promote and maintain high standards of conduct by Members and co-opted members of the authority and Parish Councils within the Borough;
- ii. to recommend to Full Council for adoption a code dealing with the conduct that is expected of members and co-opted members of the Council when they are acting in that capacity;
- iii. to monitor and review the Code of Conduct as appropriate to ensure it is consistent with the following principles: selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
- iv. to ensure that the Code of Conduct includes the provision that the authority considers appropriate in respect of the registration in its register, and disclosure, of (a) pecuniary interests, and (b) interests other than pecuniary interests which the Council thinks appropriate;
- v. to put in place arrangements under which allegations can be investigated and decisions on allegations can be made. Such arrangements to include provision for the appointment by the authority of at least one independent person and to cover Parish Councils in the Borough;

- vi. to consider applications for the grant of dispensations in accordance with the provisions contained within S.33 (b) (c) and (d) of the Localism Act 2011; and
- vii. to set the allowances and expenses for the Independent Person.

2.4.5.3 The Committee shall have a Subcommittee called the Standards Hearing Panel.

2.4.5.4 The Standards Hearing Panel shall be comprised of 3 members of the Committee who have received appropriate training on the conducting of hearings.

2.4.5.5 The Standards Hearing Panel shall have the following responsibilities:

- i. to consider any matter referred for investigation in accordance with the arrangements adopted by the Council for considering any allegation that a member or co-opted member of the Council or a Parish Council in the Borough has failed to comply with the Code of conduct; and
- ii. to conduct a hearing and decide whether a member has failed to comply with the Code of Conduct and, if so determine what action(s) to take in accordance with the Council's arrangements

2.5 Area Committees

2.5.1 The purpose of area committees is to enhance the quality of life and of council services in the relevant area and to bring greater local insight to bear in council decision-making.

2.5.2 The Membership of each Area Committee shall include all ward members in the area. Area committee boundaries will align with ward boundaries. Substitute Members are not permitted on Area Committees.

2.5.3 There shall be Area Committees for the following areas;

- i. Eastern (Abbey; Boughton and Courtenay; East Downs; Priory; St Ann's; Teynham and Lynsted; Watling).12 Members (quorum: four Members);

- ii. Sheppey (Minster Cliffs; Queenborough and Halfway; Sheerness; Sheppey Central; Sheppey East). 14 Members (quorum: five Members);
- iii. Sittingbourne (Chalkwell; Homewood; Kemsley; Milton Regis; Murston; Roman). 11 Members (quorum: four Members);
- iv. Western (Bobbing, Iwade and Lower Halstow; Borden and Grove Park; Hartlip, Newington and Upchurch; The Meads; Woodstock; West Downs). 10 Members (quorum: three Members).

2.5.4. The Area Committees shall have the following responsibilities:

- i. develop a work programme to enhance core services within the area and take a report to council on an annual basis to provide an update on progress;
- ii. agree spending decisions in relation to specific funding allocated to members of the Committee;
- iii. provide area intelligence to the Policy and Resources Committee and heads of service, and assist with policy development on relevant matters; and
- iii. make recommendations to Full Council, Policy and Resources Committee or any Service Committee on issues in the committee's area and respond to any other specific matter referred to it by Full Council, a committee or a senior council officer.

2.5.5 Each Member will receive an identical amount of specific funding, established in each annual council budget, to be allocated to projects in consultation and agreement with the Area Committee at large. Members may make proposals for allocating any part of the amount remaining to them at any meeting of the Area Committee, and the Committee's agreement will be decided by a simple majority of Members present. The pooling of individual Members' amounts is permissible. Any amount for which an allocation has not been agreed by the Area Committee by the end of the financial year will be forfeited, and no rollovers will be permitted. Any funding allocation agreed by the Committee but unspent by the end of each electoral cycle will also be forfeited.

2.6 Joint Arrangements

- 2.6.1 Kent Resource Partnership: Swale representative appointed by the Environment Committee.
- 2.6.2 South Thames Gateway Building Control Joint Committee: Swale representative appointed by the Policy and Resources Committee.

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MEMBERSHIP OF COUNCIL COMMITTEES

Service Committees

Policy and Resources Committee

Membership = 15 Quorum = 5

Conservative (4)	Lloyd Bowen James Hunt Julien Speed Mike Whiting
Labour (5)	Tim Gibson Angela Harrison Mark Last Dolley White Ashley Wise
The Swale Independents Alliance (4)	Mike Baldock Monique Bonney Derek Carnell Richard Palmer
Liberal Democrats (1)	Mike Henderson
Green Party (1)	Rich Lehmann

Community Committee

Membership = 15 Quorum = 5

Conservative (4)	Lee-Anne Moore Pete Neal Tara Noe Mark Tucker
Labour (4)	Shelley Cheeseman Mark Last Ashley Shiel Tony Winckless
The Swale Independents Alliance (4)	Lloyd Chapman Elliott Jayes Tom Nundy Richard Palmer
Liberal Democrats (2)	Claire Martin Hannah Perkin
Green Party (1)	Terry Thompson

Environment Committee

Membership = 15 Quorum = 5

Conservative (4)	Roger Clark Pete Neal Julien Speed
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	Mike Whiting
Labour (5)	Carole Jackson Charlie Miller Ashley Shiel Angie Valls Dolley White
The Swale Independents Alliance (3)	Chris Palmer Paul Stephen Sarah Stephen
Liberal Democrats (2)	Mike Henderson Chris Williams
Green Party (1)	Rich Lehmann

Housing and Health Committee

The Swale Rainbow Homes Shareholder Representation Sub-Committee to be formed from within the Housing and Health Committee membership.

Membership = 15 Quorum = 5

Conservative (3)	Ken Ingleton Peter Marchington Pete Neal
Labour (5)	Hayden Brawn Kieron Golding Angela Harrison Angie Valls Karen Watson
The Swale Independents Alliance (4)	Ann Cavanagh Lloyd Chapman Tom Nundy Chris Palmer
Liberal Democrats (2)	Ben Martin Hannah Perkin
Green Party (1)	Alastair Gould

Regeneration and Property Committee

Membership = 15 Quorum = 5

Conservative (4)	Roger Clark Peter Marchington Mark Tucker Mike Whiting
Labour (5)	Hayden Brawn Shelley Cheeseman Simon Clark Mark Last Ashley Wise
The Swale Independents Alliance (4)	Monique Bonney Ann Cavanagh James Hall Sarah Stephen

Liberal Democrats (1)	Chris Williams
Green Party (1)	Terry Thompson

Subcommittees and Working Groups

Member Development Working Group

Conservative	Ken Ingleton
Labour	
The Swale Independents Alliance	
Liberal Democrats	
Green Party	
Independent	
Independent First	
Ungrouped Member	

Planning and Transportation Policy

Membership = 15 Quorum = 5

Membership to be agreed at Policy and Resources.

Regulatory Committees

Licensing Committee

Membership = 15 Quorum = 5

Licensing Act Sub-Committee and General Licensing Sub-Committee membership to be formed from within the Licensing Committee membership.

Conservative (4)	Roger Clark Lee-Anne Moore Tara Noe Mike Whiting
Labour (5)	Simon Clark Carole Jackson Mark Last Angie Valls Tony Winckless
The Swale Independents Alliance (4)	Derek Carnell

	Tom Nundy Chris Palmer Paul Stephen
Liberal Democrats (1)	Ben Martin
Green Party (1)	Rich Lehmann

Planning Committee

Membership = 17 Quorum = 6

Conservative (4)	Andy Booth James Hunt Peter Marchington Julien Speed
Labour (6)	Simon Clark Kieron Golding Charlie Miller Angie Valls Karen Watson Tony Winckless
The Swale Independents Alliance (4)	Mike Baldock (C) James Hall Elliott Jayes (V-C) Paul Stephen
Liberal Democrats (2)	Mike Henderson Claire Martin
Green Party (1)	Terry Thompson

Other Committees

Audit Committee

Membership = 9 Quorum = 3

Conservative (2)	Andy Booth Tara Noe
Labour (3)	Simon Clark Angela Harrison Dolley White
The Swale Independents Alliance (2)	Derek Carnell Richard Palmer
Liberal Democrats (1)	Mike Henderson
Green Party (1)	Rich Lehmann

Standards Committee

Membership = 11 Quorum = 3

Kent Association of Local Councils non-voting/co-opted representatives TBC after KALC annual meeting.

Standards Hearing Panel 3 members to be formed from within Standards Committee membership.

Conservative (3)	James Hunt Ken Ingleton Pete Neal
Labour (4)	Mark Last Charlie Miller Tony Winckless Ashley Wise
The Swale Independents Alliance (3)	Monique Bonney Elliott Jayes Richard Palmer
Liberal Democrats (1)	Hannah Perkin

Urgent Decisions Committee

Membership = 7 Quorum = 3

To include the Group Leaders subject to political balance rules.

Conservative (2)	Lloyd Bowen James Hunt
Labour (2)	Tim Gibson Angela Harrison
The Swale Independents Alliance (2)	Mike Baldock Elliott Jayes
Liberal Democrats (1)	Hannah Perkin
Green Party (0)	

Area Committees

Eastern Area Committee

Membership = 12 Quorum = 4

Abbey	Hannah Perkin Chris Williams
Boughton and Courtenay	Richard Lehmann Alastair Gould
East Downs	Terry Thompson
Priory	Michael Henderson
St Ann's	Carole Jackson Kieran Golding
Teynham and Lynsted	Lloyd Bowen Julien Speed
Watling	Ben Martin Claire Martin

Sheppey Area Committee

Membership = 14 Quorum = 5

Minster Cliffs	Tom Nundy Andy Booth
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	Ken Ingleton
Queenborough and Halfway	Ashley Shiel Peter Marchington Mike Whiting
Sheerness	Hayden Brawn Angela Harrison Dolley White
Sheppey Central	Elliott Jayes Peter Neal Mark Tucker
Sheppey East	Tara Noe Lee-Anne Moore

Sittingbourne Area Committee

Membership = 11 Quorum = 3

Chalkwell	Charlie Miller
Homewood	Shelley Cheeseman Simon Clark
Kemsley	Derek Carnell Ashley Wise
Milton Regis	Angelica Valls Tony Winckless
Murston	James Hall Mark Last
Roman	Tim Gibson Karen Watson

Western Area Committee

Membership = 10 Quorum = 3

Bobbing, Iwade and Lower Halstow	Lloyd Chapman Roger Clark
Borden and Grove Park	Mike Baldock Ann Cavanagh
Hartlip, Newington and Upchurch	Chris Palmer Richard Palmer
The Meads	James Hunt
Woodstock	Paul Stephen Sarah Stephen
West Downs	Monique Bonney

Annual Council Meeting	
Meeting Date	17 May 2023
Report Title	Allocation of Committee seats and Committee appointments for 2023/24
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	
Lead Officer	Jo Millard – Democratic Services Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That Council is asked to agree the political balance calculation as set out in Appendix I. 2. That Council is asked to allocate seats to those Committees and to agree the appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix II. 3. Groups’ nominations for Swale’s membership of the Joint Transportation Board can be found in Appendix III. Council is asked to determine JTB membership based on these nominations.

1 Purpose of Report and Executive Summary

- 1.1 Political groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when 2 or more Councillors must notify the Proper Officer of their wish to be treated as a group. This report sets out the political balance and committee seat allocations for the civic year 2023/24.

2 Background

- 2.1 Section 15 of the Local Government and Housing Act 1989 requires Local Authorities to review the allocation of seats on Committees at the annual meeting, or as soon as possible after it (set out in Appendix I). Once the Council has agreed the allocation of Committee places between the political groups the Council must then appoint the nominees of the political groups to the Committees.
- 2.2 The following principles apply to the allocation of seats:
 - (a) That not all seats on the body to which appointments are being made are allocated to the same political group;

- (b) That the majority of seats on each Committee is allocated to a particular group if the number of persons belong to that group is a majority of the authority's membership;
 - (c) Subject to (a) and (b), that, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - (d) Subject to (a) and (c), that the number of seats on each Committee is as far as possible in proportion to the group's membership of the authority.
- 2.3 There are 134 seats to be allocated under the Committee System, noting that ungrouped Members do not automatically receive a proportion. The seat entitlement of each group on each Committee is thus based on the group's percentage representation on the Council as a whole as detailed in Appendix II. Whilst an initial version of this can be calculated mathematically, this usually results in a discrepancy between the strict entitlement of each group and the overall number of Committee seats to be allocated, requiring 'manual' adjustment to ensure that the number seats allocated to each group is fair. This process is known as 'gifting'.
- 2.4 To ensure overall political balance, as the smallest rounded strict entitlement after whole figure calculations have been carried out, the Conservative Group, SIA Group and Liberal Democrat Group must lose seats in order to achieve overall balance. As the biggest rounded strict entitlement, Labour gain the shortfall seat on Planning. This is set out in Appendix I
- 2.5 Whilst sub-committees are also governed by the political balance rules, the overall requirement for total places to be balanced only applies to ordinary committees so sub-committee places do not need to be included in the overall calculation, but the membership of sub-committee places should be proportionate as far as is reasonably practical.
- 2.6 The Joint Transportation Board and the Planning and Transportation Policy Working Group are not committees covered by Section 101 of the Local Government Act 1972 and Section 15 of the Local Government Housing Act does not apply. The membership of the Planning and Transportation Policy Working Group will be for the Policy and Resources Committee to determine at its June meeting. While the Swale membership of the Joint Transportation Board does not need to be politically balanced, it does need to be agreed by Council.
- 2.7 Group Leaders have been requested to provide nominations to the places on Committees to which their respective groups are entitled; this has been set out in Appendix II.

3 Proposals

- 3.1 That Council is asked to agree the political balance calculation as set out in Appendix I.

3.2 That Council is asked to allocate seats to those Committees and to agree to the appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix II.

3.3 Groups' nominations for Swale's membership of the Joint Transportation Board can be found in Appendix III. Council is asked to determine JTB membership based on these nominations.

4 Alternative Options

4.1 Council can decide to change the number and size of Committees, however, this will have an impact on the number of seats available on the Council and will therefore require the political balance to be re-calculated to reflect this. Members are encouraged to make officers aware in advance of the meeting of any proposals of this nature.

5 Consultation Undertaken or Proposed

5.1 All Group Leaders have been asked to advise Democratic Services of their nominations to seats on Committees for their respective Groups. This will be circulated at the Council meeting.

6 Implications

Issue	Implications
Corporate Plan	The recommendations in this report contribute to the council priority to renew local democracy and make the council fit for the future.
Financial, Resource and Property	The Council's Committee Structure includes Committee(s) with Financial, Resource and Property within their remits.
Legal, Statutory and Procurement	The Head of Legal has been consulted on this report. The relevant legal provisions are set out in the body of the report.
Crime and Disorder	The Council's Committee Structure includes Committee(s) with Crime and Disorder within their remits.
Environment and Climate/Ecological Emergency	The Council's Committee Structure includes Committee(s) with Environment and Climate/Ecological Emergency within their remits.
Health and Wellbeing	The Council's Committee Structure includes Committee(s) with Health and Wellbeing within their remits.

Safeguarding of Children, Young People and Vulnerable Adults	The Council's Committee Structure includes Committee(s) with Safeguarding of Children, Young People and Vulnerable Adults within their remits.
Risk Management and Health and Safety	The Council's Committee Structure includes Committee(s) with Risk Management and Health and Safety within their remits.
Equality and Diversity	The Council's Committee Structure includes Committee(s) with Equality and Diversity within their remits.
Privacy and Data Protection	The Council's Committee Structure includes Committee(s) with Privacy and Data Protection within their remits.

7 Appendices

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

- Appendix I: Political Balance Calculation
- Appendix II: Membership of Committees
- Appendix III: Groups' Nominations for Swale Membership of JTB

8 Background Papers

None

**Political Balance Calculations
May 23**

Group	Conservative			Labour			SIA			Lib Dem			Green			Rounded Total	Shortfall	Total	
Number of Members	12			15			12			5			3					47	
Overall proportionality	0.255319149			0.31914894			0.255319149			0.106382979			0.06382979					1.00000	
Total entitlement	34.21276596			42.7659574			34.21276596			14.25531915			8.55319149					134	
Total rounded entitlement	34			43			34			14			9				0	134	
	Size	Strict Entitlement	Allocation	Adjusted	Strict Entitlement	Allocation	Adjusted	Strict Entitlement	Allocation	Adjusted	Strict Entitlement	Allocation	Adjusted	Strict Entitlement	Allocation	Adjusted			
Service Committees																			
Policy and Resources	15	3.829787234	4		4.78723404	5		3.829787234	4		1.595744681	2	-1	0.95744681	1		16	-1	
Community	15	3.829787234	4		4.78723404	5	-1	3.829787234	4		1.595744681	2		0.95744681	1		16	-1	
Environment	15	3.829787234	4		4.78723404	5		3.829787234	4	-1	1.595744681	2		0.95744681	1		16	-1	
Housing and Health	15	3.829787234	4	-1	4.78723404	5		3.829787234	4		1.595744681	2		0.95744681	1		16	-1	
Regeneration and Property	15	3.829787234	4		4.78723404	5		3.829787234	4		1.595744681	2	-1	0.95744681	1		16	-1	
Regulatory Committees																			
Licensing	15	3.829787234	4		4.78723404	5		3.829787234	4		1.595744681	2	-1	0.95744681	1		16	-1	
Planning	17	4.340425532	4		5.42553191	5	1	4.340425532	4		1.808510638	2		1.08510638	1		16	1	
Other Committees																			
Urgent Decisions	7	1.787234043	2		2.23404255	2		1.787234043	2		0.744680851	1		0.44680851	0		7	0	
Audit	9	2.29787234	2		2.87234043	3		2.29787234	2		0.957446809	1		0.57446809	1		9	0	
Standards	11	2.808510638	3		3.5106383	4		2.808510638	3		1.170212766	1		0.70212766	1	-1	12	-1	
Total Seats	134	34.212765957	35	34	42.7659574	44	44	34.21276596	35	34	14.25531915	17	14	8.55319149	9	8	140		134

To achieve overall balance:

Groups will need to negotiate with each other on losing seats as follows:

Conservative, Labour and SIA to lose a seat on either; Policy and Resources, Community, Environment, Housing and Health, Regeneration and Property and Licensing.

Lib Dem to lose 3 seats on either Policy and Resources, Community, Environment, Housing and Health, Regeneration and Property and Licensing.

Party to lose a seat on Standards Committee

Labour to gain a seat on Planning as the largest group

Please note:

*Individual Members may not sit on both Investigation and Disciplinary Sub-Committee and Statutory Officers Disciplinary Appeals Sub-Committee.

Committees can establish Sub-Committees during the course of the year, with the number of members determined by the parent Committee. As long as the membership of the Sub-Committees is broadly balanced, the total entitlement of seats will be unaffected. This will also apply to the Swale Rainbow Homes Shareholder Representation Sub-Committee, the membership of which is to be determined by the Housing and Health Committee.

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MEMBERSHIP OF COUNCIL COMMITTEES

Service Committees

Policy and Resources Committee

Membership = 15 Quorum = 5

Conservative (4)	Lloyd Bowen James Hunt Julien Speed Mike Whiting
Labour (5)	Tim Gibson Angela Harrison Mark Last Dolley White Ashley Wise
The Swale Independents Alliance (4)	Mike Baldock Monique Bonney Derek Carnell Richard Palmer
Liberal Democrats (1)	Mike Henderson
Green Party (1)	Rich Lehmann

Community Committee

Membership = 15 Quorum = 5

Conservative (4)	Lee-Anne Moore Pete Neal Tara Noe Mark Tucker
Labour (4)	Shelley Cheesman Mark Last Ashley Shiel Tony Winckless
The Swale Independents Alliance (4)	Lloyd Chapman Elliott Jayes Tom Nundy Richard Palmer
Liberal Democrats (2)	Claire Martin Hannah Perkin
Green Party (1)	Terry Thompson

Environment Committee

Membership = 15 Quorum = 5

Conservative (4)	Roger Clark Pete Neal Julien Speed
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	Mike Whiting
Labour (5)	Carole Jackson Charlie Miller Ashley Shiel Angie Valls Dolley White
The Swale Independents Alliance (3)	Chris Palmer Paul Stephen Sarah Stephen
Liberal Democrats (2)	Mike Henderson Chris Williams
Green Party (1)	Rich Lehmann

Housing and Health Committee

The Swale Rainbow Homes Shareholder Representation Sub-Committee to be formed from within the Housing and Health Committee membership.

Membership = 15 Quorum = 5

Conservative (3)	Ken Ingleton Peter Marchington Pete Neal
Labour (5)	Hayden Brawn Kieron Golding Angela Harrison Angie Valls Karen Watson
The Swale Independents Alliance (4)	Ann Cavanagh Lloyd Chapman Tom Nundy Chris Palmer
Liberal Democrats (2)	Ben Martin Hannah Perkin
Green Party (1)	Alastair Gould

Regeneration and Property Committee

Membership = 15 Quorum = 5

Conservative (4)	Roger Clark Peter Marchington Mark Tucker Mike Whiting
Labour (5)	Hayden Brawn Shelley Cheesman Simon Clark Mark Last Ashley Wise
The Swale Independents Alliance (4)	Monique Bonney Ann Cavanagh James Hall Sarah Stephen
Liberal Democrats (1)	Chris Williams
Green Party (1)	Terence Thompson

Subcommittees and Working Groups

Member Development Working Group

Membership = one representative from each group

Membership to be agreed at Policy and Resources Committee

Planning and Transportation Policy Working Group

Membership = 15 Quorum = 5

Membership to be agreed at Policy and Resources Committee

Regulatory Committees

Licensing Committee

Membership = 15 Quorum = 5

Licensing Act Sub-Committee and General Licensing Sub-Committee membership to be formed from within the Licensing Committee membership.

Conservative (4)	Roger Clark Lee-Anne Moore Tara Noe Mike Whiting
Labour (5)	Simon Clark Carole Jackson Mark Last Angie Valls Tony Winckless
The Swale Independents Alliance (4)	Derek Carnell Tom Nundy Chris Palmer Paul Stephen
Liberal Democrats (1)	Ben Martin
Green Party (1)	Rich Lehmann

Planning Committee

Membership = 17 Quorum = 6

Conservative (4)	Andy Booth James Hunt Peter Marchington Julien Speed
Labour (6)	Simon Clark Kieron Golding Charlie Miller Angie Valls Karen Watson Tony Winckless
The Swale Independents Alliance (4)	Mike Baldock James Hall Elliott Jayes Paul Stephen
Liberal Democrats (2)	Mike Henderson Claire Martin
Green Party (1)	Terry Thompson

Other Committees

Audit Committee

Membership = 9 Quorum = 3

Conservative (2)	Andy Booth Tara Noe
Labour (3)	Simon Clark Angela Harrison Dolley White
The Swale Independents Alliance (2)	Derek Carnell Richard Palmer
Liberal Democrats (1)	Mike Henderson
Green Party (1)	Rich Lehmann

Standards Committee

Membership = 11 Quorum = 3

Kent Association of Local Councils non-voting/co-opted representatives TBC after KALC annual meeting.

Standards Hearing Panel 3 members to be formed from within Standards Committee membership.

Conservative (3)	James Hunt Ken Ingleton Pete Neal
Labour (4)	Mark Last Charlie Miller Tony Winckless Ashley Wise

The Swale Independents Alliance (3)	Monique Bonney Elliott Jayes Richard Palmer
Liberal Democrats (1)	Hannah Perkin

Urgent Decisions Committee

Membership = 7 Quorum = 3

To include the Group Leaders subject to political balance rules.

Conservative (2)	Lloyd Bowen James Hunt
Labour (2)	Tim Gibson Angela Harrison
The Swale Independents Alliance (2)	Mike Baldock Elliott Jayes
Liberal Democrats (1)	Hannah Perkin
Green Party (0)	

Area Committees

Eastern Area Committee

Membership = 12 Quorum = 4

Abbey	Hannah Perkin Chris Williams
Boughton and Courtenay	Richard Lehmann Alastair Gould
East Downs	Terry Thompson
Priory	Michael Henderson
St Ann's	Carole Jackson Kieran Golding
Teynham and Lynsted	Lloyd Bowen Julien Speed
Watling	Ben Martin Claire Martin

Sheppey Area Committee

Membership = 14 Quorum = 5

Minster Cliffs	Tom Nundy Andy Booth Ken Ingleton
Queenborough and Halfway	Ashley Shiel Peter Marchington Mike Whiting
Sheerness	Hayden Brawn Angela Harrison Dolley White
Sheppey Central	Elliott Jayes Peter Neal Mark Tucker

Sheppey East	Tara Noe Lee-Anne Moore
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Sittingbourne Area Committee

Membership = 11 Quorum = 3

Chalkwell	Charlie Miller
Homewood	Shelley Cheesman Simon Clark
Kemsley	Derek Carnell Ashley Wise
Milton Regis	Angelica Valls Tony Winckless
Murston	James Hall Mark Last
Roman	Tim Gibson Karen Watson

Western Area Committee

Membership = 10 Quorum = 3

Bobbing, Iwade and Lower Halstow	Lloyd Chapman Roger Clark
Borden and Grove Park	Mike Baldock Ann Cavanagh
Hartlip, Newington and Upchurch	Chris Palmer Richard Palmer
The Meads	James Hunt
Woodstock	Paul Stephen Sarah Stephen
West Downs	Monique Bonney

Swale Joint Transportation Board

Membership = 17 (7 from SBC) Quorum = 5 (2 from each Council and 1 Parish representative)

Chairman and Vice-Chairman to be elected at first meeting (Chairman and Vice-Chairman to rotate annually between SBC and KCC).

Kent County Councillors (7): Mike Baldock, Andy Booth, Mike Dendor, Antony Hook, Rich Lehman, Mike Whiting and John Wright.

Kent Association of Local Councils representative (3 (one from each area)): TBC after KALC annual meeting in June 2023.

Nominations for 2022/23	Nominations for 2023/24
Monique Bonney Alastair Gould Elliott Jayes David Simmons Eddie Thomas Julian Saunders Peter MacDonald Paul Stephen	Alastair Gould

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Annual Council Meeting	
Meeting Date	17 May 2023
Report Title	Borough Council nominations to outside bodies, trusts administered by Swale Borough Council and statutory bodies
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	
Lead Officer	Jo Millard – Democratic Services Manager
Classification	Open
Recommendations	1. The Council is asked to agree Borough Council nominations to outside bodies, trusts administered by Swale Borough Council and statutory bodies.

1 Purpose of Report and Executive Summary

- 1.1 This report is asking the Council to agree nominations to outside bodies, trusts administered by Swale Borough Council and statutory bodies.

2 Background

- 2.1 Council agreed a protocol on nominations to outside bodies in 2011. This includes a requirement that a nominee's role is clearly defined, that the outside body is properly constituted, and that its aims and objectives are compatible with the Council's. The protocol further requires that the nominee is indemnified against relevant liabilities by the outside body.
- 2.2 A Council nominee who accepts a position onto a board, trust or statutory body carries responsibilities and liabilities in law and nominees should consider these carefully before accepting the position. Further information can be obtained from the legal team.
- 2.3 Nomination to an outside body, once accepted, is a disclosable non-pecuniary interest under Swale's code of conduct, and the nominee will need to amend their register of interests accordingly.
- 2.4 Changes in 2023.
- 2.4.1 **Kent Downs and Marshes Local Action Group**

This organisation has been disbanded.

2.4.2 **Pathfinder Dementia Group**

This is new for 2023. The group is not yet fully established and so any nominations will be made once it is established.

2.4.3 **The Meads Woodland Group**

This is new for 2023. The group is not yet fully established and so any nominations will be made once it is established.

3 Proposals

- 3.1 The Council is asked to consider the Group Leaders nominations and decide who should be appointed to sit on each body as set out in Appendix I.

4 Alternative Options

- 4.1 Council could decide whether or not to make nominations to these outside bodies, and there is no obligation to make any nomination at all.

5 Consultation Undertaken or Proposed

- 5.1 The proposals in this report follow consultation with Group Leaders.

6 Implications

Issue	Implications
Corporate Plan	Nominations to outside bodies contribute to the council priority to renew local democracy and make the council fit for the future
Financial, Resource and Property	The cost of servicing the Council's committees will be met within existing budgets. The establishment of any additional Committee dates would have financial and human resource implications.
Legal, Statutory and Procurement	Nominations to some outside bodies are as trustees and/or directors, which carries specific legal responsibilities and liabilities for the individual member. To ensure compliance with the Members' Code of Conduct any member taking up a position on an outside body must review the interests declared in their register of interests within 28 days of the position becoming effective.

Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

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

- Appendix I: Current nominations on trusts and outside bodies and proposed nominations – Council appointed

8 Background Papers

None.

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Outside Bodies Nominations for 2023/24 – nominations made by Council

Organisation	Nominations for 2022/23	Nominations for 2023/24
Action with Communities in Rural Kent	Cllr Monique Bonney (to 2023) Cllr Ken Ingleton (to 2023) Cllr David Simmons (to 2023)	Terry Thompson
Bensted's Charity	Cllr Ben J. Martin (to 2023) Cllr Hannah Perkin (to 2025) Cllr Julian Saunders (to 2023) Cllr Eddie Thomas (to 2026) Cllr Tim Valentine (to 2025)	Kieran Golding Ben Martin
Charity of Sir William Stede	Cllr Steve Davey (to 2023) Cllr Ghlin Whelan (to 2023) Cllr Tony Winckless (to 2023)	Charlie Miller Angie Valls Tony Winckless
Citizens Advice Service, Swale	Cllr Tim Gibson (to 2023) Cllr Hannah Perkin (to 2023) Cllr Paul Stephen (to 2023)	Kieran Golding Elliott Jayes Pete Neal Hannah Perkin
Council for Voluntary Services	Cllr Lee McCall (to 2023) Cllr Ken Rowles (to 2023) Cllr Sarah Stephen (to 2023)	Simon Clark Paul Stephen Sarah Stephen
Faversham Swimming Pool Management Committee	Cllr Tim Valentine (to 31 January 2024)	Rich Lehmann Claire Martin
Kent Downs and Marshes Local Action Group (LAG)	Cllr Tim Valentine (to 2023)	Nomination not required – group has disbanded
Kent Downs AONB Joint Advisory Committee	Cllr David Simmons (to 2023)	Monique Bonney Terry Thompson Chris Williams
Kent Health and Wellbeing Board	Cllr Angela Harrison (to 2023)	Angela Harrison
Lower Medway Internal Drainage Board	Cllr Monique Bonney (to 2023) Cllr Derek Carnell (to 2023) Cllr Ken Ingleton (to 2023) Cllr Peter Marchington (to 2023) Cllr Richard Palmer (to 2023) Cllr Ken Rowles (to 2023)	Derek Carnell Richard Palmer Peter Marchington Terry Thompson Dolley Jean White Tony Winckless
Medway Maritime Hospital	Cllr Angela Harrison (2022 - 2025) (2 terms of 3 years)	Cllr Angela Harrison (to 2025)
Oare Gunpowder Works Advisory Group	Cllr Ann Hampshire (to 2023) Cllr Eddie Thomas (to 2023) Cllr Mike Whiting (to 2023)	Rich Lehmann Julien Speed Ashley Wise
Optivo Kent General Panel	Cllr Ghlin Whelan (to 2023)	Ken Ingleton Karen Watson
Pathfinder Dementia Group	New this year*	

Outside Bodies Nominations for 2023/24 – nominations made by Council

PATROL Adjudication Joint Committee (Parking and Traffic Regulations Outside London Adjudication Joint Committee)	Cllr Richard Palmer (to 2023) Cllr Elliott Jayes (to 2023)	Richard Palmer
Police and Crime Panel	Cllr Richard Palmer (to 2023)	Richard Palmer
Sheppey Matters	Cllr Elliott Jayes (to 2023)	Elliott Jayes Lee-Anne Moore Mike Whiting
South East England Councils	Cllr Mike Baldock (to 2023) Cllr Monique Bonney (to 2023)	Mike Baldock Tim Gibson
Swale District Partnership Conservation	Cllr Angela Harrison (to 2023)	Angela Harrison
The Meads Woodland Group	New this year*	James Hunt
United Charities of Milton Regis	Cllr Steve Davey (to 2023) Cllr Tony Winckless (to 2023) Cllr Derek Carnell (to 2023) Cllr Ghlin Whelan (to 2023)	Derek Carnell Charlie Miller Angie Valls Tony Winckless
West Faversham Community Association	Cllr Carole Jackson (to 2023)	Carole Jackson

*The group is not yet fully established and so any nominations will be made once it is established.

Annual Council Meeting	
Meeting Date	17 May 2023
Report Title	Timetable of Meetings
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	
Lead Officer	Jo Millard – Democratic Services Manager
Classification	Open
Recommendations	1. That Council agrees the programme of meetings set out in Appendix I to this report.

1 Purpose of Report and Executive Summary

- 1.1 Each year, the timetable of meetings is submitted to Annual Council to agree the proposed programme for the next municipal year.

2 Background

- 2.1 The Constitution requires the Council to agree a programme of meetings for the forthcoming municipal year.
- 2.2 Appendix I sets out a programme of meetings (including foot notes)
- 2.3 The timetable takes account of the need to ensure that important financial decisions such as the budget are taken in a timely manner and that meetings of the planning committee are scheduled to allow timeliness targets to be achieved. The timetable also sets dates for Member Training, should these be necessary.
- 2.4 The timetable tries to ensure that as far as possible extraordinary meetings of committees will not be necessary, as these can be difficult to arrange and have unplanned-for resource implications.

3 Proposals

- 3.1 That Members agree the proposed programme of meetings for the rest of the ensuing municipal year.

4 Alternative Options

- 4.1 The Council could suggest changes to the timetable of meetings, but the timetable proposed has been carefully planned to ensure key deadlines for

decision-making can be met. Any changes to the Committee structure would lead to amendments to the timetable of meetings.

5 Consultation Undertaken or Proposed

- 5.1 The draft timetable has previously been circulated to the Group Leaders and the Strategic Management Team.

6 Implications

Issue	Implications
Corporate Plan	The recommendations in this report contribute to the council priority to renew local democracy and make the council fit for the future.
Financial, Resource and Property	The cost of servicing the Council's committees will be met within existing budgets. The establishment of any additional Committee dates would have financial and human resource implications.
Legal, Statutory and Procurement	None identified at this stage.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

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

- Appendix I: Timetable of meetings

8 Background Papers

None

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Timetable of Meetings 2023 - 2024

Meeting	Day	June 2023	July 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	March 2024	April 2024	May 2024
Council	<i>Wed</i>	21	26			11	15	13	31	21		3	15
Audit Committee	<i>Mon/Tu /We/Th</i>		24 ^{Mon}			23 ^{Mon}			24 ^{Wed}			4 ^{Thur}	
Licensing Committee	<i>Tu/We /Th</i>					19 Th				13 ^{Tu}			
Planning and Transportation Policy	<i>Tu/We /Th</i>	28 ^{We}	19 ^{Wed}		19 ^{Tu}		23 Th		25 Th		14 Th		
Planning Committee	<i>Thurs</i>	22	20	17	14	12	9	7	11	8	7	11	23
Community Committee	<i>Tu/We /Th</i>	27 ^{Tu}			6 ^{Wed}	31 ^{Tu}			9 ^{Tu}		6 ^{Wed}		
Environment Committee	<i>Tu/We /Th</i>	29 Th			7 Th		2 Th		17 ^{Wed}		13 ^{Wed}		
Housing and Health Committee	<i>Tu/We /Th</i>		4 ^{Tu}		12 ^{Tu}		8 ^{Wed}		16 ^{Tu}		5 ^{Tu}		
Regeneration and Property Committee	<i>Tu/We /Th</i>		6 Th		13 ^{Wed}		14 ^{Tu}		18 Th		12 ^{Tu}		
Policy and Resources Committee	<i>Wed</i>	14	12		20	18	29			7	20		
Standards Committee¹	<i>Tues</i>	13			26						26		
Surrey Joint Transportation Board	<i>Mon</i>	26				2		4			4		
Western Area Committee	<i>Tues</i>	8 Th		31 Th			30 Th			15 Th			
Sittingbourne Area Committee	<i>Tues</i>	20			5 ^{Tu}			12		22 Th			
Sheppey Area Committee	<i>Tues</i>	6			21 Th			5		20			
Eastern Area Committee	<i>Tues</i>	15 Th			28 Th			14 Th		29 Th			
Member Training²	<i>Tu/We /Th</i>		5 ^{We} 18 ^{Tu}			10 ^{Tu} 17 ^{Tu}	1 ^{Wed} 28 ^{Tu}			1 Th	19 ^{Tu}	18 Th	21 ^{Tu}

Please see notes below.

¹ Hearing sub-Committees will be arranged as and when, similar to the arrangement of Licensing Sub-Committees

² Some training/briefing sessions might be held prior to some scheduled meetings

³ Colour coded to show complete cycles of non-regulatory meetings

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