
POLICY AND RESOURCES COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 8 February 2023 from 7.00 pm - 8.33 pm.

PRESENT: Councillors Mike Baldock (Chair), Monique Bonney (Vice-Chair), Lloyd Bowen, Derek Carnell, Mike Dendor, Tim Gibson, Mike Henderson, Alan Horton, Julian Saunders, David Simmons, Bill Tatton, Roger Truelove, Tim Valentine, Mike Whiting and Corrie Woodford.

OFFICERS PRESENT: Billy Attaway, Lisa Fillery, Larissa Reed, Baljinder Sandher and Claire Stanbury.

OFFICERS PRESENT (Virtually): Martyn Cassell, David Clifford, Philippa Davies, Kieren Mansfield and Emma Wiggins.

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

629 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

630 **Declarations of Interest**

Councillors Monique Bonney and Derek Carnell declared a Non-Pecuniary Interest on Item 5 (Final Budget and Medium-Term Financial Plan including fees and charges) as they were both the Council's representatives on the Lower Medway Internal Drainage Board.

631 **Minutes**

The Minutes of the Meeting held on 14 December 2022 (Minute Nos. 523 – 532) and the Extraordinary Meeting held on 4 January 2023 (Minute Nos. 549 – 553) were taken as read, approved and signed by the Chair as correct records, subject to the following amendment to the resolution for Minute No. 527 from the Extraordinary Meeting held on 4 January 2023, 34-hour working week:

Resolved:

(1) That a formal staff consultation commences in January 2023 on the introduction of a 34-hour working week to commence on 1 April 2023, if the 2023/24 budget proposal is agreed at Full Council in February 2023.

Part A Minutes for Recommendation to Council

632 **Final Budget and Medium-Term Financial Plan including fees and charges**

The Director of Resources introduced the report which set out the Council's Revenue and Capital budget proposals for 2023/24, the Medium-Term Financial Plan (MTFP) and the Capital Strategy. She referred to the tabled update that showed the final settlement figures from government that had been received, which created a small change to a couple of figures in the budget.

The Chair invited Members to make comments, which included:

- Sought extra information with regard to the temporary accommodation projects for the Ukrainian homes funding and the bridging project for Afghan refugees;
- sought clarification on the final position on reserves;
- if Members had proposals for the fees and charges figures, what was the best way to make the proposals?

In response, the Director of Resources said that the Council had a budget of £11 million to help fund the two temporary accommodation schemes which could be used for match-funding of the main scheme. The Local Authority Housing Fund grant conditions meant that match-funding of the grant had to be applied for the delivery of the schemes. The main element of the grant awarded to support Ukrainian refugees allocated 40% of costs, with the Council providing the 60%, and 50% had been allocated for the bridging project for Afghan refugees. The proposal for the bridging project was to provide that funding to an external provider who would then deliver the project.

The Director of Resources said that there was budget contingency reserve of £2 million and the Council were re-using £1.65 million in the current year. The predictions for 2022/23 were that reserves would be £400,000 due to overspend and transfer of project funding to balance the budget, as set out in the report.

Finally, the Director of Resources summed up by saying that if Members had any proposals for cuts in fees and charges figures there would need to be balanced proposals, outlining where savings could be made.

The Chair proposed the recommendations as set out in the report and this was seconded by the Vice-Chair.

Recommended:

- (1) That the 2023/24 revenue budget proposals be approved.***
- (2) That the proposed Council Tax Band D increase for 2023/24 to £194.94, or £199.26 should legislation allow districts to increase by £10.00 be approved.***
- (3) That the Medium-Term Financial Plan be noted.***
- (4) That the Capital Strategy be approved.***
- (5) That the capital programme proposals be approved.***
- (6) That the additional amount of Council Tax for Parish Precepts be noted.***
- (7) That the minimum revenue provision statement be approved.***
- (8) That delegated authority be given to the Director of Resources to adjust charge out rates within fees and charges as appropriate, where they are based on costs incurred.***
- (9) That the use of reserves statement, as detailed in appendix VI as to ensure reserves are valid and support the assumptions in the MTFs be approved.***

633 Adoption of the new code of conduct

The Monitoring Officer introduced the report which set out the background to the Local Government Authority's (LGA) development of a model code of conduct, and the main provisions of the code, highlighting differences to the current Swale code and what these differences were intended to address.

The Chair invited Members to make comments, which included:

- Welcomed the code of conduct;
- thought that point 2 in appendix 1, should include intimidation;
- thought that the wording at 10.2, page 123, of the agenda pack should read '£50 or more';
- even if Members completed the Annual Registerable Interests form would they still have to declare charitable interests at every committee meeting?; and
- thought that the code of conduct needed to remind Members that they were not just representing their own area but needed to make decisions based on the whole of Swale.

In response, the Monitoring Officer said that intimidation had not originally been included under point 2, as this was something that was covered under the cooperation of the Standards Committee, however if Members felt that this was important he was happy to include the extra wording. He said that Members did not need to declare every interest they had at every committee meeting, only those interests that were being referred to items under discussion at the committee meeting.

Councillor Lloyd Bowen proposed that an extra bullet point be included at point 2 of appendix 1 to read: '2.4 I do not intimidate any person', and this was seconded by Councillor Mike Whiting.

Councillor Mike Whiting proposed that the wording at 10.2 be changed to read: '£50 or more', and this was seconded by the Chair.

On being put to the vote both amendments were agreed.

With regard to the code of conduct and reminding Members that they represented the whole borough, the Monitoring Officer said that he was not sure this was a Standards or code of conduct matter. He felt that all Members should be considerate when they sat on Committees and made their decision for the benefit of the whole borough, not just their own ward.

The Chair proposed the recommendation as set out in the report and this was seconded by Councillor Mike Henderson.

Recommended:

(1) That the LGA model code of conduct, as a replacement for the current Swale code of conduct (§ 3.17) be adopted with the addition of bullet point 2.4 at section 2 of the appendix as minuted and change of wording at 10.2 as minuted.

634 **Treasury Management Strategy 2023/24**

The Head of Finance and Procurement introduced the report which set out the management of the Council's cash flows, borrowing and investments.

Councillor Roger Truelove proposed the recommendations as set out in the report and this was seconded by the Chair.

Recommended:

(1) That the Treasury Management Strategy 2023/24 and the Prudential and Treasury Management Indicators be approved.

635 **Pay Policy Statement**

The Head of HR Shared Service introduced the report which set out that the Council had satisfied the requirements of section 38 of the Localism Act 2011. The Act required that authorities must prepare a pay policy statement for the financial year 2012/13 and for each subsequent financial year; and that this statement must be agreed by full Council.

The Chair invited Members to make comments, which included:

- Could not see free staff parking as a listed benefit on the pay policy;
- page 175 had the pay freeze proposal, but wondered what effect this would have to the market supplements?;
- was good to see that only 6% of facility time was spent by union officials; and
- thought that having a good relationship with union officials was key

In response, the Head of HR Shared Service said that it was not a requirement for the pay policy to specify the free parking available to staff as this was not a paid benefit to staff.

In response to the staff pay freeze and whether the market supplement would change, the Chief Executive explained to Members that the market supplement was provided to posts that were difficult to recruit for. She added that the market supplement would not change and would still be offered as an incentive but hoped that offering reduced hours would also be an incentive for applicants.

Recommended:

- (1) That the proposed Pay Policy Statement be agreed for publication on the council's web site.**
- (2) That the information within the Pay Policy Statement be up-dated with actual year-end figures before final publication.**

Part B Minutes for Information

636 **Procedure for appointing persons to inquorate parish councils under s91 of the Local Government Act 1972**

Section 91 of the Local Government Act 1972 enabled the district council to appoint by order persons to fill vacant seats on inquorate town and parish councils. The Monitoring Officer introduced the report which set out a draft procedure to be followed at Swale in making use of this power.

The Chair invited Members to make comments, which included:

- Thought that this was a helpful document to provide advice to the Chief Executive;
- sought clarification on whether the Council was under an obligation to appoint persons under this act?; and

- questioned if there was any eligibility requirements for the person in order to fill the vacant seat?.

In response, the Monitoring Officer said that there were no requirements for a person to be appointed into a vacant seat and that the Chief Executive was under no obligation to fill the vacant seats. The Chief Executive added that it was important that Swale as the parent authority to parish councils were supportive to parish councils and helped them where they could.

Resolved:

(1) That the procedure for appointing persons to inquorate parish councils at Appendix I be adopted.

637 Forward Decisions Plan

Resolved:

(1) That the report be noted.

638 Recommendations from the South Thames Gateway Building Control Joint Committee held on 1 December 2022

This item was considered in exempt session under minute number 640 and 641.

639 Exclusion of the Press and Public

Resolved:

(1) That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 and 5 of Schedule 12A of the Act:

- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).***
- 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.***

640 South Thames Gateway Building Control Business Plan 2023-2026

Resolved:

(1) That the recommendation as set out on the agenda be noted.

641 South Thames Gateway Building Control Memorandum of Agreement

Resolved:

(1) That the recommendation as set out on the agenda be noted.

642 Exclusion of the Press and Public

Resolved:

(1) That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act:

1. Information relating to any individual.

643 Senior Management Restructure

The Chief Executive introduced the report which requested permission to consult on a new Senior Management Structure which deleted a Head of Service Post.

Resolved:

(1) That the recommendations to the Policy and Resources Committee as set out in the exempt report be agreed.

644 Adjournment of Meeting

The Meeting was adjourned from 8:08 pm until 8:18 pm.

Chair

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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