
Policy and Resources Committee

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 27 November 2024 from 7.00 pm - 10.02 pm.

PRESENT: Councillors Mike Baldock (Vice-Chair), Monique Bonney, Lloyd Bowen, Derek Carnell, Charles Gibson, Tim Gibson (Chair), Angela Harrison, James Hunt, Mark Last, Rich Lehmann, Richard Palmer, Julien Speed, Ashley Wise and Dolley Wooster.

PRESENT (VIRTUALLY): Councillor Peter Marchington.

OFFICERS PRESENT: Billy Attaway, Steph Curtis, Natalie Earl, Lisa Fillery, Emma Gibson, Robin Harris, Joanne Johnson, Jhilmil Kishore, Larissa Reed, Claire Stanbury and Stuart Watson.

OFFICERS PRESENT (VIRTUALLY): David Lane, Tony Potter, Emma Wiggins and Ceri Williams.

ALSO IN ATTENDANCE: Councillors Alastair Gould.

395 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

396 **Minutes**

The Minutes of the Meeting held on 16 October 2024 (Minute Nos. 341 – 355) were taken as read, approved and signed by the Chair as a correct record.

397 **Declarations of Interest**

Councillor Richard Palmer declared a Non-Pecuniary Interest with respect to Item 8 – Local Heritage List, as he owned one of the buildings that was listed on the Local Heritage list.

398 **Local Plan Review - Housing Historic Delivery and Local Plan Review Housing Targets**

The Project Manager (Policy) introduced the report which highlighted the additional recommendations from the Planning and Transportation Policy Working Group (PTPWG) held on 13 November 2024 in response to its consideration of the Housing Targets Exceptional Circumstances Study (Appendix IV).

The Chair invited Members to make comments, which included:

- The report ignored the exceptions report considered by the PTPWG;
- the summary at paragraph 2.5 of the report, did not cover the full discussion that took place at the PTPWG;
- the exceptions report indicated that more work was needed to establish a robust evidence case;
- to make a robust evidence case extra evidence work was needed;
- paragraph 5.42 of the report, suggested extra work was needed with regards to

transport;

- there were serious issues in the borough with transport and this would only become worse with the proposed developments;
- the unsustainable commuting report still needed to be undertaken;
- we needed to gather as much evidence as possible to show that the Council were unable to meet the housing target requirements set by Central Government;
- the Council were behind on their five-year housing land supply targets because developers such as Homes England were well behind on delivering the homes that they had promised; and
- a lot of taxpayers money had gone into sites that had not been bought forward and the Government should be doing more to push those sites forward.

The Head of Place clarified with Members that the report recommendations were those of the PTPWG, with officer analysis within the body of the report.

The Vice-Chair moved recommendations (1), (2), (4), (5) and (6) of the report, and for recommendation (2) to be amended as follows: That the Vice-Chair to be consulted as well as the Chairs of the Committees. This was seconded by Councillor Monique Bonney.

Members made comments on the motion, which included:

- It was not appropriate to agree recommendation three (3) yet because the Highsted Park Inquiry could have a big effect on the transport modelling if approved;
- Members needed to consider whether there was enough money in the budget to carry out all the extra work needed to complete the 'perfect local plan';
- to ensure all decisions were made fairly, representatives from each political party should be consulted, not just the relevant Chair and Vice-Chair; and
- consulting with all parties would slow down the process of decision making.

Recommended:

- (1) That Council considers the Local Plan housing target, as set out in paragraphs 3.1 and 3.2 of the PTPWG report on Housing Historic Delivery and Local Plan Review Housing Targets, including the 5% buffer for consultation and examination resilience, and along with the extra 336 dwellings set out in the current National Planning Policy Framework (NPPF) consultation be taken forward for consultation in the Local Plan Review Regulation 18.***
- (2) That Council considers the proposed growth within the draft Plan Regulation 18 consultation of 8,326 dwellings, including the review of the remaining Local Plan Bearing Fruits (1,703 dwellings), as well as the balance of housing need (6,287 dwellings), and additional units to allow for the proposed new NPPF housing target (336 dwellings) to be taken forward for consultation in the Local Plan Review Regulation 18, and delegation be given to the Head of Place to amend figures, in consultation with the Committee Chair and Vice-Chair, solely in line with additional planning permissions granted, new dwellings completed and any evidence which concludes previously granted or allocated sites were no longer deliverable.***
- (3) That the funding needed for the additional sustainability work, in advance***

of the Regulation 18 draft Plan consultation, namely research into unsustainable commuting patterns, be supported and agreed.

- (4) *That delegated authority be given to officers, in consultation with the Chairs and Vice-Chairs of the Policy and Resources Committee and Planning and Transportation Policy Working Group, to update the Local Development Scheme to accommodate the additional work, and recommend the Local Development Scheme to Full Council in December 2024.***
- (5) *That the Vision, Objectives and Growth Options paper be deferred at the next Full Council meeting in December 2024, to allow further evidence to be gathered prior to a recommendation being made.***

399 Local Development Scheme Update

The Project Manager (Policy) introduced the report. The tabled update paper provided details of the two Highsted Park applications and their imminent Inquiry impact on the Local Development Scheme. The two schemes proposed high levels of development, over 8,500 homes, link roads and a new junction on the M2. Members had raised concerns over the time of the regulation 18 consultation, due to the impact on the plans objectives, should the Highsted Park applications be approved by the Central Government. The update paper set out the benefits and the risks of delaying the consultation.

The Chair invited Members to make comments, which included:

- The risk of delaying the plan outweighed the benefits;
- the Council found themselves in this situation because Members could not make an affirmed decision;
- the extra traffic modelling was now no longer going ahead, so could the consultation start for Regulation 18?;
- the Highsted Park application, if approved, could have a huge impact on the local plan;
- the benefits were clear and some work towards the local plan could continue whilst waiting for a decision on the Highsted park applications;
- how could Members be expected to recommend sufficient sites when there were sites in the plan that would not be needed if the Highsted Park applications were approved;
- the Council were behind on the five-year housing land supply target because of delayed housing developments outside of Members control;
- delaying and adopting the second timetable was the only way to move forward without a wastage of expenditure;
- currently there was an outdated Local Plan and officers needed an updated plan to work with consultees on developments earlier in the process to ensure developments were built appropriately for the local area;
- without a local plan the Council would be open to windfall sites and there was higher risk of further sites coming forward;
- Central Government were taking the Council's decision making powers away;
- the decision on the Highsted Park applications may not be in July 2024, so needed to agree the local plan otherwise it would keep being delayed;
- Members were being put in this position by Central Government and it had cost the Council a lot of money; and
- Central Government set unrealistic numbers that could not be delivered;

The Head of Place clarified with Members that once the Planning Inquiry had concluded, the timeframe for the Planning Inspector to write their report and for the Secretary of State to review it were not scheduled, so it was unknown when the decision would be made.

The Project Manager (Policy) responded to points made about the Highsted Park applications and the impact the applications had on the timetable for the Local Plan. He said the draft regulation 18 document was not as restrictive in legislation as the regulation 19 document, so if there were any issues with the evidence base for regulation 18, there would be opportunities to update the evidence before moving onto regulation 19. He added that if the Highsted Park applications were not approved, the Council would be losing six-months of the proposed timeline for the Local Plan, allowing one-year to submit both consultations and submission for examination under the current planning regime. If the Highsted Park applications were approved, it could result in new pieces of work that needed to be carried out, which could result in extra cost.

The Head of Place commented that the cost of the Highsted Park inquiry was not known at this stage and officers were working to understand the extent of cost implications. She added that the Council found themselves in a unique situation and there were no case studies to follow but were utilising all the advice and support they could.

The Vice-Chair proposed the potential Local Plan Review timetable post Highsted Park Planning Decisions, on page 4 of the tabled update. Councillor James Hunt seconded and on being put to the vote, it was agreed.

Recommended:

(1) That the amended revised timetable for Regulation 18 draft plan consultation in quarter 2 of 2025 and a Regulation 19 pre-submission plan consultation in quarter 4 of 2025, as shown on page 4 of the tabled update, be recommended to Full Council.

400 **Kent's Local Nature Recovery Strategy - Role of Swale Borough Council**

The Planning Officer (Policy) introduced the report which set out Swale Borough Council's role in the Local Nature Recovery Strategy (LNRS) process, and the associated timescales.

The Chair invited Members to make comments, which included:

- Stones Farm Country Park, Faversham had been subjected to debris from a nearby construction site resulting in soot deposits in the stream so wanted to make officers aware that work may need to be undertaken to clean the stream;
- when could Members put sites forward?;
- what was the consultation process?;
- could delegations in the recommendation be changed for a report to come back to a future committee?;
- it was important that any biodiversity net gain work needed at a particular site, happened on-site rather than off-site; and
- the Environment Committee should have the opportunity to respond to Kent County

Council's (KCC) consultation so could a report come back to the committee once KCC had proposed a strategy?;

The Planning Officer (Policy) responded to points made and said that KCC had mapped out areas with particular importance of biodiversity and that the information was not yet available online for the public to view. She said that she had noted Members comments about various sites ahead of the consultation response which would be complied in 2025.

With regards to the request made by Members for the consultation to go to the Environment and Climate Change Committee, the Planning Policy Manager said the Council only had 28 days to read, understand and respond to the consultation so it would be too difficult to take the consultation to that Committee within those 28 days. However, the actual consultation on the Strategy would be shared in the new year so that all Members could participate.

Resolved:

- (1) That delegated authority be given to the Head of Place, in consultation with the Chair of the Policy and Resources Committee, the Chair of the Environment and Climate Change Committee and the Chair of the Planning and Transportation Policy Working Group, to confirm to Kent County Council (KCC) that Swale Borough Council (SBC) was "content" for the Local Nature Recovery Strategy be issued for public consultation, and following the agreed process, then for publication.**
- (2) That the above approach be applied to all subsequent stages of the Local Nature Recovery Strategy refreshes.**

401 **Local Heritage List**

The Principal Heritage Officer introduced the report which set out the schedule of heritage assets recommended to be designated as Local Heritage Assets as shown in Appendix I of the report.

The Chair invited Members to make comments, which included:

- Thanked the officers for their hard work;
- urged Members to publicise the assets;
- could Jubilee pump, in Teynham be added as a heritage site?;
- could officers look at potential ways to monitor heritage sites so that they did not come into disrepair?;
- putting buildings on a heritage list opened them up to potential funding from different charity groups;
- could Members suggest other additional sites to be added onto the asset list?; and
- the Jubilee pump was not currently listed as a statutory listed building so it could be added onto the heritage assets list.

The Principal Heritage Officer responded that sites could only be put forward by Members if the proposed site was not already on a statutory list. She added that Historic England required a selection panel to go through the test requirements before a site was added to the Heritage List, but officers could recommend additions to the list when

considering Planning Applications.

Councillor Lloyd Bowen proposed that the Jubilee pump, in Teynham, be added to the heritage asset list. This was seconded by Councillor Bonney and on being put to the vote agreed by Members.

The Vice-Chair proposed the recommendations as set out in the report, with an additional recommendation that the exercise be repeated again next year. This was seconded by Councillor Charles Gibson and on being put to the vote agreed by Members.

Resolved:

- (1) That the schedule of heritage assets proposed, based on the outcome of the Selection Panel meeting be designated as Local Heritage Assets.**
- (2) That the schedule of heritage assets proposed to be designated as Local Heritage be developed in line with best practice guidance, published by Historic England, and that protection be given to a range of non-designed heritage buildings and structures within the Borough.**
- (3) That the exercise be carried out again in 2025 to include further potential sites that were missed this year.**

402 **Cellar Hill and Greenstreet Conservation Area Appraisal**

The Principal Heritage Officer introduced the report which included the updated Cellar Hill & Greenstreet Conservation Area Character Appraisal and Management Strategy and review document as set out in Appendix I of the report.

The Chair invited Members to make comments, which included:

- Thanked the officer for the excellent piece of work which showed a good understanding of the area;
- supported the extensions to the conservation area; and
- the conservation stopped in the middle of the terraces but thought it made sense for it to be extended to include all of the Victoria Terraces.

Councillor Julien Speed proposed that the conservation area be extended to include the Victorian Terraces as a whole, rather than half the site. This was seconded by Councillor Bonney.

The Principal Heritage Officer advised that in order to include No. 8 – 40 Station Road and London Road westwards from No. 190 – 224 in the conservation area, another public consultation needed to be undertaken.

On being put to the vote, it was agreed by Members.

Resolved:

- (1) That the updated Cellar Hill and Greenstreet Conservation Area Character Appraisal and Management Strategy (public consultation draft) and representations made by interested parties, set out in the report appendices**

be noted.

- (2) That the changes to the Character Appraisal and Management Strategy identified in consultation response table (Appendix I of the report) be agreed and adopted as planning guidance.**
- (3) That the boundary of the conservation area as shown in Character Appraisal and Management Strategy document be amended.**
- (4) That the Cellar Hill & Greenstreet Conservation Area be redesignated.**
- (5) That No.8-40 Station Road and London Road westwards from No.190 – 224 be included in the Conservation Area Character Appraisal and Management Strategy once another public consultation had been completed.**

403 **Adoption of Good Causes Lottery Anti-Money Laundering Policy**

The Community Services Manager introduced the report which sought to adopt the Swale Good Causes Lottery Anti-Money Laundering, Proceeds of Crime and Terrorist Financing Policy, and be able to progress the licence with the Gambling Commission to launch the Good Causes Lottery.

Councillor Richard Palmer proposed the recommendation as set out in the report and this was seconded by Councillor Ashley Wise.

Resolved:

- (1) That the Swale Good Causes Lottery Anti-Money Laundering, Proceeds of Crime and Terrorist Financing Policy be approved.**

404 **Adoption of Operators Gambling Policy**

The Community Services Manager introduced the report which sought for the adoption of the Operators Gambling Policy, in order to be able to progress the licence with the Gambling Commission to launch the Good Causes Community Lottery.

Councillor Derek Carnell proposed the recommendation as set out in the report and this was seconded by Councillor Richard Palmer.

Resolved:

- (1) That the Swale Good Causes Lottery Operators Gambling Policy be approved.**

405 **Performance Monitoring Mid-Year Report 2024/2025 (end Q2)**

The Information and Business Improvement Manager introduced the report which set out the corporate performance management headlines at the end of the second quarter of 2024/25 (Jul-Sep), as shown in Appendix I of the report.

Resolved:

(1) That the Corporate Performance Management Headlines Report shown at Appendix I of the report be noted.

406 Update of the Commissioning and Procurement Policy

The Head of Finance and Procurement introduced the report which set out the updated Commissioning and Procurement Policy to take account of the changes implemented by the new Procurement Act which became law on 24 February 2025.

The Chair invited Members to make comments, which included:

- Felt that the social value of a contract should be factored in as a specific item, rather than including it under quality;
- work needed to be undertaken to enable local companies to bid for local contracts;
- needed to look at why some of Swales smaller businesses were not applying for the Council's contracted work;
- page 15 of the report, stated that there were no safeguarding measures put in place for contracts under £30,000; and
- concerned that small projects that often came under the £30,000 threshold sometimes required safeguarding to be looked at.

The Director of Finance informed Members that officers were engaging with local, smaller businesses and recently had conducted workshops with them to understand their needs.

The Head of Finance and Procurement clarified that the £30,000 was just a limit and the relevant service manager would be responsible for any contract under that value to consider any safeguarding concerns.

Resolved:

(1) That the updated Commissioning and Procurement Policy be adopted.

(2) That delegated authority be given to the Monitoring Officer, in consultation with the Leader, to approve any future legislative and / or governance updates.

407 Financial Management Report - Mid Year 2024/25

The Head of Finance introduced the report which set out the quarter two (2) revenue and capital budget monitoring forecast for 2024/25.

The Chair invited Members to make comments, which included:

- How were the penalty fees for contracts reported in the budget?;
- how did the Council generate income from Swale House?;
- service committees should be managing their own budgets, rather than relying on the Policy and Resources Committee to constantly fund their projects;
- would like these types of papers to be reported per committee so it was easier to compare;
- wanted officers to consider the type of enforcement action they were taking because sometimes taking someone to court often cost the Council more money than they were getting in return;
- congratulated officers for their hard work in completing the projects the Economy and

Property Committee had been working on;

- it was often helpful to have the service committees report to the Policy and Resources Committee due to 'cross-over' responsibilities;
- the Council had won over 90% of planning appeals and Members of the Planning Committee should not be afraid of refusing poor applications;
- costs were often awarded when unreasonable behaviour was shown when considering planning applications, so Members needed to be mindful of providing solid planning reasons for refusals when considering applications; and
- could officers consider 'outside of the box' methods and ideas when pursuing enforcement matters, rather than always taking someone to the courts.

The Head of Finance and Procurement clarified that the contract penalty fees collected would often fund the monitoring of a contract to ensure that further penalties were reduced. She added that Swale House had two tenants that were leasing floor one and this was the reason that Swale House was now generating an income for the Council as additional income.

Resolved:

- (1) That the projected revenue position, which was balanced through a reduction of £27,000 in the amount to be taken from reserves, be noted.***
- (2) That the capital expenditure of £5.633m against the budget as detailed in Table 2 and Appendix II of the report be noted.***
- (3) That the transfer of contract penalty payments to reserve at the end of the financial year be approved, and that the ongoing environmental services contract provision be supported.***

408 **Update of Sundry Debt Policy**

The Head of Finance and Procurement introduced the report which set out the proposal for an updated sundry debt policy.

Resolved:

- (1) That the Sundry Debt Policy be agreed.***
- (2) That delegated authority be given to the Deputy Head of Legal to make any changes resulting from any changes to legislation or the Council's constitution.***

409 **Draft Budget 2025/26**

The Director of Resources introduced the report which set out the draft 2025/26 revenue and capital budgets and the draft Medium Term Financial Strategy (MTFS).

Resolved:

- (1) That the draft 2025/26 revenue and capital budget forecasts be noted.***

(2) That the Medium-Term Financial Strategy (MTFS) projections be noted.

(3) That the proposals for the fees and charges increases be noted.

(4) That the proposed budget consultation be approved.

410 Recommendations from the Swale Joint Transportation Board meeting held on 7 October 2024

Resolved:

(1) That Minute Nos. 317, 318, 319 and 320 be approved.

411 Forward Decisions Plan

Resolved:

(1) That the forward decisions plan be noted.

412 South Thames Gateway Building Control Partnership - Draft Business Plan 2025-2028

The Head of Place introduced the report as set-out in the agenda papers.

Resolved:

(1) That the draft South Thames Gateway Building Control Partnership Business Plan for 2024-2027 be noted.

413 Exclusion of the Press and Public

There was no need to pass this resolution as Appendix I for item 19, South Thames Gateway Building Control Partnership Business Plan 2024-2027 was not discussed at the meeting.

414 South Thames Gateway Building Control Partnership Business Plan 2025-2028 - Exempt Appendix

This item was not discussed.

415 Exclusion of the Press and Public

Resolved:

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 involved the likely disclosure of exempt information as defined in Paragraph 1.

1. Information relating to any individual.

416 Urgent Item - Extension of Locum Contracts

The Leader informed Members that the report was added as an Urgent Item due to the contract of locums within the Legal Service expiring at the end of December 2024 and that as the cumulative value of the contract would exceed £100,000.00 a committee decision was required. As this was the last Policy and Resources Committee meeting before the end of the year, it was important that Committee approved the extensions as, without such approval, the locums in question would need to be terminated and this would have a significant impact on the ability to deliver the service.

Resolved:

(1) That the extension of the contracts for the locum lawyers specified in exempt Appendix I of the report be agreed.

417 Adjournment of Meeting

The meeting was adjourned from 8.44 pm until 8.56 pm.

418 Suspension of Standing Orders

At 10 pm Members agreed to the suspension of Standing Orders in order that the Committee could complete its business.

Chair

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