

Agenda

Policy and Resources Committee Meeting

Date: Wednesday, 5 November 2025

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT

Membership:

Councillors Mike Baldock, Lloyd Bowen (Vice-Chair), Charles Gibson, Tim Gibson (Chair), Angela Harrison, James Hunt, Elliott Jayes, Mark Last, Rich Lehmann, Ben J Martin, Kieran Mishchuk, Richard Palmer, Julien Speed, Ashley Wise and Dolley Wooster.

Quorum = 5

Pages

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- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Meeting held on 10 September 2025 (Minute Nos. 284 – 301) as a correct record.

4. Declarations of Interest

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

5. Matters arising

Update from the Chair on any matters from the previous meeting or upcoming agenda items relating to this committee.

Items for Noting

- | | | |
|----|--|--------|
| 6. | Recommendations from the Swale Joint Transportation Board meeting held on 6 October 2025 | 5 - 6 |
| 7. | Forward Decisions Plan | 7 - 10 |

Items for Decision by the Committee

- | | | |
|----|--|---------|
| 8. | Risk Management Update | 11 - 30 |
| 9. | Swale Good Causes Lottery Anti-Money Laundering Policy | 31 - 42 |

10.	Swale Good Causes Lottery Operators Gambling Policy Review	43 - 58
11.	Draft Statement of Licensing Policy under the Licensing Act 2003	59 - 96
12.	Local Plan Review - Statement of Community Involvement - Consultation Feedback	97 - 146
13.	Customer Experience Strategy	147 - 210
14.	Community Governance Review Terms of Reference	211 - 220
15.	Performance Monitoring Report - 2025/2026 Quarter 2	221 - 228

Issued on Monday, 27 October 2025

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 democraticservices@swale.gov.uk. To find out more about the work of this meeting, please visit www.swale.gov.uk.

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

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Recommendations for approval

Minute No. TBC – Formal Objections to Traffic Regulation Order - Swale Amendment 16 2025

- (1) That the disabled Persons' parking bays in Cambridge Road, Faversham, Alexandra Road, Sheerness and Ospringe Road, Faversham are formalised as proposed in the Traffic Regulation Order.***

Minute No. TBC - Formal Objections to Traffic Regulation Order - Swale Amendment 17 2025 - Belmont Road, Faversham

- (1) That the proposed extension of the Faversham Residents' Parking Scheme be progressed as per the advertised Traffic Order, but be delayed to allow formal consultation in the adjoining Kingsnorth Road, Faversham for possible implementation of the Scheme in both roads at the same time.***

Minute No. TBC - Petition and Informal Consultation Results - Request for Residents' Parking Scheme - Kingsnorth Road, Faversham

- (1) That the petition and the results of the recent informal consultation with residents be noted, and a Traffic Regulation Order be drafted to include Kingsnorth Road in the Faversham Residents' Parking Scheme.***

Minute No. TBC - Formal Objections to Traffic Regulation Order - Swale Amendment 19 2025

- (1) That the proposed double yellow lines in Shellness Road, Leysdown, be progressed as detailed in the advertised Traffic Regulation Order.***
- (2) That the proposed amendments to the seasonal double yellow lines in Shellness Road, Leysdown, be progressed as detailed in the advertised Traffic Regulation Order.***
- (3) That the proposed double yellow lines in Marine Parade, Sheerness, be removed from the Traffic Regulation Order following comments received from Kent County Council, and the parking situation be monitored.***

Minute No. TBC - Formal Objections to Traffic Regulation Order - Swale Amendment 21 2025 - Proposed Reinstatement of Double Yellow Lines, Faversham Town Centre

- (1) That the double yellow lines in Faversham Town Centre are progressed as detailed in the advertised Traffic Regulation Order.***

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Policy and Resources Committee Forward Decisions Plan – November 2025

Report title, background information and recommendation(s)	Date of meeting	Open or exempt	Lead Officer and report author
Local Plan Regulation 18 – Consultation Launch	18 November 2025 (Extraordinary meeting)	Open	Lead Officer: Natalie Earl Head of Service: Joanne Johnson
Financial Management Report – Mid-Year 2025/26	26 November 2025	Open	Lead Officer: Claire Stanbury Head of Service: Lisa Fillery
Draft Budget 2026/2027	26 November 2025	Open	Lead Officer: Claire Stanbury Head of Service: Lisa Fillery
South Thames Gateway Building Control – Draft Business Plan	26 November 2025	Open	Lead Officer: Joanne Johnson Head of Service: Joanne Johnson
Council Tax Reduction Scheme 2026/27	4 February 2026	Open	Lead Officer: Zoe Kent Head of Service: Lisa Fillery
Graveney Bridge – Conservation Area Appraisal	4 February 2026	Open	Lead Officer: Jhilmil Kishore Head of Service: David Lane
Graveney Church – Conservation Area Appraisal	4 February 2026	Open	Lead Officer: Jhilmil Kishore Head of Service: David Lane
Goodneston Graveney – Conservation Area Appraisal	4 February 2026	Open	Lead Officer: Jhilmil Kishore Head of Service: David Lane
Newington Church – Conservation Area Appraisal	4 February 2026	Open	Lead Officer: Jhilmil Kishore Head of Service: David Lane

Newington High Street – Conservation Area Appraisal	4 February 2026	Open	Lead Officer: Jhilmil Kishore Head of Service: David Lane
Newington Manor – Conservation Area Appraisal	4 February 2026	Open	Lead Officer: Jhilmil Kishore Head of Service: David Lane
Local Heritage List – Recommendations from 2025 Call	4 February 2026	Open	Lead Officer: Jhilmil Kishore Head of Service: David Lane
Reducing Permissive Environments Policy – sign off	4 February 2026	Open	Lead Officer: Stephanie Curtis Head of Service: Charlotte Hudson
Bexon – Conservation Area Appraisal	4 February 2026	Open	Lead Officer: Joanne Johnson Head of Service: Joanne Johnson
Pride in Place Impact	4 February 2026	Open	Lead Officer: Joanne Johnson Head of Service: Joanne Johnson
Pride in Place Fund - role of the Council and next steps	4 February 2026	Open	Lead Officer: Joanne Johnson Head of Service: Joanne Johnson
Domestic Abuse Policy Refresh – sign off	11 March 2026	Open	Lead Officer: Stephanie Curtis Head of Service: Charlotte Hudson
Risk Management Update – Q3 & Q4	11 March 2026	Open	Lead Officer: Georgia Harvey Head of Service: Kathy Woodward
Annual Risk Management Report – 2025/2026	TBC	Open	Lead Officer: Georgia Harvey Head of Service: Kathy Woodward
Award of Contract - CCTV Control Room Expansion	TBC	Open	Lead Officer: Stephanie Curtis Head of Service: Charlotte Hudson

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Policy & Resources Committee Meeting	
Meeting Date	5 November 2025
Report Title	Risk Management Update
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	Katherine Woodward – Head of Audit
Lead Officer	Katherine Woodward – Head of Audit
Classification	Open
Recommendations	1. To consider the Council’s corporate risks and overall risk profile, gaining assurance that key risks are being appropriately managed.

1 Purpose of Report and Executive Summary

- 1.1 The reporting of risk information is essential to ensure risks are being appropriately identified and managed and, ultimately, to ensuring the Council achieves its priorities.
- 1.2 The purpose of this update is to provide the latest position on the Council's corporate risks, as well as an overview of operational risks, which are reviewed and updated regularly by officers. In addition, this update also includes details on the progress for implementing planned controls, as well as changes, and additions of, risks which could prevent the achievement of the Council's strategic priorities.
- 1.3 Following feedback from members and officers, the format of the report includes:
 - The inclusion of a dashboard to show all risk matrices on a single page to facilitate comparative data analysis. (Appendix 1 - Page 3)
 - Summary narrative on the main changes to risks over the last quarter. (Appendix 1 - Page 3)
 - The full risk register (Appendix 2)
 - A table to show the changes to the unmitigated rating, at the end of each quarter, for each risk on the corporate risk register has been included. (Appendix 3)

2 Background

- 2.1 The Council's risk management arrangements have been in place since 2015, with Mid Kent Audit facilitating the operation of the overall process. The Risk Management Framework is comprehensively reviewed and updated, with the current version approved by Audit Committee in July 2025. Risk management is well established within the Council; with officers engaged in the process, and aware of their risks and how to manage them.
- 2.2 The Council uses risk management software (JCAD) to support risk owners with the maintenance of their risks in accordance with the Council's Risk Management Framework.

- 2.3 Risk information is routinely reported to members and the management team as follows: Senior Management Team (SMT) receive quarterly updates on all corporate and key operational risks. Policy & Resources Committee received half yearly updates on risk management. The Audit Committee receive an annual report on the effectiveness of the Council's risk management arrangements each April.

3 Proposals

- 3.1 Members of Policy & Resources Committee are responsible for oversight and challenge of how the Council's key risks are managed. In particular, the management of those risks above the Council's risk appetite. As such, Members are asked to consider the Council's risks and whether they are being appropriately managed.

4 Alternative Options

- 4.1 Identifying and monitoring the Council's risks is a key component of effective governance. The Council could decide not to identify, monitor and report on high-level risks, but this would be contrary to the agreed Risk Management Framework and principles of good governance.

5 Consultation Undertaken or Proposed

- 5.1 All risk owners and Heads of Service have been involved in the identification and assessment of the Council's risks. The risks reported have been reviewed and updated by the relevant risk owner.

6 Implications

Issue	Implications
Corporate Plan	Effective risk management is part of the Council's governance framework. The purpose of the risk management process is to ensure that key risks are identified and appropriately managed as the Council pursues its corporate objectives.
Financial, Resource and Property	Investment in developing risk management arrangements is being met from existing resources within the Mid Kent Audit partnership. No implications have been identified.
Legal, Statutory and Procurement	None identified at this stage.
Crime and Disorder	No implications have been identified.
Environment and Climate/Ecological Emergency	No implications have been identified.
Health and Wellbeing	No implications have been identified.

Safeguarding of Children, Young People and Vulnerable Adults	No implications have been identified.
Risk Management and Health and Safety	This report is about risk management across the Council. No health and safety implications have been identified.
Equality and Diversity	No implications have been identified.
Privacy and Data Protection	No implications have been identified.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix 1: Risk Management Update – September 2025
 - Appendix 2: Corporate Risk Register
 - Appendix 3: Corporate Risk Movement

8 Background Papers

- Risk Management Framework 2025.

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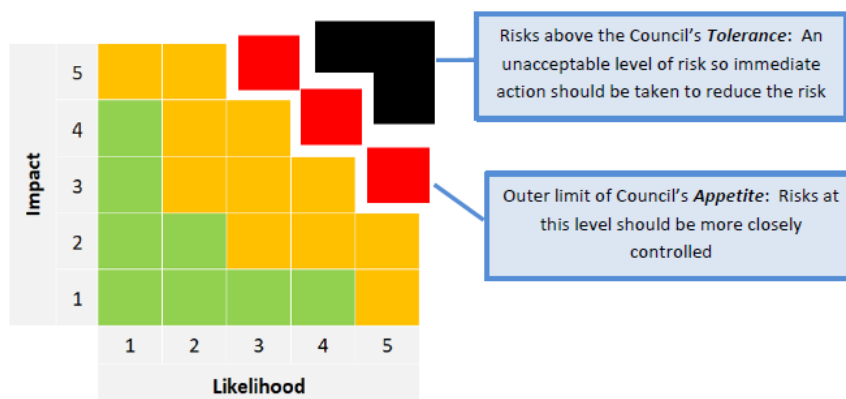
Risk Management Update

September 2025

INTRODUCTION

A risk is a **potential future event that, if it materialises, effects the achievement of objectives**. Risk management is the process of identifying, measuring and responding to risks. These processes help to ensure that the Council achieves its corporate and service objectives by controlling risks in balance with resources. Good risk management also increases our ability to cope with developing and uncertain events and helps to instil a culture of continuous improvement and optimisation.

The Risk Management Framework sets out the Council's approach to managing corporate (strategic) and operational (service) risks. The Risk Management Framework also includes the Council's risk appetite statement, which articulates how much risk the Council is comfortable with and able to bear. The Council recognises that to achieve its objectives it must take risks, but that some risks are unacceptable (above our tolerance) and so action should be taken immediately to manage these risks. Risk appetite and tolerance are illustrated in the following matrix:



Risks are assessed for impact and likelihood using the following definitions to inform the assessment:

Impact

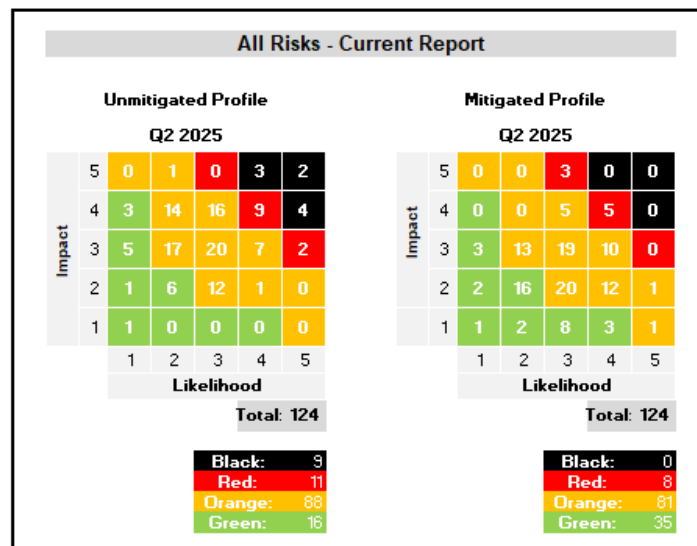
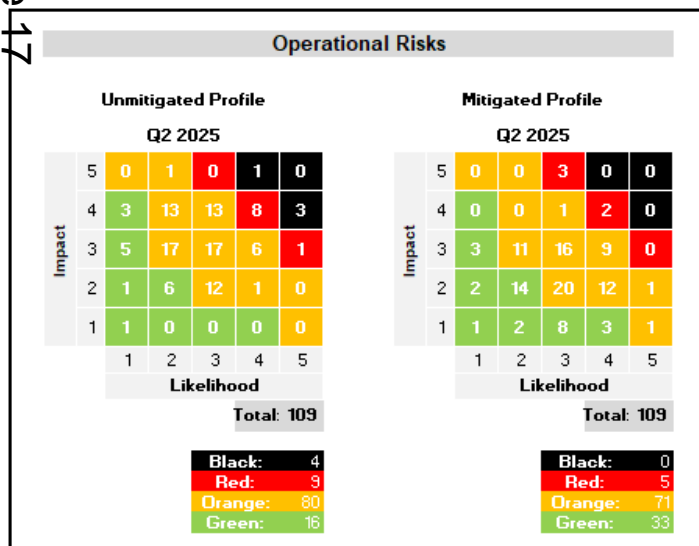
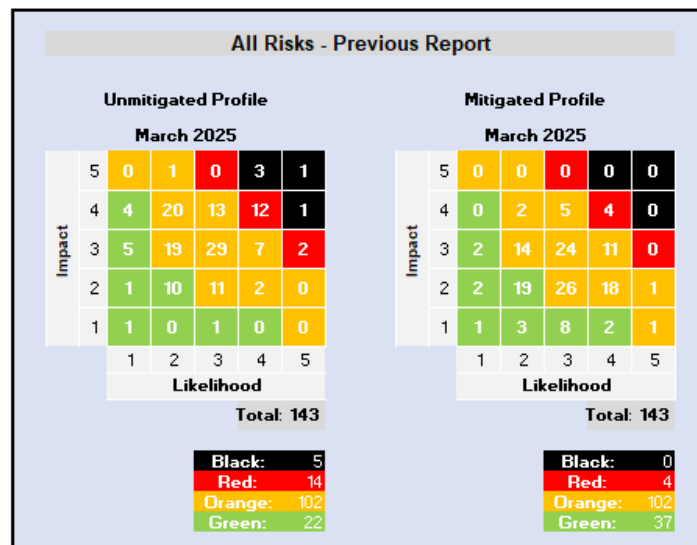
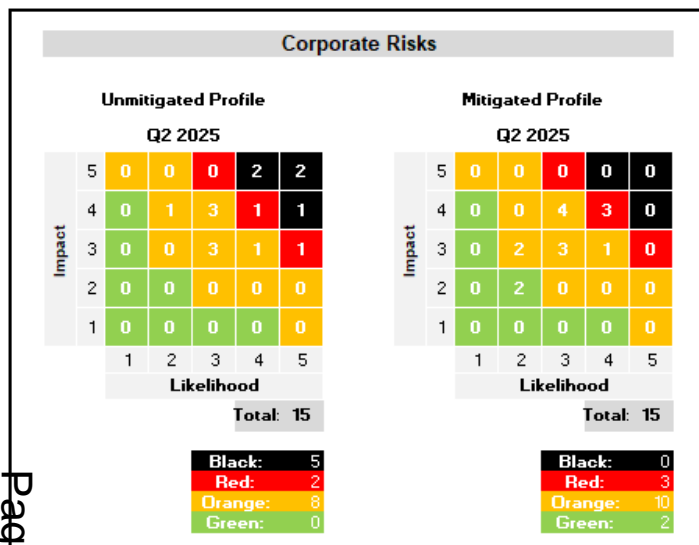
Level	Service	Reputation	Wellbeing	Legal/Compliance	Financial	Strategic Objectives
Catastrophic (5)	Ongoing failure to provide an adequate service in a key area	Perceived as a failing authority requiring intervention	Significant staff dissatisfaction, long term absence, or increased staff turnover including key personnel	Litigation almost certain and difficult to defend. Breaches of law punishable by imprisonment. Possible responsibility for death.	Uncontrollable financial loss or overspend over £1.5m	Failure to deliver multiple key priorities
Major (4)	Key service areas disrupted 5+ days Other service areas ongoing failure	Significant adverse national publicity	Adverse staff dissatisfaction, or increased absence and turnover of staff	Litigation expected and uncertain if defensible. Breaches of law punishable by significant fines. Fails to prevent death, causes extensive permanent injuries or long term sick.	Financial loss or overspend greater than £1m	Failure to deliver key priority
Moderate (3)	Key service disruption 3-5 days Other service disruption 7+ days	Adverse national publicity of significant adverse local publicity	Declining staff satisfaction, or some loss of staff due to absence or turnover	Litigation expected but defensible. Breaches of law punishable by fines. Fails to prevent extensive permanent injuries or long term sick.	Financial loss or overspend greater than £700k	Unsatisfactory delivery of priorities
Minor (2)	Key service disruption 2 days Other service disruption 2-7 days	Minor adverse local publicity	Short-term dissatisfaction, minor loss of staff due to absence or turnover	Complaint or litigation possible. Breaches of regulations or standards. Long term injuries or sickness.	Financial loss or overspend greater than £100k	Poor delivery of priorities
Minimal (1)	Any service disruption 1+ day	Unlikely to cause adverse publicity	Loss of staff morale but unlikely to result in absence or turnover of staff	Unlikely to cause complaint. Breaches of local procedures.	Financial loss or overspend under £100k	Minimal reduction in delivery of priorities

Likelihood

Level	Probability	Description
Highly Probable (5)	80% +	Without action is likely to occur; frequent similar occurrences in local government / Council history or anticipated within the next 6 months.
Probable (4)	60% - 80%	Similar occurrences known often in local government / Council history or anticipated within the next 12 months.
Possible (3)	40% - 60%	Similar occurrences experienced in local government / Council history or anticipated within the next 18 months.
Unlikely (2)	20% - 40%	Not unheard-of occurrence in local government / Council history. Anticipated within the next 2 years.
Rare (1)	0% - 20%	Rarely occurs; no recent similar instances in local government / Council history.

RISK MATRIX DASHBOARD

The following diagrams detail the Council's risk profile for Swale, and shared services, in relation to corporate and operational risks, between March 2025 and June 2025. This demonstrates the risk to the Council if no action is taken (the **unmitigated rating**) and the risk assuming actions are implemented (the **mitigated rating**).



Corporate Risks

There has been one new corporate risk since the last report:

- A risk was added in relation to Local Government Reorganisation.

A copy of the corporate risk register is enclosed at **Appendix 1**.

A copy of the changes to each of the corporate risks, at the end of each quarter, are set out in **Appendix 2**. (Note – the date used for the last quarter is 30/09/2025.)

Operational Risks

The following changes to operational risks have occurred:

- Mid Kent Audit, Mid Kent ICT, Mid Kent Revenues and Benefits (including Fraud and Enforcement) and Housing Options have reviewed their risks. As a result, 23 risks were closed, and 6 risks were added

Risk Ratings

- There has been an increase of unmitigated risks rated black (previously 4, now 5 risks).

Full details are on the next page.

Future Consideration

- The new risk framework has been approved by the Audit Committee.
- A review of the risk register is being considered for February 2026.

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Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0005	Balancing the Budget over the medium term	Lisa Fillery	<ul style="list-style-type: none">Budget setting & monitoring process and Medium Term Financial PlanInformation sharing at Chief Finance Officers and Chief Accountants GroupsUse of specialist local government financial consultantsReserves strategyIncome generation initiativesOngoing regular reporting to SMT and the Leader, including a Finance Sub Group to consider the budget and fees & chargesAwareness of proposed changes to local government finance	25	10	<ul style="list-style-type: none">All services to review budgets with a view to achieving the required savings (of £2.0m) to deliver a balanced budget for 23-24Aligning the fees & charges and budget setting procesFuture decision making needs to be robust to ensure resources match spending plansOngoing review of services to with a view to achieving the required savings to deliver a balanced budget for 25-26	<div>100%</div> <div>30%31/03/2026</div> <div>100%</div>	12

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Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0008	Cyber Attack leading to IT compromise, loss of sensitive data or disruption of critical services.	Julie May	• Regular backup programmes	25	9	• Follow up actions from the Midkent cyber security exercise.	100%	16
			• Comprehensive business continuity plans to ensure recovery and minimum service disruption.			• Password Authentication - Remove the need for passwords and move towards Biometrics	0%	
			• Nessus scanning software reporting on system vulnerabilities			• Endpoint Compliance Policies for laptops, mobiles and Bring Your Own Device	25%	
			• Ongoing programme of awareness raising through Cyber events, training, and tests			• Enhanced IT Cyber Security training for IT Team	0%	
			• Regular Cyber Incident Business Continuity Exercises			• Enhanced M365/Azure Backup Protection	0%	
			• Ability to locate missing devices			• Cyber Essentials Accreditation	77%	
			• Enhanced Multi Factor Authentication user experience - Adopting secure methods (Phone App)			• Review of existing security products to align with industry standards	25%	
			• Boxphish - Cyber Awareness Training			• Implement SOC/SIEM solution to provide additional external support and monitoring	0%	
			• Annual IT health check for Public Service Network Accreditation (PSN)					
			• Review of third-party software products via DPIAs					
	• Advanced firewalls, real-time monitoring systems, and multi-layered next generation Anti Virus Software							
	• Clear and enforceable policies covering access to systems, password management							
	• Communication plans for internal and external communication during incidents							

Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0020	Future Leisure Centre provision	Martyn Cassell		12	8	<ul style="list-style-type: none"> Formal agreement of contract extension approved by committee and draft terms agreed by all parties External specialists commissioned to complete contract documents Deed variations completed by MKLS and will be presented to SERCO. Series of Member workshops to discuss strategic objectives and operating models Create Project Plan to finalise the long term provision and investment plan Undertake the required procurement process or in-house service set up 	100% 98% 31/12/2026 100% 100% 100% 15% 07/01/2027	4
S-SBC0001	Increases in homelessness	Charlotte Hudson	<ul style="list-style-type: none"> Review of temporary accommodation provision and maximising use of public sector assets Supporting / influencing developers to unlock additional social housing Landlord incentive scheme Housing Allocations Policy Homeless Prevention Team in place Forecasting of homelessness spend and adjustments to budgets made as part of medium-term financial planning Increasing supply of affordable housing to increase rental supply Temporary Accommodation Improvement Plan in place and being actioned. Housing Options Restructure and investment in team 	20	4	<ul style="list-style-type: none"> Undertake a tender process for provision of temporary accommodation Review all those in temporary accommodation households Implement TA Purchase project Revised Housing Strategy drafted and approved to go out to consultation Business case being prepared for Council purchase of properties to use as temporary accommodation Housing Emergency Actions 	100% 100% 95% 31/10/2025 100% 100% 70% 31/12/2025	12

Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0015	Funding Capital Spend Delivery of council priorities requires capital spend which cannot be accommodated within the revenue budget.	Lisa Fillery	<ul style="list-style-type: none"> Revenue implications of capital explicitly funded through revenue budget Liaison with commercial tenants All capital projects to have business case agreed by relevant Committee Capital schemes may generate new revenue income streams North Kent Pooled Business rate fund to meet capital costs Annual review of capital programme and ongoing process to review business plans for current programme as required. 	20	11	<ul style="list-style-type: none"> Generation of capital receipts through selling assets Work more closely with commercial tenants Consultant working on the Rainbow Homes business case and reviewing costs s106 and grant funding of new capital projects only in the future 	0% 0% 30% 70%	12
S-SBC0011	Focus on established priorities: Resources are dissipated away from statutory responsibilities and established priorities	Larissa Reed	<ul style="list-style-type: none"> Regular 1-2-1 meetings between senior members & heads of service. Robust budget-setting process Single CLT member identified to monitor/coordinate cross-cutting work on each corporate-plan objective Directors have overall responsibility for the delivery of the priorities Annual report process to be focused on corporate-plan objectives Routine reporting on progress against priorities to P&R Committee Agreed corporate plan priorities which have been prioritised and are being monitored through Pentana Service planning process designed to relate activity more explicitly to resources and priorities 	8		<ul style="list-style-type: none"> LGA Corporate Peer review action plan 	40% 31/05/2023	4
S-SBC0023	Impact of local government reorganisation results in a lack of capacity to balance change programme with delivery of existing services.	Larissa Reed	<ul style="list-style-type: none"> LGR Project Board In place Programme Lead Officer allocated 	20		<ul style="list-style-type: none"> LGR Project Officer to be recruited Work being undertaken to procure a strategic partner to help the council 	0% 02/07/2025 50% 14/07/2025	16

Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0007	The Council is unable to deliver the climate & ecological emergency motion agreed at Council in June 2019.	Martyn Cassell	<ul style="list-style-type: none"> Climate & ecology emergency Member / officer steering group established Annual report to Council to monitor progress Corporate Action Plan being delivered 	9	-3	<ul style="list-style-type: none"> Swale House refurbishment will be completed Environmental gains factored into major contracts Annual revision of action plan including focus on top 10 actions Key environmental policies remain in draft (new local plan) Review of carbon footprint with external agency Re-write of CEE action plan following review of carbon footprint 	100% 100% 100% 25% 31/03/2026 100% 100%	6
S-SBC0009	Affordable Housing: Failure to develop a good quality, viable project for Hudson the delivery of affordable housing	Charlotte Hudson	<ul style="list-style-type: none"> Access to expert consultancy and legal advice Strong relationships with RPs that develop in Swale Capital funding agreed by Council SBC Landholdings identified to support the project Review of best practice Initial scoping and viability work undertaken on landholdings Available sources of funding reviewed Testing the market for possible partners Local Housing Company set up and director appointed to lead on development of sites Monitor market for land acquisitions 	12		<ul style="list-style-type: none"> Deliver 3 development sites agreed by Cabinet Acquire suitable land to enable development of Affordable Housing Homes England grant application being developed Become an investment partner with Homes England Rainbow Homes to become a registered provider 	30% 31/10/2025 100% 40% 80% 100%	9

Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0010	Major Contractor Failure or Decline: Existing suppliers not delivering as per the contract.	Martyn Cassell	<ul style="list-style-type: none"> Annual reporting to Environmental Services and Climate Change Committee Contracts in place and regularly monitored Annual reconciliation of invoices paid to contractors Regular dialogue with contractors and use of performance mechanisms Awareness of industry developments and best practice Routine financial checks Supporting contractors to undertake new initiatives to resolve problems Regular and detailed dialogue with key Members 	15	-5	<ul style="list-style-type: none"> Discussions with contractors around the impact of COVID-19 / other external issues Recovery and Delivery Plan created Regular engagement with Borough partners for transfer of learning, peer support and collection intervention 	100%	12
S-SBC0017	Difficulties in recruitment & retention caused by changes in relation to Local Government Reorganisation	Bal Sandher	<ul style="list-style-type: none"> Workforce strategy monitoring & reporting Training & development programme to increase skill levels Occupational health, employee support and HSE Stress Survey Recruitment process includes ability to adjust pay & market supplement for hard to recruit jobs Rewards package reviewed regularly Commissioning specialist external support as required Use of ClearReview to encourage continuous conversations and clear objectives Hybrid Policy and service review of hybrid working arrangements Graduates site created and career grades used for staff progression Reviewing exit interviews on reasons for leaving Monitor and review the online on boarding of new staff Annual market supplement reviews Career grade structures in place for staff progression 	9	3	<ul style="list-style-type: none"> Strengthen the succession planning process Review potential for different approaches to recruitment 	30% 19/09/2025	6

Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0003	Housing Supply: Council unable to deliver a 5 year housing supply (5YHLS)	Joanne Johnson	<ul style="list-style-type: none"> Provision of a sound evidence base to support the delivery of a new Local Plan Ensure Members are kept up to date with key regulation and legislation changes 	12	0	<ul style="list-style-type: none"> Local Plan Review - P&R and Full Council will be asked to agree to continue to develop the evidence base. Introduction of a 'statement of common ground' process for major development sites. Figure to be robustly reviewed at appropriate update opportunities 	100% 5% 50%	12

Risk Ref	Risk Description	Risk Owner	Key Existing Controls	Current Score	Rating Change	Controls Planned	% Complete Target Date	Mitigated Score
S-SBC0018	increase in demands on Council services, loss of income and community pressure	Charlotte Hudson	<ul style="list-style-type: none"> • Internal Cost of living working group • Administration of Household Support Fund • Volunteer sector group in place to identify key risks and collaborative working • Controls outlined in the Homelessness risk • Explore Redirection of grant funds to support increase on demand to VCS • Use of Policy & Practice data platform to provide targeted support • Development of Community Development Strategy 	16	-4			16

Appendix 3 – SBC Movement in Rating

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Ref	Business Unit	Risk Description	Current/ Controlled Rating				Controlled	Controls				
			12/24	03/25	06/25	09/25		Target Date	Not Started	In Progress	Implemented	Total
S-SBC0001	Swale BC	Increases in homelessness	20	20	20	20	31/12/2025	1	2	12	15	80%
			12	12	12	12						
S-SBC0003	Swale BC	Housing Supply: Council unable to deliver a 5 year housing supply (5YHLS)	12	12	12	12		0	4	1	5	20%
			12	12	12	12						
S-SBC0004	Swale BC	Design of Major Contracts: Significant changes in how major contracts are delivered when the contract expires.	9	9	9	9		0	3	10	13	77%
			9	9	9	9						
S-SBC0005	Swale BC	Balancing the Budget over the medium term	25	25	25	25	31/03/2026	0	1	10	11	91%
			12	12	12	12						
S-SBC0006	Swale BC	Borough wide infrastructure does not meet need / demand. Infrastructure programmes don't align to the	12	12	12	12	31/10/2025	4	2	6	12	50%
			9	9	9	9						
S-SBC0007	Swale BC	The Council is unable to deliver the climate & ecological emergency motion agreed at Council in June 2019.	9	9	9	9	31/03/2026	0	1	8	9	89%
			9	6	6	6						
S-SBC0008	Swale BC	Cyber Attack leading to IT compromise, loss of sensitive data or disruption of critical services.	12	12	16	25		4	3	14	21	67%
			8	8	16	16						
S-SBC0009	Swale BC	Affordable Housing: Failure to develop a good quality, viable project for the delivery of affordable housing	12	12	12	12	31/10/2025	0	3	12	15	80%
			9	9	9	9						
S-SBC0010	Swale BC	Major Contractor Failure or Decline: Existing suppliers not delivering as per the contract.	20	20	20	15		0	3	8	11	73%
			16	12	12	12						
S-SBC0011	Swale BC	Focus on established priorities: Resources are dissipated away from statutory responsibilities and established priorities	8	8	8	8		0	0	9	9	100%
			4	4	4	4						
S-SBC0015	Swale BC	Funding Capital Spend Delivery of council priorities requires capital spend which cannot be accommodated within	20	20	20	20		3	2	5	10	50%
			12	12	12	12						
S-SBC0017	Swale BC	Difficulties in recruitment & retention caused by changes in relation to Local Government Reorganisation	9	9	9	9	31/12/2025	0	2	13	15	87%
			6	6	6	6						
S-SBC0018	Swale BC	increase in demands on Council services, loss of income and community pressure	16	16	16	16		0	0	7	7	100%
			16	16	16	16						
S-SBC0020	Swale BC	Future Leisure Centre provision	12	12	12	12	07/01/2027	0	2	4	6	67%
			4	4	4	4						

Ref	Business Unit	Risk Description	Current/ Controlled Rating				Controlled	Controls				
			12/24	03/25	06/25	09/25	Target Date	Not Started	In Progress	Implemented	Total	% Implemented
S-SBC0023	Swale BC	Impact of local government reorganisation results in a lack of capacity to balance change programme with delivery of existing services.	n/i	20	20	20		0	0	4	4	100%
			n/i	16	16	16						
		15						12	28	123	163	75%

Policy and Resources Committee Meeting	
Meeting Date	5 th November 2025
Report Title	Good Causes Lottery Anti-Money Laundering Policy Review
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Stephanie Curtis, Strategic Policy and Communities Manager
Classification	Open
Recommendations	1. For Policy and Resources Committee to approve the reviewed Swale Good Causes Lottery Anti-Money Laundering, Proceeds of Crime and Terrorist Financing Policy for 2025-26.

1 Purpose of Report and Executive Summary

- 1.1 This report asks the Policy and Resources Committee to approve the reviewed Swale Good Causes Lottery Anti-Money Laundering, Proceeds of Crime and Terrorist Financing Policy, in line with the Gambling Commission Operators licence requirements for management of the Good Causes Lottery.

2 Background

- 2.1 In November 2024, Policy and Resources Committee agreed the adoption of the Good Causes Lottery Anti-Money Laundering, Proceeds of Crime and Terrorist Financing Policy. This policy was required to be put into place in order to fulfil the Operators Licensing conditions by the Gambling Commission in order to set-up a Good Causes Lottery. Although the Council has in place a separate Counter-Fraud and Corruption Policy, it was felt that this separate policy was required to fulfil the Gambling Commission licence requirements.
- 2.2 There is also a requirement as part of the licence for this policy to be reviewed annually.
- 2.3 As part of this annual review, no amendments have been made to the version of this policy dated November 24.
- 2.4 No concerns related to money laundering have been raised to the Council or to Gatherwell our External Lottery Manager (ELM) since the development of this policy last year and the launch of the lottery in March 25.

3 Proposals

- 3.1 For Policy and Resources Committee to approve the reviewed Swale Good Causes Lottery Anti-Money Laundering, Proceeds of Crime and Terrorist Financing Policy.

4 Alternative Options

- 4.1 To not adopt this reviewed Lottery Anti-Money Laundering Policy– This option is not recommended as without a regularly reviewed Policy being in place, the Good Causes Community Lottery project cannot be progressed.

5 Consultation Undertaken or Proposed

- 5.1 No consultation is currently proposed.

6 Implications

Issue	Implications
Corporate Plan	The adoption of this policy is directly linked to the Community Priority: To support local groups and organisations in Swale through the delivery of the member grants programme and review the funding mechanism of a community lottery scheme
Financial, Resource and Property	There are no financial implications for the refresh of this policy. There is an officer resource requirement in ensuring its effective implementation, but this is included within the resources already allocated for the ongoing management of the Good Causes Lottery.
Legal, Statutory and Procurement	This Good Causes Lottery Anti-Money Laundering Policy sets out how the Council (as the lottery operator) will ensure the Lottery is run in a manner that is compliant with the Proceeds of Crime Act 2002; and The Terrorism Act 2000.
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	There are no specific safeguarding implications for this policy, but this policy along with other measures in place for the Good Causes Lottery will ensure its safe operation and protection of children and vulnerable adults.

Risk Management and Health and Safety	This policy sets out a series of measures to manage the risk linked to the operation of the Good Causes Lottery.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

7 Appendices

Appendix 1: Swale Borough Council Good Causes Anti-Money Laundering Policy 2025-2026

8 Background Papers

None

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Swale Good Causes Lottery Anti Money Laundering, Proceeds of Crime and Terrorist Financing Policy

1. Introduction

1.1 Policy Information

Approval date	Replaces version dated	Responsible person	Approved by	Next review date
27/11/24	N/A	Stephanie Curtis	Policy and Resources Committee	November 25
05/11/25	27/11/24	Stephanie Curtis	Policy and Resources Committee	November 26

1.2 Purpose

Swale Borough Council (the **Operator**) is committed to the prevention of opportunities for money laundering activities within its organisation.

The Proceeds of Crime Act 2002 (**POCA**) and the Terrorism Act (**TA 2000**) impose obligations on persons and organisations in both the regulated and unregulated sector in relation to the reporting of money laundering or terrorist financing instances.

In addition, the Operator is required as a licensed lottery operator to comply with the relevant sections of the Licence Conditions & Codes of Practice (**LCCP**) pertaining to money laundering and terrorist financing.

The Operator is also committed to operating within the spirit of the licensing objectives set out in the Gambling Act 2005. The first licensing objective is particularly relevant in the context of this Policy: *“preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime”*.

The Operator has adopted this Policy in order to ensure effective controls and procedures in relation to money laundering, taking into account the risks posed to the Operator.

1.3 Scope

This Policy applies to the Operator and all of its directors, officers, employees, workers and any other personnel working for or on behalf of the Operator involved in the management and operation of the Operator's lottery.

2.0 Anti Money Laundering Requirements

2.1 The POCA

There are three primary offences contained in the POCA relating to the direct handling of the proceeds of crime.

- to conceal, disguise, convert or transfer the proceeds of crime, or remove the proceeds of crime from the UK¹;
- to enter into, or become concerned in an arrangement, in which the person knows or suspects the retention, use or control of the proceeds of crime²; and
- to acquire, use or possess the proceeds of crime³.

These offences can be committed by any person or organisation.

The POCA also contains offences in relation to the failure to disclose the suspicion of money laundering and 'tipping off', however these offences only apply to organisations within the regulated sector. The Operator is not within the regulated sector for the purposes of the POCA.

2.2 The TA 2000

The offences within the TA 2000 relating to the handling of money or other property intended to be used for the purposes of terrorism are:

- to receive (or invite the receipt of), provide or use any money or other property which is intended to be used, or the person has reasonable cause to suspect that it may be used, for the purpose of terrorism⁴;
- to enter into, or become concerned in an arrangement, in which the person knows or suspects it will be used for the purpose of terrorism⁵; and
- to conceal, transfer or remove from the UK any money or other property which is intended to be used, or the person has reasonable cause to suspect that it may be used, for the purpose of terrorism⁶.

As with the primary offences under POCA, these offences can be committed by any person or organisation.

2.3 The LCCP

The Operator is a licensed lottery operator and therefore is required to comply with the LCCP. The relevant sections of the LCCP pertaining to money laundering and terrorist financing are:

¹ s.327, POCA

² s.328, POCA

³ s.329, POCA

⁴ ss.15-16, TA 2000

⁵ s.17, TA 2000

⁶ s.18, TA 2000

LCCP Condition	LCCP Requirement	How the Operator satisfies this requirement
12.1.1	The Operator must conduct an assessment of the risks of its business being used for money laundering and terrorist financing.	The Operator carries out an annual money laundering risk assessment, as set out in this Policy.
12.1.1	The Operator must have appropriate policies, procedures and controls to prevent money laundering and terrorist financing.	The Operator has implemented this Policy to ensure effective controls and procedures in relation to money laundering.
12.1.1	The Operator must ensure that its policies, procedures and controls are implemented effectively, kept under review, revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.	The Operator will review this Policy, together with the controls and procedures hereunder, not less than once per year. An ad hoc review of this Policy may be required from time to time in case of, for example, a change in the law or if new guidance is issued by the Gambling Commission.
15.2.1 (4c)	The Operator is required to report the appointment or change of the person which has overall responsibility for the Operator's anti-money laundering and/or terrorist financing compliance, and/or for the reporting of known or suspected money laundering or terrorist financing activity.	The Operator has appointed a Money Laundering Reporting Officer and will notify the Gambling Commission of any change in the person holding this position.
15.2.2 (1d)	The Operator is required to report any actual or potential breaches of the requirements imposed under Parts 7 & 8 of the POCA or Part 3 of the TA 2000.	The Operator has implemented a reporting procedure in this Policy.

3.0 Risk Assessment

3.1 Risk areas

The Operator has identified the money laundering risks posed to its organisation as falling within two key areas:

- Criminal laundering of money through the purchase of tickets on the Operator's lottery website and subsequent winnings from draws to be taken as laundered money.

- False registration and representation of good causes on the Operator's lottery website, where tickets are purchased using illegally acquired funds in order to be extracted through the false pretense of funds raised for a good cause.

3.2 Mitigation

The Operator operates in a way that mitigates the risk of money laundering within its organisation. The controls listed below act as effective mitigation against money laundering:

Risk area	Mitigation
Customer identification	All users must provide their full name, address, email address and date of birth in order to register an account on the Operator's lottery website.
Method of payment	The Operator's accepted payment methods are by direct debit or debit card. Cash payments are not accepted, which eliminates the risk of counterfeit money passing through the Operator.
Lottery draws	To minimise the risk of fraudulent behaviour and demonstrate impartiality, the main lottery draw each week takes the results from an independently drawn lottery. This ensures no fraudulent activity can be taken in the generation of the winning set of numbers for the draw. The smaller local level prizes are generated based on a random ticket selection using the online resource http://www.random.org/who , which is independently verified for its random number generation using atmospheric noise.
Customer prize winnings	<p>Ticket purchases are limited per participating user. This is a restriction placed upon users in the lottery systems, which makes it impossible for a single user to purchase a large amount of tickets. Therefore, a large number of individual user accounts would be needed to attempt money laundering of any significant value, which would be identified in the lottery systems.</p> <p>The maximum return possible from money laundering through the purchase of tickets is extremely low in comparison to other gambling activities.</p>
Legitimacy of good causes	To ensure the legitimacy of good causes registered on the Operator's lottery website, a cause application and approval workflow process is in place whereby the Operator itself has a duty to verify the identity of each good cause prior to approving their inclusion and set up on the Operator's lottery website. This

	workflow is comprehensively tracked and logged on system records.
Security	<p>The lottery software resides on secure servers behind encrypted firewalls, which provide bank level security protocols in the transfer of electronic data. In addition, the servers are located in a secure data centre managed by DBS checked staff.</p> <p>There is a full audit trail of every transaction for the software, including timestamps. This allows full investigation of any suspicious activities.</p>
Personnel	Any suspicion of illegal behaviour by the Operator's personnel will result in a full investigation. For the duration of any such investigation, the person will be suspended from their duties for the protection of customers, the Operator's personnel and the reputation of the organisation.
Service providers	All service providers that provide essential services to the Operator in order to operate its lottery website (such as direct debit bureaux and payment gateways) undergo thorough checks in respect of their suitability, credibility and reputation. This may include financial health checks and references.

3.3 Assessment

The Operator assesses its overall money laundering risk as low for the following reasons:

- The opportunities for money laundering within the Operator's organisation are limited. The low ticket value and restrictions on the number of tickets per user means that criminals would have to set up a large number of accounts to make any money laundering activity worthwhile.
- The setting up of a good cause requires validation from the Operator, which deters criminal activity.
- The overall balance of risk and effort versus reward means that attempted money laundering through the Operator's lottery would require a lot of effort for low return and that the likelihood of discovery would be extremely high.

The Gambling Commission has also assessed the current overall risk rating for Society Lotteries and External Lottery Managers as low. The Gambling Commission risk assessment may be found [here](#).

4.0 Suspicious Activity Reporting

4.1 Money Laundering Reporting Officer

As the Operator is not within the regulated sector, it is not obliged under the POCA or the TA 2000 to appoint a Money Laundering Reporting Officer (**MLRO**). However, in line with guidance from the Gambling Commission, the Operator has decided to appoint a MLRO in order to more effectively satisfy its obligations under the POCA, TA 2000 and the LCCP.

The Operator has appointed **Charlotte Hudson, Head of Housing and Communities** as its MLRO. The MLRO is responsible for receiving, investigating and (if deemed necessary) acting upon all Suspicious Activity Reports (**SAR**) received from Operator personnel.

4.2 Internal Reporting Procedure

All Operator personnel are expected to be vigilant to the possibility of money laundering occurring within the business and should use their personal judgment to identify suspicious circumstances.

Examples of suspicious circumstances may include (this list is not exhaustive):

- An unexpected material increase in the number of user accounts set up in the Operator's lottery over a short period of time.
- An unexpected material increase in the number of good cause applications in the Operator's lottery over a short period of time.
- An increase in high ticket purchases for individual players.
- Operator personnel requesting access to systems used for a purpose which is outside of their usual responsibilities.

If you are suspicious of money laundering activities occurring within the Operator organisation, you must report it to the MLRO as soon as possible using the SAR Form set out in the Annex to this Policy. It is important that suspicions are reported promptly as it can provide both the Operator and its personnel with protection against prosecution.

If you feel uncomfortable in making a SAR, you may speak with your line manager and complete the SAR Form together. You **must not** discuss your suspicions with anyone who may prejudice any investigation into criminal activity. You also **must not** delete or alter any records which may be relied upon to investigate criminal activity.

4.3 Reporting to Law Enforcement

The MLRO, in consultation with the Operator's Legal Department, is responsible for investigating all SARs received from Operator personnel and deciding whether to make a subsequent SAR to the National Crime Agency (**NCA**) and the Gambling Commission.

4.4 Record-keeping

The MLRO is responsible for keeping adequate records of:

- all SARs received from Operator personnel;
- all documents which relate to the investigation of SARs received from Operator personnel, including but not limited to, financial records, system records, meeting notes and legal advice (whether internal or external);
- all SARs made to the NCA and any subsequent correspondence with the NCA and other law enforcement agencies.

4.5 Training

Operator employees (whether full time or part time) involved in the management or operation of the Operator's lottery will receive annual training on the matters covered in this Policy.

All new employees of Operator involved in the management or operation of the Operator's lottery will receive training on this Policy as soon as practicable after their start date.

Annex: Suspicious Activity Report Form

SUSPICIOUS ACTIVITY REPORT FORM			
Please complete this form and send it by email to the Operator's MLRO and Legal Department.			
Name:		Report date: <i>The date that you are submitting this report.</i>	
Title:		Suspicious activity dates(s): <i>Please be as accurate as possible based on the information currently available.</i>	
Details of suspicious activity <i>Please provide as much information as possible.</i>			
Name(s) of suspected person(s) <i>If you do not know the identity of suspected person(s), please write "Unknown".</i>			
Records relevant to the suspicious activity <i>Please list any records in your possession relevant to the suspicious activity.</i>			

Policy and Resources Committee Meeting	
Meeting Date	5 th November 2025
Report Title	Swale Good Causes Lottery Operators Gambling Policy Review
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Stephanie Curtis, Strategic Policy and Communities Manager
Classification	Open
Recommendations	1. For Policy and Resources Committee to approve the reviewed Swale Good Causes Lottery Operator Gambling Policy for 2025-26.

1 Purpose of Report and Executive Summary

- 1.1 This report asks the Policy and Resources Committee to adopt the reviewed Operators Gambling Policy, in line with the Gambling Commission Operators licence requirements for management of the Good Causes Lottery.

2 Background

- 2.1 In November 2024, Policy and Resources Committee agreed the adoption of an Operators Gambling Policy specifically for the Good Causes Lottery.
- 2.2 The Operators Gambling Policy that is required for the Gambling Commission sets out the need for how we as a Council safely operator the Good Causes Lottery inline with the Gambling Act 2005; and Codes of Practice issued by the Gambling Commission.
- 2.3 There is a requirement under our Operators Licence from the Gambling Commission that we review this Operators Gambling Policy annually.
- 2.4 As part of this review, no amendments have been made to the version of the policy dated November 2024.
- 2.5 No concerns have been raised to the Council regarding how it is operating the good causes lottery or by Gatherwell as our External Lottery Management company.

3 Proposals

- 3.1 For Policy and Resources Committee to approve the reviewed Swale Good Causes Lottery Operator Gambling Policy for 2025-26.

4 Alternative Options

- 4.1 To not adopt this revised Operators Gambling Policy– This option is not recommended as without a reviewed policy in place, we are not compliant with the conditions of our licence from the Gambling Commission for the management of the Good Causes Lottery.

5 Consultation Undertaken or Proposed

- 5.1 No consultation is currently proposed.

6 Implications

Issue	Implications
Corporate Plan	The adoption of this policy is directly linked to the Community Priority: To support local groups and organisations in Swale through the delivery of the member grants programme and review the funding mechanism of a community lottery scheme
Financial, Resource and Property	There are no financial implications for adoption of this reviewed policy. There is an officer resource requirement in ensuring its effective implementation, but this is included within the resources already allocated for the ongoing management of the Good Causes Lottery.
Legal, Statutory and Procurement	This Operators Gambling Policy sets out how the Council (the Operator of the Swale Good Causes Lottery) will ensure the Lottery is run in a manner which is compliant with the Gambling Act 2005 and any Codes of Practice adopted by the Gambling Commission.
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	The policy will ensure that the Good Causes Lottery is operated in a compliant manner with the Gambling Act 2005. Measures as part of this include ensuring that children and other vulnerable people will be protected from being harmed or exploited by gambling, as outlined in section 7 of the Policy.
Risk Management and Health and Safety	This Operators Gambling Policy sets out a series of actions that we as a Council will take to ensure the safe management of the Good Causes Lottery.

Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

7 Appendices

Appendix 1: Swale Borough Council Operators Gambling Policy 2025-26.

8 Background Papers

None

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Swale Borough Council Operator Gambling Policy

1. Introduction

1.1 Policy Information

Approval date	Replaces version dated	Responsible person	Approved by	Next review date
27/11/24	N/A	Stephanie Curtis	Policy and Resources Committee	November 2025
05/11/25 TBC	27/11/24	Stephanie Curtis	Policy and Resources Committee	November 2026

Swale Borough Council (hereinafter referred to as the **Operator**, or **we**, **us**, **our**) is licensed by the UK Gambling Commission (the **Commission**) to promote a lottery under Operating Licence Number TBC.

1.2 Purpose

The purpose of this Gambling Policy (**Policy**) is to set out the means by which the Operator complies with the Gambling Act 2005 (the **Act**) and the Licence Conditions and Codes of Practice adopted by the Commission from time to time (the **LCCP**). This includes, without limitation:

- ensuring that the Operator's business is protected from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime*;
- ensuring that children and other vulnerable persons will be protected from being harmed or exploited by gambling*;
- ensuring that gambling is conducted in a fair and open way*;
- the promotion of socially responsible gambling;
- cooperation with the Commission and access to premises;
- information and reporting requirements;
- marketing; and
- complaints procedure.

** The licensing objectives as set out in the Act.*

1.3 Scope of this Policy

This Policy is intended to set out:

- how we comply with the principles and our obligations under the Act and the LCCP; and

- what we will expect to be done by our directors, employees, contractors, agency workers, interns, volunteers and trainees and apprentices involved in the management and operation of Swale Community Lottery (**personnel**).

It is intended that this Policy will help to ensure that personnel understand and are able to comply with the requirements of the Act and the LCCP to which they are subject in the course of their work.

Personnel should maintain an awareness of all policies and procedures relating to compliance with the Act and the LCCP.

This Policy will be reviewed and updated annually in order to ensure that we continue to act in accordance with our obligations under the Act and the LCCP. Revised versions will be brought to the attention of all personnel as and when necessary.

1.4 Licensing

The Operator will operate Swale Community Lottery (the **Lottery**) in full compliance with:

- the Act;
- the LCCP; and
- the Remote Gambling and Software Technical Standards adopted by the Commission from time to time (the **RGSTS**).

The Operator operates as a small-scale operator, as defined by the Gambling Act 2005 (Definition of Small-Scale Operator) Regulations 2006, which means that no more than three (3) individuals within the Operator are 'qualifying persons'.

In case of any change to the Operator's key personnel whose details and responsibilities have been notified to the Commission in relation to The Operator's operating licence (i.e. 'qualifying persons' named within each operating licence of the Operator):

- we must notify the change to the Commission as a key event as soon as reasonably practicable, and in any event, no later than five (5) business days after the change has occurred. This notification must be made through the Commission's eServices portal; and
- we must complete the **Application to Vary a Licence Form** (available through the Commission's website) and submit it to the Commission, together with the requisite fee.

If it is intended that an individual will be added to The Operator's operating licenses as a 'qualifying person', that individual must first complete an **Annex A Declaration** (available through the Commission's website). This would usually take place around the same time that the **Application to Vary a Licence Form** is completed.

2. External lottery manager

The Operator has appointed Gatherwell Limited, an external lottery manager licensed by the Commission under account number 36893 (**Gatherwell**) to manage and administer the Lottery on the Operator's behalf.

The Operator remains ultimately responsible for its own compliance with the Act, the LCCP and the RGSTS, however Gatherwell shall assist in all aspects of the Lottery's operation to meet such requirements.

3. General compliance

The Operator will ensure that:

- its game rules and/or terms and conditions under which gambling is offered do not contain provisions which may be regarded as unfair as defined in the Consumer Rights Act 2015;
- the game rules and/or terms and conditions for the Lottery are written in clear and understandable language, and are made available to all prospective and existing customers; and
- weekly lottery members will be notified of any changes to the game rules and/or terms and conditions for the Lottery in advance of the changes coming into effect.

Gatherwell (on our behalf) will ensure that the following notice is displayed prominently on the Lottery website: *"Swale Community Lottery, promoted by Swale Borough Council, a [[Local Authority Lottery OR Society Lottery]] licensed by the Gambling Commission Gambling Commission Account No: NUMBER."* The notice will include a direct link to a specific page on the Commission's website so that the Operator's status can be easily verified.

4. Protection of the Operator's business from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

The Operator will refuse to be associated with any lottery or other gambling activity that may be illegal.

The Operator will refuse to enter into any contract or relationship with suppliers, contractors or agents that are suspected of being associated with any potential or actual criminal activities.

The Operator has adopted an Anti Money Laundering, Proceeds of Crime and Terrorist Financing Policy (**AML Policy**) in order to ensure effective controls and procedures in relation to money laundering, taking into account the risks posed to The Operator. The AML Protocol applies to all personnel involved in the management and operation of the Lottery.

5. Ensuring that children and other vulnerable people will be protected from being harmed or exploited by gambling

Protection of children

The Operator and Gatherwell will ensure that the Lottery rules and any Lottery marketing and promotional literature adequately and effectively advertise the minimum legal age limit.

When a prospective customer registers on the Lottery website, they will be asked to confirm that they are 18 years of age or older. We and Gatherwell may conduct random proof of age checks from time to time to ensure compliance with age restrictions.

The Operator and Gatherwell will review on a regular basis the methodology adopted in order to establish whether or not a prospective or actual customer is at least 18 years old and will implement all reasonable improvements that may become available as technology advances and as information improves.

The Operator will not accept lottery entries from any person who we know or suspect to be under 18 years old. In case of any doubt over whether a person meets the legal minimum age requirement, we (or Gatherwell on our behalf) may ask the person to provide proof of age documentation, such as a drivers licence, passport or other government issued ID.

If a person is unable to prove, on request from the Operator (or Gatherwell on our behalf), that they meet the legal minimum age requirement:

- we will refund any Lottery entries purchased by that person; and
- that person will not be eligible to receive any prize. Jackpot prize winners must provide valid proof of age to Gatherwell (who verify proof of age on our behalf) before any prize will be paid out.

It is a criminal offence to invite or allow a person under 18 years of age to enter a local government lottery. As such:

- any personnel who knowingly or recklessly invites a person under 18 years of age to enter the Lottery will be subject to disciplinary action;
- if any supplier, contractor or agent engaged by the Operator knowingly or recklessly invites a person under 18 years of age to enter the Lottery, we will review our commercial relationship with that supplier, contractor or agent, which includes the likelihood of terminating such relationship.

Problem gambling

If a person known or suspected to be a problem gambler purchases a Lottery entry for or subscribes to the Lottery, or an existing customer is suspected of becoming a problem gambler:

- any requests for additional lottery entries should be politely refused;
- the customer should be tactfully referred to GambleAware by Customer Support; and
- the customer's details should be logged for the purpose of possible exclusion from future participation in lotteries managed by the Operator.

Self exclusion from gambling

Customers will be given the opportunity to self-exclude either by telephone, in writing or by an automated process via the relevant lottery website.

Gatherwell (on our behalf) will ensure that procedures are implemented which are designed to identify separate accounts held by the same person, in order that, if an existing customer opts to self-exclude from gambling, they are excluded from all accounts.

The Operator and Gatherwell will ensure that self-excluders from gambling:

- are given the opportunity either to self-exclude immediately without any cooling off period or to consider self-exclusion further, for example in order to discuss problem gambling with a counseling or support service;
- are removed from any gambling related marketing databases within two (2) days of receiving the self-exclusion request;
- are excluded for a minimum initial period of six (6) months;
- may request an additional self-exclusion period of up to at least five (5) years;
- remain self-excluders at the end of the period chosen by the customer for a minimum of seven (7) years, unless the customer takes positive action to gamble again;
- are given a one (1) day cooling off period before being allowed to begin gambling again during the period following the end of their initial self-exclusion;
- will not receive any future gambling-related marketing materials, unless the customer takes positive action to gamble again and has specifically agreed to accept such materials.

If a person who has self-excluded attempts to purchase a Lottery entry or subscribe to the Lottery:

- the Lottery entry or subscription will be rejected by Customer Support and the self-excluder will be advised in writing of the reasons for the rejection and tactfully referred to GambleAware; and
- the self-excluder will continue to be excluded from all future draws conducted by the Operator.

If an existing customer opts to self-exclude from gambling:

- the Lottery subscription held by the self-excluder should be cancelled as soon as possible;

- all payments in relation to Lottery entry purchases for draws which have not yet taken place should be refunded at the earliest opportunity; and
- the customer will be excluded from all future Lottery draws.

Other vulnerable people

The Operator is committed to ensuring that Lottery entries or subscriptions are not knowingly sold to other vulnerable people, for example those under the influence of alcohol or drugs, or anyone who is incoherent or suffering from a cognitive disability.

6. The promotion of socially responsible gambling

Information on how to gamble responsibly and help for problem gamblers

The Operator and Gatherwell will ensure that information about how to gamble responsibly and how to access support services in respect of problem gambling is available to all prospective and actual customers of the Lottery.

The Lottery website, and marketing and promotional literature promoting the Lottery, will advertise the BeGambleAware logo and the GambleAware website, provided that the Operator is permitted to do so.

We may, from time to time, also signpost to other organisations which provide gambling support or counselling services. For example, GamCare offers advice, support and counselling services in respect of problem gambling.

The following text will be utilised in support of the BeGambleAware logo: *“Always play responsibly, if you need to talk to someone about your gambling please contact Gamble Aware”*.

The Operator is a member of the Lotteries Council. The Lotteries Council financially contributes to GambleAware on the Operator’s behalf. This contribution supports research into the prevention and treatment of gambling related harm, develops harm prevention approaches and identifies and funds treatment to those harmed by gambling.

Account validation, purchase limits and monitoring of possible problem gambling

All customers require validation and set up before a gambling transaction may be processed, which limits the facilitation of instant gambling. For example:

- If the customer opts to pay by direct debit for a weekly lottery product, the Direct Debit Guarantee ensures a time lag between lottery ticket purchase and the first lottery draw.
- If the customer opts to pay by debit card for a weekly lottery product, there will be a minimum one (1) day lag before the customer will be entered into a draw.

- If the customer opts to pay by debit card for a single play raffle product, there is a minimum of one (1) hours' lag between the purchase and draw time.

In order to promote responsible gambling practices, the Lottery website checkout process (provided by Gatherwell on our behalf) limits customer purchases to twenty (20) lottery entries per transaction. This restricts the ability for customers to gamble beyond their means. Gatherwell will monitor this limitation and may adjust it from time to time, taking into account the number of customers which reach the purchase limit.

Gatherwell produces a monthly report of high ticket customers, which includes any customers who have purchased twenty (20) or more lottery entries (**High Ticket Customers**). Customer Support should contact all High Ticket Customers to confirm their ticket purchases and, if necessary, make adjustments to the number of tickets purchased.

If during contact with a High Ticket Customer, Customer Support identifies that the High Ticket Customer may be a problem gambler, communications with the High Ticket Customer should be reviewed to decide what action is required. This may include a follow up call to the High Ticket Customer.

If Customer Support holds a reasonable belief that the High Ticket Customer's behaviour may be typical of problem gambling, it may be necessary to cancel the High Ticket Customer's Lottery subscription and prevent the High Ticket Customer from making further purchases of Lottery entries. The relevant High Ticket Customer should be advised of this in writing. All communications should be handled with utmost care and discretion.

All communications with High Ticket Customers and any decisions made are logged by Gatherwell and provided to the Operator on request.

7. Ensuring that gambling is conducted in a fair and open way

The Operator ensures that the Lottery will be conducted on a financially sound basis, given that:

- the financial structure of the Lottery ensures that revenues are received prior to the running of any draw;
- each draw is self-funded in terms of the liabilities that arise (such as prizes and charitable donations);
- no customers' tickets will be included in the draw unless cleared funds have been received;
- the prize fund and charity donations are calculated based on a percentage (%) of the total ticket receipts, which ensures that funds will be in place to support the liabilities of the Lottery.

Gatherwell (on our behalf) ensures that all technical solutions for the Lottery remain in compliance with the Act, the LCCP and the RGSTS. This includes:

- testing procedures for existing, upgraded and new software propositions;

- ensuring that all servers hosting lottery software are located in the United Kingdom;
- software protocols and administrator access is limited to core Gatherwell staff;
- all suppliers, contractors and agents engaged by Gatherwell are advised of its standards before they are allowed to deliver technical support. Access is limited on an 'as needs' basis according to their scope of work and is monitored and logged.

The Lottery will be conducted in accordance with strict game rules, which are drafted by Gatherwell and approved by the Operator. The game rules will be accessible to all prospective and actual customers through the Lottery website. All new customers must accept the game rules at the point of sign up and no new account may be created on the Lottery website without accepting the game rules.

Gatherwell (on our behalf) will notify customers if any changes are made to the game rules. In case of minor changes to the game rules, Gatherwell will notify customers via a pop up on the Lottery website. In case of major changes to the game rules, Gatherwell will additionally provide written notice by email to all registered customers in advance of the effective date of the changes.

The Operator provides a set of Frequently Asked Questions (**FAQs**) which explain to prospective and actual customers how the Lottery operates, including how to play the Lottery, the probability of winning a prize and what happens in the event of a win. The FAQs are published on the Lottery website.

The jackpot draw process is based upon the result of the Australian National Lottery Super66 game, as published on the Lottery West website (www.lotterywest.wa.gov.au). The winning number for each weekly draw will be the six digit number (in the same order) of the Australia National Lottery Super66 draw which takes place on the Saturday night of the same week.

If a local draw is offered, the draw process is based upon the random generation of a winner from the tickets in the local draw. The winner will be selected at random using the online resource <http://www.random.org/>, which is independently verified for its random number generation using atmospheric noise.

Prize winners will be notified by email within two (2) weeks of the date of the draw. The notification will include a link to claim the prize. Gatherwell (on our behalf) may withhold payment of the prize until we are satisfied that the prize winner has fully complied with the game rules, including the minimum legal age and proof of residence in Great Britain.

Jumbo Interactive Group employees and members of their immediate family and/or household are prohibited from purchasing Lottery entries and are not eligible for any prize in the Lottery.

8. Cooperation with the Gambling Commission and access to premises

The Operator will ensure that all personnel are aware that:

- they must cooperate with the Commission's enforcement officers in the proper performance of their compliance functions;
- the Commission's enforcement officers have rights of entry to business premises, as specified in Part 15 of the Act;
- they must immediately inform the Operator's key personnel in the event of a visit from the Commission's enforcement officer(s).

9. Information and reporting

The Operator will make reasonable efforts to ensure that the Commission is provided with any information that relates to or is suspected to relate to an offence under the Act, including an offence resulting from a breach of the LCCP.

All key events specified under the LCCP will be notified to the Commission as soon as reasonably practicable, and in any event, no later than five (5) business days after we become aware of the event. This notification must be made through the Commission's eServices portal. Key events may relate to:

- operator status
- relevant persons and positions;
- financial events;
- legal or regulatory proceedings or reports;
- gambling facilities.

The Operator will complete and submit Regulatory Returns within 42 days of the end of the Operator's annual period.

10. Marketing

The Operator will ensure that any incentive, reward scheme, or other arrangement under which a customer may receive money, goods, services or other advantage is proportionate to the type and level of the customer's gambling and is designed in such a way that:

- The circumstances and conditions to which the benefit is available are clearly described and readily accessible to the customers being offered the potential benefit;
- Neither the receipt nor the value or amount of the benefit is dependent upon the customer gambling for a predetermined length of time or frequency and the amount of the benefit is not altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered;
- If the value of the benefit increases with the amount the customer spends, it does so at a rate no greater than that at which the amount spent increases;
- If the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms which it is offered are not directly related to the level of the customer's prospective gambling.

When producing marketing materials or running marketing campaigns, the Operator will comply with the advertising codes of practice adopted by the Advertising Standards Authority from time to time, including:

- the UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (**CAP Code**); and
- the UK Code of Broadcast Advertising (**BCAP Code**).

The Operator will ensure that gambling and lottery advertising must not be of strong appeal to children or young persons, especially by reflecting or being associated with youth culture.

If the Operator engages a third party (other than Gatherwell) for the provision of any aspect of the Operator's licensed activities, the Operator will ensure that its terms with such third parties:

- require the third party to conduct themselves in so far as they carry out activities on behalf of the Operator as if they were bound by the same licence conditions and subject to the same codes of practice as the Operator;
- oblige the third party to provide such information to the Operator as they may reasonably require in order to enable the Operator to comply with its information reporting and other obligations to the Commission;
- enable the Operator, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the Operator's reasonable opinion, the third party is in breach of contract (including a breach of the LCCP) or has otherwise acted in a manner which is inconsistent with the licensing objectives of the Act, including for affiliates where they have breached a relevant advertising code of practice.

The Operator will not place digital advertisements on websites which provide unauthorised access to copyrighted content.

The Operator will ensure that clear, transparent and easily accessible information is made available to prospective customers to enable them to make an informed choice prior to participating in the Lottery. This includes, without limitation, details of how Lottery proceeds are distributed, the likelihood of winning a prize and how prizes are allocated.

The Operator will use reasonable endeavours to comply with industry codes of practice in respect of its licensed activities.

The Operator will only conduct direct marketing to customers who have provided their informed and specific consent to the receipt of direct marketing communications.

11. Complaints and disputes

Gatherwell (on our behalf) will publish a Complaints Procedure on the Lottery website.

The Operator will ensure that an independent adjudication provider will handle any disputes that arise between us and our customers, after the customer has completed our own internal dispute procedure and where a deadlock still exists.

12. Records

The Operator will keep records of customer communications and complaints for a minimum period of three (3) years.

13. Protection of customer funds

Lottery proceeds are initially paid into Gatherwell's ordinary trading bank account. Gatherwell transfers the Operator's share of proceeds from this account within fourteen (14) business days of receipt into a separate client account (having trust status) on behalf of the Operator. Funds held by Gatherwell on behalf of Operator are transferred to the Operator and our affiliated good causes on a regular basis.

Funds allocated to the provision of prizes are also held by Gatherwell in the separate client account to protect customers against an insolvency event. These funds are used as follows:

- Cash prizes are paid directly out of the client account to prize winners.
- A portion of the funds allocated to the provision of prizes is transferred back to Gatherwell's ordinary trading bank account in consideration of Gatherwell covering the risk of jackpot prize payouts.

14. Training

Key personnel involved in the management and operation of the lottery on a day-to-day basis will receive training on all matters covered in this Policy no less than once per year. A training record will be kept and those requiring training will be regularly monitored.

15. Failure to comply

We regard compliance with this Policy as an extremely serious matter. Failure to comply may expose the Operator to regulatory sanctions, including financial penalties and, in extreme circumstances, the loss of its operating licence.

Due to the importance of this Policy, any failure to comply with the provisions set out herein by any personnel will be taken seriously and may lead to disciplinary action being taken under our usual disciplinary procedure. Breaches may result in dismissal for gross misconduct and immediate contract termination for non-employees.

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Policy and Resources Committee Meeting	
Meeting Date	5 th November 2025
Report Title	Draft Statement of Licensing Policy under the Licensing Act 2003
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Community Services
Lead Officer	Johanna Thomas, Licensing Team Leader
Classification	Open
Recommendations	1. Members are asked to note the Licensing Committee decision to endorse the revised Statement of Licensing Policy under the Licensing Act 2003 so that it can be presented to Council on 10 th December 2025 with a recommendation for adoption.

1 Purpose of Report and Executive Summary

- 1.1 To apprise Members of the steps taken in revising the Swale Borough Council Statement of Licensing Policy 2025 – 2030 and to present the draft policy as agreed by the Licensing Committee, for Members of this Committee to endorse prior to presentation to full Council for formal adoption on 10th December 2025.

2 Background

- 2.1 Section 5 of the Licensing Act 2003 (2003 Act) requires licensing authorities to prepare and publish a statement of its licensing policy every five years. current Statement of Licensing Policy was approved by Full Council on 31st March 2021, and will expire on 31st March 2026.
- 2.2 A new policy will need to be adopted before 31st March 2026, the Committee schedule has made it necessary to bring forward the policy for the period 12 December 2025 to 11 December 2030, unless it becomes necessary to make further revisions beforehand following changes to legislation, statutory guidance or local circumstances, for example.
- 2.3 A review of the existing Statement of Licensing Policy has been undertaken and was presented to the Licensing Act 2003 Committee on 14th July 2025 and again on 16th October following the statutory consultation. The policy is now presented to Policy and Resources Committee for agreement before being formally adopted by full Council on 10th December 2025

3 Proposals

- 3.1 A draft Statement of Licensing Policy was drawn up as shown at **Appendix I** based on a review of our existing policy statement and taking into account the Statutory Guidance issued under Section 182 of the 2003 Act.
- 3.2 The changes to the Statement of Licensing Policy were of a minor or administrative nature; updating statistics, removal of out of date information and updates to contact information.

4 Alternative Options Considered and Rejected

- 4.1 There are no alternative options, the Licensing Act 2003 requires that a local authority must have an adopted policy before discharging its functions under the Act.

5 Consultation Undertaken or Proposed

- 5.1 The 2003 Act requires a consultation process prior to determining the Statement of Licensing Policy. This consultation commenced on 25th July 2025 and ran for eight (8) weeks until 19th September 2025.
- 5.2 Consultees and consultation mechanisms were outlined to and agreed by Licensing Committee on 14th July 2025.
- 5.3 Despite the wide ranging consultation no responses were received. This may be because of the minor nature of the changes and that no consultee had anything they wished to comment on or propose changes.

6 Implications

Issue	Implications
Corporate Plan	<p>The service is an important regulatory function undertaken to ensure compliance with the 2003 Act and to promote the licensing objectives.</p> <p>There are links to:</p> <p>Community - To enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience.</p> <p>Economy - Working with our businesses and community organisations to work towards a sustainable economy which delivers for local people.</p> <p>Running the Council - Working within our resources to proactively engage with communities and outside bodies to deliver in a transparent and efficient way.</p>

Financial, Resource and Property	The cost of consultation and publishing an updated policy will be met from within existing budgets. The Statement of Licensing Policy under the Licensing Act 2003 will not place and new financial resource implications on the Council
Legal, Statutory and Procurement	Section 5 of the Licensing Act 2003 (as amended) requires a licensing authority to prepare and publish a statement of its policy every five years. During the five-year period, the policy must be kept under review
Crime and Disorder	Fulfilling powers and duties under the Licensing Act 2003 is of direct relevance to the Council's obligations under Section 17 of the Crime and Disorder Act 1998 in that the objectives of the Licensing Act 2003 are: a) The prevention of crime and disorder; b) The protection of public safety; c) The prevention of public nuisance; and The protection of children from harm
Environment and Climate/Ecological Emergency	No implications
Health and Wellbeing	Anti-social behaviour and noise nuisance can impact on the wellbeing of nearby residents
Safeguarding of Children, Young People and Vulnerable Adults	The protection of children from harm is one of the 4 licensing objectives that underpin the Licensing Act 2003 and must be considered when making decisions on licence applications.
Risk Management and Health and Safety	The publication of a Statement of Licensing Policy under the Licensing Act 2003 is a statutory requirement and failure to do so by the expiration of the current policy as required may lead to negative publicity and criticism from central government. Close adherence to the mandatory guidance in terms of policy development and consultation will minimise the risk of judicial review at a later date. This risk is further minimised by working in close co-operation with the other licensing authorities within Kent
Equality and Diversity	This policy includes provisions for licence holders to meet requirements contained in the Equality Act 2010
Privacy and Data Protection	All applications processes will be in line with privacy and data protection regulations

6 Appendices

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

- Appendix I: Draft Statement of Licensing Policy 2025 – 2030

8 Background Papers

None

Swale Borough Council



Statement of Licensing Policy under the Licensing Act 2003

Version: 1.0

Dated:

Next scheduled review:

All enquiries relating to this document should be sent to:

Licensing
Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT

Licensing@swale.gov.uk

Issue & Review Register

Summary of changes	Issue number & date	Approved by
See Licensing Act 2003 committee report dated 14 th July 2025	V0.1	Licensing Act 2003 Committee
See Licensing Act 2003 committee report dated 16 October 2025	V0.1	Licensing Act 2003 Committee

All changes to this document are tracked using a different colour and/or marked with a vertical line at the side of the page.

Compiled by: Johanna Thomas

Date: 1st July 2025

Approved by:

Date:

Changes and Corrections

Any changes or corrections required should be notified in writing to:

Licensing
Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT

Or

licensing@swale.gov.uk

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STATEMENT OF LICENSING POLICY

INTRODUCTION

Every Licensing authority is required to produce a statement of licensing policy and to keep the statement under review. Swale Borough Council (the Council) is the Licensing Authority for the Swale area under the provisions of the Licensing Act 2003 (the Act). This is the Statement of Licensing Policy as determined by the Council in respect of its licensing functions under the Licensing Act 2003. This document sets out the position and view of the Licensing Authority in respect of matters in connection with the discharge of its licensing function including the administration of licensing applications, compliance with licensing conditions and enforcement when necessary.

This Statement of Licensing Policy commences on 12 December 2025 and continues for a five year period. During the five year period the Policy will be kept under review and the authority will make such revisions to it at such times as it considers appropriate. Further licensing statements will be published every five years thereafter or earlier as necessary. All references to the 'Guidance' refer to the latest version of the Home Office Guidance to Licensing Authorities issued under section 182 of the Licensing Act 2003.

The 2003 Act requires the Council to carry out its various licensing functions with a view to promoting the following four licensing objectives:

- **the prevention of crime and disorder;**
- **public safety;**
- **the prevention of public nuisance;**
- **the protection of children from harm.**

The aims of this Statement of Licensing Policy, in line with the four licensing objectives, are to:

- help build a fair and prosperous society that properly balances the rights of people and their communities with the needs of business.
- minimise any nuisance or disturbance to the public through the licensing process; integrate its aims and objectives with other initiatives, policies and
- promote strategies that will:
 - (1) reduce crime and disorder
 - (2) encourage tourism
 - (3) encourage an early evening and night time economy which is viable, sustainable and socially responsible;
 - (4) reduce alcohol misuse
 - (5) encourage employment
 - (6) encourage the self-sufficiency of local communities;
 - (7) reduce the burden of unnecessary regulation on business
 - (8) encourage and promote live music, dancing and theatre for the wider cultural benefit of communities generally.

The Council will endeavour to work with other Local Authorities to ensure that a consistent approach is taken in licensing matters, whilst respecting the differing needs of individual communities throughout the local authority area.

In the preparation of this policy the Licensing Authority will have given proper regard to the local strategies on crime prevention, planning, transport, culture, tourism and economic

development to ensure proper coordination and integration of the aims and actions of these policies.

The Licensing Act is part of a wider Government strategy to tackle crime, disorder and antisocial behaviour and reduce alcohol harm. The Licensing Authority will continue to develop strategies with the police, and the other enforcement agencies, as appropriate, for the management of the night-time economy. Of critical importance to this is the enforcement of the law relating to the sales of alcohol to drunk and underage people and drunkenness or disorder on, or in the immediate vicinity of licensed premises.

This policy covers a wide variety of premises and activities carried on within them. For this reason, this policy cannot detail all the factors that influence the achievement of the licensing objectives nor can this policy detail all the control measures that may be appropriate. However, there will be zero tolerance of dealing in or using controlled drugs (as defined by the Misuse of Drugs Act 1971) on licensed premises.

1 CONSULTATION

- 1.1 The Statement of Licensing Policy will be kept under review and where any significant amendments are considered necessary these will only be made after consultation has taken place in accordance with Section 5 of the Act. Amendments required due to a change in legislation that do not impact on the aims and objectives of the Policy or the promotion of the Licensing Objectives will be made with the approval of the Licensing Manager in order for the policy to remain legislatively current.
- 1.2 Proper weight, in accordance with the Guidance, has been given to the views of all those consulted. Those consulted in the preparation of this Policy included:
 - the Chief Officer of Police for Kent
 - the fire and rescue authority for Kent
 - the Director of Public Health for all areas within Swale Borough
 - persons/bodies representative of local premises licence holders
 - persons/bodies representative of club premises certificate holders
 - persons/bodies representative of local personal licence holders; and
 - persons/bodies representative of businesses and residents in the Swale area
- 1.3 In accordance with the revised guidance issued under section 182 Of the Licensing Act 2003 the following persons have also been consulted on this revised statement:
 - Kent Police Licensing Team
 - the Superintendent of Police for Swale Borough Council area
 - all Council members
 - all parish councils
 - all bordering local authorities
 - all other responsible authorities under the Licensing Act 2003
 - British Beer & Pub Association
 - Shepherd Neame Ltd
 - UK Hospitality

2 THE POLICY - BACKGROUND

2.1 When administering licensing matters the Council as the Licensing Authority will promote the four Licensing Objectives set out in section 4 of Part 2 of the Licensing Act 2003. The four licensing objectives are the:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm

The Licensing Authority gives equal weight to each of these objectives.

2.2 The 2003 Act requires Licensing Authorities to publish a 'Statement of Licensing Policy' (the Policy) that sets out the approach the Licensing Authority will take when administering applications and other processes under the Licensing Act 2003 to ensure the promotion of the licensing objectives.

2.3 This Statement of Licensing Policy has been prepared in accordance with the provisions of the 2003 Act having regard to the amended guidance issued under section 182 of the Act the Police Reform and Social Responsibility Act 2012 and the Live Music Act 2012.

2.4 Swale Borough Council is the Licensing Authority pursuant to the Licensing Act 2003 (the Act) and is responsible for considering a range of licence applications and variations to licences for a number of activities detailed below. The purpose of licensing is to regulate the carrying on of licensable activities on licensed premises, at qualifying clubs and under temporary event notices, (TENs). The activities as defined by the Act are:

- Sale by retail of alcohol
- Supply of alcohol (club)
- The provision of regulated entertainment which includes:
 - the performance of a play
 - an exhibition of a film
 - an indoor sporting event
 - boxing or wrestling entertainment
 - a performance of live music
 - playing of recorded music
 - performance of dance
 - entertainment of a similar description to the above 3. (where they take place in the presence of an audience for the purpose of entertaining them)
 - Provision of late night refreshment

2.5 It should be noted that following the introduction of the Live Music Act 2012, a licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

You also don't need a licence:

- to put on unamplified live music at any place between the same hours; or
- to put on amplified live music at a workplace between the same hours and provided the audience is no more than 500 people.

2.6 The types of premises likely to be included within the licensing regime include:

- Pubs and night clubs
- Off licences (includes supermarkets/shops selling alcohol)
- Restaurants serving alcohol
- Restaurants serving hot food and drink after 11pm
- Private members clubs/social clubs
- Hotels/guest houses selling alcohol
- Cinemas/theatres
- Community premises and village halls
- Providers of temporary events involving licensable activities

and any other premises at which licensable activities are to be provided.

2.7 The Policy will apply across a range of applications which include the following:

- a) New Premises Licences and Club Premises Certificates
- b) Variations to Premises Licences and Club Premises Certificates
- c) Provisional Statements for proposed premises yet to be built
- d) Transfer of Premises Licences
- e) Disapplication of mandatory condition in respect of alcohol sales at village halls and community premises
- f) Variations of licences to change the Designated Premises Supervisor
- g) Reviews of Premises Licences and Club Premises Certificates
- h) Personal Licences
- i) Temporary Events Notices

2.8 The Licensing Authority also regulates other activities at licensed premises which include sexual entertainment events and gambling, and these are covered in other policies adopted by the Council.

3 LICENSING AUTHORITY GENERAL POLICY CONSIDERATIONS

- 3.1 The Licensing Authority encourages the development of premises which are not alcohol-led, and which are aimed at different sectors of the population, including all ages and genders. Premises that promote the arts, a food offer, or other cultural activities are particularly encouraged.
- 3.2 Where premises such as pubs are alcohol-based, they are encouraged to consider diversifying their provisions so as to encourage a mixed customer-base and wider attractions, including community uses, soft refreshments, snacks and live entertainment. Diversification is important in the promotion of the licensing objectives as well as ensuring a sustainable economic future for premises and the regeneration of areas requiring investment and employment opportunities.
- 3.3 The Licensing Authority recognises the need to promote and encourage live and recorded music, dancing, theatre and other forms of entertainment for the wider cultural benefit of communities generally but not to cause a nuisance. The necessary protection of local residents and the potential for limited disturbance and anti-social behaviour in neighbourhoods will be carefully balanced with the wider benefits.
- 3.4 The Licensing Authority, Environmental Services, Kent Police and Kent and Medway Fire and Rescue welcome pre-application discussions and will offer advice and guidance upon request and where appropriate. The Licensing Authority expects that applicants will have in advance researched and understood the relevant law in relation to their application and their business plans as well as this Policy. Applicants are encouraged to consult with each of the authorities before applying. It is not for licensing officers to determine the business needs and capabilities of an applicant, but advice can be offered in relation to the licensing objectives. In addition, guidance notes are available on the licensing pages of Council's website – www.swale.gov.uk
- 3.5 Licensing officers will also provide advice to other parties on the licensing process where needed in relation to objecting to or supporting applications that may affect them. However, SBC cannot provide legal advice to applicants or other parties.
- 3.6 Supermarkets and other "off" licensed premises selling alcohol
- 3.6.1 The Licensing Authority will generally consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises throughout their opening times. However, where there are reasons for restricting or amending hours, for example, where premises become the focus of disorder and disturbance, such restrictions or amendments will be considered where relevant representations have been made.
- 3.6.2 All 'off' licensed premises must comply with the Licensing Act 2003 Mandatory Conditions Order in relation to age related sales. The Licensing Authority also expects such premises to consider any appropriate and proportionate additional measures to prevent and deter proxy sales on behalf of under 18's.
- 3.6.3 Licensees should also carefully consider alcohol sales to customers who have or appear to have alcohol related health issues, and whether those customers already appear under the influence of alcohol when attempting to make purchases.
- 3.6.4 The Licensing Authority expects adequate checks to be made and all reasonable steps taken to ensure alcohol delivered by way of online shopping services is not

delivered to minors to prevent a risk of underage consumption. Therefore, the authority requests as part of an application that the Operating Schedule should include the procedures the applicant is intending to operate to ensure the following:

- The person they are selling alcohol to is over the age of 18
- That alcohol is only delivered to a person over the age of 18
- That a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol

3.6.5 Where self-pay till points are made available in stores selling alcohol, provision must be considered for alcohol sales to be identified and approved prior to completion of the purchase.

3.7 Designated Premises Supervisor (DPS) at alcohol licensed premises

3.7.1 Whilst this role has a limited definition under the Licensing Act 2003, it is expected that this person nominated on a licence will normally have overall responsibility for the day to day management and control of the licensed premises and in particular be responsible for the safe receipt, storage and sale of alcohol.

3.7.2 The Licensing Authority would normally expect the DPS to be onsite at the licensed premises for the majority of time when alcohol is being sold subject to working hours legislation and absence for sickness and holidays. The Licensing Authority expects the DPS to provide training to staff in relation to alcohol sales and to authorise the employees the DPS considers competent to sell alcohol on their behalf in writing.

3.7.3 The Licensing Authority expects that a DPS should usually have responsibility for only one licensed premises at a time to ensure good management of the premises and the licensable activities. Where the same person is a nominated DPS on more than one premises licence and representations are made, the Licensing Authority will wish to satisfy itself that the premises in question can properly be managed by that person whilst responsibly promoting the licensing objectives.

3.8 Film Exhibitions

3.8.1 The licensing authority expects licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself.

3.9 Live Music

3.9.1 It is acknowledged the implementation of the Live Music Act in 2012 has resulted in a lighter touch regulation of live music up to 11pm on alcohol licensed premises, and this is seen as a positive approach for premises wishing to provide live music but a retrograde step for nearby residents and enforcement services. However, the Licensing Authority does not see this as an opportunity for licensees to provide live music events that cause nuisance and disturbance to local residents or businesses.

3.9.2 The Licensing Authority expects that where unregulated live music is proposed at licensed premises, all due care, attention and consideration is taken to prevent

disturbance. The Council will consider using its powers under the Environmental Protection Act 1990 to prevent and control public nuisance caused by poorly managed live music at licensed premises.

3.10 Deregulated Entertainment

3.10.1 Where the further deregulation of schedule 1 of the Licensing Act has reduced the regulatory controls on some regulated entertainment activities, the Licensing Authority will expect licensees to ensure that no nuisance or disturbance is caused to local residents and businesses when providing the deregulated activities. The Licensing Authority will consider using alternative powers as per para 3.9.2

3.11 Late Night Levy (LNL)

3.11.1 Whilst it is acknowledged that the provisions for implementing a late night levy arise from the Police Reform and Social Responsibility Act 2011, any levy will potentially have a direct impact on all licensed premises within the Borough. The Licensing Authority has considered the options around the imposition of a LNL and has no plans at the time of drafting this policy to consider an imposition of the levy. Should evidence arise to support implementing a levy the statutory consultation process will be followed and the authority will use its discretion very carefully in relation to design and impact of a levy.

3.11.2 In advance of any decision to implement a LNL, the authority will enter into discussions with the Police with a view to agreeing the allocation of the Police share of the levy to support the policing of the night time economy within this Borough.

3.12 Early Morning Alcohol Restriction Order

3.12.1 The Licensing Authority has considered the options around the imposition of an Early Morning Alcohol Restriction Order and has no plans at the time of developing this policy to consider such an Order. Should evidence arise to support implementing an EMARO, the statutory consultation process will be followed, and the matter referred to the Full Council for determination.

3.13 Licensing and planning permission

3.13.1 The use of a licensed premises or place may be subject to planning controls. There are several key differences between licensing and planning control, although there is an element of overlap between the departments. Nuisance and crime and disorder are shared concerns of planning and licensing and a combination of planning and licensing powers are required to tackle these problems.

3.14 Need for licensed premises and Cumulative Impact

3.14.1 'Need' concerns the commercial demand for particular licensed premises such as a pub, club or hotel. This is a 'market forces' matter and is not of concern to the Licensing Authority. 'Cumulative Impact' means the potential impact on the promotion of the licensing objectives by a significant or excessive number of licensed premises concentrated in one locality. This is a matter for consideration by the Licensing Authority.

3.14.2 The Licensing Authority acknowledges that a concentration of some types of licensed premises in a locality can result in increased footfall, congregation of the public in the streets and potential for increased crime and disorder, litter and anti-social behaviour,

as well as noise nuisance to local residents. This would be a result of the presence of the number of premises and not attributable to individual businesses. The licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation

3.14.3 The Licensing Authority, having regard to the evidence available, considers that currently there is no particular part of the Borough where there is a negative cumulative impact of licensed premises on any of the licensing objectives. If residents or a Responsible Authority (in particular the Police) provide relevant evidence through a representation in the future that supports the imposition of a Policy that restricts the number of new and/or later opening premises, this will be considered and consulted on.

3.14.4 The absence of an existing cumulative impact or saturation policy does not, however, prevent any responsible authority or other person making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. The Licensing Authority will also take into account the effect on resources, including police resources, to cope with any influx of visitors to an area, particularly late at night.

4 RESPONSIBLE AUTHORITIES AND OTHER PERSONS

4.1 Responsible authorities are public bodies that are statutory consultees that must be notified of applications by the applicant. The full list and contact details can be found at Appendix C and are contained on the Swale Borough Council website at Responsible Authorities.

4.2 When dealing with applications and variations for licences and reviews of premises licences, the Licensing Authority is obliged to consider representations from two categories of persons, referred to as 'Responsible Authorities' and 'Interested Parties'. This allows for a broad range of persons to comment both for and against applications for premises licences and club premises certificates and for reviews.

4.3 The Licensing Authority may only consider representations that are relevant to the promotion of the licensing objectives. We only have discretion on whether to grant applications for new premises licences or variations to existing premises licences, on what terms such applications are granted and whether to impose conditions if representations relevant to the licensing objectives are made by "interested parties" or by "responsible authorities" within prescribed time limits and it is appropriate and proportionate to promote the licensing objectives. Otherwise the application will automatically be granted.

4.4 The Licensing Authority will take care to ensure that concerns raised by Responsible Authorities in relation to their own legislative functions are not taken into account if they are not relevant to the application for a premises licence under the Act, or the promotion of the licensing objectives. It would expect those authorities to use their powers and duties within their statutory roles to control such matters. Any representation made by a Responsible Authority that relates to the promotion of the licensing objectives will be accepted.

4.5 The Licensing Authority must give the appropriate weight to representations made by the Police on crime and disorder matters. The Police are the Licensing Authority's

main source of advice on matters relating to the promotion of the crime and disorder licensing objective. The Licensing Authority will accept all reasonable and proportionate representations made by the Police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives.

- 4.6 Where an 'Other Person or Persons' request to be represented when seeking to make a representation, the Licensing Authority will require written evidence from the person/s being represented that they have authorised a third party to speak or write on their behalf.
- 4.7 The Licensing Authority will examine closely all representations to ensure that they are not frivolous, repetitive or vexatious. Matters that this authority will look at are likely to include:
- whether there is a history of making representations that are not relevant or which have been previously considered vexatious or frivolous and are intended to cause aggravation or annoyance
 - whether the representation raises a 'relevant' issue
 - whether the representation raises issues specifically to do with the premises and/or the licensable activities that are the subject of the application
 - whether the repetitious representation is one made an unreasonably short time after, and identical or substantially similar to:
 - a ground for review specified in an earlier application for review, for the same premises, which has already been determined, or
 - representations considered by the licensing authority when the premises licence was first granted; or
 - representatives which would have been made when the application for the premises licence was first made and which were excluded by the prior issue of a provisional statement.
- 4.8 The above considerations are not exhaustive, and the Licensing Authority will have regard to anything a person making a representation, or persons representing them, say about his or her status to make representations. Nothing in this Statement should be taken to undermine the right of any person to make a representation on an application or to seek a review of a licence where provision to do so exists.
- 4.9 Public Health, Kent County Council, is now included on the list of Responsible Authorities. It is acknowledged that they may be useful in providing evidence of alcohol related crime and disorder or public nuisance etc. that are directly linked to premises or a cluster of premises. It may also be able to provide relevant information on alcohol related admissions that relate to specific licensed premises.
- 4.10 The Licensing Authority as a Responsible Authority
- 4.10.1 The Licensing Authority has carefully considered its role as a Responsible Authority under the Act. It will achieve a separation of responsibilities through procedures and approved delegations within the authority to ensure procedural fairness and eliminate conflicts of interest. A separation is achieved by allocating distinct functions (i.e. those of Licensing Authority and Responsible Authority) to different officers within the licensing team.

- 4.10.2 The Licensing Authority does not expect to act as a Responsible Authority on behalf of third parties but accepts that there may be rare circumstances where this approach may be required.

5 EXCHANGE OF INFORMATION

- 5.1 The Licensing Authority will act in accordance with the provisions of the Licensing Act 2003 the General Data Protection Regulation (GDPR) the Data Protection Act 2018 in its exchange of information. Where a protocol is established to set out the mechanism for exchange of information with other regulatory bodies, any such protocol will be made publicly available.

6 HUMAN RIGHTS AND EQUAL OPPORTUNITIES

- 6.1 The Human Rights Act 1998 makes it unlawful for a local authority to act in a way which is incompatible with the European Convention on Human Rights. In making decisions and determining appropriate action the Licensing Authority will have due regard to the Convention and will interpret the LA2003 in a manner consistent with the Human Rights Act 1998.
- 6.2 The Licensing Authority will consider the effect upon people's human rights and adopt a principle of proportionality and the need to balance the rights of the individual with the rights of the community as a whole. Action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society.
- 6.3 The Equality Act 2010 prohibits direct and indirect discrimination on the basis of any of nine protected characteristics, whether in delivering services or in relation to employment. The Licensing Authority will have regard to its obligations under the Equality Act 2010 when interpreting and exercising its powers and responsibilities under the Licensing Act 2003.
- 6.4 Equality Duty supports good decision making – it encourages public bodies to understand how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies can be more efficient and effective. The Equality Duty therefore helps public bodies to deliver the Government's overall objectives for public services.
- 6.5 Immigration Act 2016 and Modern Slavery Act 2015.
The Licensing Authority has responsibilities that relate to the prevention of immigration crime, specifically the prevention of illegal working in licensed premises. Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work related to the carrying out of a licensable activity.

These provisions apply to licensed premises for alcohol and late night refreshment, (but not entertainment only premises) and personal licences. Other types of authorisation under the Licensing Act 2003 (Club premises certificates and temporary events notices) (TEN's) are not covered. This is due to there being little evidence of immigration abuse in respect of premises authorised under a club premises certificate and it would have been disproportionate to apply the requirements to a TEN.

7 COMPLIANCE AND ENFORCEMENT

- 7.1 It is essential that licensed premises operate in accordance with the Act and promote the licensing objectives. Part of the Licensing Authority's role is to monitor premises and take appropriate action to ensure that the licensing objectives are promoted.
- 7.2 There are a range of offences detailed under Part 7 of the Licensing Act 2003. The Licensing Authority will liaise with the Responsible Authorities to determine enforcement of specific offences on a case by case basis. Offences related to sales of alcohol to minors will be enforced by the Police or Trading Standards Authority unless they form part of a range of offences identified by the Licensing Authority.
- 7.3 The Licensing Authority will work together with the police in promoting the licensing objectives. The Kent and Medway Enforcement Protocol was approved in February 2008 and agrees the appropriate responsibilities and procedures for joint working and enforcement between the two agencies.
- 7.4 The Council is committed to the principles of good enforcement by carrying out these regulatory functions in a fair, open and consistent manner. Inspections, enforcement, and where appropriate, surveillance under the Act will be based on the principles of risk assessment, which includes the targeting of high risk premises which require greater attention, whilst operating a lighter touch in respect of low risk and well managed premises. The risk-based approach is based on Home Office Guidance, the activities authorised and premises compliance history.
- 7.5 The Licensing Authority needs to be satisfied that premises are being run in accordance with the Act and any licensing conditions, which may be attached to the premises licence. Frequency of inspections will be determined on risk-based criteria.
- 7.6 Annual fees and suspension of licences for non-payment
- 7.6.1 The Licensing Authority is required under section 55A of the Licensing Act to suspend premises licenses where the annual fee has not been paid. The Licensing Authority will invoice each licensee when the annual fee is due setting out the fee that is due and the consequences for non-payment. Where the fee has not been paid or there has been no claim of administrative error by the end of 21 days of the due date, the Licensing Authority will serve the required 2 working day notice to suspend the licence.
- 7.6.2 Where a licence is suspended this means that no licensable activities will be authorised to be provided at the premises until the suspension is lifted on receipt of payment of the overdue fee. Officers will conduct enforcement visits to premises where a licence has been suspended and will take the appropriate action in accordance with the Council's enforcement policy.
- 7.6.3 If an operator does not wish to carry on the activities that require the premises licence or certificate anymore it is important the licence or certificate is surrendered to prevent maintenance fees being accrued.

CONSIDERATION OF APPLICATIONS

8 NEW PREMISES LICENCES

8.1 In making decisions about applications for licences the Licensing Authority will have regard to:

- the Licensing Act 2003
- the Statutory Guidance issued under section 182 of the Licensing Act 2003,
- this Statement of Licensing Policy made under section 5 of the Licensing Act 2003

Any decisions made that depart from guidance or policy only do so for reasons set out in the decision.

8.2 Where elements of applications are unclear or unspecific, particularly in relation to operating schedules and trading hours, the Licensing Authority will expect the applicants to provide additional information for clarity on a request from the licensing team.

8.3 Licensing officers will routinely check that the Public Notices at the premises and the Public Notices in newspapers are displayed in accordance with the regulations as part of the validation process.

8.4 Licensing officers will also notify ward councillors to whose ward the application relates.

8.5 Where there are no representations about an application the licence will be automatically granted after 28 days under the terms and conditions applied for. Licensing officers will interpret the detail of the operating schedule and convert that into consistent enforceable licence conditions.

8.6 Where relevant representations are received the application will be referred to the Licensing Sub-committee for determination at hearing, unless all parties agree that a hearing is not necessary. Where applications result in the need for a hearing the process at section 16 of this policy will apply.

9 VARIATIONS TO LICENCES

9.1 From time to time licensees may wish to change the nature of the business vary the trading hours or the licensable activities on offer. These can range from minor changes having little or no impact such as minor changes to the premises plan to more significant changes that will affect the promotion of the licensing objectives. These could include for example, the provision of additional activities, increasing capacities or longer and later trading hours. However, where a variation is so substantial that it significantly changes the nature of the business and layout of the premises it is likely that a new premises licence application will be required rather than a variation.

- 9.2 An application for a variation must be advertised in accordance with regulations and the Council will expect applications to be advertised to residents and businesses in the vicinity.
- 9.3 The relevant parts of this Statement of Policy to be applied to significant variation applications is the same as for new premises licence applications at section 8 above.
- 9.3 Where applications are made for minor variations officers will consider whether there are any impacts on any of the Licensing Objectives. Where the variation proposed creates a significant impact on any of the Licensing Objectives the application will be rejected, and the applicant advised to seek a standard variation.
- 9.4 Where there is minor impact or no impact on the four licensing objectives Officers will consult with the relevant (if any) responsible authorities.
- 10 VARIATIONS TO SPECIFY A NEW DESIGNATED PREMISES SUPERVISOR (DPS)**
- 10.1 The Licensing Authority expects that usually the nominated DPS on a licence will be involved in and supervising the day to day operation of licensed premises that sell alcohol. Where the person nominated as DPS ceases to undertake that role the Licensing Authority would expect the licensee to replace that person as soon as is reasonably practicable to maintain adequate control of the premises.
- 10.2 Where a DPS notifies the Licensing Authority that he or she has resigned, the licensing officers will enter into immediate discussion with the licensee in relation to the mandatory conditions concerning the sale of alcohol, and provide appropriate advice to prevent unauthorised alcohol sales.
- 10.3 All applications to specify a new DPS must be made by the licence holder or by a person/body authorised in writing to act on the licensee's behalf.
- 10.4 Where there are no representations the default position is to grant the variation.
- 10.5 The Licensing Authority will give the appropriate weight to relevant representations received from the Police about a proposed DPS. Applications that receive relevant representations will be referred for a hearing at which point the Sub Committee may approve or reject the application if it considers it appropriate for the promotion of the crime prevention objective to do so.
- 11 TRANSFERS OF PREMISES LICENCES**
- 11.1 Before a licence transfer can be administered, the Licensing Authority usually expects consent to have been obtained from the previous premises licence holder. If this is not possible the applicant will be expected to demonstrate that he or she has taken all reasonable steps to secure consent to transfer the licence.
- 11.2 It is acknowledged that in some cases licensees leave premises and do not provide any forwarding contact details, or there has been a death or incapacity of the licence holder. In such cases where a licensee cannot reasonably be contacted to give approval, a licence will be transferred in accordance with the requirements of the Act.
- 11.3 Where a relevant Police objection to the transfer is received the application will be determined through the hearings process unless it is agreed by the applicant and Police as unnecessary.

12 PROVISIONAL STATEMENTS FOR PREMISES

- 12.1 A provisional statement is an application made by someone with an interest in premises, which is or is about to be constructed for use for one of the licensable activities or which is or is about to be extended or altered for that purpose or may be applied for, by a person interested in a premises. This option allows potential applicants to obtain advance notice whether a premises licence is likely to be granted on completion of its construction or conversion.
- 12.2 The process for considering an application for a provisional statement is the same as that for a premises licence application, including a schedule of works. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and other parties may make representations and there are rights of appeal.
- 12.3 The holder of a provisional statement may apply for a premises licence once the premises are constructed, altered or acquired. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, where the application is for a licence in the same form as the provisional statement and the work described in the schedule of works has been satisfactorily completed.
- 12.4 Representations are excluded where the relevant person could have made the same or substantially the same representations about the provisional statement application but failed to do so without reasonable excuse and there has been no material change in circumstances of the premises or area in the vicinity of the premises since the provisional statement.

13 CLUB PREMISES CERTIFICATES

- 13.1 The Licensing Authority acknowledges the importance and history of members clubs and the privileged position held by clubs historically in relation to alcohol licensing.
- 13.2 Members clubs are able to obtain a club premises certificate to authorise licensable activities for their members and their guests. There is no requirement for any members to hold a personal licence under the Licensing Act 2003, and there is no requirement to specify a designated premises supervisor. It is acknowledged that alcohol is supplied by and for the members through their membership of the club.
- 13.3 In order to apply for a club premises certificate the Licensing Authority must be satisfied that the club is a qualifying club and satisfies the legal conditions set out in the Act. Applicants for a club premises certificate will be required to complete a club declaration form setting out how the club will meet the conditions and definitions stated in the Act. Licensing officers will have delegated authority to make additional enquiries where appropriate in order to satisfy that a proposed club meets the criteria laid out in the Act.
- 13.4 The fundamental principles for premises licence applications set out at section 15 of this Policy will apply to applications for club premises certificates subject to

exemptions in respect of the DPS and the requirement for evidence of the club's status.

- 13.5 Any qualifying club wishing to offer licensable activities at events to which non-members will attend will be required to authorise such activities by way of a Temporary Event Notice or by ensuring compliance with the club rules to allow the public to enjoy the clubs facilities and activities without jeopardising the validity of the club premises certificate.
- 13.6 The Licensing Authority expects 'public' events on club premises to be authorised by a Temporary Event Notice. It is expected that club committee members will seek advice from the Licensing Authority prior to providing such activities for non-members to prevent any unauthorised activities.
- 13.7 Where the Licensing Authority identifies that a club no longer meets the conditions set out in section 62 of the Licensing Act 2003 or where the Licensing Authority obtains evidence to demonstrate that a club no longer acts in good faith as a qualifying club, it will give the club a notice withdrawing the club premises certificate.
- 13.8 Suspension of Club Premises Certificates may also occur under section 92A of the LA2003, through failure to pay annual fee. Once granted an annual must be paid each year. Failure to pay the fee with the specified time will result in the Council suspending the licence until such time as the fee is received.

14 REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

- 14.1 The Licensing Authority acknowledges that at any stage following the grant of a premises licence matters can arise at premises that raise concern as to the continued promotion of the licensing objectives at licensed premises.
- 14.2 The Act allows a licence to be reviewed where such matters arise. It is expected that most reviews will be applied for by Responsible Authorities.
- 14.3 Although this Licensing Authority is also a Responsible Authority and may bring about a review application, it is not expected that it will act as a Responsible Authority on behalf of other parties (for example, local residents, local councillors or community groups).
- 14.4 The Licensing Authority will determine whether a review application is relevant and the validity of a review application will be determined by a licensing officer. This will be on the basis of whether the request for the review is:
 - relevant to one or more of the licensing objectives and
 - not frivolous, vexatious or repetitious.
- 14.5 In every review case an evidential basis for the allegations made will need to be submitted to the Council as the Licensing Authority.
- 14.6 The Licensing Authority would expect grounds for a review to be evidence based but will consider each application on its merits.
- 14.7 Where a review application is accepted the Licensing Authority will encourage the parties to enter into mediation during the consultation period to help resolve or

narrow issues arising. The Council would be happy to assist in these meetings as appropriate.

14.8 All reviews, save where agreed by all parties as unnecessary, will lead to a hearing before a sub-committee. This may be a full hearing or a condensed hearing to consider the outcome of mediation. However other parties who have made representation but not been involved in mediation will be permitted to voice their representations at the hearing in accordance with the Hearings Regulations. The Policy applied to hearings can be found in section 16.

14.9 The authority considers that where reviews are raised as a result of serious crime and disorder causing that licensing objective to be undermined, then it is likely that that a revocation of the licence will be considered.

15 APPLICATION TO VARY A PREMISES LICENCE AT COMMUNITY PREMISES TO REMOVE THE MANDATORY REQUIREMENT FOR A DPS

15.1 The Licensing Authority acknowledges the value that local community premises bring to their localities and that most are operated and managed by volunteers. The mandatory requirement for a nominated DPS to be in place at alcohol licensed community premises can be burdensome and difficult for an individual to manage at such premises.

15.2 The Act allows management committees at community premises to take over the responsibility of the alcohol sales by applying to the Licensing Authority to remove the requirement to have a nominated DPS at the premises to authorise sales of alcohol. The Licensing Authority will, subject to strong evidence that a community premises is well managed by an experienced committee, support applications to remove the mandatory condition requiring all alcohol sales to be authorised by a personal licence holder.

15.3 Before considering an application the Licensing Authority will satisfy itself that a premises meets the definition of a community premises. Enquiries will be made as to Where there is a regular 'commercial' or 'non-community based' use or a membership requirement to use the premises it is unlikely that such a premises would meet the definition of a community premises and permission to remove the requirement for a DPS is likely to be refused.

15.4 In general it is expected that premises that form part of a church hall or chapel hall or are a village, parish or community hall or other similar building would in most cases meet the definition of a community premises, although each will be considered on its individual merits and the evidence provided or obtained.

15.5 The licensing officers will consider, on a case by case basis, all applications to remove the mandatory condition and will ask such questions or seek the necessary evidence to confirm the suitability of the management committee to collectively authorise the supply of alcohol the premises.

15.6 Committees that make an application will be expected to have members who are aware of the law relating to the sale of alcohol, contain steps within their operating schedule to prevent offences relating to alcohol sales and also to include appropriate rules in hiring agreements where the premises is hired out to the public for events that will involve the sale of alcohol.

16 HEARINGS

- 16.1 Any application that has resulted in the submission of relevant representation from any party will be referred to the Licensing Sub-Committee for a hearing and determination in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.
- 16.2 A sub-committee will consist of three suitably trained members of the Licensing Committee. The sub-committee will be advised on the law by a member of the Council's Legal Services Team. Where appropriate that legal team member will not be involved in the application process to prevent a conflict of interest by ensuring a clear separation of roles.
- 16.3 This Statement of Policy will play a key role in achieving consistency in decision making.
- 16.4 Where representations are made only by Responsible Authorities, the Licensing Authority would expect applicants and Responsible Authorities to enter into negotiation or mediation prior to a hearing in an attempt to resolve or narrow issues before attending the licensing hearing and to achieve an outcome satisfactory to all parties.
- 16.5 Parties will be advised of the hearing date and procedure in advance and in accordance with the statutory process. At all hearings the sub-committee will have regard to the Guidance issued under section 182 of the Act. This authority may use its discretion where there are strong and defensible reasons for departing from the Guidance and where it considers it right to do so. In any such case this authority will clearly express and explain its reasons for doing so.
- 16.6 The Licensing Authority must give the appropriate amount of weight to representations made by the Police on crime and disorder matters. It will give appropriate weight to all representations made by all parties based on the content and relevance to the promotion of all licensing objectives.
- 16.7 All decision notices will be in writing and will include clearly stated reasons to explain a decision on an application.

17 LICENCE CONDITIONS

- 17.1 A key concept in the Licensing Act is that conditions that are attached to licences or certificates are tailored to suit the individual style and characteristics of the premises and its activities and the impact of those activities. Those conditions must be appropriate and proportionate in order to promote the licensing objectives at that premises.
- 17.2 All licences that authorise the sale of alcohol will be subject to the mandatory conditions set out in the Act and Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended (and any subsequent Mandatory Conditions that are introduced).
- 17.3 Applicants will be expected to include appropriate steps to promote the licensing objectives within their operating schedule which will be converted to conditions on a premises licence or club premises certificate. Those steps will be expected to be proportionate, achievable, enforceable and relevant to the business in question and will ensure the promotion of each of the four licensing objectives.

- 17.4 Where applications receive valid representations and are subject to a hearing, the sub-committee will consider the evidence provided within representations, the detail of the application, the nature of the premises and business and only where appropriate and proportionate will attach conditions to a licence to secure the promotion of the licensing objectives in light of the evidence provided.
- 17.5 Decisions on individual licence conditions will be made on a case by case basis, and where there are concerns over the effective promotion of the licensing objectives, the applicant will be given the opportunity to offer suggestions on how the objectives can be met. This authority will work closely with all parties and the applicant in establishing workable, enforceable and reasonable conditions for new and variation applications.
- 17.6 In all cases the Licensing Authority will have regard to the Guidance when considering the implementation of licence conditions.
- 17.7 In all cases conditions will aim to promote the licensing objectives, be unambiguous and enforceable, appropriate to the activities and the business, achievable and applicable to the premises and the areas around the premises which is within the licensee's control.
- 17.8 The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory systems including Health and Safety at Work, Fire Safety, Food Hygiene and Nuisance Control. However, these regulations may not cover the unique circumstances of some activities and entertainment. In these circumstances, the council may therefore, where necessary, attach conditions to premises licenses for the promotion of the licensing objectives.

Conditions to promote the Prevention of Crime and Disorder.

- 17.9 Under the Act the Licensing Authority has a duty to promote the licensing objectives, and, a further duty under the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the borough.
- 17.10 Wholesale of alcohol. Since 1 April 2017, businesses which sell alcohol (for example, retails of alcohol and trade buyers) need to ensure that the UK wholesales they buy from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique registration Number (URN) against the HMRC online database. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face a criminal prosecution and their alcohol stock seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses.
- 17.11 Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC.
- 17.12 The applicant will be expected to detail in their operating schedule how they will prevent crime and disorder on and close to the premises. Such detail should reflect the licensable activities on offer, location and character of the area, the nature of the premises use and the range of customers likely to use the premises.

These may include, but are not limited to, the following:

- prevention of disorderly conduct and anti-social behaviour
- prevention of underage drinking
- prevention of sales of alcohol to intoxicated customers
- prevention of drunkenness both on and in the vicinity of the premises
- prevention of drug use and drug dealing
- restriction to responsible drinks promotions
- use of safety glass
- inclusion of a wind-down time following alcohol sales period
- adequate seating to discourage “vertical drinking”
- the offer of food and snacks or other entertainment or occupation to discourage persistent drinking

- 17.13 In busier premises the Licensing Authority would usually expect to see a short (e.g.30 mins) ‘wind down’ or ‘drinking up’ period allowed for after the cessation time of entertainment and alcohol sales as this is effective in assisting in a reduction in noise and exuberance of customers before leaving the premises.
- 17.14 Applicants will be expected to seek advice from the Police and the Licensing Authority will give appropriate weight to requests by the Police for premises to be protected by SIA registered door staff subject to the provision of relevant evidence. Where the Licensing Authority determines after consultation with the Police that a premises is one that warrants additional security and monitoring it would expect applicants to include the provision of SIA approved door staff at the premises at appropriate times. Relevant premises are usually those used mainly for drinking alcohol and have later opening hours.
- 17.15 Where appropriate, applicants for licences in the town centre areas providing mainly alcohol, music and dancing would be expected to consider inclusion of a provision of safety glasses to prevent a risk of injury on the rare occasion that a glass may be used as a weapon.
- 17.16 The use of CCTV should be considered where appropriate or on the advice and recommendations of the Police and to a quality and standard approved by the Police for evidential purposes. Licensees will be expected to fully comply with the requirements of the Information Commissioners Office and the Data Protection Act 1998 in respect of any surveillance equipment installed at a premises.
- 17.17 In any application resulting in hearing the sub-committee will consider each application on its individual merits and determine the imposition of conditions that are appropriate to the promotion of the licensing objectives.

Conditions to promote Public Safety

- 17.18 The applicant will be expected to show how the physical safety of persons attending the premises will be protected and to offer any appropriate steps in the operating schedule to promote this.
- 17.19 Such steps will not replace the statutory obligation on the applicant to comply with all relevant legislation under the Health and Safety at Work etc. Act 1973 or under the Regulatory Reform (Fire Safety) Order 2004.

- 17.20 Applicants will be expected to have carried out the necessary risk assessments to ensure safe occupancy levels for the premises. Where a representation from the Fire Authority suggests that for the promotion of the Public Safety objective a maximum occupancy should be applied, the Licensing Authority will consider adding such a limit as a licence condition.
- 17.21 Where appropriate an operating schedule should specify occupancy limits for the following types of licensed premises:
- a) High Volume Vertical Drinking e.g. premises that provide mainly stand up drinking facilities with limited seating/table space and the primary activity is the sale of alcohol
 - b) Nightclubs
 - c) Cinemas
 - d) Theatres
 - e) Other premises where regulated entertainment is likely to attract a large number of people.
 - f) Where conditions of occupancy have arisen due to representations received.

Conditions to promote the Prevention of Public Nuisance

- 17.22 The applicant will be expected to detail any appropriate and proportionate steps to prevent nuisance and disturbance arising from the licensable activities at the premises and from the customers using the premises.
- 17.23 The applicant will be expected to demonstrate that they have considered the following and included steps to prevent public nuisance:
- a) Proximity of local residents to the premises
 - b) Licensable activities proposed and customer base
 - c) Hours and nature of operation
 - d) Risk and Prevention of noise leakage from the premises from equipment, customers and machinery
 - e) Prevention of noise from customers leaving the premises and customer pick up points outside premises and from the Car Park.
 - f) Availability of public transport to and from the premises
 - g) Delivery and collection times and locations.
 - h) Impact of external security or general lighting on residents.
 - i) History of management of and complaints about the premises.
 - j) Applicant's previous success in preventing Public Nuisance.
 - k) Outcomes of discussions with the relevant Responsible Authorities.
 - l) Impact of location, noise and contamination from outside smoking areas on neighbours and other customers
 - m) Collection of litter arising from the premises
- 17.24 Steps to prevent public nuisance may include a range of options including noise limiting devices, sound insulation, wind down periods, acoustic lobbies, management of smoking areas etc.
- 17.25 Steps will differ depending on the individual premises and activities and it is for the applicant to ensure that reasonable, effective and appropriate steps are included within the operating schedule.

Conditions to promote The Protection of Children from Harm

- 17.26 Applicants will be expected to detail any appropriate and proportionate steps to protect children at the premises from any harm. The Licensing Authority recognises the right of licensees (serving alcohol) to allow accompanied children into their premises. The Licensing Authority would not seek to restrict access by children (above that specified in the Act) unless it is necessary for the prevention of physical, moral or psychological harm.
- 17.27 Steps to protect children from harm must be carefully considered for inclusion where:
- a) There is entertainment or services of an adult nature provided.
 - b) There have been previous convictions for under age sales of alcohol.
 - c) There has been a known association with drug taking or dealing.
 - d) There is a significant element of gambling on the premises.
 - e) There is a presumption that children under 18 should not be permitted entry
 - f) such as to nightclubs (apart from when specific events are held for under 18's).
 - g) Outcomes of discussions with relevant Responsible Authorities suggest such steps are applicable.
- 17.28 Nothing in the Licensing Act prevents licensees from excluding children from a licensed premises and no condition can be added to require the admission of children.
- 17.29 Where there are no matters that give rise to concern in respect of children at premises the Licensing Authority would expect to see the relevant box on an application form completed to specify NONE.

18 PERSONAL LICENCES

- 18.1 Any person who wishes to act as a DPS at licensed premises must be in possession of a personal licence issued under the Licensing Act 2003. Any other person may also apply for a personal licence subject to meeting the necessary criteria. The Licensing Authority acknowledges the default grant position for applicants who meet the statutory criteria under the Licensing Act 2003.
- 18.2 The Police will only be consulted where the applicant declares a previous conviction for a relevant offence. A relevant conviction is one that is listed in Schedule 4 of the Licensing Act 2003.
- 18.3 Where a representation is received from the Police the Licensing Authority must hold a hearing unless the Police and the authority agree that it is unnecessary. The application must be rejected if it is considered appropriate for the promotion of the crime prevention objective and granted in any other case.
- 18.4 The Police must give a notice of objection to the Licensing Authority within the statutory 14-day consultation period. The Licensing Authority accepts that there is no discretion to accept a late notification from the Police even if the objection provided evidence that to grant the licence would undermine the crime prevention objective.
- 18.5 The Licensing Authority requires all personal licence holders to advise if there is a change of their name or address in accordance with the Act. All licence holders are advised of this requirement when a licence is granted. Any changes will be updated

and an amended licence will be issued within 20 working days of a notification of change.

- 18.6 The Licensing Authority anticipates that the Magistrates and Crown Courts will take appropriate action in relation to a personal licence where licence holders are convicted of relevant offences in those courts after the grant of a personal licence and notify the Licensing Authority of any action taken in respect of a personal licence.
- 18.7 The Licensing Authority requires personal licence holders to undertake their duty to disclose any convictions for a relevant offence after a personal licence has been granted. The Licensing Authority and/or the Police will take appropriate formal action against the licence holder where subsequent relevant convictions are not declared under that duty.

19 TEMPORARY EVENT NOTICES

- 19.1 The Licensing Act 2003 makes provision for the authorisation of a person (known as a premises user) to provide licensable activities on a temporary basis at unlicensed premises, or to add activities and/or extend the hours of existing activities at a licensed premises. The activities are authorised by the serving of a Temporary Event Notice (TEN) on the Licensing Authority, subject to the notice meeting the proper criteria as detailed under the Act.
- 19.2 Comprehensive planning of events is essential and where there are likely to be impacts on neighbouring residents or businesses as a result of the activities to be authorised by a TEN, the Licensing Authority expects the premises user to have considered any potential impacts and how they may be mitigated.
- 19.3 The Licensing Authority welcomes requests for advice from applicants who wish to provide temporary events to ensure they understand the law relating to such events and to reduce the likelihood of objections being made.
- 19.4 There are two types of TEN, Standard or Late. Both are subject to a numerical limit on the number of each type of TEN that can be served by personal licence holders and non-personal licence holders in a calendar year. There is also a numerical limitation on the number of TENs that may be served in respect of individual premises or place.
- 19.5 Standard TEN. A standard TEN must be served at least 10 working days (Monday to Friday excluding Bank Holidays) before the event commences. The 10 working days excludes the day of service and the day on which the event starts. Copies of the TEN must be served on the Licensing Authority, The Environmental Health (EH) Department, and the Police. The fee is payable only to the Licensing Authority. Applicants are encouraged to serve TENs at least 28 days before the proposed events to allow greater time for an event to be planned.
- 19.6 Where numerical limits are exceeded the Licensing Authority will serve a counter notice and the proposed licensable activities will not be authorised.
- 19.7 Where objections are received from the Police and/or EH and not withdrawn, the notice will be referred for a hearing before the Licensing Sub-Committee. The Sub-Committee may approve the TEN as applied for, add appropriate conditions (if the TEN takes place on a premises with an existing premises licence) or reject a TEN by serving a counter notice.

- 19.8 Late TEN. A late TEN may be served between 9 and 5 working days before a proposed event commences. The same limitations apply to the day the notice was served and the day of the event. Where numerical limits are exceeded a counter notice will be served and the proposed licensable activities will not be authorised.
- 19.9 If the late TEN is served with fewer than 5 working days' notice it is deemed invalid and would be rejected. The proposed activities would not be authorised. The Licensing Authority has no discretion to accept TENs outside the permitted statutory deadlines.
- 19.10 Where valid representations are received from the Police or Environmental Health in respect of a late TEN, the TEN will be rejected and proposed activities will be unauthorised. A refund of the fee will not be made.
- 19.11 The Licensing Authority will take the appropriate action where there is evidence that licensable activities have been provided without the authorisation of a TEN.
- 19.12 It should be noted that if a TEN has been processed and is no longer required the fee will not be refunded as the Licensing Authority has already carried out its obligations.

20 OTHER RELEVANT MATTERS

Adult entertainment

- 20.1 The Licensing Authority has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and premises offering regular entertainment of a sexual nature must be licensed as a sex establishment under those provisions.
- 20.2 The Licensing Authority acknowledges that exemptions under the above legislation do allow sexual entertainment to be provided at premises licensed under the Licensing Act 2003, as long as it is provided on no more than 11 occasions within 12 months and with at least 1 month between each occasion. Those infrequent events will be regulated by the licence granted under the Licensing Act 2003 where that licence authorises performances of dance and where the original application specified that such adult entertainment was proposed to be provided.

Gaming machines in licensed premises - Automatic entitlement

- 20.3 There is provision in the Gambling Act 2005 (GA2005) for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of category C and/or D. The premises licence holder merely needs to notify this Licensing Authority and pay the prescribed fee.
- 20.4 This authority can remove the automatic authorisation in respect of any premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives (under the GA2005);
 - gaming has taken place on the premises that breaches a condition of section 282 of the GA2005 (for example, the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines);
 - the premises are mainly used for gaming; or
 - an offence under the GA2005 has been committed on the premises.

Gaming Machine Permit

- 20.5 If a premises wishes to have more than two machines of categories C and/or D, then it needs to apply for a permit and this authority will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under section 25 of the Act, and such matters as officers consider relevant.
- 20.6 In determining such matters, consideration will be given to all the objectives but particularly the need to protect children from harm and to the need to protect vulnerable persons from harm or being exploited by gambling. The applicant will be required to satisfy the authority that there will be sufficient measures to ensure that minors do not have access to the adult only gaming machines.
- 20.7 Measures to satisfy the authority relate to restricting access to age restricted machines and adult machines being in sight of the bar, or in sight of staff who will monitor that the machines are not being used by minors. Notices and signage should also be displayed to this effect. Applicants may consider the provision of information leaflets and helpline numbers for organisations such as GamCare to demonstrate their responsibility in the protection of vulnerable persons and compliance with Codes of Practice issued by the Gambling Commission.

Gambling in alcohol 'On' licensed premises

- 20.8 Exempt gaming is equal chance gaming that is generally permissible in any club or alcohol licensed premises. Equal chance gaming includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker. Such gaming should be ancillary to the purposes of the premises.
- 20.9 This exemption is automatically available to all clubs or alcohol licensed premises but is subject to statutory stakes and prize limits determined by the Secretary of State. Licensees are encouraged to seek advice from the Gambling Commission at www.gamblingcommission.gov.uk or this Licensing Authority before providing any forms of gambling at alcohol licensed premises. Such arrangements should also be compliant with current smoke-free legislation.

Smoking outside premises

- 20.10 Licensees should consider appropriate arrangements for customers who wish to smoke outside the premises in an effort to ensure that any unlicensed pavement area are not also used as an allocated smoking area. This is to prevent nuisance and potential health harms to any non-smokers who may use the area.

21 INFORMATION

- 21.1 In order to ensure that applicants and persons who make representations have the necessary information to be able to do so, information is available on the Swale Borough Council website www.swale.gov.uk or by contacting the licensing team by email: licensing@swale.gov.uk or by telephone on 01795 417286

APPENDIX A

Swale is a local government district with borough status in Kent, England and is bounded by Medway to the west, Canterbury to the east, Ashford to the south and Maidstone to the south west.

Swale is the bridging point between north and east Kent, named after the narrow channel of tidal water between mainland Kent and the Isle of Sheppey. It is a Borough of some 140,800 people who primarily live in its three main towns, Sittingbourne, Faversham and Sheerness

Swale has strong communication links. It is close both to London and mainland Europe and well connected to the national motorway network. The M2 runs east-west across the Borough, providing access to destinations between the Channel Ports and London. Via the A249 there is alternative access along the M20. London is accessible in a little over an hour by high speed rail services. As a coastal Borough, the Port of Sheerness gives access, via its deep water berths, to the largest ships in the world; its imports distributed to all corners of the UK. Swale is also within easy reach of other major Kent centres - Canterbury, Ashford, Maidstone and the Medway Towns.

Sittingbourne (population 54,400) is the main town, acting as a population, employment and service centre for the Borough. These functions and the town's present day character have their roots in past travellers and pilgrims and the industries that settled there. It is a product of its location on the London-Dover road and at the head of an inlet of the Swale, Milton Creek.

A unique feature within Kent is the Isle of Sheppey, separated from the mainland by the Swale. Its main town is Sheerness (population 13,250). It owes much of its distinctiveness to its role as a traditional seaside town and the past and present industries that established there, particularly the former naval dockyard and the current Port facility. The town centre functions as the main shopping and service centre for the Island's residents and visitors.

Faversham (population 21,000) is an attractive and historic small market town at the centre of a rich farming hinterland. Faversham and Oare are located at the head of two creeks and surrounded by attractive countryside. The town is best known for its continued links with brewing and food. This and the town's industrial and maritime heritage produce its present day character - an outstanding range of historic buildings, streets and waterways and a town centre with a strong independent retail and service sector.

Outside the towns, from Hartlip in the west to Dunkirk in the east, Sheldwich in the south to Shellness in the north, are the Borough's extensive rural areas. There is a great diversity of settlements and landscapes, many of great charm and character. Larger villages along the main transport routes like Newington, Teynham and Boughton have a range of local facilities and services. Away from the main routes are smaller, more isolated settlements and hamlets like Conyer, Warden and Throwley Forstal.

Appendix B

Contact details of Local Authority Licensing Department as at

Licensing Department,
Swale Borough Council
East Street
Sittingbourne
Kent
ME10 3HT

Phone: 01795 417286

Email: licensing@swale.gov.uk

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Appendix C

A copy of the application and plan will need to be submitted to each of the following Authorities	
Licensing Department, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT licensing@swale.gov.uk	Planning Department, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT PlanningApplications@Swale.gov.uk
Environmental Health, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT EHAdmin@MidKent.gov.uk	Licensing Co-ordinator, North Division, Medway Police Station, Purser Way, Gillingham, Kent ME7 1NE licensing.north.division@kent.police.uk
Maidstone Group Fire Safety Office, Maidstone Fire Station, Loose Road, Maidstone, ME15 9QB BuildingSafety.Canterbury@kent.fire-uk.org	Child Protection Agency, Brenchley House, County Hall, Maidstone, Kent, ME14 1RF
Kent County Council, Trading Standards, 1st Floor, Invicta House, County Hall, Maidstone, ME14 1XX trading.standards@kent.gov.uk	Public Health, Kent County Council, Room 3.45, Sessions House, County Road, Maidstone Kent ME14 1XQ phbusinesssupport@kent.gov.uk

Appendix D

References to guides of best practice

Revised guidance issued under section 182 of Licensing Act 2003

www.gov.uk/government/publications/explanatory-memorandum-revised-guidanceissued-under-s-182-of-licensing-act-2003

Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics

www.ioa.org.uk

Good Practice Guide: Licensing published jointly by the Justices' Clerks' Society and the Magistrates' Association (April 1999)

www.magistrates-association.org.uk

Code Of Practice And Guidance Notes On Noise Control For Concerts And Outdoor Events

www.cieh.org/policy/noise_council_environmental_noise.html

Swale Borough Council Event Planning

www.swale.gov.uk/guide-for-event-organisers/

The National Alcohol Harm Reduction Strategy Toolkit

www.alcoholconcern.org.uk

The Point of Sale Promotions published by BBPA

www.beerandpub.com

Public Places Charter

www.ash.org.uk

National Pubwatch

www.nationalpubwatch.org.uk

Appendix E**Contact details and useful addresses (e.g. Chamber of Trade, BBPA, BII, SIA etc.)**

SIA PO Box 74957 London E14 1UG Website: www.the-sia.org.uk Tel: 0300 123 9298 Contact Us Form	Disclosure and Barring Service (DBS) Customer services PO Box 165 Liverpool L69 3JD Information line: 0300 0200 190 Website: DBS Update Service - GOV.UK
British Beer & Pub Association 61 Queen Street London EC4R 1EB Tel: 020 7627 9173 contact@beerandpub.com Press Office: 020 7627 9199	British Institute of Inn keeping (BII) Sentinel House, Ancells Business Park, Harvest Crescent, Fleet, GU51 2UZ Tel: 01276 684 449 www.bii.org Email: reception@bii.org

Appendix F - Recommended delegation of functions as per S182 of the guidance

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for a personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	If no objection made
Request to be removed as a designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	If no objection made
Application for interim authorities		If a police objection	If no objection made
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.			All cases
Decision to object when Local Authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an objection to a temporary event notice		All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition		If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application			All cases
Determination of a minor variation			All cases

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Policy and Resources Committee	
Meeting Date	5 th November 2025
Report Title	Local Plan Review - Statement of Community Involvement – Consultation Feedback
EMT Lead	Emma Wiggins – Director of Regeneration & Neighbourhoods
Head of Service	Joanne Johnson - Head of Place
Lead Officer	Anna Stonor – Principal Planning Officer (Policy) and Christopher Mansfield Planning Officer (Policy)
Classification	Open
Recommendations	1. To recommend the updated Statement of Community Involvement, as set out in Appendix III, to Full Council for adoption.

1 Purpose of Report and Executive Summary

- 1.1 At the Policy and Resources Committee on 17th October 2024, it was agreed that the draft Statement of Community Involvement (SCI), subject to minor changes as minuted, be published for public consultation.
- 1.2 A six-week public consultation period on the draft SCI was therefore undertaken. This ran from 21st May to 2nd July. The results of this consultation were reported to Planning and Transportation Policy Working Group on 16th September 2025.
- 1.3 The purpose of this report is to present the results of the public consultation (Appendix I), to present the amendments requested by Planning and Transportation Policy Working Group on 16th September 2025 and the responses to that (Appendix II), to present the proposed changes to the draft SCI (Appendix III) and to recommend that the SCI document proceeds to Full Council for adoption.

2 Background

- 2.1 The SCI sets out how the community can get involved in local planning matters. It explains how people can play a part in the preparation of Local Plans, Neighbourhood Plans and Supplementary Planning Documents, as well as the consideration of planning applications and dealing with unauthorised development. It also sets out what is expected from those proposing developments.
- 2.2 Local Planning Authorities are required to produce SCIs and review them every 5 years. The current SCI was adopted in 2018 and updated in 2021 largely to reflect health guidelines related to COVID 19. As such, the SCI is now in need of

a refresh, and as such, on 16th of October 2024, the draft SCI was agreed for consultation at Policy and Resources Policy Committee, with minor changes.

- 2.3 The draft SCI went out for consultation on 21st May for six weeks. Letters/emails were sent to statutory consultees, relevant borough, district, town and parish councils, residents, stakeholders, organisations and businesses on the Council's consultation database. It was also advertised on social media such as Facebook and Swale Means Business and documents and covering letters were sent to Council offices and libraries in the borough. There was also a page dedicated to the SCI on the Council's website.
- 2.4 The consultation website attracted 149 visitors and 638 page views with submissions from six individuals, two Parish Councils, two Local Authorities, one business, one utility company, three statutory consultees and one developer. The questions that garnered the most responses were 1, 4 and 7.
- 2.5 The majority of comments were supportive of the document overall, although many suggested amendments, which have been included where these improve clarity and understanding and don't have a significant resource implication for the Council unless the benefits merit the costs.
- 2.6 Comments from the public consultation included:
- criticism of historic approach to consultation by Swale Borough Council
 - concern that those without access to computers/digital engagement may be left out of the consultation process
 - need for varied engagement approaches to reach wider sections of the community
 - requirement for applicants to carry out engagement and to report back on their own community consultation processes and how these have influenced their applications
 - adding glossary
 - adding references/links to legislation and more detailed explanation of system/processes
 - seeking direct engagement with tourism operators/caravan park owners
- 2.7 A spreadsheet of comments received and proposed changes to the SCI as a result of the public consultation can be found in Appendix I.
- 2.8 At the Planning and Transportation Working Group on 16th September 2025, members suggested a series of further amendments to the draft SCI. These comments, and responses to them, are presented as a table in Appendix II.
- 2.9 The updated draft SCI (dated October 2025), including amendments following the public consultation and following the Planning and Transportation Policy Working Group (shown with grey highlight) can be found in Appendix III.

3 Proposals

- 3.1 To recommend the updated Statement of Community Involvement, as set out in Appendix III, to Full Council for adoption.

4 Alternative Options Considered and Rejected

- 4.1 That members propose to Full Council to reject some or all of the suggested changes to the SCI as set out in Appendix III.
- 4.2 That members do not recommend adoption of the SCI set out in Appendix III and retain the current version.
- 4.3 It is a legislative requirement to update SCIs every five years, and it is beneficial to have an up-to-date SCI published in advance of the next consultation phases of the Local Plan. The Local Plan can then be consulted on in line with the new document. As such these alternatives are not considered recommended options.

5 Consultation Undertaken or Proposed

- 5.1 Specific consultation for the draft SCI took place on the 21st of May for six weeks. Officers have worked with colleagues in the Planning Applications and Planning Investigations teams in preparing and updating the SCI before and after consultation. The draft SCI has also been reviewed by Planning and Transportation Policy Working Group at their meeting of 16th September 2025.

6 Implications

Issue	Implications
Corporate Plan	The proposals in the report align with the following Corporate Plan action: A Local Plan with local needs and capacity at its heart.
Financial, Resource and Property	The Local Plan work programme is fully funded across a combination of base budget and committed reserves and central government grant.
Legal, Statutory and Procurement	Updating the SCI every five years is a legislative requirement, therefore publishing an updated SCI will help meet the Council's statutory requirements.
Crime and Disorder	There are no direct crime and disorder impacts arising from this decision.
Environment and Climate/Ecological Emergency	No implications identified at this stage.

Health and Wellbeing	No implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified at this stage.
Risk Management and Health and Safety	No implications identified at this stage.
Equality and Diversity	The SCI enables all members of Swale society to be involved in the planning process.
Privacy and Data Protection	No implications 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: SCI Public Consultation Responses and Summaries
- Appendix II: Table of Comments and Amendments following Planning and Transportation Working Group, 16th September 2025
- Appendix III: Draft Statement of Community Involvement, October 2025

8 Background Papers

- 8.1 [\(Public Pack\)Agenda Document for Planning and Transportation Policy Working Group, 17/09/2024 19:00](#) and [Minutes Template](#) for Planning and Transportation Policy Working Group Committee on Tuesday, 17 September 2024, 7.00 pm
- 8.2 [\(Public Pack\)Agenda Document for Policy and Resources Committee, 16/10/2024 19:00](#) and [Minutes Template](#) for Planning and Resources Committee on Wednesday, 16 October 2024 7. Pm
- 8.3 Details of Public Consultation (including Draft SCI), May to July 2025: <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation#h2>
- 8.4 Agenda, reports and minutes of the PTPWG, 16th September 2025: [Agenda for Planning and Transportation Policy Working Group on Tuesday, 16 September 2025, 7.00 pm](#)

Chapter 1: Introduction

Question 1: Do you agree with the description of what a Statement of Community Involvement is and why it is relevant? Do you have any additional comments on Chapter 1?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-3	<p>1. The comment argues that all households affected should be consulted on key planning issues, specifically the Local Plan (both Reg 18 and Reg 19), Conservation Areas, and the revocation of AQMAs. It stresses that these are central to SBC's responsibilities for national and local planning objectives. The comment opposes reliance on only "those who have shown interest" in the past, as this excludes new residents and others not actively following Council updates.</p>	<p>No change agreed</p> <p>1. The consultee makes a good point about involving all households in the borough. However, writing to all residents each time there is a local plan consultation, a Conservation Area Appraisal consultation or a revocation of an AQMA would be extremely costly to the Council in terms of printing and delivery. To address this issue in a more cost effective way, the Council will continue to publish details of consultations and to encourage general involvement in planning issues in its biannual Inside Swale Magazine (which is delivered in paper form to all households across the borough) and through the Swale Means Business website and ebulletin - and to make engagement in planning issues regular items in these publications. The Council will also issue press releases, and engage in social media and other engagement events (eg with parish councils, members, community groups, the public generally etc), as appropriate, to ensure that consultations/planning issues are advertised through paper and digital news outlets to enable widespread engagement.</p>
Graveney with Goodnestone Parish Council	SCI25/4-4	<p>1. Agrees that the SCI introduction clearly explains its role, scope, and the importance of early, ongoing community engagement.</p> <p>Suggested improvements include:</p> <p>2. Adding brief definitions or a glossary for technical terms like "Supplementary Planning Documents" and "unauthorised development."</p> <p>3. Expanding on how communities, particularly underrepresented groups (non-digital users, young people, minorities), will be proactively engaged, with specific inclusive practices.</p> <p>4. Providing examples to clarify the distinction between legal requirements and additional actions in paragraph 1.5.</p> <p>5. Briefly referencing other relevant legislation, such as the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, to establish the statutory foundation.</p>	<p>Partial changes agreed</p> <p>1. Welcomes support</p> <p>2. Agree that a glossary would be very useful and this will be included</p> <p>3. Paragraph 2.5 of the SCI sets out the principles for involving communities and a commitment to including potentially disengaged groups. How this will be done will vary for different planning matters, but for local plan consultations may include methods such as presentations/videos to, for example, school groups and consultation with representatives of the Travelling Community. The SCI makes clear that digital and online technology will play an important part in the planning process going forward but that engagement via other methods, including letters to those on our consultation database, newsletters promoting signing up for that database, specific engagement events, publication of paper as well as online documents and maps and press releases will also play a key role. The Council will also look to borough and parish councillors to help cascade information to its electorate.</p> <p>4. With regard to the distinction between legal requirements and additional actions, it is felt that this is made very clear with the explanation in paragraph 1.5 and the distinctions set out in subsequent chapters, for example in Chapter 4 - 4.7, 4.8, 4.11, 4.12, 4.14, 4.15, 4.17, 4.18, 4.20, 4.21. It should be noted that where eg 4.12 the document says 'will also' these are not legally required engagement methods.</p> <p>5. Agree that a reference to the legislation would be helpful and this will be included as a footnote to paragraph 1.1.</p>

Duchy of Cornwall	SCI25/5-7	<p>1. The comment welcomes the SCI's clarity and relevance but suggests:</p> <p>2. Making it clearer who the intended users of the SCI are.</p> <p>3. Emphasising that the SCI forms part of the Local Plan framework.</p> <p>4. Expanding Section 2.6 to highlight that the SCI not only guides the Council's consultation but also sets a minimum standard that third parties are encouraged to follow.</p>	<p>Change agreed</p> <p>1. Welcomes support</p> <p>2. Agree that the users of the SCI could be made clearer and reference to 'residents, businesses and other stakeholders' will be added as a description of 'the community' in paragraph 1.1.</p> <p>3. With regard to the SCI being part of the Local Plan framework, paragraph 1.1 will be amended to make clear that the SCI is a statutory planning document.</p> <p>4. With regard to expanding Section 2.6 (chapter 2), this will be amended to include reference to neighbours and businesses. The paragraph clearly sets out what is expected of developers in terms of pre-application engagement and, while it is encouraged, it is not considered necessary to make this a 'minimum standard'. (See also responses to SCI25/5-5 in Chapter 7 below).</p>
Bredgar Parish Council	SCI25/9-1	No comment	No response required
Mrs K Murphy	SCI25/10-1	<p>1. Comment raises concerns with a current planning application and democracy in planning, but also raises the issue of people who do not use computers and their ability to engage in consultations.</p>	<p>No change agreed</p> <p>1. The point about the need to engage with people who do not have access to computers is well made. In our Digital Age, it is an essential that planning consultations continue to make provision for those who prefer/need to look at paper documents and speak to people, rather than access information digitally. Section 4 of the draft SCI sets out how this will be done for the Local Plan (eg paper documents and mapping being available at Council offices/libraries) and chapters 5 & 6 set out the process for SPDs and Neighbourhood Plans. With regard planning applications and chapter 7: applications of certain types are advertised in newspapers, site notices are posted which include contact details, and letters are sent to neighbouring residents with contact details for submitting responses in writing. Contact details are available on our website at https://swale.gov.uk/your-council/contact-us/contact-a-council-service/planning or by telephoning the Council on 01795 417850. These details have been added to the draft SCI.</p>
A Ayres	SCI25/11-1	<p>1. Although the comment is mainly regarding a planning application and several impacts of it, this comments on people without computers, or private cars, which could impact their way of communicating with the Council on future consultations.</p>	<p>No change agreed</p> <p>1. The point about the need to engage with people who do not have access to computers, or private cars, is well made. In our Digital Age, it is an essential that planning consultations continue to make provision for those who prefer/need to look at paper documents and speak to people, rather than access information digitally. Section 4 of the draft SCI sets out how this will be done for the Local Plan (eg paper documents and mapping being available at Council offices/libraries which are generally reasonably accessibly by public transport) and chapters 5 & 6 set out the process for SPDs and Neighbourhood Plans. With regard planning applications and chapter 7: applications of certain types are advertised in newspapers, site notices are posted which include contact details, and letters are sent to neighbouring residents with contact details for submitting responses in writing. Contact details are available on our website at https://swale.gov.uk/your-council/contact-us/contact-a-council-service/planning or by telephoning the Council on 01795 417850. These details have been added to the draft SCI.</p>
Mr P Dixon	SCI25/12-1	No comment	No response required
Natural England	SCI25/13-1	<p>1. Natural England welcomes early and meaningful engagement in local planning and supports community and statutory body involvement in shaping policy and decisions. However, it cannot comment in detail on individual SCIs.</p>	<p>No response required</p> <p>1. Grateful for comments made and support for meaningful engagement.</p>
Canterbury City Council	SCI25/14-1	No comment	No response required

Mr H Boswell	SCI25/16-1	1. Writing as a holiday park owner - agrees with the SCI definition. Notes that planning decisions impact tourism business, infrastructure, visitor economy. They urge the Council to acknowledge tourism operators and static caravan park owners as key stakeholders, noting their importance to the local economy, infrastructure, visitor experience, and land management with environmental and community implications.	No change agreed 1. The Council agrees that tourism operators and static caravan park owners are key stakeholders in the borough, however, it is not felt that specific reference to them needs to be made in the SCI. The document already recognises (eg paragraph 2.4) that it will be necessary to tailor the engagement approach for specific issues and audiences and listing specific groups would lead to unnecessary detail in the document, making it overly long and potentially less flexible.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-1	1. TWBC agrees with the definition and relevance of the Statement of Community Involvement in paragraph 1.3 and supports the approach in paragraph 1.5, distinguishing between consultation methods the Council is legally required to do (“will”) and additional, optional methods (“may”).	No response required 1. Welcomes support.

Chapter 2: Principles of Community Involvement

Question 2: Do you have any comments on the principles of community involvement set out here, or any suggested amendments to Chapter 2?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-3	<p>1. Criticises the ambiguity in paragraphs 2.4 and 2.5, arguing that vague phrases like “where necessary” and “fit for purpose” allow for weak communication practices. It calls for stronger commitments.</p> <p>2. Swale-wide issues: - Letters should be sent to all households and businesses.</p> <p>3. Localised issues (e.g., AQMA revocations): All directly affected households and businesses should be contacted, with “impacts” interpreted broadly, not just by postcode.</p> <p>4. Clarity in consultation lists: The current wording risks overlooking groups. The default should be that all residents and businesses within or near the scope of a policy are notified, given the significant impacts of planning decisions.</p>	<p>No change agreed</p> <p>1. The Council considers the language used in paragraphs 2.4 and 2.5 to be appropriate and allows a flexible range of engagement types to suit different events.</p> <p>2./3. /4. For a response to comments that all residents and businesses should be contacted by letter, please see the Council's response to comments SCI25/3-3 and SCI25/11-1 above.</p>

Graveney with Goodnestone Parish Council	SCI25/4-5	<ol style="list-style-type: none"> 1. The comment welcomes the clear principles in Chapter 2 and the Council's commitment to engaging communities, but suggests several improvements: 2. The list of principles in paragraph 2.5 should be reformatted for clarity, as some points are too long and cover multiple themes. 3. Expand on commitments to reach non-digital users through printed materials, phone consultations, drop-in events, and use of libraries/local centres. 4. Go further in outlining how participation from harder-to-reach groups will be actively encouraged. 5. Welcomes commitment to feedback which should be prompt and accessible including clear summaries of how decisions were made. 6. Require developers/landowners submitting major applications to provide a Community Engagement Statement summarising feedback and how it shaped proposals. 7. Strengthen the equalities section by referencing the use of Equality Impact Assessments and inclusive venues/communication methods. 	<p>Partial changes agreed</p> <ol style="list-style-type: none"> 1. Grateful for support and suggestions for improvement. 2. List under paragraph 2.5 has been amended to improve clarity. With regard the longest point of paragraph 2.5 (about appropriate representations), it is felt that his needs to be kept as is, due to the number of inappropriate representations received. 3. With regard to detail of how to reach non-digital users, this is set out elsewhere in the draft SCI as is too detailed for this section about 'principles'. 4. With regard to detail of how to reach hard to reach groups, this is set out elsewhere in the draft SCI as is too detailed for this section about 'principles'. 5. Noted 6. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while it is encouraged, it is not considered appropriate to make it a 'requirement'. 7. An Equalities Impact Assessment for the Local Plan will be published at the Regulation 19 stage and will be published on the SBC website. A reference to this will be added to Chapter 3. Equalities Impact Assessment are not mandatory for planning applications but can be useful to inform both an assessment in relation to the application of the Equalities Act 2010 and the assessment of a planning application. If an applicant chooses to submit one, the Council would have regard to it.
Duchy of Cornwall	SCI25/5-3	<ol style="list-style-type: none"> 1. The comment values the Council's focus on accessibility and transparency but recommends two enhancements: 2. Explicitly include early engagement by landowners/applicants within the Council's own principles (to align with Section 2.6 and set a clear example). 3. Add a principle on conducting Equality Impact Assessments (EQIAs) to better understand diverse community needs, linking to sections 2.5.v and 2.9, with reference to pro forma EQIAs used by other councils. 	<p>Partial changes agreed</p> <ol style="list-style-type: none"> 1. Welcomes comments and suggestions for improvement. 2. With regard to recommended enhancements: a new bullet point has been added about engagement by landowners/applicants 3. An Equalities Impact Assessment for the Local Plan will be published at the Regulation 19 stage and will be published on the SBC website. A reference to this will be added to Chapter 3. Equalities Impact Assessment are not mandatory for planning applications but can be useful to inform both an assessment in relation to the application of the Equalities Act 2010 and the assessment of a planning application. If an applicant chooses to submit one, the Council would have regard to it.
Sarah Moakes	SCI25/6-2	<ol style="list-style-type: none"> 1. Developer consultations are one-sided and should show how community concerns were addressed. 2. Calls for more transparency in developer-planning officer interactions, with all discussions minuted and publicly available. 	<p>No change agreed</p> <ol style="list-style-type: none"> 1. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such it is not considered appropriate to make it a 'requirement'. 2. Best practice applications will set out the history of the application process, the engagement undertaken and how the community's concerns have been addressed. However, in order to enable frank discussions between officers and applicants, it is necessary for meetings such as these to remain confidential and this is standard practice across the industry.

Mr H Boswell	SCI25/16-2	<ol style="list-style-type: none"> 1. Agrees with the principles, especially the use of varied engagement methods 2. Suggests adding seasonal businesses (like holiday parks) to the groups needing tailored engagement 3. Suggests avoiding consultations during peak tourism seasons to allow meaningful participation. 	No change agreed <ol style="list-style-type: none"> 1. Welcomes comments and overall agreement with principles. 2. Specific reference to seasonal businesses in this chapter of the SCI (about principles) would not be appropriate. Please also see responses to SCI25/16-1, SCI25/16-4 and SCI25/16-5. 3. Local Plan consultations seek to avoid key holiday periods or if they can't be avoided are generally lengthened. It is considered that this valid point is rather detailed to be explicitly referenced in the principles of the SCI, for example as it cannot apply to planning applications (where there is a legislative requirement to consult once applications are validated). In general, the point about 'using a variety of methods (paragraph 2.5) which make it easier for people to take part in the planning process' covers this issue.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-2	<ol style="list-style-type: none"> 1. The community involvement principles in paragraph 2.5 clear are fair but suggests amendments: 2. Renaming the subheading to “Early pre-application engagement by landowners and developers” to stress early public/stakeholder input. 3. Adding a requirement for a Record of Community Involvement with planning applications. 4. Including a section on the Duty to Cooperate with neighbouring authorities under Section 2 for greater emphasis. 	Partial changes agreed <ol style="list-style-type: none"> 1. Welcomes support and suggested amendments. 2. The subheading above paragraph 2.6 about 'engagement by landowners and developers' has been renamed 'Pre-application engagement by landowners and developers' and the point about early engagement by these bodies has also been added to the principles under paragraph 2.5. 3. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while it is encouraged, it is not considered appropriate to make it a 'requirement'. 4. An explanation of the Duty to Cooperate process and statement has been added to chapter 3.

Chapter 3: Planning for the future of Swale Borough Council

Question 3: Do you have any comments on Chapter 3 and the documents that are produced in planning for the future of Swale?

Response by	Reference	Summary	SBC Response
Graveney with Goodnestone Parish Council	SCI25/4-1	No comment	No response required
Duchy of Cornwall	SCI25/5-6	<ol style="list-style-type: none"> 1. The comment praises the clear outline of planning documents but suggests strengthening the chapter by: 2. Adding brief explanations or links on how each document is prepared, including its evidence base and approval process (better placed here than in Chapter 4). 3. Including information on democratic oversight and decision-making, clarifying how documents are ratified. 4. Providing a short explanation of the hierarchy of plans (from the NPPF down to local planning documents) to give context to the Council's obligations and the purpose of each document. 	Changes agreed <ol style="list-style-type: none"> 1. Welcomes comments and suggested amendments. 2. Reference to evidence base has been added to this chapter, as well as links to the sections of the website where documents are available. 3. More detail has been added on the context for planning in Swale, the role of councillors etc. Brief detail on the role of Council in ratifying local plan stages is also included in Chapter 4. 4. Detail on the hierarchy of the planning system has been added (3.1-3.6)
Sarah Moakes	SCI25/6-1	<ol style="list-style-type: none"> 1. Regrettable that SBC does not use the Community Infrastructure Levy (CIL), noting it's a fixed, non-negotiable charge tied to development size and type, making it harder for developers to avoid paying 	No change required <ol style="list-style-type: none"> 1. Comment noted.
Mr H Boswell	SCI25/16-3	No comment	No response required

Planning Policy Tunbridge Wells Borough Council	SCI25/17-3	<ol style="list-style-type: none"> 1. List of main policy documents comprehensive but suggests adding the Authority Monitoring Report to show how policy effectiveness is monitored. 2. The list should be kept under review in light of upcoming national plan-making guidance. 	Partial change agreed <ol style="list-style-type: none"> 1. Reference to the Authority Monitoring Report has been added to Chapter 3. 2. SCIs need to be reviewed every 5 years. References to this has been added to 3.7. Any changes to processes and required documents will be updated during that review, or earlier if deemed necessary.
Chapter 4: Engagement process for Local Plans			
Question 4: Do you have any comments or suggestions on Chapter 4, around the engagement process for Local Plans?			
Response by	Reference	Summary	SBC Response
Environment Agency	SCI25/2-1	No comment	No response required.
Mr Nigel Heriz-Smith	SCI25/3-4	<ol style="list-style-type: none"> 1. The comment is strongly critical of SBC's past public engagement in the Local Plan Review, arguing that failures during the Reg 18 and Reg 19 stages caused public distrust. The commenter calls for a proactive, universal notification policy and a clearer, more inclusive list of consultees to rebuild trust and ensure meaningful engagement. 2. The comment also requests that water companies should be specifically included in the list of non-statutory consultees. 	Partial change agreed <ol style="list-style-type: none"> 1. The strength of feeling behind this representation is understood. However, as set out above, the cost of writing to all residents and businesses at all stages of the Local Plan process, as is being requested, is beyond the scope of the Local Plan's budget and as such, the approaches set out in Chapter 4 are considered appropriate in the circumstances. 2. With regard to the inclusion of water companies in the list of consultees, water companies are already included as 'utility companies', but for clarity this has been amended to 'utility companies, including water companies'.
Graveney with Goodnestone Parish Council	SCI25/4-7	<p>The comment requests greater clarity and stronger commitments in Chapter 4:</p> <ol style="list-style-type: none"> 1. Clearly explain how individuals/consultees can register to be notified or informed (Sections 4.5 ix, 4.17 iii, 4.20 ii). 2. State the minimum notice period for intention to produce a Local Plan (Section 4.7 i). 3. Make provision of paper copies of the Inspector's Report and adopted Local Plan at main libraries mandatory, not optional (Sections 4.18 i, 4.21 i), to match the approach in 4.12 i. 	Partial change agreed <ol style="list-style-type: none"> 1. Agree that details of how to be added to the consultation database would be helpful and this has been added to the end of paragraph 4.5 2. Regulation 18 of the Town and Country Planning Regulations 2012 concerns the preparation of a local plan. The minimum notice period is not set out explicitly, however, we would consider it to be 6 weeks. 3. It is our intention to provide paper copies of the Inspector's Report and the adopted Local Plan at main libraries, however, final decisions on this will be made at the time, depending on resources within the Local Plan's team.
Duchy of Cornwall	SCI25/5-1	<ol style="list-style-type: none"> 1. The comment welcomes the clarity of this chapter but suggests several improvements. 2. Clarity of stages: Explicitly name statutory stages (e.g., Regulation 18 and 19) for easier cross-reference with national guidance. 3. Add a diagram showing the planning hierarchy from national to local levels for accessibility. 4. In section 4.6 soften wording about elected members' responsibility for notifying residents, as it may be misleading. 5. In sections 4.7 & 4.12 Expand on communication methods by incorporating a wider mix of digital channels and site notices alongside print media. 6. In section 4.10 provide a fuller explanation (or hyperlink) on the Planning Inspectorate's role. 7. Insert a description of the Council's internal democratic processes for finalising the Local Plan before submission to the Inspector. 	Partial changes agreed <ol style="list-style-type: none"> 1. Welcomes support and suggestions for improvements. 2. Agree reference to the Regulation stages would add clarity and these have been added to paragraph 4.3. 3. The planning hierarchy has been explained in further detail in amendments to Chapter 3. It is thus not considered necessary to include a diagram to this chapter as well. 4. The last sentence of 4.6, around Ward Members, has been included following member request and discussion at Policy and Transportation Planning Working Group, 17th Sep 2024, however the emphasis has been amended. 5. 4.7 and 4.12 are considered appropriate for the resources the Council has and flexible enough to go further when needed. 6. A hyperlink to the Planning Inspectorate has been added. 7. A reference to the local plan needing to be agreed by relevant committees and ratified by Council has been added to 4.19.

SARAH MOAKES	SCI25/6-3	1. Local Plans should be subject to referendum like Neighbourhood Plans.	No response required 1. This is a matter of national legislation, and not one that can be addressed in this SCI.
National Highways	SCI25/7-1	1. Comment emphasises early engagement with National Highways in planning related matters and gives details of how to do this.	No response required. 1. Welcomes comment on importance of early engagement.
Mrs V Rook	SCI25/15-1	1. The comment raises concern about the hamlet of Dargate and the fragmentation of its surrounding farmland following its sale. Much of the land has been converted into various uses with multiple new highway accesses created, often without formal change of use. The request is for the Council to adopt strong policies to protect farmland, questioning whether the existing Boughton and Hernhill Fruit Belt Policy is sufficient to safeguard this important local asset and its historic orchards.	No response required 1. This is a matter for the Local Plan itself, not the SCI. The comment is noted.
Mr H Boswell	SCI25/16-4	1. The process is thorough but recommends directly consulting holiday park owners on Local Plan proposals affecting tourism, rural land use, or environmental designations, and giving clearer guidance on how Local Plans will address tourism-related development and infrastructure improvements.	No change agreed 1. Businesses, including holiday park owners etc, will be consulted on the Local Plan directly if they have signed up to the consultation database. This will be encouraged through press and publicity, including through the Swale Means Business website and emails. The Local Plan team is grateful for the effort Mr Boswell has put into his responses to this consultation and will contact him to discuss how best to get holiday related businesses to sign up to the consultation database. Issues about how the Local Plan will address tourism-related development and infrastructure improvements will be made through the forthcoming Local Plan consultations and is beyond the scope of the SCI itself.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-4	1. The chapter clearly explains the Local Plan preparation process and supports the proposed consultation methods, while noting the need to review them in light of future national guidance. They suggest: 2. Adding “residents” higher in the list of consultees under paragraph 4.5 for inclusivity. 3. Referring to social media and newsletters as possible engagement tools at all plan-making stages for consistency. 4. If Swale has a consultation database, including details in this section on its existence and how to join.	Partial change agreed 1. Welcomes comments and suggestions for improvements. 2. Considers the current listing of people to be involved is appropriate, as it generally follows a logical scale from the national to the local. 3. Social media and newsletters are already included as potential methods of engagement. 4. Agree - details of how to be added to the consultation database are included at the end of 4.5.

Chapter 5: Engagement process for supplementary planning documents

Question 5: Do you have any comments or suggestions on Chapter 5, around the engagement process for Supplementary Planning Documents?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-1	1. The comment is highly critical of SBC’s approach to consultation in Chapter 5, arguing it is bureaucratic, passive, and inaccessible to most residents. The commenter calls for mandatory, proactive outreach and extended consultation times (to 12 weeks) to ensure genuine public involvement in planning.	No change agreed 1. Comment on more proactive engagement and 12 week consultation period for a range of Council consultations is well made. However, Council resources and the timetable for local development consultations would rarely allow such approaches. It should be noted that the consultation period of 4 weeks which is mentioned in this chapter is a statutory minimum. It is likely that most consultation periods will be for 6 weeks, depending on circumstances at the time.
Graveney with Goodnestone Parish Council	SCI25/4-8	No comment	No response required.

Duchy of Cornwall	SCI25/5-4	1. The comment supports the approach to SPDs but recommends that all SPDs adopt a minimum six-week consultation period, consistent with Local and Neighbourhood Plans, to align with best practice and public expectations.	No change agreed 1. The consultation period of 4 weeks which is mentioned in this chapter is a statutory minimum. It is likely that most consultation periods will be for 6 weeks, but this is dependant on circumstances at the time.
National Highways	SCI25/7-2	1. Comment emphasises early engagement in planning related matters	No response required. 1. Welcomes comment on importance of early engagement.
Mr H Boswell	SCI25/16-5	1. Supports the approach but calls for more targeted engagement with tourism and leisure businesses on SPDs affecting holiday parks, and for specific guidance to address the unique planning challenges holiday parks face.	No change agreed 1. Welcomes comment and suggested amendments. Any SPD related to holiday parks would seek to involve targeted consultation with those experienced and working in leisure and tourism locally, in line with point i of 5.5 (Early engagement and preparation of a draft SPD). The need for specific guidance on holiday parks is outside the scope of the SCI.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-5	1. This chapter is comprehensive, covering all relevant stages and consultation methods in line with Regulations.	No change required 1. Welcomes support for this chapter.

Chapter 6: Engagement process for neighbourhood development plans

Question 6: Do you have any comments or suggestions on Chapter 6, around the engagement process for Neighbourhood Plans?

Response by	Reference	Summary	SBC Response
Graveney with Goodnestone Parish Council	SCI25/4-3	No comment	No response required.
National Highways	SCI25/7-3	1. Comment emphasises on early engagement in planning related matters	No response required. 1. Welcomes comment on importance of early engagement.
Mr H Boswell	SCI25/16-6	1. Council should ensure that local businesses, especially holiday parks, should be actively invited to participate in planning. They warn that ignoring tourism in planning policies could harm growth and investment in the sector.	No change required but action for planning policy team recommended. 1. The planning policy team will carry out an exercise to ensure that local holiday park operators are included in the consultation database where possible.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-6	1. The chapter on Neighbourhood Plan preparation is thorough and useful but suggests: 2. Adding under paragraph 6.14 that the LPA submits the Plan to the examiner. 3. Including a brief explanation of what a referendum is and how voting works, either in paragraph 6.17 or in the section's introduction.	Changes agreed. 1. Welcomes support and suggested recommendations. 2. Additional text has been added to 6.12 to reflect these comments. 3. Additional text has been added to 6.17 to reflect these comments.

Chapter 7: Engagement process for planning applications

Question 7: Do you agree with the engagement process for planning applications as set out in Chapter 7? Do you have any additional comments?

Response by	Reference	Summary	SBC Response
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Graveney with Goodnestone Parish Council	SCI25/4-2	<p>1. Para 7.4 Parish councils should be provided with information on 'prior approval' developments within their parish.</p> <p>2. Para 7.15, the table on 'Major Applications' should include placing an advert in the local press.</p>	<p>Partial change agreed.</p> <p>1. Prior approval applications appear on the weekly list that is circulated to those who have requested it and is available at https://pa.midkent.gov.uk/online-applications/search.do?action=weeklyList. This allows a search by parish or ward. Details of how to access the weekly list will be added paragraph 7.20.</p> <p>2. Table 1 is a list of engagement activities that developers can engage with, not requirements for the council to do, which are set out in paragraph 7.22. 7.22 will be enhanced with a reference to newspaper adverts, a link to where the statutory publicity requirements are set out, which for major applications includes newspaper adverts. A hyperlink to the relevant legislation will also be added.</p>
Duchy of Cornwall	SCI25/5-5	<p>1. The comment welcomes the Council's explanation of planning application engagement but suggests several improvements:</p> <p>2. Section 7.3: Add a link to more information on permitted development rights.</p> <p>3. Section 7.3(b): Clarify the term "time limits," which may be misleading.</p> <p>4. Consultation summaries: Require applicants for minor, major, and large-scale major applications to submit a Summary of Consultation, supported by a standard template.</p> <p>5. Section 7.26: Strengthen wording to confirm that all issues will be considered "up to the point of determination."</p> <p>6. Scope: Expand Chapter 7 to cover strategic sites, hybrid/outline applications, masterplans, reserved matters, and discharge of conditions (especially pre-commencement and pre-occupation).</p> <p>7. Guidance: Include links to further guidance and policy documents to aid users seeking deeper understanding.</p>	<p>Partial changes agreed.</p> <p>1. Welcomes comment and suggested improvements.</p> <p>2. Link to more information on PD rights added (GPDO and Planning Portal)</p> <p>3. Phrase 'time limits' has been removed - phrase 'time periods' remains</p> <p>4. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while encouraged, it is not considered appropriate to make it a 'requirement'.</p> <p>5. Paragraph 7.26 has been amended to include this point about consideration of issues up to point of determination.</p> <p>6. Strategic sites, hybrid, outline, reserved matter applications are handled in the same way as full applications for planning permissions and no distinction has been made in the SCI between them, and is not needed. As a rule the Development Management team do not consult the public in relation to discharge of condition applications.</p> <p>7. Reference to the NPPF and PPG as material considerations has been included in paragraph 7.7 of this chapter</p>
SARAH HOOKES	SCI25/6-4	<p>1. Applicants should not just be encouraged, but required, to consult affected parties and provide evidence they have done so.</p>	<p>No change agreed.</p> <p>1. Planning Practice Guidance (Paragraph: 027 Reference ID: 5-027-20150415) directs us to where pre-application public consultation is mandatory. Otherwise, pre-application engagement with the local community is encouraged (and specifically referred to in paragraph 41 of the NPPF and in the SCI (Chapters 2 & 7)), but is discretionary.</p>
National Highways	SCI25/7-1	<p>1. Comment emphasises on early engagement in planning related matters</p>	<p>No response required.</p> <p>1. Welcomes comment on importance of early engagement.</p>
Southern Water Services Ltd	SCI25/8-1	<p>1. Comment suggests that sustainability should mention sustainable urban drainage solution. Additionally, although water companies are not statutory consultees they prefer to be consulted</p>	<p>Change agreed</p> <p>1. 'Flood risk, water quality and water resources' have been added to the (non-exclusive) list of material considerations to improve clarity and understanding.</p>

Mr H Boswell	SCI25/16-7	<ol style="list-style-type: none"> 1. Supports the process and pre-application engagement but asks that: 2. Holiday park owners be notified and consulted on nearby developments due to their insight on tourism and local impacts. 3. The Council provide plain-English summaries of complex applications to help busy small business 	<p>Partial change agreed</p> <ol style="list-style-type: none"> 1. Welcomes support and specific requests. 2. Sections 7.22 and 7.23 outline the processes for consulting neighbours, including neighbouring businesses. It is noted that this might not include all neighbours that the commentor is requesting. In response more detail on how information on planning applications in Swale can be found is now set out in paragraph 7.20 (details of Planning Public Access and the weekly list of planning applications). 3. A plain English summary of complex applications is a welcome suggestion, but would be too resource intensive for the Council. However, Council's website of planning applications, mentioned here and now included in paragraph 7.20 of the SCI, includes a succinct summary of the application in the application title. Once the application has been found, the 'Document Types' which outline the applications best are generally the Design and Access Statements and the Planning Statements where they have been prepared and well as 'proposed' plans.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-7	<ol style="list-style-type: none"> 1. Generally agrees with the proposed engagement process for planning applications but notes it should be reviewed pending potential government changes. Suggested additions include: 2. 'Before the Application is Submitted' - define what constitutes a major and larger-scale major application in Table 1. 3. Include reference to submitting a Record of Community Involvement with planning applications. 4. 'During the Application Process': clarify when letters or site notices will be used, suggesting consistent use of one or both methods. 5. Include reference to amendments to applications and the associated re-consultation process. 	<p>Partial change agreed</p> <ol style="list-style-type: none"> 1. SCIs need to be reviewed every 5 years. Any changes to processes will be updated during that review, or earlier if deemed necessary. 2. Explanation of development scales has been included as a footnote. 3. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while encouraged, it is not considered appropriate to make it a 'requirement'. 4. Reference to legislation/guidance on site notices (Development Management Procedure Order) will be added as a hyperlinks to 7.22 and 7.22 will be expanded to add reference to newspaper adverts. 5. As a rule the Council does not reconsult the public in relation to amendments and discharge of conditons applications. This is in accordance with the Planning Practice Guidance (Paragraph: 026 Reference ID: 15-026-20190722) "Where an application has been amended it is up to the local planning authority to decide whether further publicity and consultation is necessary in the interests of fairness. In deciding what further steps may be required local planning authorities should consider whether, without re-consultation, any of those who were entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended." A judgement will be made in each case as to who should be consulted and how long the window of opportunity to comment should be.

Chapter 8: Dealing with unauthorised development

Question 8: Do you have any comments on Chapter 8, around how the Council deals with unauthorised development?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-2	<ol style="list-style-type: none"> 1. The comment argues that enforcement should not be left solely to Council discretion. 2. It suggests creating a formal mechanism for residents and businesses to trigger stronger enforcement responses, such as through referenda or petitions. It also proposes that local councillors should be empowered to initiate formal action when requested by their communities. This would make the process more democratic, transparent, and responsive. 	<p>No change agreed.</p> <ol style="list-style-type: none"> 1. Planning Practice Guidance (Paragraph: 003 Reference ID: 17b-003-20140306 at https://www.gov.uk/guidance/ensuring-effective-enforcement) advises that planning enforcement is discretionary, as does paragraph 60 of the NPPF which states that 'Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control'. 2. There are mechanisms in place to allow residents, buisnesses and councillors to raise concerns and initiate enforcement processes. Anyone can report a suspected breach online, and Councillors are already empowered to act on behalf of the public, who can submit enforcement enquiries on behalf of residents, and raise matters directly with senior staff.

Graveney with Goodnestone Parish Council	SCI25/4-6	No comment	No response required.
Duchy of Cornwall	SCI25/5-2	<p>1. The comment appreciates the Council's explanation of enforcement but suggests improvements:</p> <p>2. Avoid language that implies enforcement is unlikely or optional.</p> <p>3. Include a clear statement that planning consent is a legal requirement.</p> <p>4. Provide an outline of the enforcement process and the potential costs/risks for those who breach planning rules, to strengthen understanding and deterrence.</p>	<p>Partial changes agreed.</p> <p>1. Welcomes comments and suggested amendments.</p> <p>2. The PPG (Enforcement and post-permission matters) sets out that local authorities have discretion to take enforcement action - when expedient and in the public interest, acting in a proportionate way. The SCI aligns with this approach.</p> <p>3. Paragraph 8.1 has been amended in response to this comment and after further consultation with the enforcement team. The SCI now makes it clearer that unauthorised development can be unlawful.</p> <p>4. Paragraph 8.1 has been amended to briefly set out the steps the Council takes when making decisions on whether and how to take enforcement action.</p>
SARAH MOAKES	SCI25/6-5	<p>1. The comment argues that SBC's enforcement stance does not align with government guidance by adding "where resources permit," which suggests action may be rare. This risks undermining public confidence in the planning</p>	<p>No change agreed.</p> <p>1. The PPG (Enforcement and post-permission matters) sets out that local authorities have discretion to take enforcement action - when expedient and in the public interest, acting in a proportionate way. The SCI aligns with this approach.</p>
Mr H Boswell	SCI25/16-8	No comment	No response required.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-8	No comment	No response required.

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	Comments from PTPWG, 16th September 2025 (Minutes - Planning and Transportation Policy Working Group Minutes: Minutes Template)	Response from Planning Policy team
1	Glossary needs to be added	Change agreed. Glossary now included in the SCI version for P&R Committee.
2	Important to include sustainable drainage as a material planning consideration.	Change agreed. 7.7 vii Flood risk, water quality and water resources supplemented with the phrase: <u>(including sustainable drainage)</u>
3	Include comprehensive list of the statutory authorities/ consultees.	Change agreed. List of statutory consultees added to the glossary. A reference will be added to 4.5, 1 and 7.22, v.
4	Important to highlight how the Council engages with neighbouring local authorities as well as hard to reach groups and residents.	Partial change agreed. 4.5 explains how neighbouring local authorities are engaged in the preparation of the Local Plan. For clarity, 7.23 iv 'Consult with other organisations such as the Environment Agency, Natural England, Historic England etc, where applicable' has been moved to 7.22 under 'The Council will'. The SCI principles of engaging with hard to reach groups, as well as individuals/residents, is established in the document, including in sections 2.5 and 4.5. The detail of how this will be done for local plans, SPDs and neighbourhood plans will vary with each consultation. Local Plan consultation processes will be reported in a Consultation Statement to accompany the Regulation 19.
5	Needs to be more explicit about how the Council was transparent in its reporting, as required by the National Planning Policy Framework (NPPF).	Change agreed At the end of 4.8 and 4.12 bullet 'Report all comments received through the consultation to the relevant committees along with a summary of key issues highlighted and the Council's response to these issues' added.
6	SCI should include some wording on the Council's commitment to review the document within the next five years.	No change agreed Already explicit in 3.7.
7	Explanation of how representations to local plans are used and what feedback is given.	Partial change agreed. Approach to this is already set out in 2.5 viii. Furthermore, amendments listed in item 5, above, add clarity on this point.

8	Referred to paragraphs 7.13 and 7.14 of the draft SCI and stated that not all applicants engaged with the local community including Ward Councillors	Partial change agreed. Comment noted. Chapter 7 sets out the approach to applications and the encouragement the Council gives to pre-application engagement, in line with the NPPF. Reference to Ward Councillors added to 7.12.
9	With regard 7.17 of the draft SCI, asked that the word 'must' replaced the word 'should' in the second sentence	No change agreed. As explained at the PTP meeting on 16 th September, not reporting engagement can't be made a requirement (as it can't be a reason for refusal) and so the word 'must' is not appropriate.
10	There should be an obligation on officers to inform Ward Members and Parish Councils when a major application was coming forward	No change agreed. Notifying ward members is not a matter for the SCI. Established practice is that ward members receive the weekly list of planning applications. Para 7.23 ii sets out that 'The Council may...notify Town or Parish Councils of relevant planning applications in proximity to their area, inviting comments'.
11	Referred to paragraph 7.22 of the draft SCI and requested that the wording "Notify ward councillors...." be added to point (iii);	As 10 above.
12	Referred to paragraph 7.25 of appendix II and said it should be made clear that for public speaking at Planning Committee there was only one slot for each category. The current wording gave the impression that anyone could register.	Change agreed. 7.25 iii amended as follows: 'If the application is considered at Planning Committee, provide applicants, Town and Parish Council representatives of the parish in which the application is situated, and those who have commented on a planning application, an opportunity to register to speak at Planning Committee, noting that one Parish Council representative, one supporter, one objector and the applicant or their agent can speak, each for no longer than three minutes.'
13	Paragraph 7.32 of the draft SCI, 'Appealing a Planning Decision', should also include details of procedures for legal challenges to applications which had been granted permission by the Council.	Change agreed. New para at 7.32 'Those opposed to a grant of planning approval by a public body such as the Council or the Planning Inspectorate have the right to apply for Judicial Review. There are strict criteria for this, and set timeframes. Legal advice should be sought.'
14	Concerned that not all the relevant planning documents for Kent	Change agreed.

	County Council (KCC) planning applications were published on Swale's 'Find or comment on a planning application' website, this needed to be addressed. Also need confirmation that comments made on Swale's planning public access are seen by KCC.	This issue highlighted in 7.20 with the inclusion of the additional sentence: 'Details of applications made to Kent County Council can be found on the following website: Planning applications - Kent County Council . Please note this Statement of Community Involvement only relates to the procedures of Swale Borough Council'
15	Should be made clear that Regulations 18 and 19 were for a 'minimum' six-week consultation period, but the relevant committee had discretion to extend.	Partial change agreed. Added to end of 4.8 iv. 'for a minimum of six weeks'. For Regulation 19, the phrase 'for a minimum' in 4.12 already implies that the consultation period can be extended if the Council wishes.
16	The SCI should note that it was a legal requirement to publish S106 Agreements ahead of Planning Committee meetings.	No change agreed. This matter has been discussed with the DM manager who advised this was a procedural matter and not a matter for the SCI.
17	Planning (Application) reports should include whether or not applicants had engaged with the local community prior to submitting their application.	No change agreed. This matter has been discussed with the DM manager who advised this was a procedural matter and not a matter for the SCI.
18	Three minutes to speak at planning committee was not sufficient if you were speaking on a major application.	No change agreed. This is not a matter for the SCI. (At the meeting on 16/9/25 the Chair of PTPWG advised this was a matter for the Constitution Working Group and he would contact the Chair of that group.)

Appendix II: Table of Comments and Amendments following Planning and Transportation Working Group, 16th September 2025

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Draft Statement of Community Involvement

~~May 2025~~ **October 2025**



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1 Introduction

What is a Statement of Community Involvement?

1.1 A Statement of Community Involvement (SCI) is a statutory planning document which sets out how the community, including residents, business and other stakeholders can get involved in local planning matters. It explains how the Council enables people can to play a part in the preparation of Local Plans, Neighbourhood Plans and Supplementary Planning Documents, as well as the consideration of planning applications and dealing with unauthorised development. It also sets out what is expected from those proposing developments.

Why is the Statement of Community Involvement relevant?

1.2 Land use planning can affect everyone's daily lives, as the decisions that are made shape the places people live and work in, visit or pass through. The Council wants to encourage people to participate early and throughout the preparation of the documents which will allocate land for development and in the processing of planning applications. This will help strengthen evidence and encourage a sense of local ownership and commitment. The aim of this approach is to reduce, if not resolve conflicts, and reach a consensus on essential issues in the early stages of the process.

1.3 There are many benefits of involving communities in planning matters, these include:

- i. A greater focus on local needs and priorities;
- ii. Decisions being informed by local knowledge;
- iii. Increased community understanding of how planning policies are developed and how they are linked to other Council documents;
- iv. Increased community understanding of how decisions on planning applications are made;
- v. A sense of ownership of key planning policy documents;
- vi. Removing barriers (physical, language or social) and giving communities access to information and opportunities to voice their needs and opinions;
- vii. Creating accountability by generating a wider interest in monitoring outcomes.

1.4 The Council aims to make consultation and involvement in the planning process transparent, accessible, collaborative, inclusive and consistent. This will be done through the methods set out in this SCI.

1.5 In the sections that follow, we set out what the law says we must do, and these are listed as points that the Council "will" do. Any other options the Council may choose to do over and above what the law says are listed as points the Council "may" do. The Council will use these other options where practicable or appropriate.

Question 1

~~Do you agree with the description of what a Statement of Community Involvement is and why it is relevant? Do you have any additional comments on Chapter 1?~~

2 Principles of Community Involvement

2 Principles of Community Involvement

2.1 The planning process is more effective when the people that might be affected by change are an integral part of the engagement process. Greater involvement can help shape planning solutions that maximise the positive outcomes and minimise any negatives.

2.2 The Council does not pretend that planning decisions are free of difficult choices. Decisions need to be made within legal requirements, to have regard to national planning policy and guidance, and to consider technical evidence and local opinion. Planning judgement and decisions aim to balance both the positive and negative effects. There may well be differences in opinion, however, through positive engagement it is hoped that interested parties become engaged so that the quality of decisions is improved by taking account of local knowledge and opinion, and that the outcomes are understood.

Our principles for involving communities

2.3 As a minimum, the Council will comply with any legislation that is currently in force, or comes into force in the future. This will include any national legislation in an emergency, such as was the case with the coronavirus pandemic.

2.4 Where necessary, the Council will tailor the approach for specific issues, audiences and the scale of proposals, so that it is fit for purpose for the subject being consulted on, making it easier for people to take part. For example, where proposals have a local or limited impact, then the Council will seek to more closely involve those most affected. When the Council is planning for a large area, or considering choices which might affect much of the Borough, then engagement will be carried out more widely.

2.5 The Council's main principles of involving the various communities in the planning process are set out below:

- i. Encouraging communities to contribute by providing opportunities to put their ideas forward where there is scope to influence the Council's decisions;
- ii. Being transparent and clear about the planning process, what is being proposed and the scope to influence;
- iii. Using a variety of methods to make it easier for people to take part in the planning process, with the method used being appropriate to the subject being consulted upon;
- iv. Designing engagement exercises to be accessible;
- v. Encouraging better inclusion of everyone affected by a planning matter, making the effort to include potentially hard to reach and 'disengaged groups' such as young people, ethnic minorities, disabled people and the travelling community;
- vi. Encouraging early engagement by landowners and developers, before planning applications are made;
- vii. Making information available that is appropriate and understandable, raising awareness of planning matters and ensuring people are kept up to date. All data stored and published will be compliant with the Council's data protection policy;
- viii. Analysing carefully, and where appropriate, providing clear feedback for participants after an engagement exercise. This may include explaining changes we have made as a result of comments;
- ix. Protecting residents by redacting sensitive information before it is made public, such as personal addresses, phone numbers, email addresses, and dates of birth;
- x. Encouraging appropriate representations (comments) by only accepting comments that are relevant to the subject being consulted on. No profanities, or statements considered derogatory or offensive to any persons, in particular to those sharing a protected characteristic (such as disability, race, religion and others), will be accepted. If any representation is rejected for such reasons, the person making the representation will be notified of the reason for this once it has been processed.

Pre-application engagement by landowners and developers

2.6 The Council looks for its commitment to engagement to be matched by landowners and developers who are considering bringing forward development proposals. Landowners and developers should engage early so that the views of neighbours, residents, businesses and other stakeholders can be established and be taken into account when deciding whether or not to proceed with a proposal, and in the detail of the proposal itself. The purpose of the engagement should be made clear and it should be highlighted that this is prior to any planning application being submitted to the Council.

Digital and online technology

2.7 Greater use of digital technology is likely to continue to play an important role in the planning process in the future. Online events can allow the Council to provide information more easily, and in a way which can be less intimidating and more convenient, as people do not have to travel or make their voice heard in the crowd. It can also lead to greater engagement from young people who do not typically get involved with planning matters.

2.8 The Council recognises that relying entirely on digital technology potentially excludes those who do not have access to it, so the Council will continue to engage with people via other methods as well.

Equalities

2.9 As required by law, the SCI has been drafted to have regard to the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between different groups.

Question 2

~~Do you have any comments on the principles of community involvement set out here, or any suggested amendments to Chapter 2?~~

3 Planning for the future of Swale Borough Council

3 Planning for the future of Swale Borough Council

3.1 Swale Borough Council is responsible for most planning matters within Swale, other than transport and minerals and waste planning, which are carried out by Kent County Council and major infrastructure, which are determined by the Secretary of State, though the Planning Inspectorate. Where they exist, parish and town councils play an important role in planning issues, including in the preparation of neighbourhood plans.

3.2 The Secretary of State for Housing, Communities and Local Government oversees the planning system as a whole and has a more direct role in a small number of decisions through the appeals system, the call-in process and decisions on nationally significant infrastructure projects. The Planning Inspectorate is an executive agency, sponsored by the Ministry of Housing, Communities and Local Government. It deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related casework in England.

3.3 The National Planning Policy Framework (NPPF) is produced by the Ministry of Housing, Communities and Local Government. It sets out the Government's planning policies for England and how these should be applied through plan preparation and decision making. It is supported by the Planning Practice Guidance (PPG), which adds further context to the NPPF. The NPPF and PPG are both material considerations in planning decisions.

3.4 Councillors have a role to play in representing the views of their constituents in plan-making and planning applications. Some sit on the planning committee and have a direct role in decision making, whilst some sit on committees which oversee the preparation of the Local Plan. Details of councillors and their specific roles in the committee structure can be found on the

⁽¹⁾<https://services.swale.gov.uk/meetings/mgMemberIndex.aspx?bcr=1>.

3.5 The planning system in England is plan-led. Local Plans are produced by local authorities, Minerals and Waste Plans by county councils, unitary authorities or national park authorities and Neighbourhood Plans by town or parish councils, neighbourhood forums or community organisations.

3.6 The following section provides more detail about the main types of policy plans and documents that local authorities are currently expected to produce. Planning documents produced by Swale Borough Council are published on the ⁽²⁾<https://services.swale.gov.uk/meetings/mgMemberIndex.aspx?bcr=1>

Documents we produce

a) Statement of Community Involvement (SCI)

3.7 The Statement of Community Involvement (SCI) sets out the consultation requirements that will need to be followed when preparing policy documents and when consulting on planning applications. SCIs should be kept up to date and reviewed at least every 5 years from adoption.

3.8 The preparation of a new SCI is itself subject to consultation, but reviews to an existing SCI do not require consultation.

b) Local Development Scheme

3.9 The Local Development Scheme (LDS) sets out the Council's work programme for preparing development plan documents that the Council aims to prepare over the next three years or so. The Local Plan forms part of the development plan for the Borough and is the starting point for determining planning applications.

3.10 The LDS explains:

- i. What development plan documents the Council will prepare;
- ii. What will be in those plans and where they will apply;
- iii. How long it will take to prepare the plans;
- iv. What kind of plans they will be.

3.11 An LDS does not include details of other plans and policy documents such as Neighbourhood Plans, Supplementary Planning Documents and other guidance documents, or the Community Infrastructure Levy charging schedule.

c) Local Plans

3.12 Local Plans describe the places where development is intended to be directed, and where it needs to be carefully controlled. Policies within Local Plans set out how development is to be managed over a minimum period of 15 years from adoption.

3.13 Local Plans must include both strategic policies to address the development and land use priorities, and non-strategic policies which will include things like sustainable design and construction. Local Plans will allocate land to help deliver strategic requirements, including land for housing and employment.

3.14 Local Plans are a key consideration when determining planning applications, with decisions expected to be in accordance with Local Plans, and 'made' Neighbourhood Plans, unless other material planning considerations indicate otherwise. Other material planning considerations are matters that should be considered in making a planning decision.

d) Evidence base, including Sustainability Appraisal and Habitats Regulation Assessment

3.15 As part of plan preparation, the Council will prepare an evidence base to inform the Local Plan and the policies within it. This can include research on housing, employment, infrastructure, and environmental issues and will also include a Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA). A Sustainability Appraisal (SA) SA is a process through which the effects of a Local Plan on economic, social, and environmental objectives are considered. An SA also incorporates a further assessment process known as Strategic Environmental Assessment (SEA) which focuses on environmental impacts. SAs are iterative (i.e. subject to change and adjustment over time), with the appraisal updated alongside each consultation stage of a Local Plan. A Habitats Regulation Assessment (HRA) An HRA is used to identify any aspects of the Local Plan that would cause an adverse effect on the integrity of Natura 2000 sites, also known as European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and, as a matter of Government policy, Ramsar sites), and to advise on appropriate mitigation. Evidence such as this is published on the [Local Plan pages](https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review) of the Swale Borough Council

⁽³⁾ <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review>.

3 Planning for the future of Swale Borough Council

e) Duty to Cooperate Statement

3.16 The duty to cooperate was introduced by the Localism Act 2011 and is embedded in the NPPF. The duty places a legal duty on local planning authorities and other bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of plan preparation in the context of strategic cross boundary matters. The Duty to Cooperate Statement sets out how that has been done and is an important element in determining whether an emerging local plan can be found sound by a Planning Inspector.

f) Supplementary Planning Documents

3.17 Supplementary Planning Documents (SPDs) set out more detailed guidance to further explain the policies and proposals in Local Plans. SPDs cannot change policies contained within Local Plans but can give detail on how those policies are implemented. SPDs are a material consideration when assessing a planning application.

g) Non-statutory guidance

3.18 The Council may publish other development briefs and guidance which are not formal SPDs, and consultation may be carried out on these documents. Like SPDs, non-statutory guidance cannot change policies contained within Local Plans but can give detail on how those policies are implemented. Such documents and policies are also a material consideration when assessing a planning application.

h) Community Infrastructure Levy

3.19 The Community Infrastructure Levy (CIL) is a charge per square metre which can be levied by local authorities on new development to help deliver the infrastructure needed to support growth. CIL only applies in areas where a local authority has consulted on, and adopted a charging schedule which sets out its levy rates. At the time of publishing this SCI, Swale Borough Council has yet to implement CIL, and given viability pressures it is unlikely that it will be implemented in Swale in the near future.

Question 3

~~Do you have any comments on Chapter 3 and the documents that are produced in planning for the future of Swale?~~

i) Authority Monitoring Report (AMR)

3.20 Authority Monitoring Reports are updates on the progress of a local plan's preparation, progress on the Duty to Cooperate, information in relation to indicators in the plan and any policies which are not being implemented and other updates. Once published, the AMR will be available on the SBC website.

j) Equalities Impact Assessments (EIA's)

3.21 An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making. An EIA for the Local Plan will be published at the Regulation 19 Stage of the Local Plan.

4 Engagement process for Local Plans

4.1 In this section more detail is provided on how the Council will engage in the preparation of Local Plans.

4.2 Local Plans are prepared in accordance with a regulatory process. The process includes consultation with the community and stakeholders. Following its preparation, a Local Plan is subject to examination by an independent Planning Inspector.

4.3 The process of preparing a Local Plan involves five broad stages:

1. Plan preparation (Regulation 18);
2. Proposed Submission Plan publication (Regulation 19 & 20) and submission for examination (Regulation 22);
3. Plan examination (Regulation 24);
4. Publication of recommendations - Inspector's report stage (Regulation 25);
5. Plan adoption (Regulation 26).

4.4 Once a Local Plan is adopted, it becomes part of the development plan alongside other development plan documents and made Neighbourhood Plans. Together these are the starting point for deciding planning applications.

How we will involve people in the preparation of Local Plans

4.5 The Council is required by law to engage on the preparation of a Local Plan. This includes engaging with a range of specific consultees, some of which are listed below:

- i. Statutory consultees (e.g. Environment Agency, National Highways, Natural England, Historic England etc - see glossary);
- ii. Other local authorities, including neighbouring authorities, Kent County Council, the Greater London Authority, and any others which may be considered appropriate;
- iii. Town and Parish Councils;
- iv. Service providers of all kinds, including the emergency services, utility companies, including water companies, and health providers;
- v. Local organisations and societies such as civic or amenity groups;
- vi. Businesses and economic groups including the Kent Medway Economic Partnership;
- vii. Environmental stakeholders e.g. Kent Downs National Landscape (formerly AONB), wildlife trusts;
- viii. Groups who are less likely to be heard (hard to reach groups), and groups with a specific role in equalities;
- ix. Individuals (who have asked to be notified);
- x. House builders / developers / agents / landowners / registered providers of affordable housing.

4.6 If you wish to be added to the Local Plan's consultation database, please contact the Planning Policy team: in writing to lpcomments@swale.gov.uk / Swale Borough Council, Swale House, East St, Sittingbourne, ME10 3HT (with your name, email/postal address); by telephone on 01795 417850.

Plan preparation

4.7 The plan preparation stage typically includes: evidence gathering on key issues, the development of options and a sequence of engagement exercises. Engagement may include both informal methods as well as formal methods such as consulting on a draft Local Plan. It is also incumbent on the Council's Ward Members to ensure raise residents' are awareness of proposals in the Local Plan that may affect their area.

4 Engagement process for Local Plans

4.8 The Council will:

- i. Write to consultees to say it intends to produce a Local Plan and invite them to say what issues they think the plan should cover;
- ii. Advertise the Council's intention to produce a Local Plan, including a notification on the Council website, so that the public and organisations may register their interest;
- iii. Engage with statutory consultees on the evidence base and the consideration of potential policy direction;
- iv. Consult on draft policies **for a minimum of six weeks**;
- v. Hold engagement events to support consultations in person and/or online;
- vi. Engage with Town and Parish Councils and other stakeholders, for example, through meetings, workshops and forums;
- vii. Issue information through press releases, newsletters, and social media;
- viii. **Report all comments received through the consultation to the relevant committees along with a summary of key issues highlighted and the Council's response to these issues.**

4.9 The Council may:

- i. Prepare summaries of technical reports;
- ii. Create online surveys;
- iii. Produce further publicity such as posters, leaflets or postcards.

4.10 After consultations have closed the Council will consider representations received and set out the main issues raised in a report of the consultation.

Proposed Submission Plan publication and submission for examination

4.11 At this stage the Council will publish the Proposed Submission Plan and invite representations on its legal compliance and soundness as defined in the National Planning Policy Framework. The Council will pass all representations to the [Planning Inspectorate](https://www.gov.uk/government/organisations/planning-inspectorate) who will arrange for their consideration by an Inspector through an examination ⁽⁴⁾.

4.12 The Council will:

- i. Publish a notification on the Council website indicating that the Proposed Submission Plan (the version that we consider ready for examination) is being consulted on and invite comments for a minimum of six weeks (excluding bank holidays);
- ii. Get in touch directly with consultees to let them know of the publication of the Proposed Submission Plan;
- iii. Clearly set out how people and organisations can make valid representations (comments);
- iv. Make all statutory publication documents, including the consultation statement, available for inspection electronically and/or in paper form (with fully legible maps), at the Council's offices;
- v. Issue a press release and email people on the Council's consultation database to inform people that consultation is taking place.

4.13 The Council will also:

- i. Make paper copies of the Proposed Submission Plan available at main libraries;
- ii. Produce further publicity such as posters, leaflets or postcards;
- iii. Publish a press notice in a local newspaper;

- iv. Undertake briefings with Town and Parish Councils and other stakeholders either online or in person;
- v. Report all comments received through the consultation to the relevant committees along with a summary of key issues highlighted and the Council's response to these issues.

Plan examination stage

4.14 The examination stage is run by the appointed Inspector, supported by an independent Programme Officer. The Inspector will consider all representations and evidence and then identifies areas to be investigated further. The Inspector will set specific questions and a programme to do this, typically involving hearing sessions.

4.15 The Council will:

- i. Get in touch directly with all those who have made representations at the Proposed Submission Plan publication stage to give details of the date, time and place of the hearings, and the name of the person appointed to hold the examination;
- ii. At least six weeks before the first hearing, give details on the Council website and at the Council offices of the date, time and place of the hearings and the name of the person appointed to hold the examination;
- iii. Make examination documents available on the Council website.

4.16 The Council may:

- i. Use press releases to inform people;
- ii. Use digital platforms to allow online viewing of hearing sessions.

Publication of recommendations - Inspector's report stage

4.17 Based on their examination, the appointed Inspector will form a view on whether the Local Plan is legally compliant and is sound. Where necessary to make the Local Plan sound, the Inspector will recommend amendments to proposed policies and supporting text. This will be recorded through a formal report.

4.18 The Council will:

- i. Make the Inspector's report available for inspection at the Council offices and on the Council website;
- ii. Issue a press release;
- iii. Notify all those who requested to be informed of the publication of the Inspector's report, including emailing people on the Council's consultation database.

4.19 The Council may:

- i. Make paper copies of the Inspector's report available at the main libraries;
- ii. Use social media to inform people.

Plan adoption stage

4.20 At all stages of the local plan preparation, the local plan will need to be agreed by the relevant committees and ratified by Council. Adoption is when the Council confirms that the Local Plan has statutory status and full weight can be given to it in the determination of planning applications and appeals.

4.21 The Council will:

- i. Make available the Local Plan, Adoption Statement, Sustainability Appraisal and Habitat Regulations Assessment reports at the Council offices and on the Council website;

4 Engagement process for Local Plans

- ii. Send a copy of the adoption statement directly to those who asked to be notified;
- iii. Issue a press release to inform people.

4.22 The Council may:

- i. Make paper copies of the Local Plan available at main libraries;
- ii. Use social media to inform people.

Question 4

~~Do you have any comments or suggestions on Chapter 4, around the engagement process for Local Plans?~~

Engagement process for supplementary planning documents

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5 Engagement process for supplementary planning documents

5.1 In this section more detail is provided on how the Council will engage in the preparation of Supplementary Planning Documents (SPDs).

5.2 There are three types of SPD that might be prepared:

1. Site or area specific guidance e.g. development briefs;
2. Design codes or guidance;
3. Topic based policy guidance e.g. affordable housing.

5.3 The process of preparing SPDs is simpler than that of Local Plans because they are not subject to examination. The process involves three broad stages:

1. Early engagement and preparation of a draft SPD;
2. Consultation on the draft SPD;
3. Adoption.

5.4 As with Local Plans, the law governs how SPDs are prepared, including minimum requirements for engagement.

Early engagement and preparation of a draft SPD

5.5 The Council will:

- i. Identify specific groups and individuals who are likely to have an interest in what the SPD will say;
- ii. Undertake a targeted engagement process with those groups and individuals to explore issues and options;
- iii. Produce a draft statement of consultation setting out who we have engaged with in preparing the draft SPD, issues raised and how we have addressed those issues.

5.6 The Council may:

- i. Invite views from the public through surveys or by notifications on our website inviting comments or through social media channels.

Consultation on the draft of the SPD

5.7 The Council will:

- i. Publish the draft SPD for consultation on the Council's website for a minimum of four weeks (excluding bank holidays), together with the required supporting documentation and make paper copies available to view at the Council offices;
- ii. Issue a press release and email people on the consultation database telling them about the consultation.

5.8 The Council may:

- i. Make paper copies of the draft consultation SPD and supporting documentation available at main libraries, as appropriate;
- ii. Produce further publicity such as posters, leaflets or postcards;
- iii. Hold exhibitions, workshops or forums, face-to-face or online;
- iv. Use social media to inform people that the consultation is taking place.

5.9 After the consultation the Council will:

5 Engagement process for supplementary planning documents

- i. Consider the representations received;
- ii. Update the statement of consultation document, setting out the main issues raised and how it has addressed those;
- iii. Amend the SPD, where considered appropriate to do so, to reflect the points raised in the representations.

SPD adoption

5.10 The Council will:

- i. Publish the adopted SPD, the amended consultation statement and adoption statement by making them available to view at the Council offices and on the Council website;
- ii. Send a copy of the adoption statement directly to those who asked to be notified.

5.11 The Council may:

- i. Make paper copies of the adopted document available at other Council offices and appropriate libraries;
- ii. Issue a press release and newsletter to inform people;
- iii. Use social media to inform people.

Non-statutory guidance

5.12 Engagement relating to the preparation of non-statutory guidance will follow that set out for SPDs as set out above, where appropriate.

Question 5

~~Do you have any comments or suggestions on Chapter 5, around the engagement process for Supplementary Planning Documents?~~

6 Engagement process for neighbourhood development plans

6.1 Neighbourhood Development Plans, also known as Neighbourhood Plans, give communities the ability to further shape their local area by setting out planning policies to help guide decisions on planning applications. Where a community wants to take up the opportunities offered by neighbourhood planning, this can be led by parish or town councils, neighbourhood forums or community organisations.

6.2 Neighbourhood Plans must be in general conformity with the strategic policies within Local Plans and cannot promote less development.

6.3 Once a Neighbourhood plan is 'made' (adopted), it becomes part of the development plan alongside Local Plans and other made Neighbourhood Plans, which together are the starting point for determining planning applications.

If you want to make a neighbourhood development plan

6.4 There are formal stages required by law when developing a Neighbourhood Plan. These stages are:

1. Designating the Neighbourhood Area;
2. First draft of the Neighbourhood Plan (Pre-Submission version);
3. Final draft of the Neighbourhood Plan (Submission version);
4. Examination;
5. Referendum;
6. Making (adoption).

6.5 More information on how to prepare a Neighbourhood Plan can be found in the [Locality Neighbourhood Plan](#) toolkit and [Planning Practice Guidance](#).

Our legal duties to groups making a neighbourhood development plan

6.6 The Council is required by law to offer help and advice to groups producing Neighbourhood Plans. This includes:

- i. Advising on what is involved in making a Neighbourhood Plan and potential scope, and sharing learning and best practice;
- ii. Advising on policy development, including the sharing of data and technical reports, creating maps (costs of printing will not be covered by the Council and will need to be paid for by the group preparing the Neighbourhood Plan), and attending appropriate meetings;
- iii. Advice on methods of public consultation and engagement;
- iv. Advice on how to publicise the proposed plan to the community;
- v. Making venues available for public engagement (costs may apply);
- vi. Advising on the availability of grant funding for neighbourhood planning groups.

6.7 The above points are in addition to the Council's commitments during the individual plan stages, which are set out below.

Designating the neighbourhood area

6.8 The Council will:

- i. Where an application for area designation differs from Parish or Town Council boundaries, consult on the application for the Neighbourhood Area designation for a minimum of 6 weeks (excluding bank holidays) and publicise the application on the Council website.
- ii. Provide a paper copy of the application at the Council offices for inspection.

6 Engagement process for neighbourhood development plans

6.9 The Council may:

- i. Issue a press release and email people on the Council's consultation database to inform people that the consultation is taking place;
- ii. Use social media to inform people that the consultation is taking place;
- iii. Provide a paper copy of the application at the main library nearest to the proposed neighbourhood area;
- iv. In discussion with the neighbourhood body, amend the boundary of the neighbourhood area if it is inappropriate (for example, if it includes parts of other parishes that have not consented to their inclusion).

Initial draft(s) of the neighbourhood development plan (Pre-submission version)

6.10 The Council will:

- i. Support the preparation of a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening reports of the emerging Neighbourhood Plan;
- ii. Assist the parish or town council with undertaking an SEA and Habitats Regulations Report where found necessary;
- iii. Advise on the consultation process and who to consult;
- iv. Comment on the draft Neighbourhood Plan.

6.11 The Council may:

- i. Publicise the consultation on the Council website;
- ii. Issue a press release and email people on the consultation database to inform people that the consultation is taking place;
- iii. Provide a paper copy of the Pre-Submission Plan at the Council offices for inspection.

Final draft of the neighbourhood development plan (Publication version)

6.12 The Council will:

- i. Consult on the Publication version (the Submission Plan) for a minimum of 6 weeks (excluding bank holidays);
- ii. Publish the plan on the Council website;
- iii. Provide a hard copy of the plan and supporting documents at the Council offices for inspection;
- iv. Collate all responses and prepare them for submission to the examiner.
- v. Submit the draft neighbourhood plan to the examiner.

6.13 The Council may:

- i. Issue a press release and email people on the Council's consultation database to inform people that the consultation is taking place;
- ii. Use social media to inform people that the consultation is taking place;
- iii. Summarise the comments received for the examiner.

Examination

6.14 The Council will:

- i. Liaise with the neighbourhood planning group to appoint an examiner;
- ii. Publish details of the examination on the Council website;
- iii. Pass any representations made at the examination stage to the examiner;

Engagement process for neighbourhood development plans

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- iv. Manage and fund the process of the examination;
- v. Act as a key contact for the examiner;
- vi. Answer any questions raised by the examiner;
- vii. Publicise the examiner's report on the Council website.

6.15 The Council may:

- i. Notify consultees that the examination is taking place;
- ii. Provide the examiner with a summary of the main issues raised in the representations.

6.16 There may be instances where the Council disagrees with the appointed examiner's findings. If this is the case, clear reasons would need to be given for rejecting the examiner's recommendations, and the Council would discuss any modifications with the neighbourhood planning body. Additional engagement with the neighbourhood plan group would also need to take place.

Referendum

6.17 People who live in the referendum area, and meet the criteria to vote, can vote in the neighbourhood plan referendum. If the majority of those who vote are in favour of the draft neighbourhood plan, then that plan must be 'made' by the local planning authority within 8 weeks of the referendum.

6.18 The Council will:

- i. Arrange and fund the referendum;
- ii. Publish information about the Neighbourhood Plan;
- iii. Give notice that a referendum is taking place;
- iv. Publish the results of the referendum.

Making (adoption)

6.19 The Council will:

- i. 'Make' (adopt) the plan, subject to the outcome of the referendum;
- ii. Publish the decision to 'make' a Neighbourhood Plan on the Council website;
- iii. Notify all individuals and organisations who asked to be notified.

6.20 The Council may:

- i. Issue a press release and email people on the Council's consultation database that the Neighbourhood Plan has been made (adopted).

Question 6

~~Do you have any comments or suggestions on Chapter 6, around the engagement process for Neighbourhood Plans?~~

7 Engagement process for planning applications

7 Engagement process for planning applications

7.1 As the Local Planning Authority, the Council is responsible for determining planning applications. This includes applications such as those for:

- i. Certain extensions and home alterations;
- ii. New houses and businesses;
- iii. Changing a building from one use to another;
- iv. Some forms of infrastructure eg solar farms below 50 megawatts (MW).

7.2 The Council is not responsible for County Matters such as minerals and waste developments which are the responsibility of Kent County Council, nor is the Council responsible for Nationally Significant Infrastructure Projects (NSIPs), such as changes to a motorway, which are determined by the Secretary of State through the Planning Inspectorate.

7.3 Not all types of development require applications to be made to the Council, as they are permitted automatically under national legislation. This includes some types of house extensions and changes in the use of land or buildings. These are generally referred to as 'permitted development'.

7.4 In addition, some types of development only require the Council's approval on limited aspects of a proposal, such as: design and external appearance, transport impacts and flooding information. These are generally referred to as 'prior approval' developments. This includes certain changes of use, and certain telecoms apparatus.

7.5 Information on permitted development rights and prior approval can be found in [legislation](#)⁽⁵⁾ and on the [Planning Portal website](#)⁽⁶⁾.

How we make decisions on planning applications

a) What we must consider

7.6 Decisions on planning applications must be made in accordance with the development plan (adopted Local Plans and made Neighbourhood Plans), unless there are 'material considerations' that indicate otherwise.

7.7 A material consideration is a matter that should be taken into account when deciding a planning application. The National Planning Policy Framework and Planning Practice Guidance are material considerations. Other Material considerations can include, but are not limited to:

- i. Overlooking/ loss of privacy;
- ii. Loss of light or overshadowing;
- iii. Parking;
- iv. Highway safety;
- v. Traffic;
- vi. Noise/odour/air quality;
- vii. Flood risk, water quality and water resources **(including sustainable drainage);**
- viii. Layout and density of building;
- ix. Design, appearance and materials;
- x. Access arrangements;
- xi. Effects on public rights of way;

5 <https://www.legislation.gov.uk/uksi/2015/596/contents>

6 <https://www.planningportal.co.uk/>

Engagement process for planning applications

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- xii. Effects on trees and hedgerows;
- xiii. Government policies, e.g. those set out in the [National Planning Policy Framework](#);
- xiv. Human rights (including best interests of children);
- xv. Sustainability;
- xvi. Impact on character and appearance of an area;
- xvii. Impact on heritage assets.

7.8 Anything relevant to making the decision can be a material consideration. However, in general it relates to matters in the public interest rather than private matters. Examples of private matters are: property values, obstruction of private rights of way or the loss of view, none of which are material planning considerations.

b) How long we have to decide

7.9 The time periods for determination are set out in law. The ~~time-limits~~ are usually:

- i. 8 weeks for most planning applications;
- ii. 13 weeks for 'major' (larger) developments;
- iii. 16 weeks for applications that need an Environmental Impact Assessment.

7.10 If more time is needed to determine an application, an 'extension of time' can be agreed between the Council and the applicant.

7.11 If the Council fails to determine the application in time, the applicant can appeal to the Secretary of State against 'non-determination'.

c) How and when we will involve you in the planning application process

Before the application is submitted

7.12 To assist people considering developing land or buildings, the Council offers a paid-for discretionary planning advice service/ pre-application advice service, to help people understand whether a proposal is likely to be acceptable, and what information they need to provide should they proceed to submit an application. The Council encourages site promoters to be open about their proposals and to engage with the local community, including Ward Councillors where relevant. The Council also suggests that developers seek advice from other statutory consultees such as the Environment Agency.

7.13 The Council encourages those preparing applications to positively engage with local people to help prepare and refine their proposals. For household extensions this may simply mean speaking to neighbours. For larger proposals, engagement should involve the wider area and should start at an early stage with engagement forming an integral part of the initial design process.

7.14 The Council encourages anyone proposing development to actively engage the community when preparing their proposals as set out in Table 1 below sets out indicative methods of engagement that applicants can carry out for a range of application types. The suggested methods vary depending on the scale and type of proposal, with larger proposals expected to use methods that would engage with more people.

7 Engagement process for planning applications

7.15 Table 1: Indicative methods of engagement for proposed planning applications by application type ⁽⁷⁾

Method of Engagement	Householder applications	Minor applications	Major applications	Large scale major applications	Other applications
Letters, email or postcards	✓	✓	✓	✓	✓
One-to-one meetings*	✓				
Website			✓	✓	
Advert in local press				✓	
Public meetings/ forums			✓	✓	
Public exhibitions			✓	✓	
Social media			✓	✓	
Workshops				✓	
Leaflets			✓	✓	

Table 7.2.1

7.16 *People considering the extension of their home are encouraged to meet with their neighbours to discuss their ideas.

7.17 In all instances, the comments and concerns raised through engagement should be considered, and if necessary, changes made to the proposed development before an application is submitted. Information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application.

7.18 The Council will:

- i. Encourage applicants to consult the community, including the Town and Parish Council, where relevant.

⁷ Minor development: includes 1 and 9 dwellings/ covers up to 0.5 hectares/ commercial development less than 1,000 square metres. Major development: includes 10-49 dwellings/ covers 0.51-2 hectares/ commercial development between, 1001 and 4,999 square metres. Large scale major development: includes 50-249 dwellings/ covers 2.1-5 hectares/ commercial development between 5,000 to 9,999 square metres. Strategic major development: includes 250+ dwellings/ covers more than 5 hectares/ commercial development of 10,000 square metres or more

Engagement process for planning applications

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7.19 The Council may:

- i. Liaise with Town and Parish Councils, where relevant.

Once the application is submitted

7.20 Details of all submitted planning applications can be viewed on the [Council website](#) by entering the site address, the reference number or via an interactive map. Those interested in seeing what planning applications have been received in Swale each week can visit the [Weekly List page](#)⁽⁸⁾ of our website. Details of how to contact the Development Management team are set out on our [website](#)⁽⁹⁾ or can be obtained by calling Customer Services on 01795 417850. **Details of applications made to Kent County Council can be found on the following website: [Planning applications - Kent County Council](#). Please note this Statement of Community Involvement only relates to the procedures of Swale Borough Council**

7.21 The law requires that for most types of planning application, the Council consult for a 21 day period (unless a longer period applies) before a decision can be made. For applications requiring Environmental Impact Assessment (EIA), a longer period of 28 days applies.

7.22 The Council will:

- i. Make planning applications and the supporting documentation available to view on the Council website;
- ii. Consult upon applications for a 21 day period as set out in law (excluding bank holidays), or in the case of EIA applications extend this to a 28 day period (excluding bank holidays);
- iii. Notify Town or Parish Council of relevant planning applications in their area, inviting comments;
- iv. Where required by [law](#) and set out in [guidance](#) either: display a planning notice on or near the application site; publish a newspaper advertisement; or post letters to neighbours adjoining the application site;
- v. **Consult with statutory consultees (see glossary for details) and other organisations such as the Environment Agency, Natural England, Historic England etc. where applicable.**

7.23 The Council may:

- i. Depending on the nature and scale of the proposed development, post letters to properties beyond those adjoining the application site which may be affected by the proposed development;
- ii. Notify nearby Town or Parish Councils of relevant planning applications in proximity to their area, inviting comments;
- iii. Publish a press notice;
- iv. **Consult with other organisations such as the Environment Agency, Natural England, Historic England etc. where applicable;**
- v. Publicise a [weekly list](#) of planning applications on the Council's website.

7.24 The decision on which properties 'may be affected by the proposed development' is made by the Council. This is based on professional assessment of the proposal and its likely impacts on the area surrounding the site, and planning law and guidance.

During the determination process

7.25 The Council will:

- i. Publish relevant documents on the Council website, including comments received in response to an application;

⁸ <https://pa.midkent.gov.uk/online-applications/search.do?action=weeklyList>

⁹ <https://swale.gov.uk/your-council/contact-us/contact-council-service/planning>

7 Engagement process for planning applications

- ii. Consider the issues raised in response to an application;
- iii. If the application is considered at Planning Committee, provide applicants, Town and Parish Council representatives **of the parish in which the application is situated**, and those who have commented on a planning application, an opportunity to register to speak at Planning Committee, **noting that one Parish Council representative, one supporter, one objector and the applicant or their agent can speak, each for no longer than three minutes.**

7.26 Due to the volume of representations received it is not possible to acknowledge or enter into correspondence regarding all representations submitted. However, all relevant matters raised, up to the point of determination, will be fully considered.

7.27 Representations from local people are very important in highlighting material planning considerations. Ultimately applications are determined in accordance with current legislation, development plan policy and all the material considerations identified.

7.28 The consideration of each application is led by a case officer. Their role is to assess the application against development plan policy and other material considerations. They will read all representations and summarise the key points raised when preparing their report which will consider and explain whether the application should be permitted or refused. In most cases a decision will then be made under delegated powers and a decision notice will be issued.

7.29 Some applications will be determined by the Planning Committee, rather than officers. The Planning Committee is made up of elected Councillors. For these applications, the case officer provides their report and recommendation to Planning Committee who decide whether the application is permitted or refused. The Planning Committee must also determine applications in accordance with the development plan unless material considerations indicate otherwise.

7.30 Where an application is to be considered by the Planning Committee, anybody that has submitted a representation will be notified of proceedings, and will have the opportunity to view the report prior to the committee meeting. Planning Committee meetings are open to the public.

After we have made the decision

7.31 The Council will:

- i. Publish the decision notice and officer report on the Council's website;
- ii. Inform the agent (or in the absence of an agent, the applicant) of the decision, usually by email.

Appealing a Planning Decision

7.32 If the applicant does not agree with the Council's decision to refuse an application, they have the right to appeal to the Planning Inspectorate. An appeal can also be made against the Council's failure to determine an application within the prescribed timetable, or against a planning condition imposed by the Council. In all these cases, the Council will write to everyone who has been consulted or has submitted representations on the planning application, letting them know about the appeal. At this stage further representations are sent directly to the Planning Inspectorate for consideration. The Council will publish any relevant appeal documents on the Council website.

7.33 **Those opposed to a grant of planning approval by a public body such as the Council or the Planning Inspectorate have the right to apply for Judicial Review. There are strict criteria for this, and set timeframes. Legal advice should be sought.**

Question 7

~~Do you agree with the engagement process for planning applications as set out in Chapter 7? Do you have any additional comments?~~

8 Dealing with unauthorised development

8 Dealing with unauthorised development

8.1 Sometimes development occurs without the developer having first obtained the necessary ~~goes ahead without~~ planning permission or other such authorisation, or without meeting all the specified planning conditions of a planning permission or consent. This is known as 'unauthorised development' and can be unlawful. When this happens and where resources permit, the Council's Planning Investigations team will investigate. The next step could be to decide to take no further action, invite a retrospective application or, where appropriate, expedient, and in the public interest, the Council may take formal enforcement action. Planning enforcement action is taken at the Council's discretion.

How we make decisions on unauthorised development

8.2 The Council undertakes its enforcement duties as set out in the Council's [Planning Enforcement Strategy](#).

8.3 More information on the planning enforcement process and the types of actions available with unauthorised development can be viewed on the [Gov.uk](#) website.

How and when we will involve you in enforcement matters

8.4 If you suspect a breach of planning control, the best way to report concerns is via the Council's website ([Planning breaches & enforcement](#)). If you are unable to do this, please write to: Planning Investigations, Swale House, East Street, Sittingbourne, ME10 3HT.

8.5 An overview of the service and what you can expect from this process is set out in the Council's Local Planning Enforcement Strategy.

Question 8

~~Do you have any comments on Chapter 8, around how the Council deals with unauthorised development?~~

9 GLOSSARY

- 9.1 Adoption** The final formal stage in the evolution of a statutory planning document. Once a plan is adopted it has full legal weight in the determination of planning applications.
- 9.2 Authority Monitoring Report** (Previously called Annual Monitoring Report) a report produced each year by local authorities, which assesses progress with, and the effectiveness of, its plan-making documents.
- 9.3 Consultation Statement** A summary of the main issues raised by a consultation.
- 9.4 Development Plan** The suite of development plan documents that collectively provide the planning framework used to assess development proposals for a given local planning authority area.
- 9.5 Development Plan Document (DPD)** Spatial planning documents that set out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. In two-tier areas it may include adopted borough local plans, adopted county local plans for minerals & waste, development plan documents policies and site specific allocations. All DPD's are subject to independent examination. There is a right for those making representations seeking change to be heard at an independent examination
- 9.6 Duty to Co-operate** The duty to co-operate is a legal test that requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. It is separate from, but related to the Local Plan test of soundness
- 9.7 Elected Councillors** Locally elected community representatives that form part of the decision-making body in a local authority.
- 9.8 Environmental Impact Assessment** An analytical process that systematically examines the possible environmental consequences of a development.
- 9.9 Equalities Impact Assessment** is a tool used to ensure that decisions, policies, and practices within organizations are fair and do not discriminate against any protected groups.
- 9.10 Independent Examination** The process by which a planning inspector may publicly examine a Development Plan Document.
- 9.11 Inspector's Report** This will be produced by the Planning Inspector following the Independent Examination.
- 9.12 Kent County Council** KCC are responsible for road and minerals and waste safeguarding elements of the planning system.
- 9.13 Localism Act** The Localism Act 2011 devolves greater powers to local government and neighbourhoods and gives local communities more rights and powers over decisions about development. It also includes reforms to make the planning system more democratic and more effective.
- 9.14 Local Development Scheme (LDS)** Sets out the programme for the preparation of the development plan documents.
- 9.15 Local Plan (LP)** May consist of a single document or a set of documents such as site allocations, development management policies and core policies. These are formal plans for a geographical area which are key points of reference when deciding planning applications.
- 9.16 Minerals and Waste Local Plan** Produced by Kent County Council, these documents set out plans relating to mineral and waste developments in Kent.

9 GLOSSARY

9.17 National Planning Policy Framework (NPPF) A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of planning documents and when considering planning applications.

9.18 Neighbourhood Plan Prepared by local communities, these set out policies and proposals for the future development of a neighbourhood, but they must conform to the strategic policies of the Local Plan.

9.19 Planning Inspectorate An organisation which processes planning appeals and holds examinations into development plan documents and planning application appeals.

9.20 Pre-application Advice The service provided by Swale is given to anyone who is considering building works and/or changes of use to properties in Swale. This advice will be provided, usually for a fee, and is the stage before making a planning application. It gives applicants an opportunity to understand how Swale's policies will be applied to their development, and it can identify potential problems and resolve them before an application is submitted.

9.21 Prior Approval Applications Prior approval means that a developer has to seek approval from the local planning authority (LPA) that specified elements of the development are acceptable before work can proceed. Although there is no need to apply to the LPA for permission to carry out development where permitted development rights are available, in a number of cases it is necessary to obtain prior approval from the LPA before the rights can be used. The process requires a developer to seek approval from the LPA that specified elements of the development are acceptable before the work can proceed. The matters for prior approval vary depending on the class of development in question.

9.22 Programme Officer Person appointed to assist with all administrative matters related to Examinations of Local Plan documents.

9.23 Public Consultation A process through which the public is informed about emerging plans or proposals put forward by a planning authority or by development promoter and are invited to submit comments upon them.

9.24 Representation A formal statement submitted by a consultee at the submission stage of a development plan document.

9.25 Supplementary Planning Document (SPD) These documents, including issue-based documents, design guidance and masterplans, provide more detail to how policies in the Local Plan should be used.

9.26 Sustainability Appraisal (including Strategic Environmental Assessment) A systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive. Its purpose is to appraise the social, environmental and economic effects of the strategies and policies in a local development document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development.

9.27 Statutory Consultees Specific bodies who local planning authorities are required to consult by planning law (see table on next page)

Statutory Consultees for Planning Applications – see PPG (here) for the type of development where these consultees will be consulted:

[Consultation and pre-decision matters - GOV.UK /](#)

<https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees>

Canal and River Trust

Coal Authority

Control of major-accident hazards competent authority (COMAH)

County Planning Authorities (Kent County Council)

Crown Estates Commissioners

Department for Business, Energy and Industrial Strategy

Designated Neighbourhood Forum

Environment Agency

Forestry Commission

The Gardens Trust/Garden History Society

Greater London Authority

Health & Safety Executive

Highway Authorities (Highways England and Kent Highways)

Historic England

Lead Local Flood Authority (for Swale, Kent County Council)

Local Planning Authorities

National Parks Authorities

Natural England

Office for Nuclear Regulation

Oil and Gas Authority

Parish Councils (includes Town Councils)

Rail Infrastructure Managers

Rail Network Operators

Sport England

Theatres Trust

Toll Road Concessionaries

Water and sewerage undertakers

Specific Consultation Bodies for Local Planning

[The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 /](#)

<https://www.legislation.gov.uk/uksi/2012/767/contents>

Coal Authority

County Planning Authorities (Kent County Council for Swale)

Electronic communications and Gas licencees and companies

Environment Agency

Highway Authorities (Highways England and Kent Highways for Swale)/Secretary of State for Transport

Historic England

Homes and Communities Agency

Integrated Care Board

9 GLOSSARY

Local Planning Authorities and adjacent LPAs
National Parks Authorities
Natural England
NHS England
Marine Management Organisation
Mayor of London
Parish Councils (includes Town Councils) and adjacent PCs
Network Rail Infrastructure Limited
Water and sewerage undertakers

Table 9.0.1

Policy and Resources Committee	
Meeting Date	5 th November 2025
Report Title	Customer Experience Strategy
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing & Community Services
Lead Officer	Andre Bowen, Service Improvement & Project Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Introduce a new Customer Experience Strategy in place of the former Customer Access Strategy to match service delivery with trends in customer demands and resources. 2. To note the proposed action plan. 3. Delegate authority to the Director of Resources and Director of Regeneration and Neighbourhoods, to take relevant actions to facilitate the required transformation activities.

1 Purpose of Report and Executive Summary

- 1.1 In June 2013, Swale Borough Council approved the then new Customer Access Strategy. The overall aim of this strategy was “ensuring easy, clear and convenient access to Swale’s services for all”.
- 1.2 As part of the Housing and Communities Service Action Plan 2023-2024, it was agreed to review the Customer Access Strategy. This was agreed in order to ensure team structures are in place to support a stronger Customer Service Centre digital resilience and exploit opportunities where they exist.
- 1.3 Due to the budget pressures being experienced for not only the 2025/26 financial year but also the years following, the Council has had to fundamentally review what services it provides and how they are provided to try and identify savings to help achieve a balanced sustainable budget in future years.
- 1.4 This report and the accompanying appendices set out the details of the full review and the formulation of the new strategy.

2 Background

- 2.1 Swale Borough Council currently has 3 customer offices that operate at various times at Sittingbourne, Faversham and Sheppey. There is also a main telephone switchboard that operates normal working hours. Customers also have self-service options and can contact the Council through post or email (for some services).
- 2.2 Throughout the review of the Customer Experience Strategy, all available data were reviewed, including how many customers contacted us using each channel and how much it cost per contact. Local authority provision nationally and locally were also compared.
- 2.3 To ensure that all customer experiences were captured, feedback was sought from staff, shared building partners, elected members and the general public.
- 2.4 The contact received over the last two years from customers and national trends indicate that our customers' expectations are evolving rapidly. Customers are increasingly demanding faster, more personalised interactions and seamless experiences across digital channels. Customers are able to achieve faster, more personalised interactions received from many public body services. In response, the proposed strategy outlines a comprehensive approach to enhancing customer experience by leveraging digital innovation, streamlining service delivery, and aligning operations with emerging trends using real-time data.
- 2.5 A key component of this strategy involves addressing the needs of customers where support is needed while also improving the physical office experience. To achieve this, the new Customer Experience Strategy consolidates our physical footprint, while making existing offices more welcoming for our customers. Importantly, the strategy includes robust support measures for affected customers, such as enhanced digital access, targeted outreach, and alternative service options to ensure continuity and inclusivity. This decision is informed by usage data, customer feedback, and operational efficiency metrics, ensuring that resources are directed where they can deliver the greatest impact. By modernising our service model, we aim to create a more agile, responsive, and future-ready organisation that continues to meet—and exceed—customer expectations.
- 2.6 By consolidating services and investing in digital channels and targeted outreach, we can better meet rising expectations, deliver more efficient services, and achieve necessary cost savings. This approach ensures that resources are focused where they have the greatest impact, while maintaining support for those who may be digitally excluded or require face-to-face assistance.

3 Proposals

- 3.1 Introduce a new Customer Experience Strategy in place of the former Customer Access Strategy to match service delivery with trends in customer demands and resources.
- 3.2 To note the proposed action plan.
- 3.3 Delegate authority to the Director of Resources and Director of Regeneration and Neighbourhoods, to take relevant actions to facilitate the required transformation activities.

4 Alternative Options Considered and Rejected

- 4.1 The least favourable option of doing nothing and to continuing with the current strategy despite a reduction in resources in real terms was rejected due to financial constraints. Additionally, the trend in customer demands and how they interact with the Council cannot be met from the former strategy with the resources available.
- 4.2 Another option considered to provide a greater visible presence across our offices was to increase the opening hours. This would also allow residents to have more options to visit Council offices to get information and assistance in a friendly and professional environment. Residents also build a positive relationship with the Council through our face-to-face representatives. This option was also rejected as this would create even further financial strain. Further, the trends do not coincide with longer office opening hours.

5 Consultation Undertaken or Proposed

- 5.1 Elected members took part in an early engagement workshop to understand the challenges and opportunities that exist. Member input was used to shape the new proposed Customer Experience Strategy.
- 5.2 Officers from across the Council which included representatives from every department contributed towards the development of the proposed new strategy.
- 5.3 Shared buildings partners have also been consulted on their views, as shown in Appendix III. The Sheppey Gateway Steering Group were also further consulted for further information about the customer experience specifically at the Gateway.
- 5.4 There were also several presentations at Area Committees across where attendees were asked for their opinions on how the customer experience could be improved.

- 5.5 Members of the public were consulted regarding how the Council interacts with customers, as seen in Appendix IV. An Equality Impact Assessment (EIA) has been completed to show how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making, as seen in Appendix V.
- 5.6 All voluntary groups were contacted directly via the Swale CVS network to ensure that feedback was gathered from individuals across all protected characteristics—including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex, sexual orientation—as well as other socially excluded groups, helping to ensure representation reflective of Swale’s population.
- 5.7 The Customer Experience Strategy was developed in line with Swale Borough Council’s Policy Statement for carrying out public consultations and the Gunning principles.

6 Implications

Issue	Implications
Corporate Plan	<p>The agreed way forward will support several Corporate Plan objectives. These include ‘Running the Council’ by working within our resources, and delivering in a transparent and efficient way.</p> <p>There is also a link to the ‘Community’ objective through the work that will be undertaken with other public sector organisations and community groups to provide digital assistance to support people who find it difficult using online services.</p>
Financial, Resource and Property	Delivery of the work associated to the Customer Experience Strategy will be committed to from the existing delivery resources of the Community Service Team and Transformation budget. No, additional funding for projects outside of this area of work has been agreed.
Legal, Statutory and Procurement	None identified at this stage.
Crime and Disorder	<p>The Customer Experience Strategy sets out to improve reporting systems for issues like littering, flytipping, dog fouling, graffiti, abandoned vehicles or noise nuisance. Where our customers have confidence that our systems and processes work effectively, they are more likely to report problems which can then be addressed.</p> <p>Similarly, the Customer Experience Strategy embeds customer feedback and customer insights into the core of the strategy. Providing additional opportunities for customers to engage more, including on issues such as crime and disorder. This in turn affects decision-making, improve processes and make them more suitable for our customers.</p>

Environment and Climate/Ecological Emergency	<p>The Customer Experience Strategy links with the Digital Strategy (in development), to ensure that we are able to provide accessible information in digital form to our customers. This includes information on the Environment and Climate.</p> <p>Likewise, the Customer Experience Strategy sets out to improve reporting systems for issues like littering, flytipping or problems at our parks, open spaces or seafronts.</p>
Health and Wellbeing	<p>The Customer Experience Strategy is cross departmental, encompassing every department. A joint commitment to improving the customer experience, includes areas such as pest infestations in communities, unsafe housing, and pollution.</p>
Safeguarding of Children, Young People and Vulnerable Adults	<p>Within Swale there are particular challenges such as cost living and digital exclusion that may affect vulnerable adults more when trying to access services. As such the Customer Experience Strategy outlines support for those customers. We ensure that all partners we work with comply with safeguarding policies and we are delivering according to our own policies.</p>
Risk Management and Health and Safety	<p>There are no financial and legal risks associated with the delivery of the Customer Experience Strategy's aims. However, expert advice has been sought from the Head of Finance and the Head of Legal to confirm.</p> <p>There is a risk of reputational damage due to the changes resulting from the Customer Experience Strategy. Customers will be consulted on the proposed changes, efforts will be made to explain all decisions clearly.</p>
Equality and Diversity	<p>We recognise that public service provision should be inclusive and accessible. Therefore, where there are changes resulting from the Customer Experience Strategy that may impact particular groups more than others as identified in the Equalities Impact Assessment.</p>
Privacy and Data Protection	<p>To improve the customer experience, a cooperative approach is being taken to reduced excessive compartmentalisation. Nevertheless, there is a legal requirement to ensure customers' privacy and personal data abides to the General Data Protection Regulations (GDPR). As such, all improvements to the customer experience includes GDPR considerations.</p>

7 Appendices

Appendix I: Customer Experience Strategy

Appendix II: High Level Action Plan

Appendix III: Shared Buildings Partners Responses

8 Background Papers

None.

Customer Experience Strategy

November 2025

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Foreword

At Swale Borough Council, our ambition is to ensure that every resident, business, and visitor can easily access the services and support they need. This Customer Experience Strategy sets out how we will make our services more accessible, responsive, and inclusive so that everyone can engage with the council in ways that work best for them.

We recognise that our borough is diverse and dynamic, spanning both urban and rural communities with different needs and expectations. With a population of more than 159,000 people, we are proud of Swale's strong community spirit, natural beauty, and growing economy. However, we also face challenges, rising costs of living, increased demand for services, and the impacts of digital exclusion on some of our residents. These challenges require us to adapt how we work and to ensure that no one is left behind as we modernise our services.



Cllr Hannah Perkin

Committee Member for Community and Leisure
(Lead for Customer Experience)

Accessibility is at the heart of this strategy. We are committed to designing services that are easy to find, simple to use, and inclusive for all, whether accessed online, over the phone, or face to face. We want to make every customer interaction straightforward, fair, and consistent, while empowering residents to self-serve where possible and providing tailored support for those who need extra help.

This strategy builds on our [Corporate Plan \(2023–2027\)](#) and aligns with the council's strategic priorities across community, economy, environment, health and housing, and running the council efficiently. By improving accessibility and embracing technology responsibly, we aim to deliver high-quality services that reflect the values of integrity, fairness, and excellence.

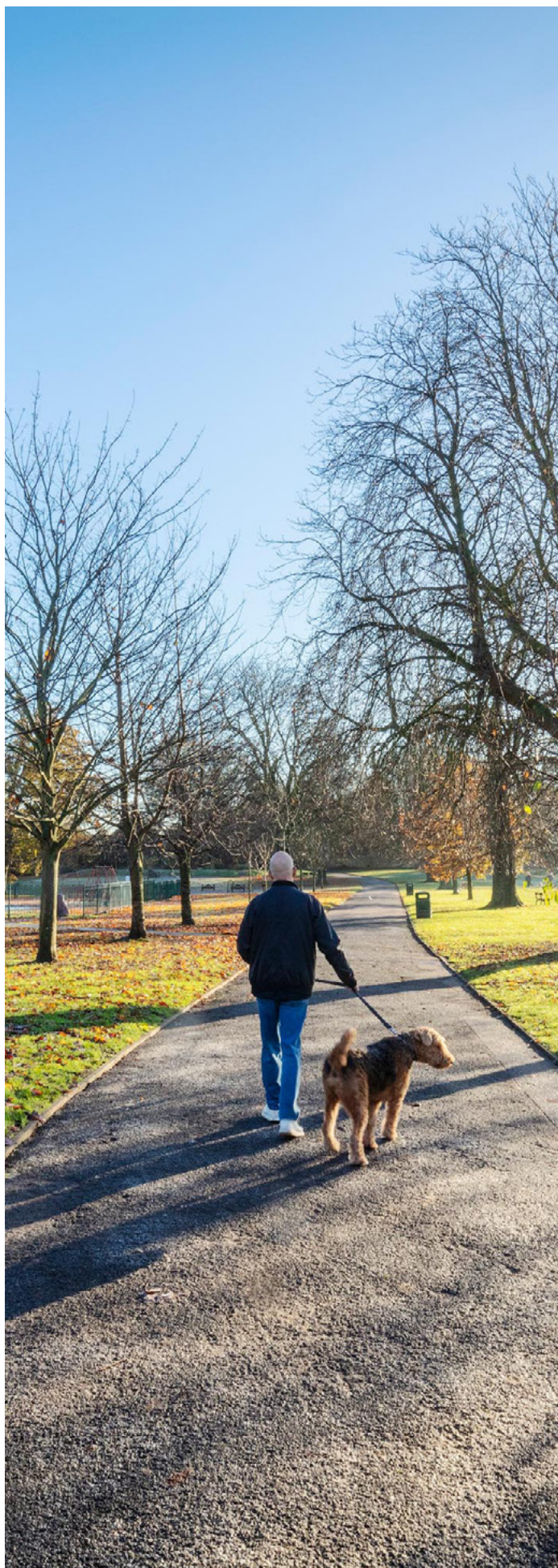
We know that great customer service starts with listening. We will continue to learn from our residents, businesses, and partners to ensure our services remain relevant and responsive to changing needs. Together, we can create a council that is open, accessible, and connected, a council that truly works for everyone in Swale.

National Context

Across England there are a wide range of local government services that are provided to local residents including; allotments, local planning, council housing, environmental health, markets and fairs, refuse collection and recycling, cemeteries and crematoria, leisure services, parks, education, social services, libraries and many more. As such, local government bodies need to ensure their customers are able to access the services they need. However, local government organisations face difficult challenges such as, delivering high-quality customer service to the general public while managing tight budgets and dated technology.

The Institute of Customer Service, produces an UK Customer Satisfaction Index (UKCSI) to provide an objective, independent perspective on the state of customer satisfaction in the UK across 13 sectors. In the July 2024 UKCSI, the results showed a further decline in average customer satisfaction in most sectors.

The overall fall in satisfaction in 2024 compared to the year before was relatively small, but across the UK economy, customer satisfaction is at its lowest level for several years.



Customer satisfaction by sector July 2023 – July 2024

	July 24	Jan 24	July 2023	Change from July 23 to July 24	Change from Jan 24 to July 24
Retail (Non-food)	80.4	80.4	80.8	-0.4	0.0
Retail (Food)	79.4	79.3	79.5	-0.1	0.1
Banks & Building Societies	79.3	79.4	80.0	-0.7	-0.1
Tourism	79.3	79.6	80.4	-1.1	-0.3
Leisure	79.0	79.3	80.0	-1.0	-0.3
Automotive	78.5	79.0	79.4	-0.9	-0.5
Insurance	77.5	77.9	78.7	-1.2	-0.4
Services	73.5	73.4	74.4	-0.9	0.1
Public Services (National)	73.3	73.6	74.3	-1.0	-0.3
Telecommunications & Media	73.3	74.7	75.4	-2.1	-1.4
Transport	71.5	71.7	71.9	-0.4	-0.2
Public Services (Local)	70.3	70.6	71.3	-1.0	-0.3
Utilities	69.8	69.5	69.5	0.3	0.3

▼ Fall of UKCSI score by between 1 and 1.4 points

▼ Fall of UKCSI score by more than 2 points

Figure 1: Customer satisfaction by sector July 2023 – July 2024

The Public Services (Local) segment includes, GP surgeries / health centres, Libraries, Housing Associations, Ambulance Services, Local Council, Fire Service and Police Service.

Customers expectations are always increasing, where they expect faster, more personalised interactions, and connected experiences across digital channels. With advances in cloud, mobile, social, and artificial intelligence technology, customers want to be able to access services at a time of their choosing, on any device.



Local Context

Swale is a north Kent district council spanning over 373.4 km² and encompasses a mix of urban and rural areas. Swale include towns such as Sittingbourne, Faversham, Queenborough and Sheerness. The borough is proud of its high-quality natural environment, which includes many protected areas of scientific significance and stunning natural beauty.

Swale has a growing population with more than 159,000 residents from different ethnic backgrounds, socio-economic levels, and with various disabilities.

The Council is projected to experience notable spending pressures in the upcoming years, further complicated by the uncertain nature of central government funding. The current Medium Term Financial Strategy points to a budget gap that needs to be addressed to balance the budget and handle the expected increase in future deficits. As the population grows, so does the demand for services also with higher expectations.

Why We Need a Customer Experience Strategy

This Customer Experience Strategy sets out how we intend to ensure that our customers have the best possible experience, benefiting from accessible and high-quality services.

To shape the outcomes of this strategy, we sought the views of our residents, we listened to our business partners, the voluntary sector, staff and our members.

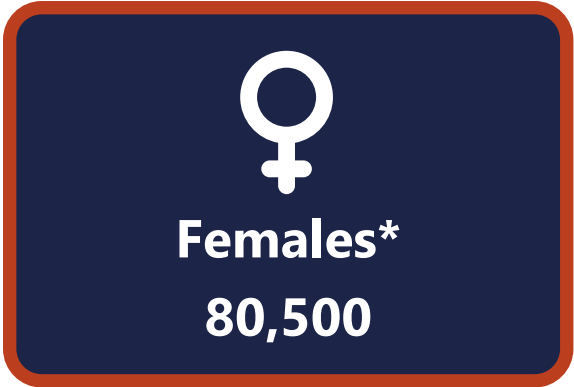
We went through an in-depth review of our former customer access strategy and found we need to change the way in which we engage with our customers. We want to focus on the best possible experiences for our customers. To improve the customer experience, we must change the culture, the technology we use and listen to our customers more.

The financial challenges that exist surrounding the council are likely to become even more severe due to rising inflation. The council as a result, faces higher costs, reduced funding and increasing demands. Therefore, we must meet the demands of our customers making best use of our available resources.

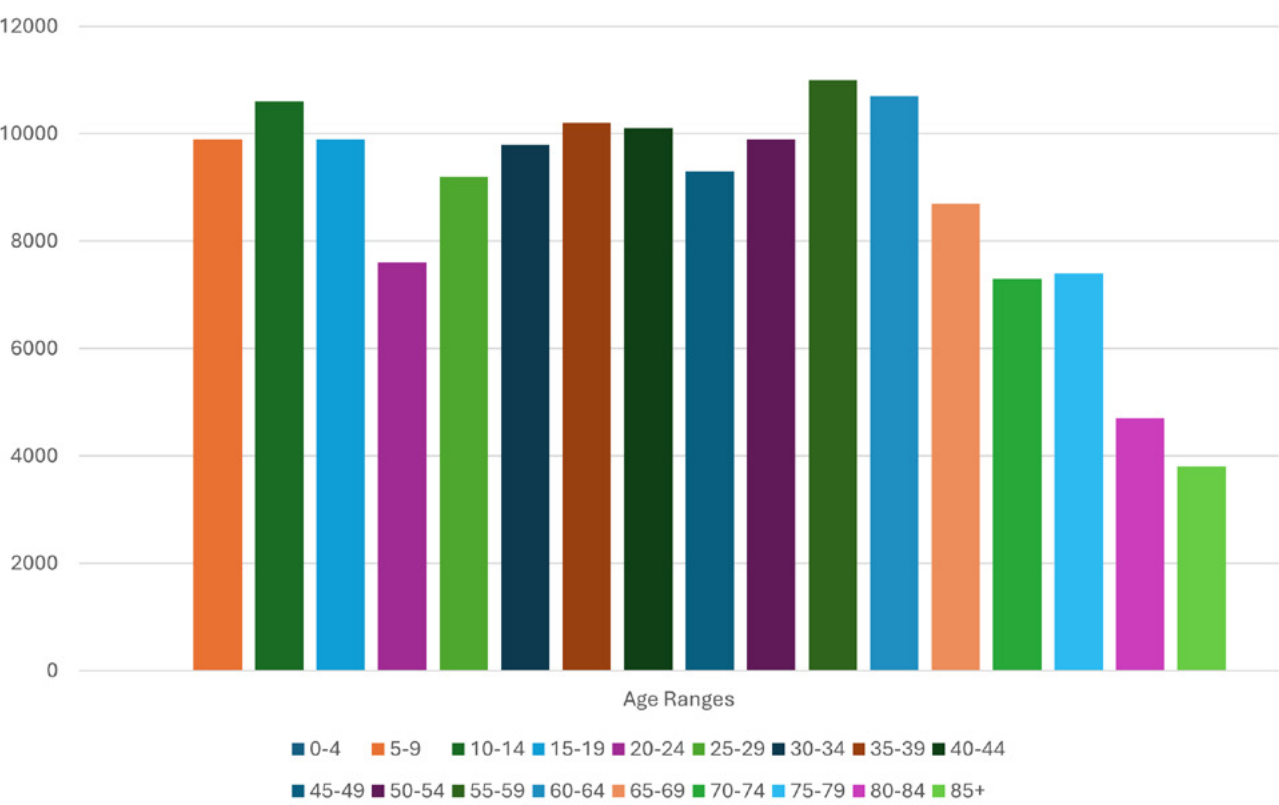
Although there are several challenges, we need to support our customers to self-help wherever possible and provide additional assistance to those who need it. This strategy outlines how this can be achieved.



Swale's Customers



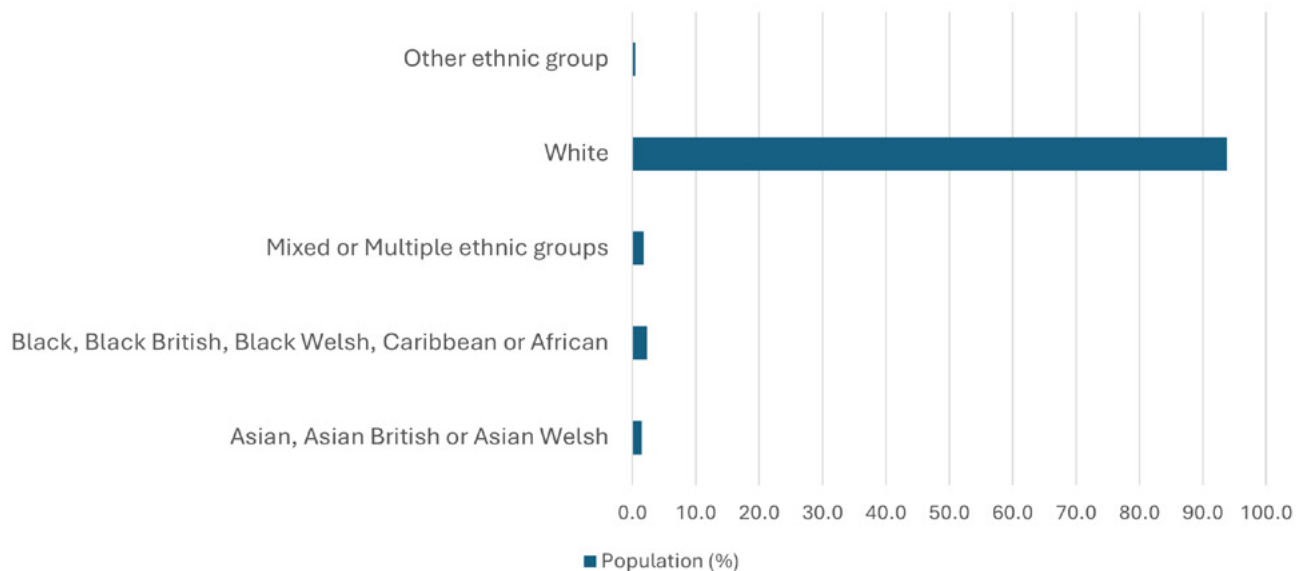
Swale Population



*Kent County Council interactive populations estimates toolkit

^ Source: DWP Presented by: Kent Analytics, Kent County Council

Population (%)



Our customers are anyone who needs to or chooses to communicate with us. This includes residents, visitors, businesses, partners, suppliers, community groups, staff, neighbouring authorities and government bodies. Everyone who lives, works, studies, visits, or conducts business in Swale Borough Council will use a council service in one way or another.

How Our Customers Engage With Us

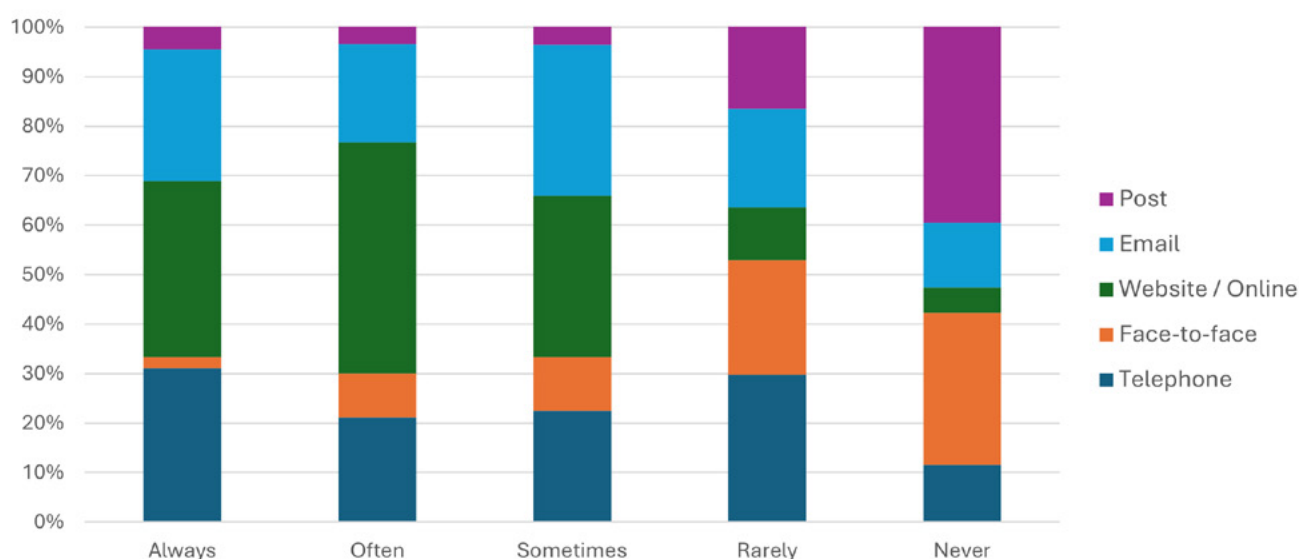


Contact to Our Customer Contact Centre in 2024 Calendar Year

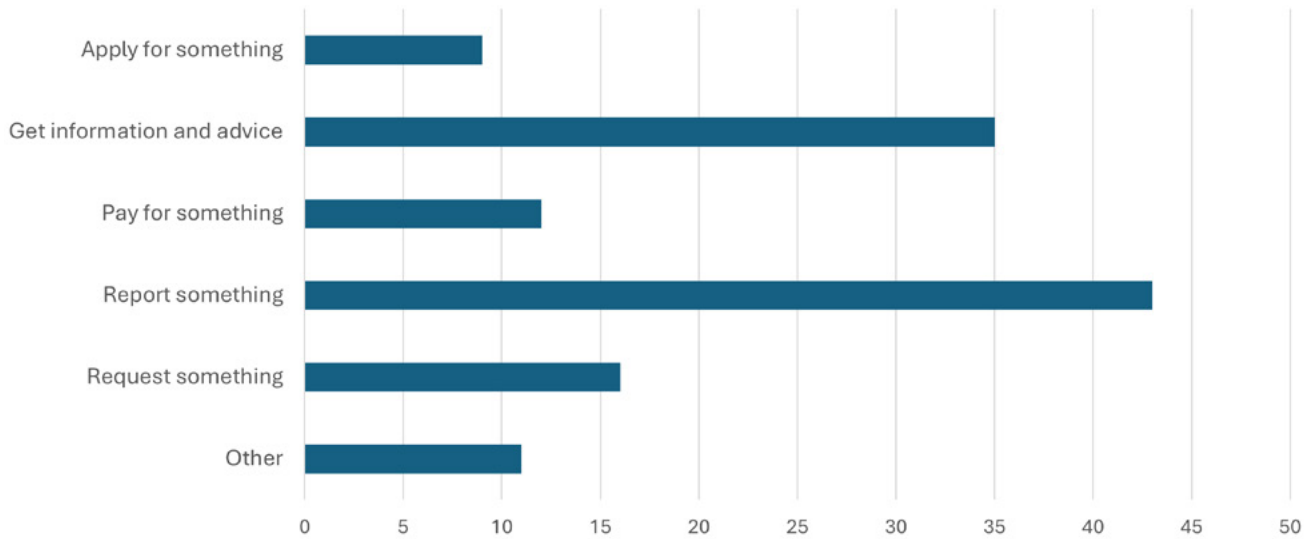
(this does not include contact directly to individuals or departments)

A recent survey of customers shows:

How often do you use the following methods to contact us for information or assistance?



Thinking about your most recent contact, what was the main reason why you were trying to make contact?



In recent years there has been a shift in contact volume across our phone, self-service, face-to-face and email channels. There has also been an increase in demand for council services. As our population and economy continues to grow, so will the volume of contact.

What Our Customers Tell Us

"Just got back from a lovely walk along the Leas Minster. A very clean and lovely promenade. Plenty of bins for rubbish, plenty of facilities for the keep fit fanatics and all kept in a clean and good working order. Thank you for a lovely area "

"Faster response from teams in your service"

"Hi just a little note to say how lovely lwade cemetery is looking. I visit mum twice a week and I must say the gardeners have done an amazing job over the last few weeks tidying up and planting bits. Even with the bad weather we have had of late it all looks beautiful. So many complain but rarely praise thank you for all their hard work."

"When you take a query get back to the person I've made 3 calls and 2 emails and been told people will get back to me and they don't."

"Thank you xxx for your support in helping me to find a new home & for your help during my time of crisis when homeless, you & your team at Swale council provide an amazing service to the community, without having to call on the need to be housed before I would never have imagined just how much dedication to provide these services is available. Thank you again to you and your team."

"Better website."

"I would like to compliment xxxx and say a huge thank you for all his help he has been absolutely fantastic and can't say thank you enough he has been there all the way with me he has listened and given me excellent advice and helped me through not so good times again many many thanks."

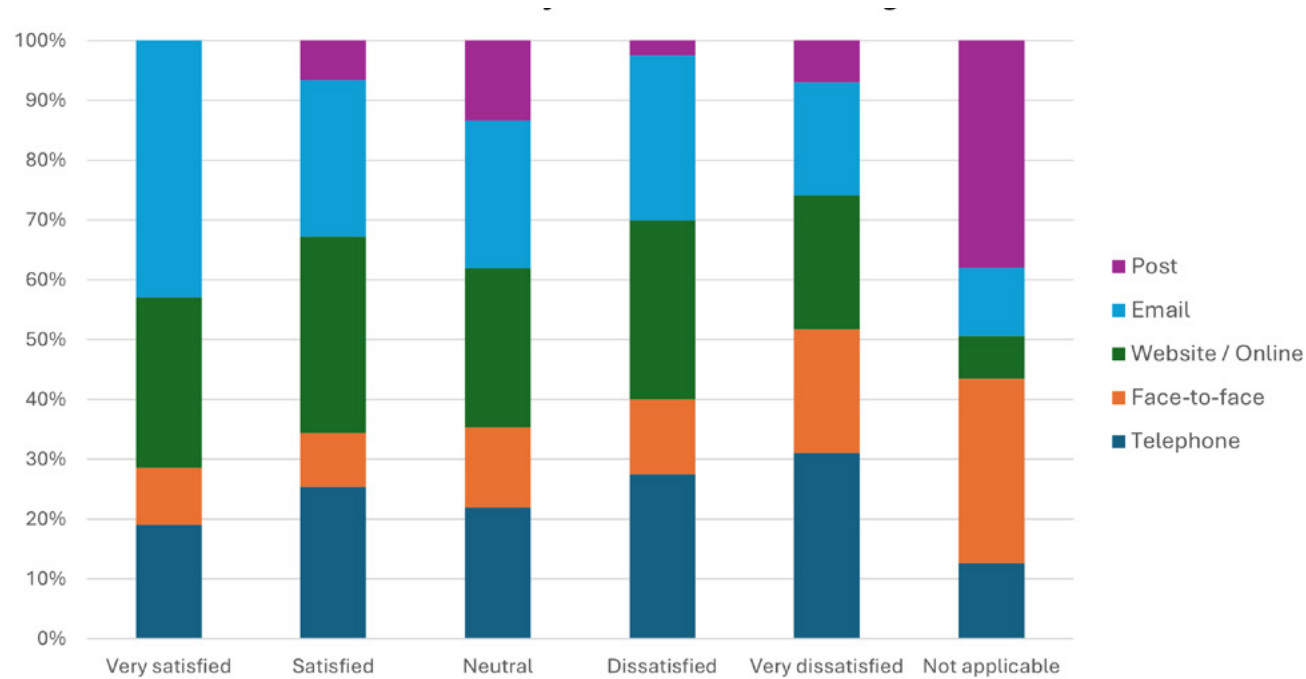
"Online chat would be amazing. Call back service would be great. Some kind of sms service where you can just text."

"I wanted to say thank you again for all of your help with our event, we greatly appreciate your encouraging attitude, your trust in us, and your generosity with the place and your time. On the day of the event, it became even more clear to us how important this park is to the community, and how much your work makes that possible. "

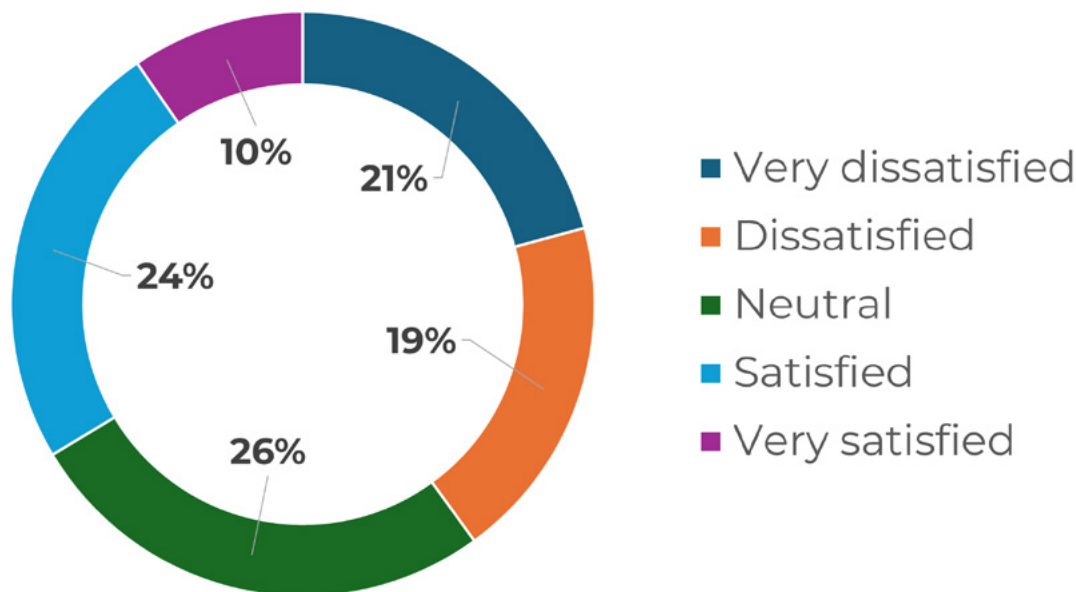
"Being able to communicate directly with whoever is responsible for a particular issue. "

In a recent survey, our customers told us:

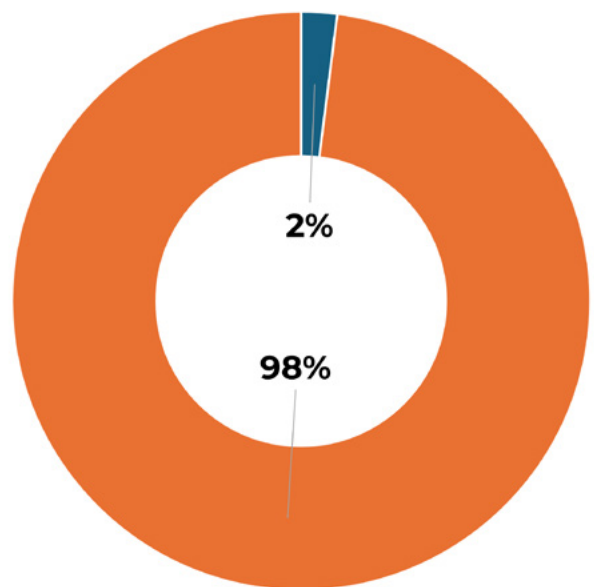
How satisfied are you with the following methods?



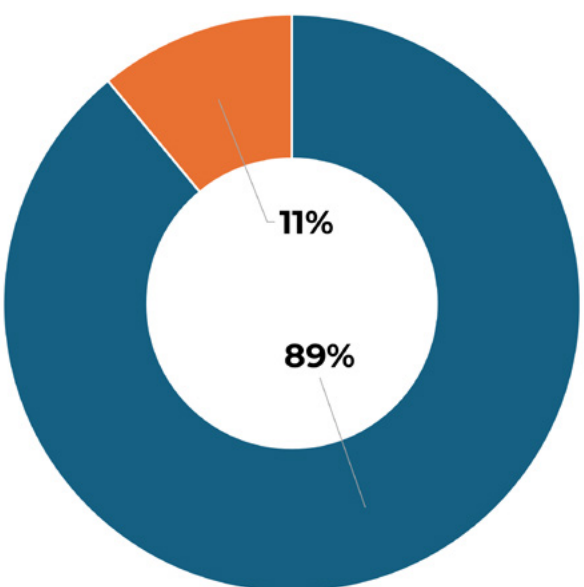
Thinking about your most recent contact, overall, how satisfied or dissatisfied were you with the experience provided by Swale Borough Council?



Do you have access to or are capable of the following?



- The internet, computer or mobile device
- Not both



- Using digital services confidently and using the self-service options on the Swale Borough Council website
- Not both



92% of people who visited the Swale Borough Council website found it useful

Current Challenges and Opportunities for Change

Cost of Living

The cost of living crisis has placed a significant financial strain on UK households, with many struggling to make ends meet. Rising prices for essentials such as food, energy, and fuel have led to increased monthly expenses, leaving less disposable income for other needs.

During this time of significant financial strain, we must provide additional support to those facing financial difficulties while ensuring we offer value for money to council taxpayers. Therefore, we are exploring various flexible and cost-effective methods to deliver services.

Increased demand for services

Across the UK, councils are facing a greater demand for services without any increase in funding. In addition to this, customers expect to receive flexible and more personalised services which they can access 24 hours a day, seven days a week.

Adapting to the needs of our customers requires managing the demand in a way that makes the best use of limited resources in order to improve the customer experience. A pragmatic approach is required, which allows customers to contact us using the most cost-effective ways where appropriate while allowing the council to focus on more complex cases where greater support is required.

Digital exclusion

There are more digitally excluded populations in Swale compared to the Kent average. Factors that affect digital exclusion in Swale include, lack of access to the internet at home, access to equipment and the inability to effectively use, digital technology and online services. Customers who are digitally excluded are unable to appropriately access our self-service information and services online. Those who are more likely to be digitally excluded are mature and older people and those of working age on low incomes.

We need to find ways to help these customers by providing equipment, access and/or support to ensure everyone has the same access and consistent service when contacting us. Improve our customers' digital literacy to aid those who are isolated as well as improve employability skills.

Deprivation

The Indices of Deprivation (IoD2019) are tools used to measure relative levels of deprivation in neighbourhoods or small areas. They rank areas based on income deprivation, employment deprivation, education, skills and training deprivation, health deprivation and disability, crime, barriers to housing and services and living environment deprivation. Swale has the second highest amount of deprived neighbourhoods or small areas in Kent.

As outlined in the Empowering You in Swale Strategy, we are committed to improve the lives of residents in the borough and tackle inequalities. As such, we are taking a community development approach, bringing people together to take collective action and work on solutions to reduce inequalities and support Swales communities to thrive and be more sustainable for the future.

Equality of Access

All individuals, regardless of their background or identity, should have the same opportunities to participate in all aspects of society, including education, employment, and public services.

The diversity of our communities requires us to proactively adjust in order to ensure everyone can contribute to and benefit from the public sector. This means understanding the barriers individuals may experience when trying to access services.

Understanding Customer Expectations

Our customers' voices are important to our operations. By understanding our customer experiences, we can better understand their needs, preferences, and expectations. In public services, customer expectations are generally centred around efficient, reliable, and accessible service delivery, with a strong emphasis on fairness, transparency, and responsiveness.

We want our customers to expect to be treated with respect and dignity, and to feel that their needs and concerns are being addressed effectively. We need to be able to capture customer comments and feedback through a variety of channels. With insights data we can make the best use of the information about customer contact in a timely way, by tailoring our services effectively to meet our customers' requirements.

Operational Data and Technology

By the nature of the services provided by local authorities, there is a vast array of systems needed to function operational. Additionally, the customers who contact us must have confidence that our systems are well maintained, that their data is secure and without the need to repeat information to multiple Officers and/or systems.

Local authorities generate huge quantities of data across a variety of back-office systems. Data held in silos in back-office systems that do not speak to each other ensures security, often at the detriment of customer experience. Furthermore, further inefficiencies are created when officers are unable to effectively serve our customers because of the technology available to them is outdated or restricting.

Making a conscious decision to ensure our customers experience the best possible services requires that we improve our systems, processes and subsequently understand the information available to us.

For instance, by determining the unique requirements and preferences of our community, it enables us to provide services that are more effective and focused on areas where they can make the most difference. We can also reduce officer time in front-office and back-office procedures by utilising data. In addition, we can increase productivity and free up employees to work on more difficult and valuable jobs by automating repetitive chores and simplifying operations.

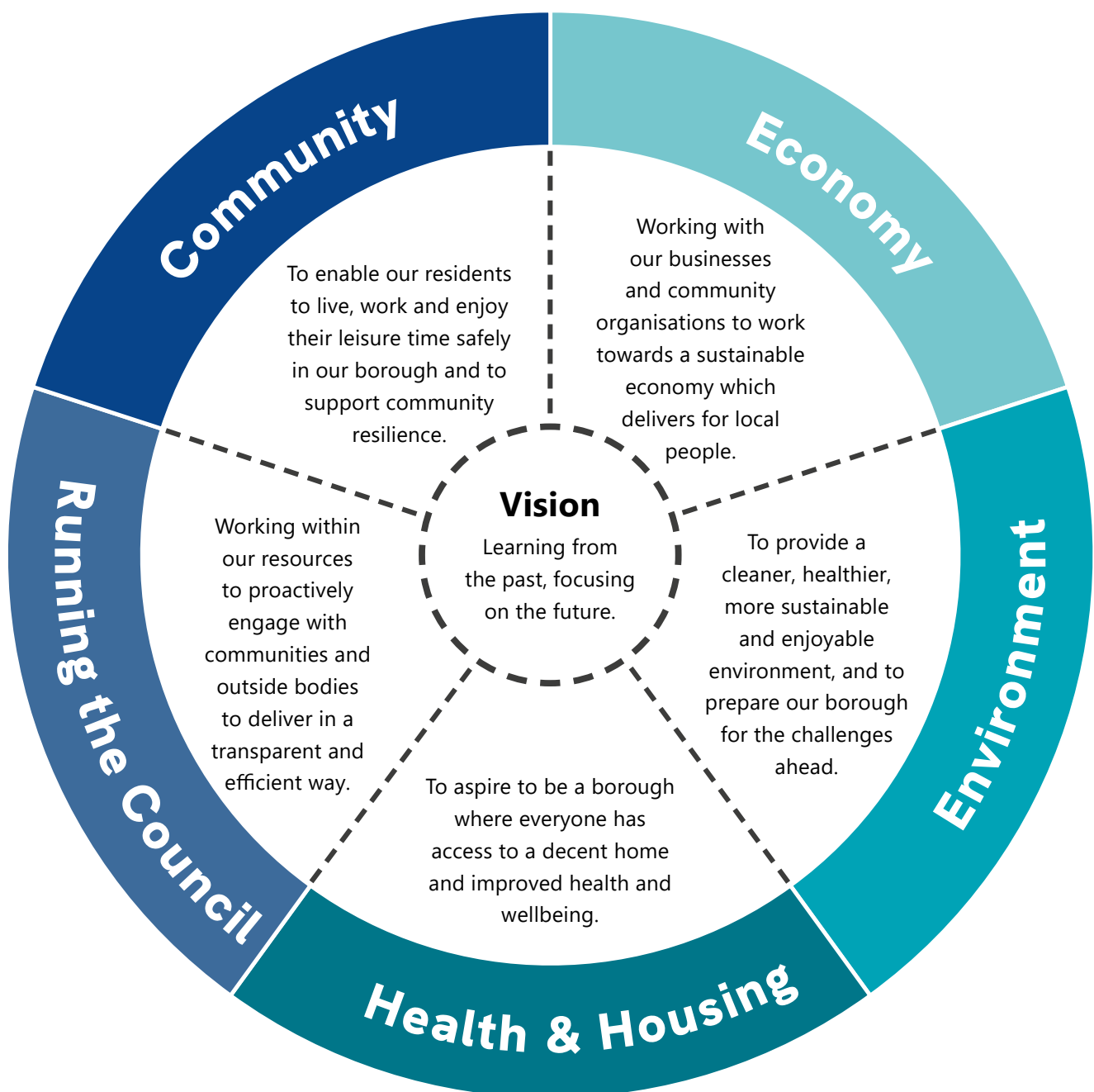
Strategic Priorities

Swale – Learning from the past, focusing on the future

Council - Corporate Plan ([swale.gov.uk](https://www.swale.gov.uk))

The Corporate Plan sets out the council's ambitions and priorities up to 2027. The customer experience strategy links in with the overarching priorities of the Corporate Plan to ensure that we are delivering the best for our communities and consistently linking service delivery to overall priorities.

Figure 2: Swale Borough Council's corporate plan 2023-2027



Our Vision

We are committed to ensuring all our customers who interact with us will have a positive experience at each stage of the journey, irrespective of their channel of choice when they contact us.

We will ensure our culture is customer centric and that our people, systems and processes facilitate the best experience possible. This means developing and inspiring confidence in our digital services and working collaboratively internally, with other agencies and in partnership with our voluntary and community services to make sure our services are accessible to all.

Our consumers who can self-serve will be encouraged to do so, since information and services will be available 24 hours a day, seven days a week, using a more innovative service delivery method to fulfil expectations. While our move vulnerable customers who are less confident in using self-serve, do not have access to technology, will still be able to contact us using other channels.



Customer Experience Promise

We want all our customers to have clear expectations of what they can expect of us. There are significant financial constraints to deliver value for money and the need to be flexible in our approach as technology, legislation and our demographics change.

Our five key customer experience promises have been developed following engagement with our customers and are designed to help us deliver our vision.

We are committed to ensuring all our customers who interact with us will have a positive experience at each stage of the journey, irrespective of their channel of choice when they contact us.



Simplicity



High Standards



Listen & Learn



Support for Vulnerable



Accountability & Respect



1) Simplicity

Our customers are assured that they know what to expect from our services and by making our self-service customer experience so good from beginning to end that our customers prefer to use them.

2) Listen & learn

Be proactive and work together across departments to resolve issues and improve services. Welcome feedback from our customers, offer opportunities to provide feedback and keep track of our performance, to improve how we do things.

3) Accountability & Respect

Being open and honest with our customers about what we can and cannot do and responsibly deliver services in a way which provides value for money. Also being transparent about our process and ensure no customers are discriminated against.

4) High Standards

To create a culture focused around the customer experience. Ensure staff are trained to be caring and emphatic in our interactions. Provide clear and easy to understand information that is up to date and promote the advantages of self service.

5) Support for vulnerable

Recognise specific requirements our customers may have and address any barriers to accessing information and services.

How We Will Achieve This

To support our customer experience promise we will deliver an action plan. Our outlined action plan has been developed under three outcomes and objectives. These outcomes are all interlinked although presented separately.

Streamline Interactions

Objective:

Make interactions straightforward and user-friendly.

Actions:

- Ensure customers are informed of what to expect at every stage through communication that is clear, up to date, accurate and timely.
- Continuing to increase the range of services available through self-service, giving our customers the option to choose the most convenient for them 24/7.
- Make our channels easy to use and understand by making use of the best possible technology. Also to explore alternative technologies such as chat and further automation.
- Transform our customer service model with the customer in mind to reduce demand and focus on resolving issues at first point of contact to meet expectations.

Gather Insights and Adapt

Objective:

Understand and respond to customer feedback.

Actions:

- Introduce an approach to gather and track customer feedback consistently.
- Regularly review performance metrics and customer satisfaction levels.
- Routinely use data to identify trends, so we can improve processes and make them more suitable for our customers.
- Ensure customers are involved in the development of and redesign of our services.

Uphold Integrity and Excellence

Objective:

Ensure fairness, respect, and high-quality service while supporting those in need.

Actions:

- A council wide commitment to deliver the Customer Experience Promise and a consistent customer experience across all departments where we encourage a culture of responsibility and taking ownership.
- Ensure services are easily accessible, inclusive and address diverse equality needs.
- All staff have the knowledge and skills (including digital skills) to deliver an excellent customer experience through continuous training and quality assurance.
- To provide targeted support and resources to the digitally excluded and most vulnerable members of the community to make sure that all customers can access our self- service channels. Also by working alongside other public sector organisations and community groups to provide digital assistance to support people who find it difficult to get online.
- Transform the work of our customer

facing and back-office teams, reducing their administrative tasks and focusing them on providing more customer centric services. This will allow staff to focus on complex enquiries through other channels where self-service may not be appropriate.

How We Will Know We Are Getting Things Right

This customer experience strategy sets out how we intend to ensure that our customers have the best possible experience, benefiting from accessible and high-quality services.

To ensure that our priorities remain current, relevant and valid we will regularly review and refresh this document. We will also listen and learn from our residents, businesses and partners to keep improving our services.

To measure the success of this customer experience strategy, we developed operational measures of success to monitor, manage and improve customer interactions and satisfaction levels. These operational measures determine the success of the work that we are undertaking as part of the customer experience strategy.

Our Customers Will

- Give more positive feedback about their experiences interactions with us
- Have their requests dealt with reliably, where service standards are being met
- Use self-service more confidently through its reliability and ease of use

Our staff will

- Tell us in our staff survey that they feel supported to do their job
- Have fewer manual workarounds due to simpler processes
- Be able to help customers more quickly, without customers being misdirected

The Data Will Show

- Increase the number of customer requests within agreed timescales
- Increase the number of complaint responses responded within agreed timescales
- Reduced cost per interaction, through increased use of self service.

Alternative formats

If you require this document in an alternative format, e.g. easy read, large text, audio, Braille, or a community language, please get in touch.

Action Plan



Swale Borough Council's Customer Experience Strategy 2025 – 2029

Appendix II

Goal	Action Items	Priority	Lead	Due Date
Streamline Interactions	Ensure customers are informed of what to expect at every stage through communication that is clear, up to date, accurate and timely	Medium	Lisa Fillery	Q2 2027
	Continuing to increase the range of services available through self-service, giving our customers the option to choose the most convenient for them 24/7	High	Lisa Fillery	Q1 2027
	Make our channels easy to use and understand by making use of the best possible technology	Low	Lisa Fillery	Q3 2026
	Transform our customer service model with the customer in mind to reduce demand and focus on resolving issues at first point of contact to meet expectations	High	Emma Wiggins	Q2 2026

Goal	Action Items	Priority	Lead	Due Date
Gather Insights and Adapt	Introduce an approach to gather and track customer feedback consistently	Medium	Lisa Fillery	Q2 2027
	Regularly review performance metrics and customer satisfaction levels	High	Lisa Fillery	Q1 2026
	Routinely use data to identify trends, so we can improve processes and make them more suitable for our customers	Medium	Emma Wiggins	Q1 2026
	Ensure customers are involved in the development of and redesign of our service	Low	Emma Wiggins	Q3 2027

Goal	Action Items	Priority	Lead	Due Date
Uphold Integrity and Excellence Page 179	A council wide commitment to deliver the Customer Experience Promise and a consistent customer experience across all departments where we encourage a culture of responsibility and taking ownership	High	Lisa Fillery	Q3 2027
	Ensure services are easily accessible, inclusive and address diverse equality needs	Medium	Lisa Fillery	Q4 2027
	All staff have the knowledge and skills (including digital skills) to deliver an excellent customer experience through continuous training and quality assurance	High	Emma Wiggins	Q3 2026
	To provide targeted support and resources to the digitally excluded and most vulnerable members of the community to make sure that all customers can access our self- service channels	High	Emma Wiggins	Q2 2026
	Transform the work of our customer facing and back-office teams, reducing their administrative tasks and focusing them on providing more customer centric services	High	Lisa Fillery	Q4 2027

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Customer Access Strategy Survey

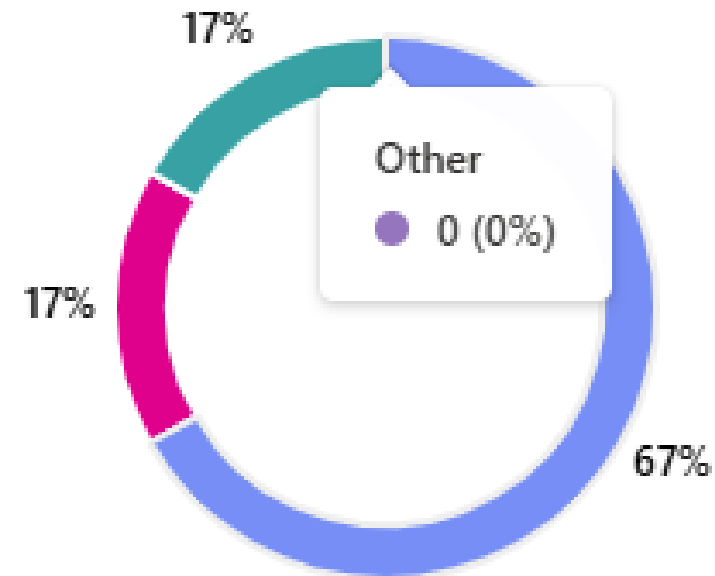
From shared facilities partners

Which building do you share with Swale Borough Council?



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Swale House	4
The Gateway	1
Alexander Centre	1
Other	0



How would you rate the overall customer/visitor experience?

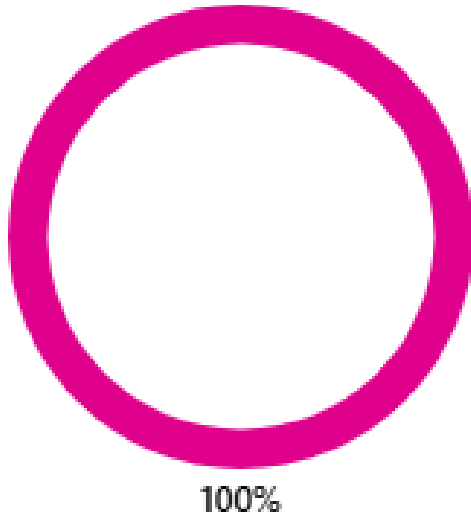
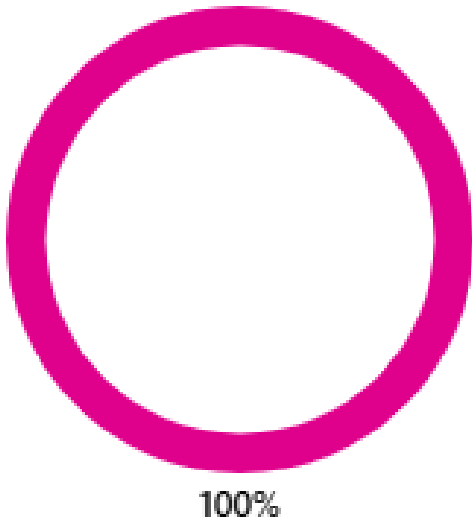
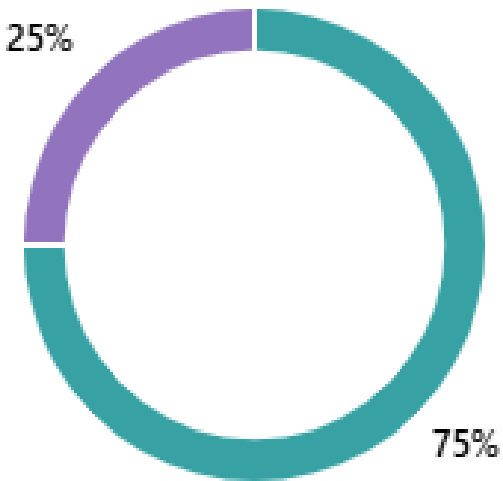


Swale House	Alexander Centre	The Gateway
-------------	------------------	-------------

Excellent	0
Good	0
Fair	3
Poor	1

Excellent	0
Good	1
Fair	0
Poor	0

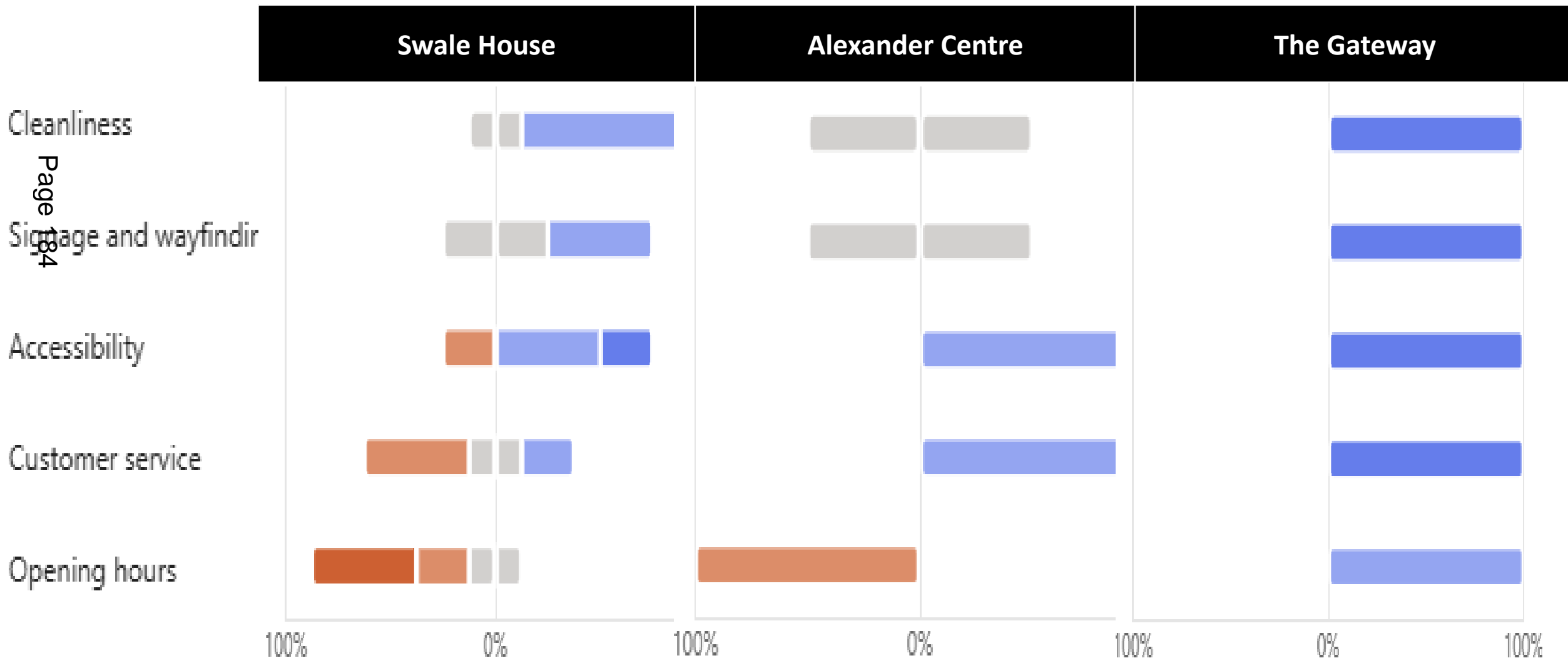
Excellent	0
Good	1
Fair	0
Poor	0



Rate the following aspects of the customer/visitor experience?



● Poor
 ● Somewhat Poor
 ● Neither Good or Poor
 ● Good
 ● Excellent

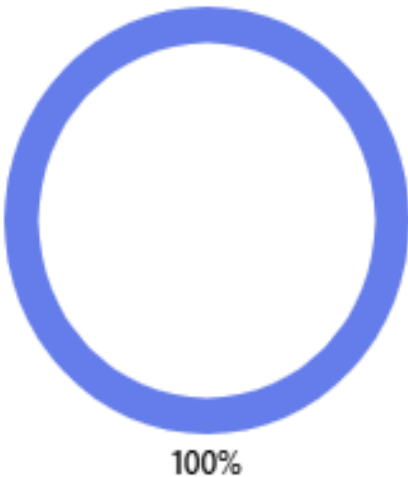
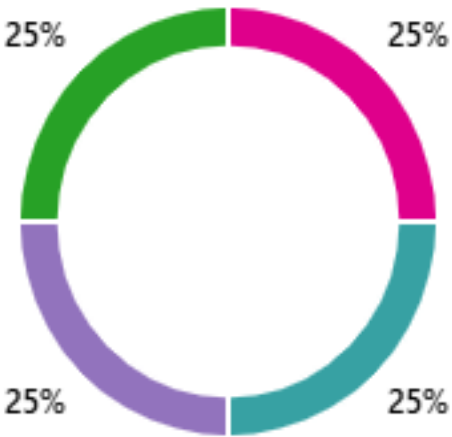


How effective are the current management arrangements for addressing customer/visitor issues?



Swale House	Alexander Centre	The Gateway
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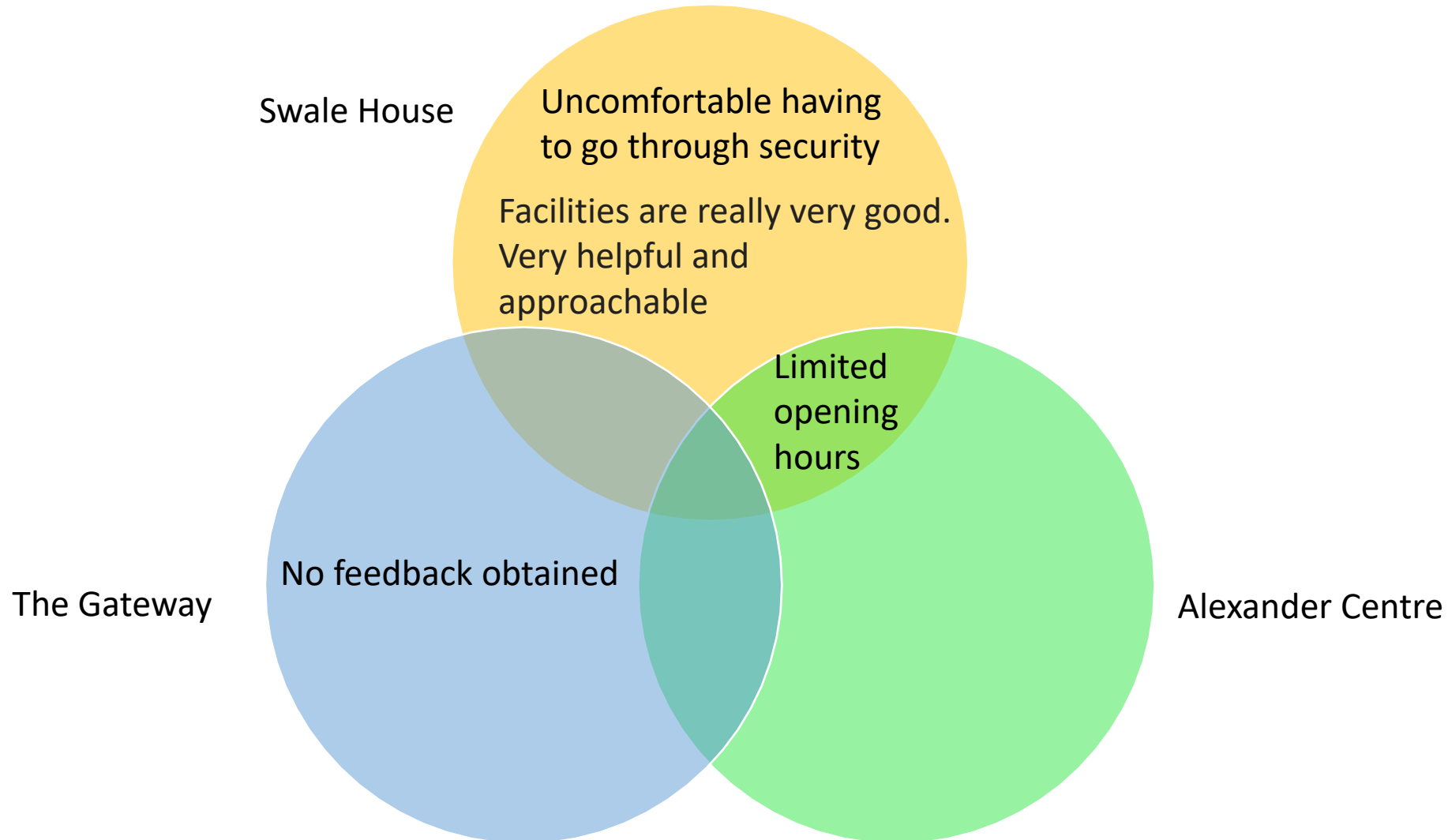
Very effective	0	Very effective	0	Very effective	1
Somewhat effective	1	Somewhat effective	0	Somewhat effective	0
Neither effective nor ineffective	1	Neither effective nor ineffective	1	Neither effective nor ineffective	0
Somewhat ineffective	1	Somewhat ineffective	0	Somewhat ineffective	0
Very ineffective	1	Very ineffective	0	Very ineffective	0



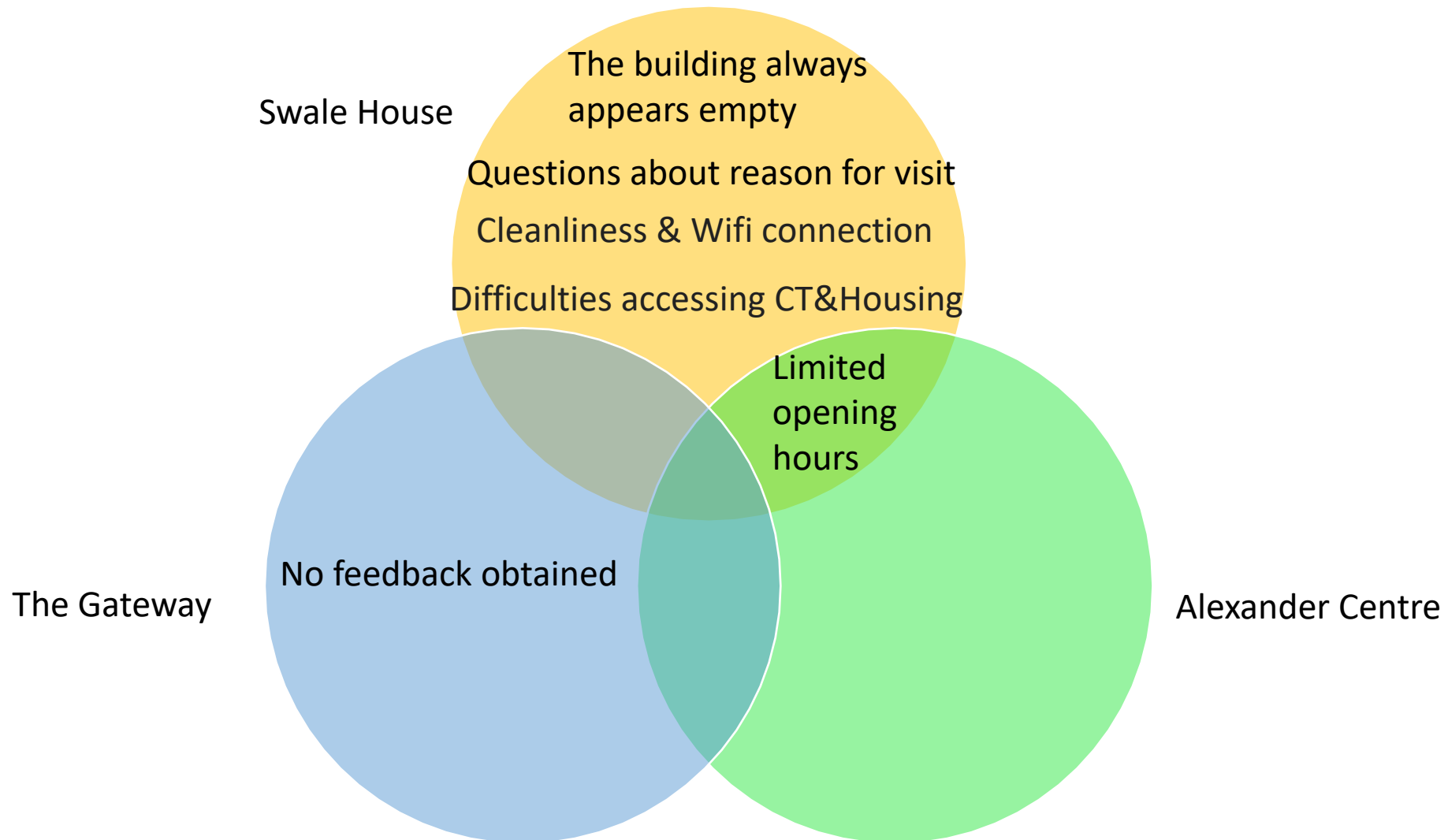
What feedback have you received from your customers about their experience in our shared building?



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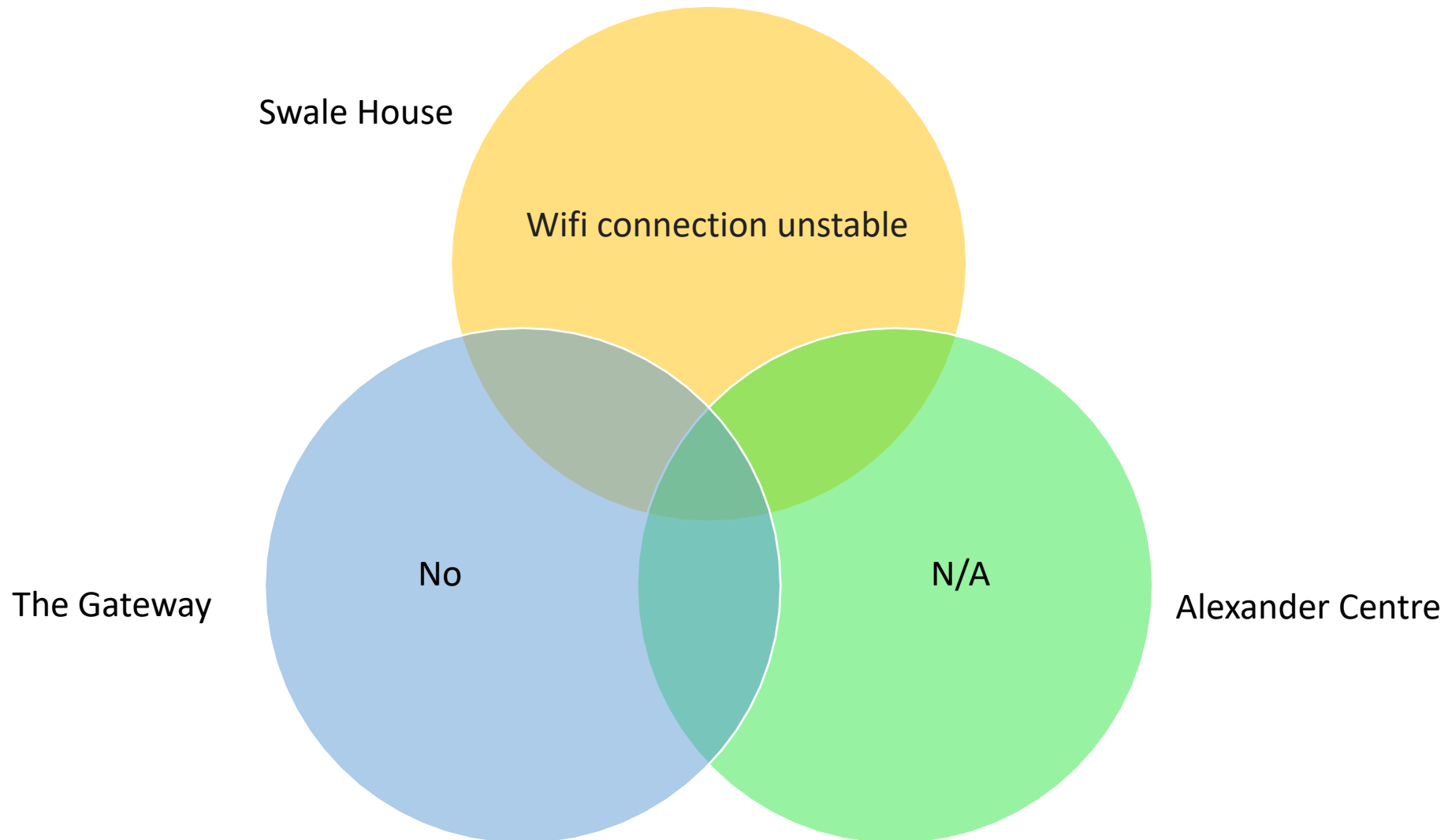
What are the most common complaints or issues raised by customers in our building?



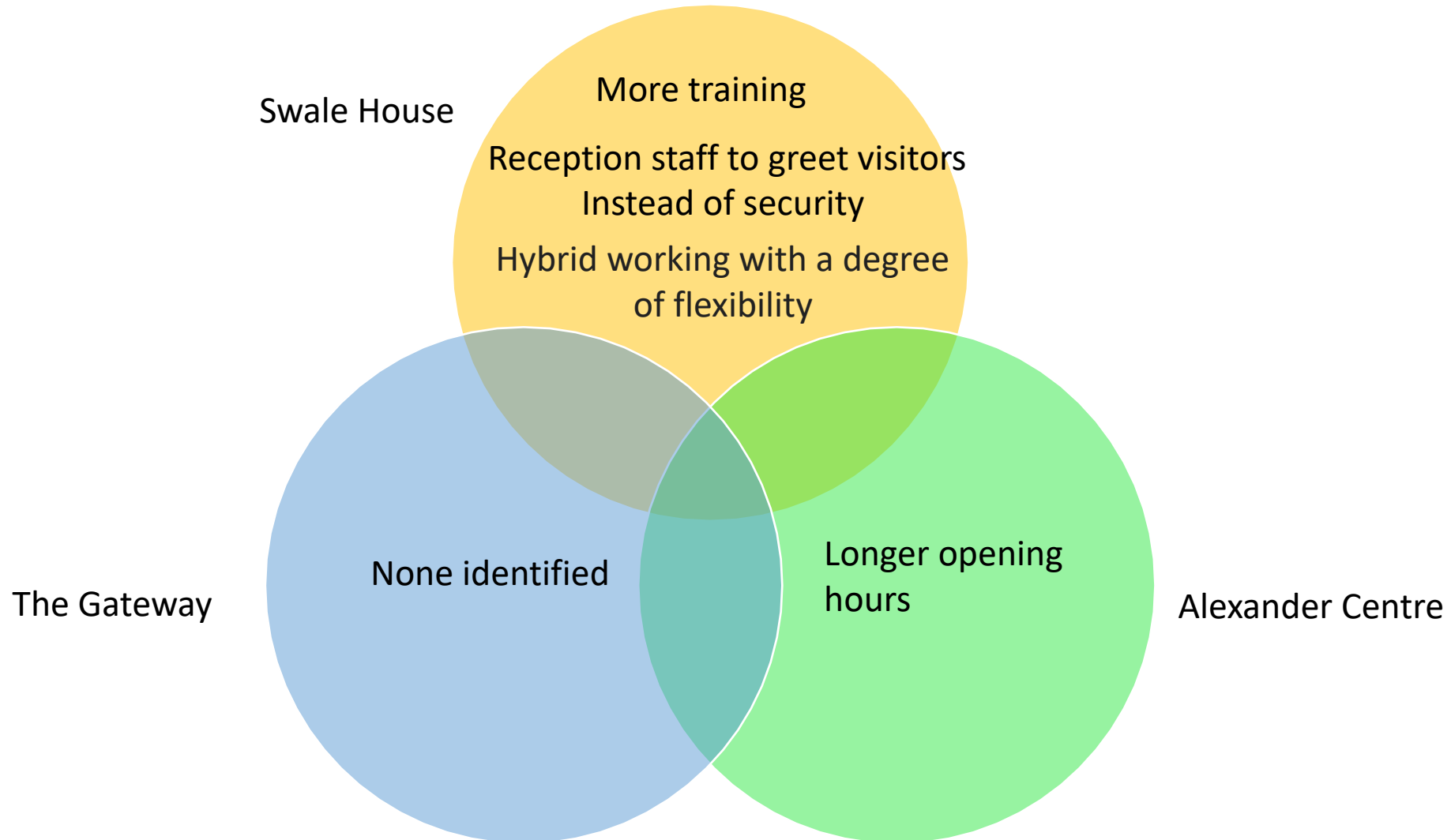
Are there any specific facilities or amenities that you believe are lacking in the building?



Page 188



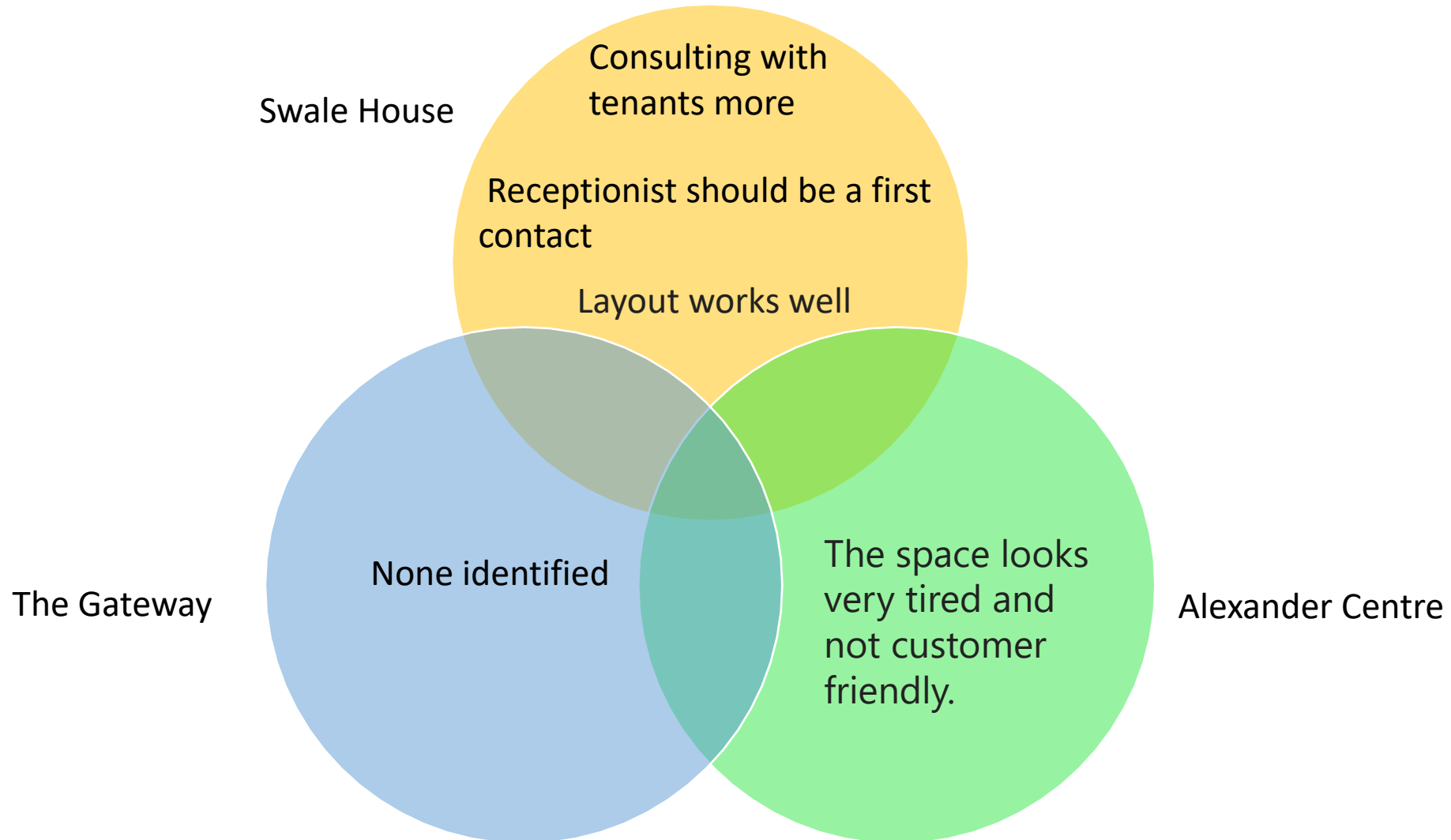
How can we better support staff to enhance the customer experience?



What improvements would you suggest for the layout and design of our shared spaces to better serve customers?



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Customer Experience Survey Responses Report



Introduction 3

Survey Questions and Responses Q1 – Q2 4

Survey Questions and Responses Q3 – Q4 5

Survey Questions and Responses Q5 – Q6 6

Survey Questions and Responses Q7 – Q8 7

Survey Questions and Responses Q9 – Q10..... 8

Survey Questions and Responses Q11 – Q12 9

Survey Questions and Responses Q13 – Q14 10

Survey Questions and Responses Q15 – Q1611

Survey Questions and Responses Q17 12

Sample of responses13

Swale Borough Council receives hundreds of thousands of contacts every year from various customers. As part of the customer access strategy review, the experience of customers were sought, whether they contact the council to report issues, apply for something, get information, pay for a service, or ask for help.

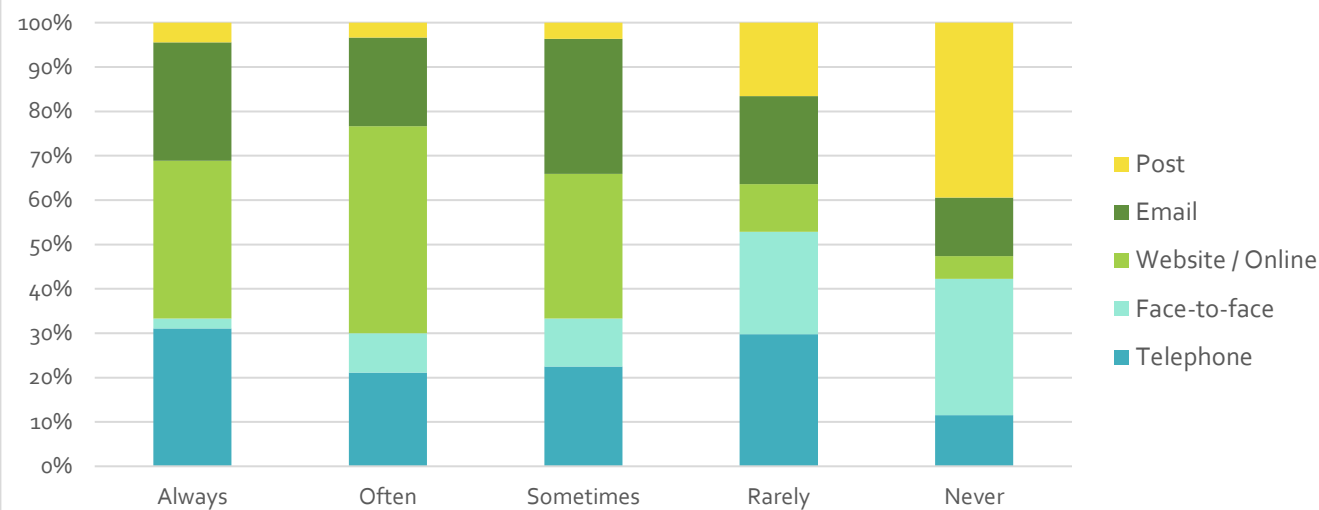
The customer experience survey was open to swale residents, as well as their family members, carers and advocates, and everyone was encouraged to share their honest feedback and experiences.

Responses were collected between 05 May 2025 and 16 June 2025. The survey was published on the Swale website, on Swale's social media accounts and newsletters. There were also posters at Swale House, The Alexander Centre, Swallows Leisure Centre and Sheppey Leisure Complex. Residents who wanted paper copies or needed assistance with the form were supported by Swale Community and Voluntary Services as advertised.

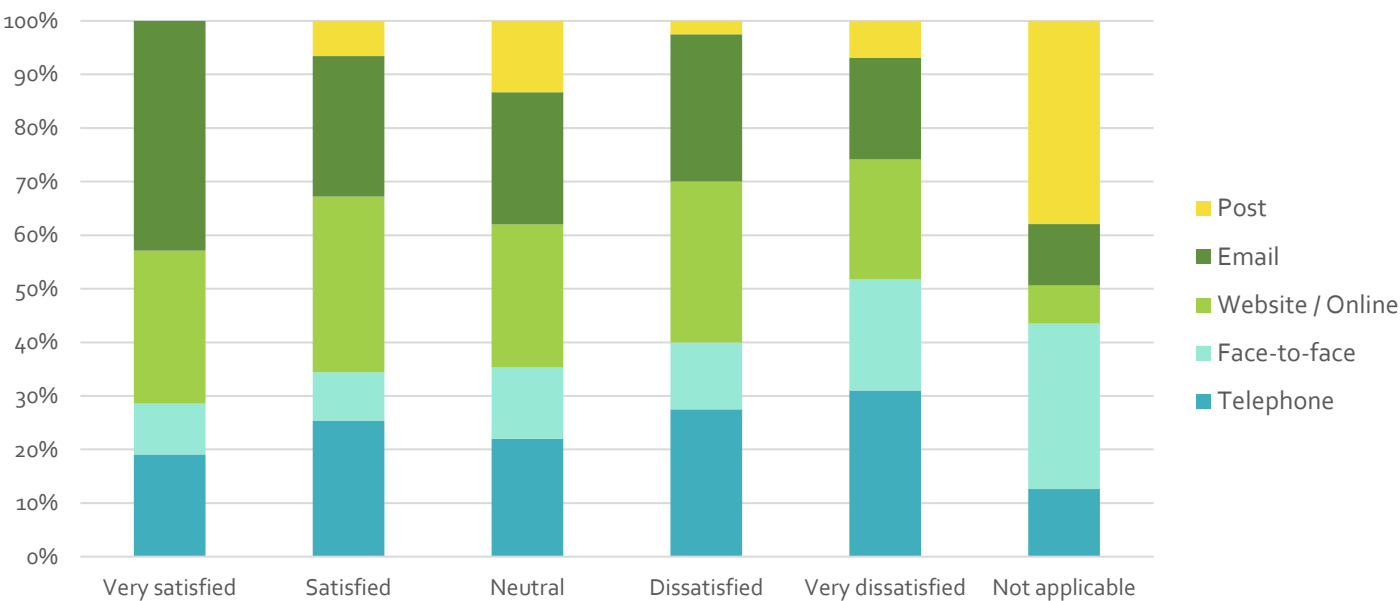
A total of 129 residents took part in the survey (104 of which were submitted online).

Survey Questions and Responses Q1 – Q2

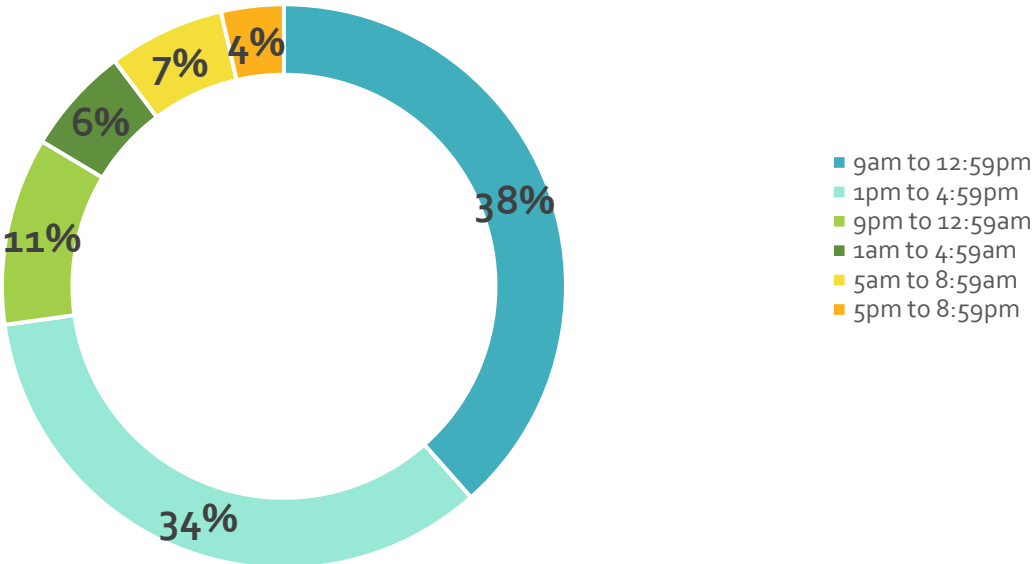
1. How often do you use the following methods to contact us for information or assistance?



2. How satisfied are you with the following methods?



3. What time is the most convenient for you to contact us for information or assistance?



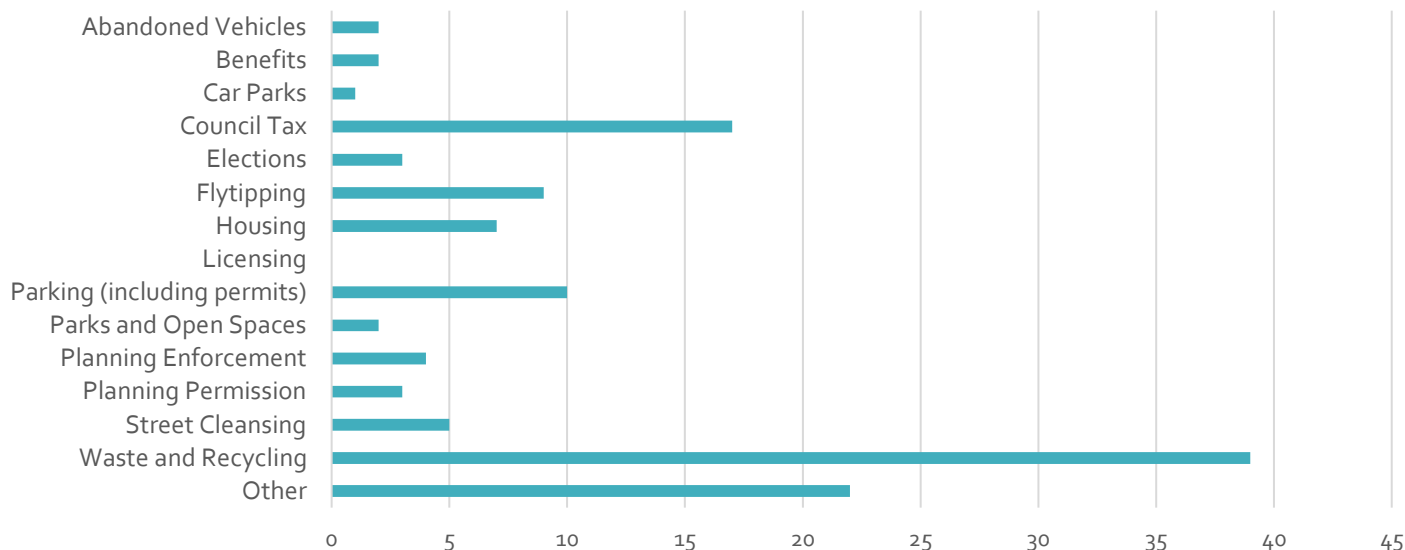
4. What additional solutions would you like us to offer if any? (Please specify)



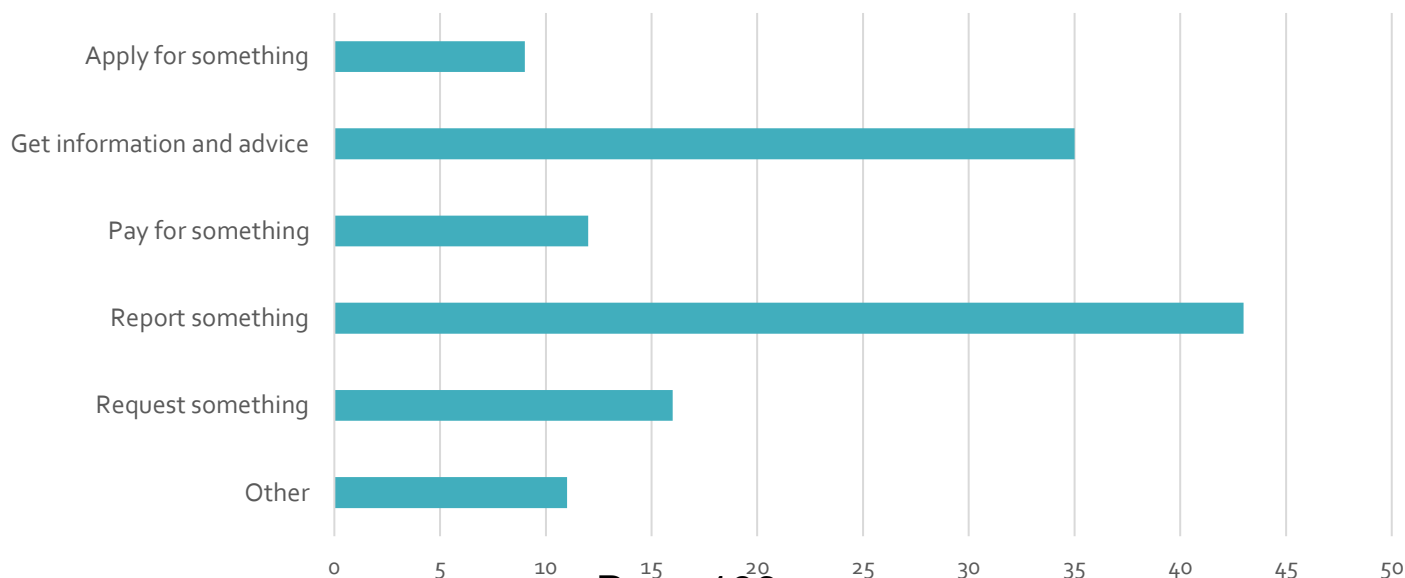
Survey Questions and Responses Q5 – Q6

6

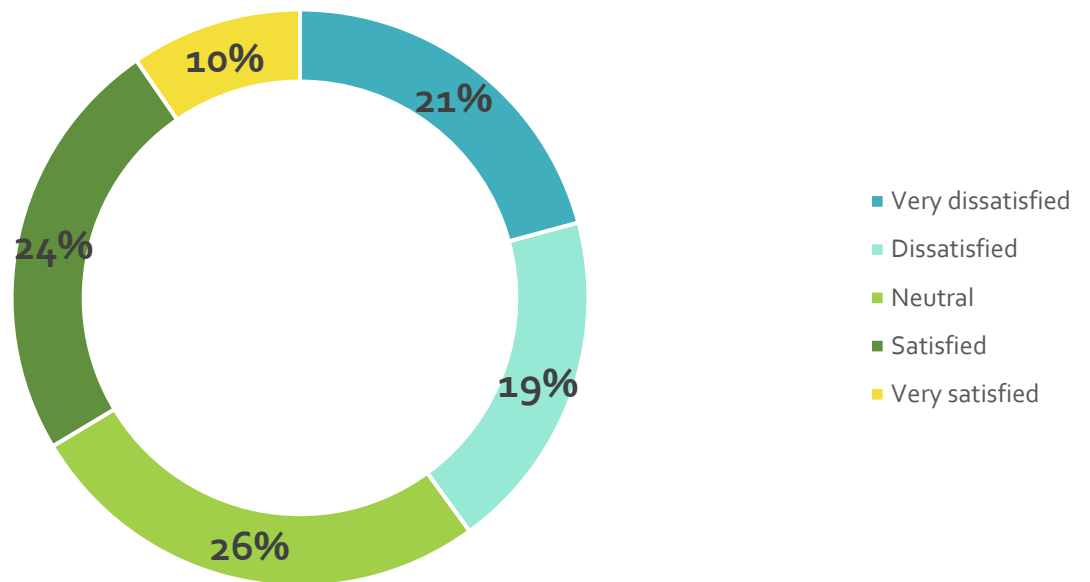
5. Thinking about your most recent contact, what did you contact Swale Borough Council about?



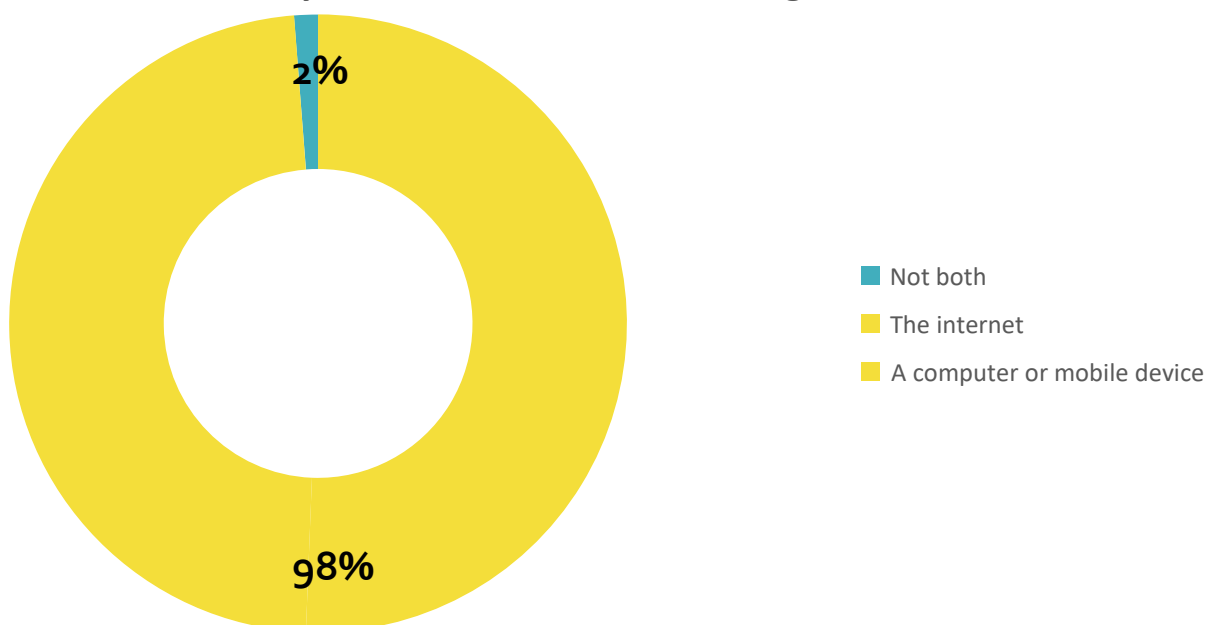
6. Thinking about your most recent contact, what was the main reason why you were trying for making contact?



7. Thinking about your most recent contact, overall, how satisfied or dissatisfied were you with the experience provided by Swale Borough Council?



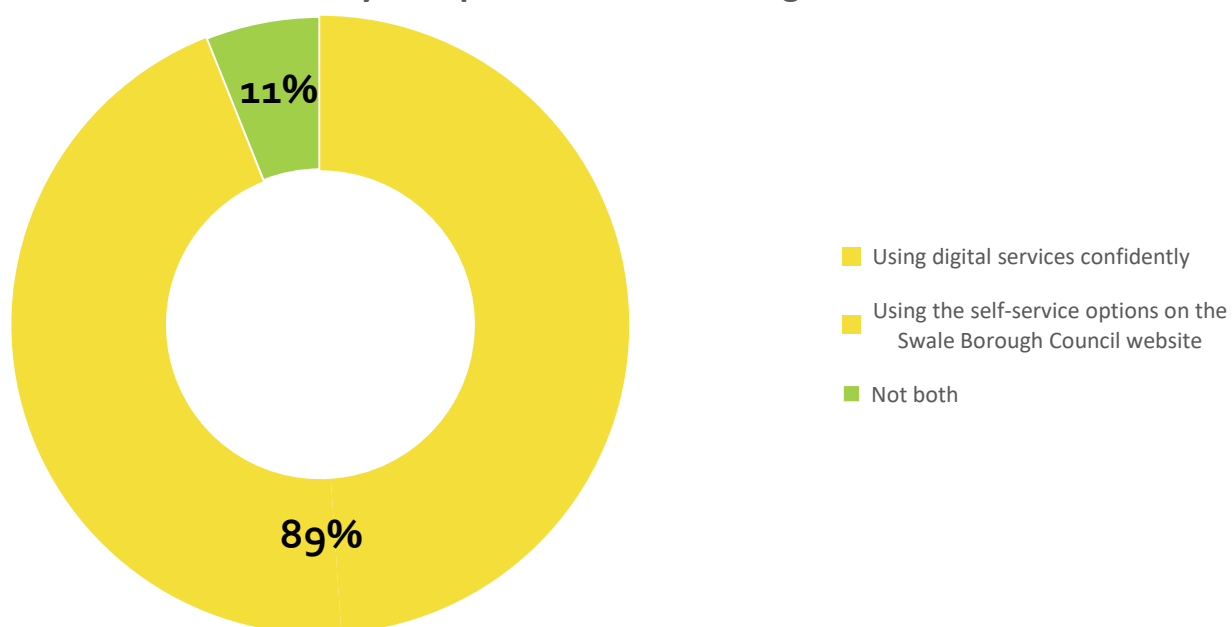
8. Do you have access to the following?



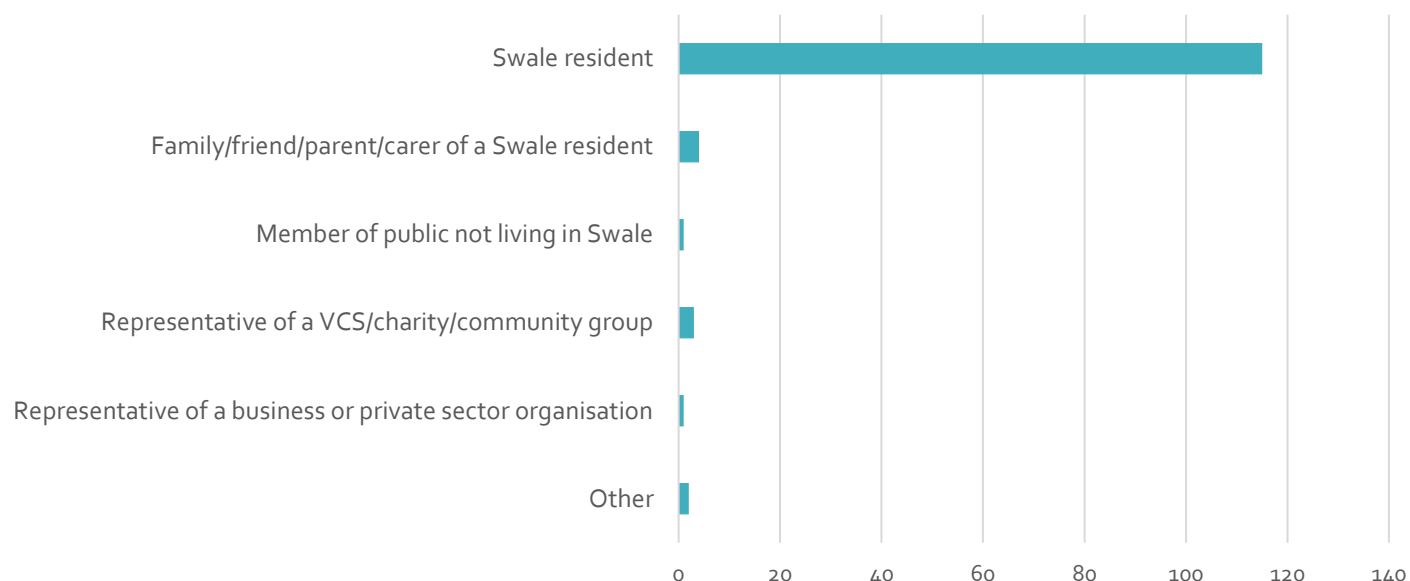
Survey Questions and Responses Q9 – Q10

8

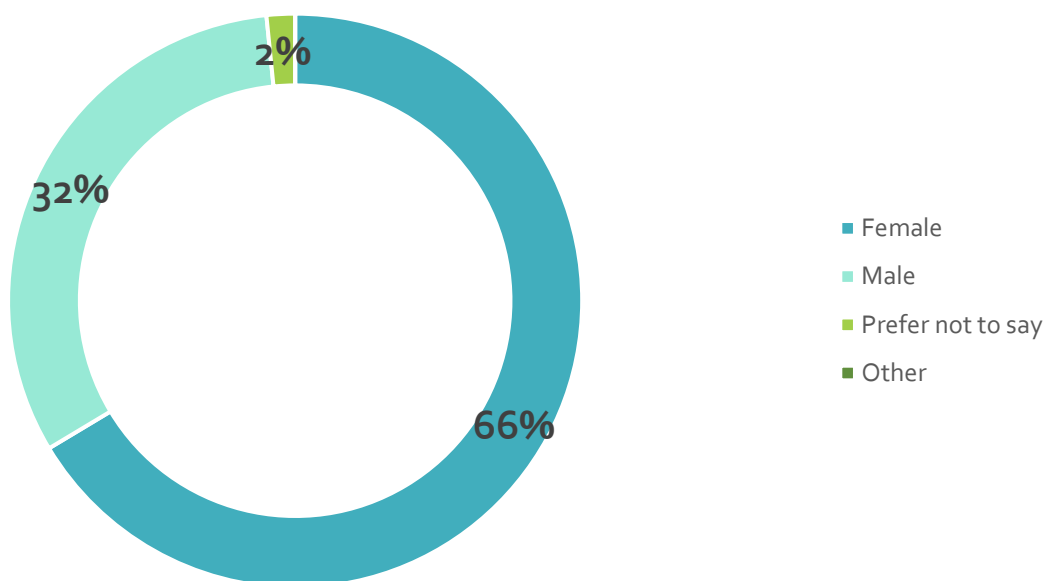
9. Are you capable of the following?



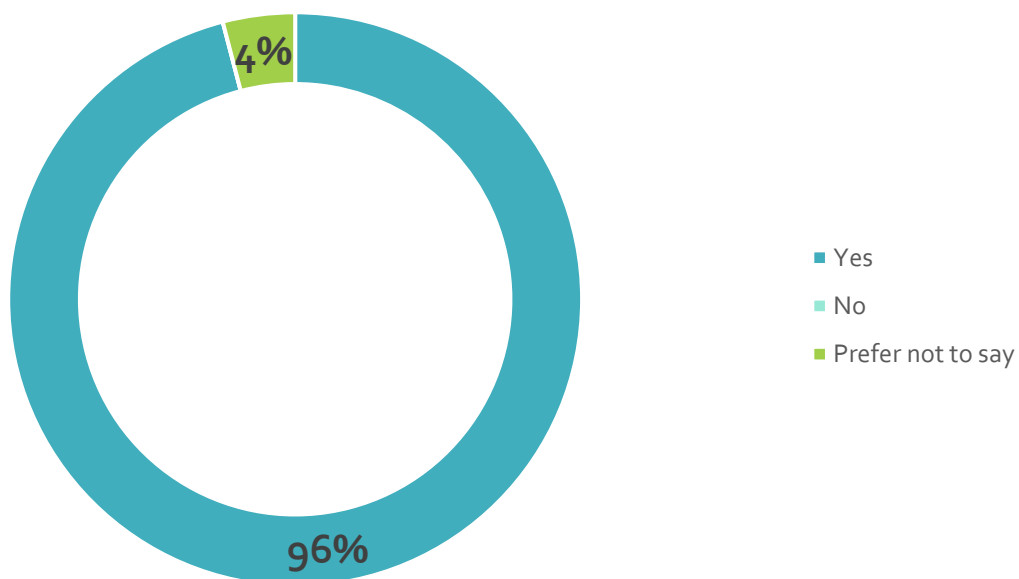
10. In what role are you responding to this survey?



11. How would you describe yourself?



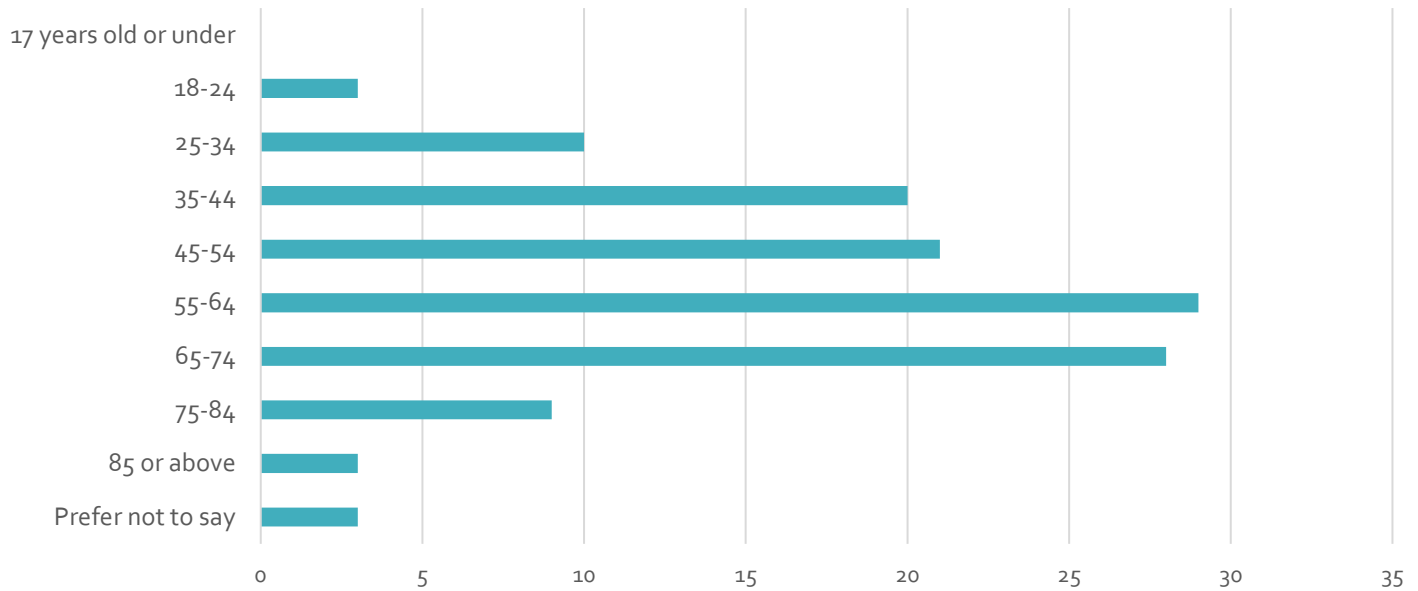
12. Is the gender you identify with the same as your sex registered at birth?



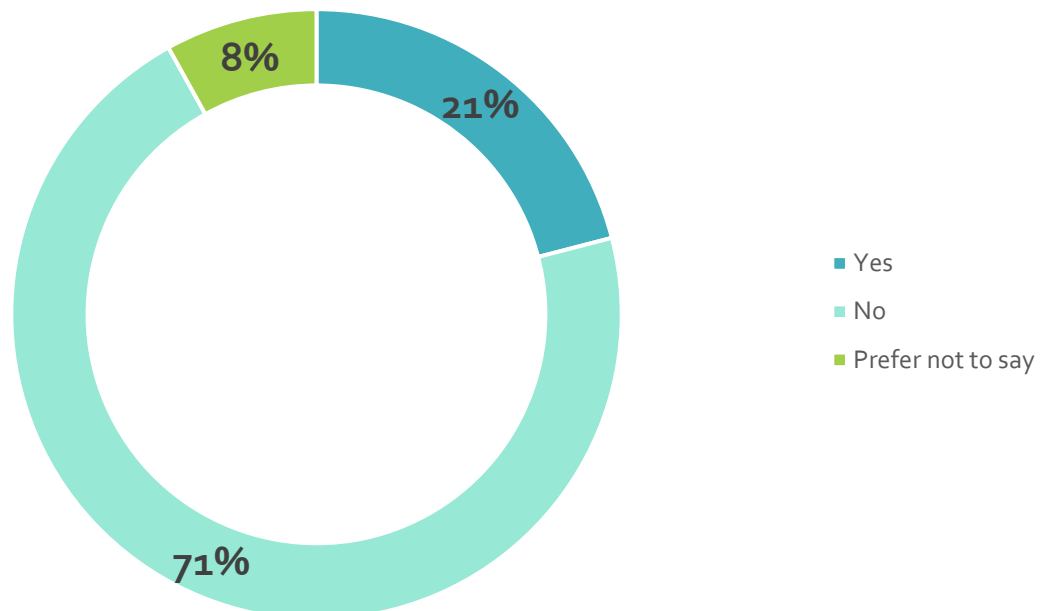
Survey Questions and Responses Q13 – Q14

10

13. What was your age on your last birthday?

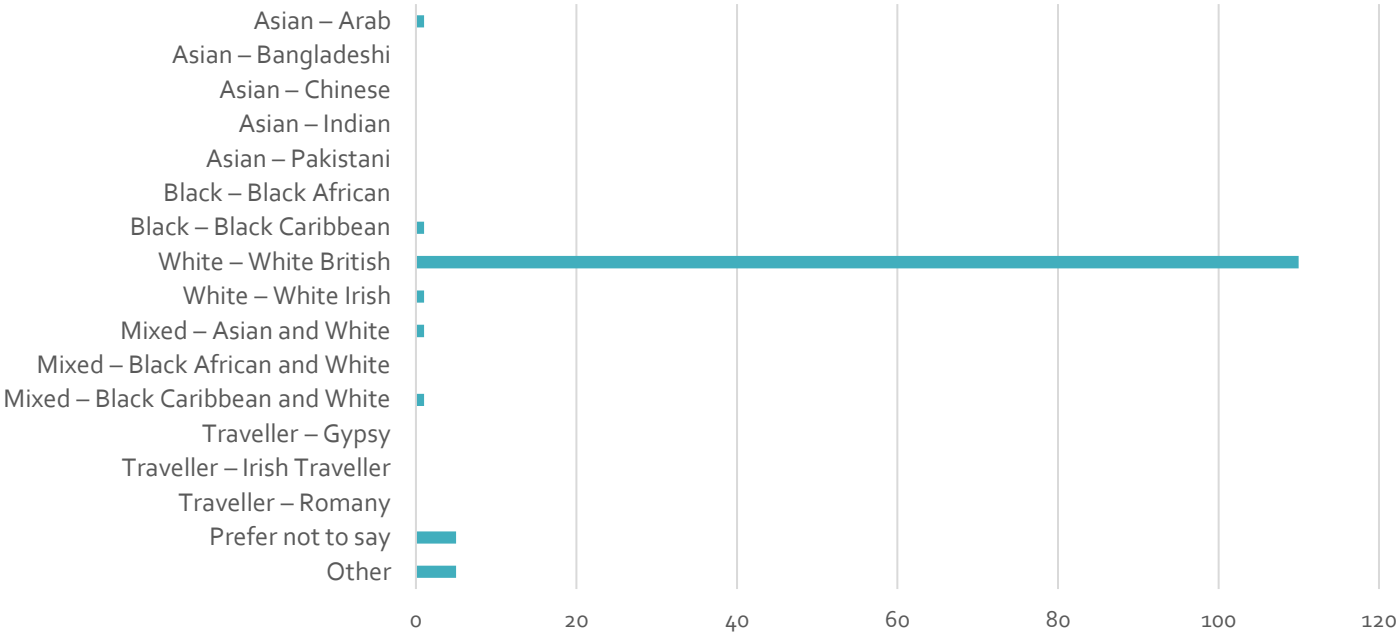


14. Do you consider yourself to have a disability?

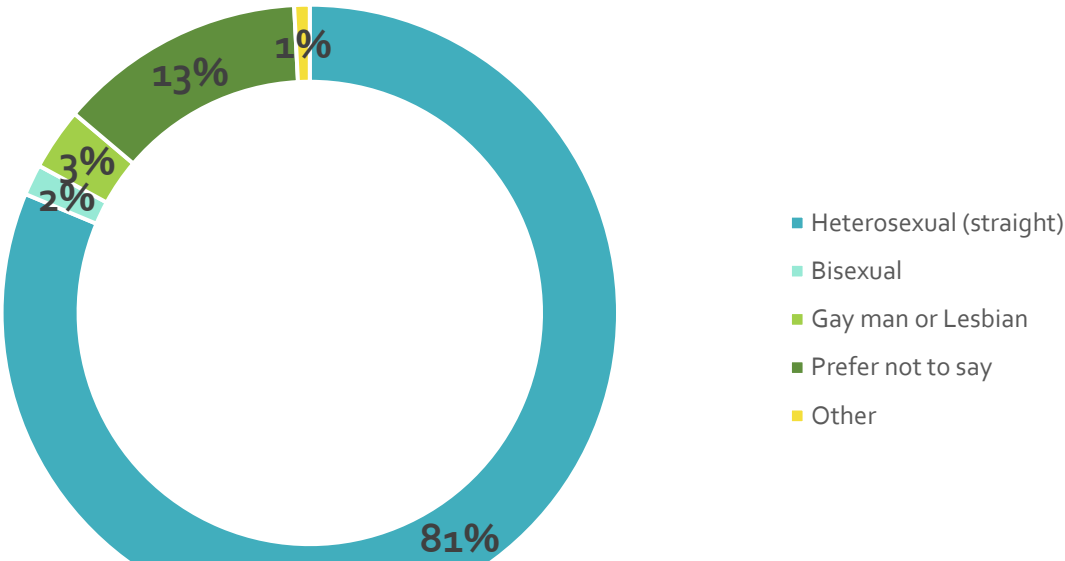


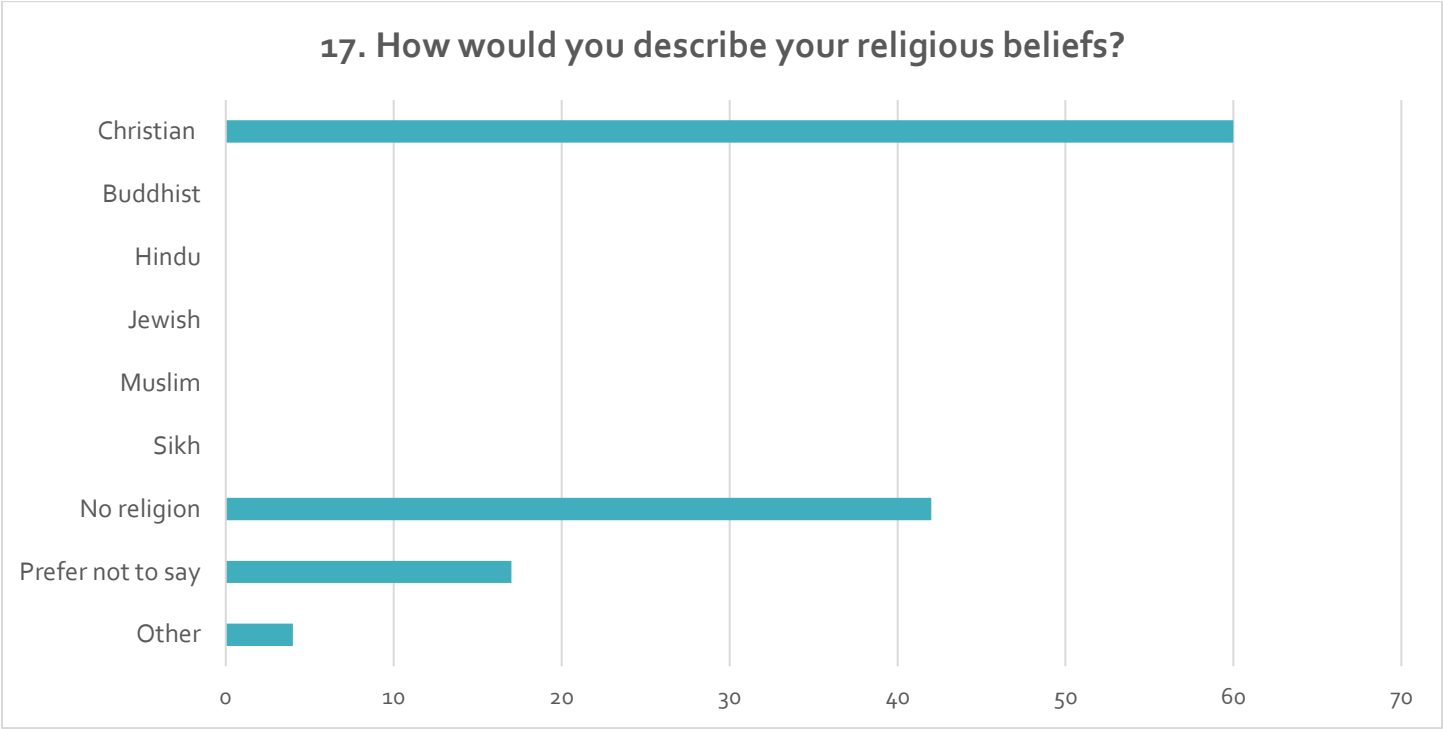
Survey Questions and Responses Q15 – Q16

15. What is your ethnic group?



16. How would you describe your sexual orientation?





"Why are your offices only open for a very short time. Not really acceptable especially if you can get there during these times there are long queues".

"Online chat would be amazing. Call back service would be great. Some kind of sms service where you can just text."

"An email back to confirm what actions are being taken would be helpful"

"Being able to communicate directly with whoever is responsible for a particular issue. Avoiding the rate payers is totally unacceptable."

"Some departments close half day, in this day and age how can this be allowed?"

"Make the on line complaints procedure more user friendly .. with user friendly replies direct"

"Appear helpful and understanding"

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Equality Impact Assessment

An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making.

When to assess

An EIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

Public sector equality duty

The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:

- 1) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These are known as the three aims of the general equality duty.

Protected characteristics

The Equality Act 2010 sets out nine protected characteristics that apply to the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Ethnicity
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

We also ask you to consider other socially excluded groups, which could include people who are geographically isolated from services, with low literacy skills or living in poverty or low incomes; this may impact on aspirations, health or other areas of their life which are not protected by the Equality Act, but should be considered when delivering services.

Due regard

To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. The three aims of the duty may be more relevant to some functions than others; or they may be more relevant to some protected characteristics than others.

Collecting and using equality information

[The Equalities and Human Rights Commission](#) (EHRC) states that 'Having due regard to the aims of the general equality duty requires public authorities to have an adequate evidence base for their decision making'. We need to make sure that we understand the potential impact of decisions on people with different protected characteristics. This will help us to reduce or remove unhelpful impacts. We need to consider this information before and as decisions are being made.

There are a number of publications and websites that may be useful in understanding the profile of users of a service, or those who may be affected.

- The Office for National Statistics Neighbourhoods website <https://www.ons.gov.uk/>
- Kent County Council Facts and Figures about Kent <http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent>
- Public health and social care data http://www.kpho.org.uk/search?mode=results&queries_exclude_query=no&queries_excludefromsearch_query=yes&queries_keyword_query=Swale

At this stage you may find that you need further information and will need to undertake engagement or consultation. Identify the gaps in your knowledge and take steps to fill these.

Case law principles

A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The person completing the EIA should have knowledge and understanding of the service, policy, strategy, practice, plan.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- A public authority is responsible for ensuring that any contracted organisations which provide services on their behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice.
- The duty is a continuing one. It applies when a service, policy, strategy, practice or plan is developed or agreed, and when it is implemented or reviewed.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- The general equality duty is not a duty to achieve a result, it is a duty to have due regard to the need achieve the aims of the duty.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

Lead officer:	Andre Bowen, Service Improvement & Project Manager
Decision maker:	Environment and Climate Change Committee
People involved:	<i>Who is involved in this EIA?</i>
Decision: <ul style="list-style-type: none">• Policy, project, service, contract	<ul style="list-style-type: none">• Policy• Change

<ul style="list-style-type: none"> Review, change, new, stop <p>Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.</p>	<p><i>What date is it going to SMT/Cabinet or Council?</i> <i>NB. SMT will want to see a EIA attached even if the final decision lies with Cabinet or Council</i></p>
<p>Summary of the decision:</p> <ul style="list-style-type: none"> Aims and objectives Key actions Expected outcomes Who will be affected and how? How many people will be affected? 	<p>In June 2013, Swale Borough Council approved the then new Customer Access Strategy. The overall aim of this strategy was “ensuring easy, clear and convenient access to Swale’s services for all”.</p> <p>As part of the Housing and Communities Service Action Plan 2023-2024, it was agreed to review the Customer Access Strategy. This was agreed in order to ensure team structures are in place to support a stronger Customer Service Centre digital resilience and exploit opportunities where they exist.</p> <p>Due to the budget pressures being experienced for not only the 2025/26 financial year but also the years following, the Council has had to fundamentally review what services it provides and how they are provided to try and identify savings to help achieve a balanced sustainable budget in future years.</p> <p>The key actions are;</p> <ol style="list-style-type: none"> The recommendation includes introducing a new Customer Experience Strategy in place of the former Customer Access Strategy to match service delivery with trends in customer demands and resources. To note the proposed action plan. Delegate authority to the Director of Resources and Director of Regeneration and Neighbourhoods, to take relevant actions to facilitate the required transformation activities. <p>The expected outcomes include;</p> <ol style="list-style-type: none"> Support the Corporate Plan objective of ‘Running the Council’ by working within our resources, and delivering in a transparent and efficient way. There is also a link to the ‘Community’ objective through the work that will be undertaken with other public sector organisations and community groups to provide digital assistance to support people who find it difficult using online services. Cost savings in the long term along with improved efficiency and productivity. Also enhanced service delivery, better resident analytics and increased accessibility of services. Improved social equity where everyone, regardless of their background or circumstances, has fair access to opportunities, resources, and services. Promoting more inclusive communities, resilience, and productivity. Streamlined processes reduce complexity, eliminate unnecessary steps, and improve overall efficiency. By simplifying workflows, Swale can save time, lower costs, and deliver services more quickly and consistently. Reducing reliance on paper-based or manual task based channels supports sustainability goals, less prone to human errors, faster resolution times and higher satisfaction. Also

	<p>investing in more modern, effective channels prepares the organisation for evolving customer expectations and technological advancements.</p> <p>Any customer, including residents, visitors, businesses, partners, suppliers, community groups, staff, neighbouring authorities and government bodies will be affected.</p>
<p>Information and research:</p> <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. • Include information on how the decision will affect people with different protected characteristics. 	<p>The Customer Experience Strategy aims to ensure that all customers have the best possible experience, benefiting from accessible and high-quality services. To shape the outcomes of the Customer Experience Strategy, views were sought from residents, business partners, the voluntary sector, staff and members. Consideration was also given to the broader national context and the strategies implemented by neighbouring councils.</p> <p>Customers expectations are increasing, where they expect faster, more personalised interactions, connected experiences across digital channels and to be able to contact the council at a time convenient to them.</p>
<p>Consultation:</p> <ul style="list-style-type: none"> • Has there been specific consultation on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Elected members took part in an early engagement workshop to understand the challenges and opportunities that exist. Member input was used to shape the new proposed Customer Experience Strategy.</p> <p>Officers from across the Council which included representatives from every department contributed towards the development of the proposed new strategy.</p> <p>Shared buildings partners have also been consulted on their views. The Sheppey Gateway Steering Group were also further consulted for further information about the customer experience specifically at the Gateway.</p> <p>There were also several presentations at Area Committees across where attendees were asked for their opinions on how the customer experience could be improved.</p> <p>Members of the public and visitors were given an opportunity to provide feedback on their experiences and suggestions.</p> <p>All voluntary groups were contacted directly via the Swale CVS network to ensure that feedback was gathered from individuals across all protected characteristics—including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex, sexual orientation—as well as other socially excluded groups, helping to ensure representation reflective of Swale's population.</p>

Is the decision relevant to the aims of the equality duty?

Guidance on the aims can be found in the EHRC's PSED Technical Guidance -

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

Aim	Yes/No
1) Eliminate discrimination, harassment and victimisation	No

2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	No

Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Characteristic	Relevance to decision High/Medium/Low/None	Impact of decision Positive/Negative/Neutral
Age	Medium	Neutral
Disability	Medium	Neutral
Gender reassignment	None	Neutral
Marriage and civil partnership	None	Neutral
Pregnancy and maternity	None	Neutral
Ethnicity	Medium	Neutral
Religion or belief	None	Neutral
Sex	None	Neutral
Sexual orientation	None	Neutral
Other socially excluded groups ¹	None	Neutral

Conclusion:

- Consider how due regard has been had to the equality duty, from start to finish.
- There should be no unlawful discrimination arising from the decision.

Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.

Summarise this conclusion in the body of your report

An improved customer experience enabled by digital technology, along with a commitment to digital inclusion in theory will not impact individuals negatively. However, customers will be provided with support which will be particularly beneficial for older people, disabled people and people with English as a second language.

Whereas improved consistency through seamlessly delivering a consistent customer experience across multiple channels and touchpoints as well as reduced reliance on less effective customer channels will not have a negative impact.

Age - Older people are often more likely to be digitally excluded and need support to use self-service tools.

Disability - People with learning disabilities may be digitally excluded. People with cognitive or memory impairments often struggle with complex navigation, remembering passwords, or understanding multi-step processes online. Websites and digital platforms that are fully compatible with screen readers and proper contrast and text scaling can make it easier for visually impaired users to access services independently.

Ethnicity – English as a second language customers may also face overlapping challenges with digital literacy, particularly if they are new to the country or unfamiliar with local systems. Making the language simpler, processes streamlined and support available enables English as a second language customers to access services and improve the customer experience.

Although resources are to be reallocated to provide the best customer experience for customers, those who are older, have English as a

¹ Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes or people who are geographically isolated from services

	<p>second language or with disabilities will still be able to access services and receive an improved experience.</p> <p>The Customer Experience Strategy aims to improve digital literacy throughout Swale as well as improve the customer experience for those who are older, those with disabilities and those who speak English as a second language, who are more likely to be digitally excluded.</p>
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Timing

- Having 'due regard' is a state of mind. It should be considered at the inception of any decision.
- Due regard should be considered throughout the development of the decision. Notes should be taken on how due regard to the equality duty has been considered through research, meetings, project teams, committees and consultations.
- The completion of the EIA is a way of effectively summarising the due regard shown to the equality duty throughout the development of the decision. The completed EIA must inform the final decision-making process. The decision-maker must be aware of the duty and the completed EIA.

Full technical guidance on the public sector equality duty can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

Please send the EIA in draft to Janet Dart in the Comms and Policy Team (janetdart@swale.gov.uk) who will review it with colleagues and let you have any comments or suggested changes.

This Equality Impact Assessment should form an appendix to any EMT/SMT or committee report relating to the decision, and a summary should be included in the 'Equality and Diversity' section of the standard committee report template under 'Section 6 – Implications'.

POLICY AND RESOURCES	
Meeting Date	5 November 2025
Report Title	Sign-off of Community Governance Review Terms of Reference for Swale
EMT Lead	Larissa Reed – Chief Executive
Head of Service	Larissa Reed – Chief Executive
Lead Officer	Stephanie Curtis, Strategic Policy and Communities Manager
Classification	Open
Recommendations	<p>That Policy and Resources recommends to Council:</p> <ol style="list-style-type: none"> 1. That they agree the Terms of Reference for the Community Governance Review in Swale for adoption by Council

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the process by which the council has drafted the proposed Terms of Reference for the Community Governance Review (CGR) for Swale and asks for their agreement by Policy and Resources Committee for onward adoptions by Council.

2 Background

- 2.1 The Local Government and Public Involvement in Health Act 2007 (Chapter 3 of Part 4 of the 2007 Act) devolves the power to local authorities to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England. Before a Parish or Town Council can be created the Council is required to undertake Community Governance Review (CGR)
- 2.2 Community governance reviews provide the opportunity for principal councils (SBC is the principal council) to review and make changes to community governance within their areas. This may include creating, merging, altering or abolishing parishes/town councils; their naming; their electoral arrangements; or grouping.
- 2.3 It was agreed at Council on the 30th July 2025 to undertake a Community Governance Review and also agreed the establishment and configuration of a Member Steering Group to lead on this piece of work.
- 2.4 The Member Steering Group has met and developed the draft Terms of Reference set-out within Appendix 1. It was felt to be very important by the Group

that this was a Swale wide review that considers all proposals that could be taken forward within the scope of the review – as outlined in section 5 of Appendix 1.

- 2.5 A number of approaches have already been made by interested groups/parties for consideration within the review. These include:
- The establishment of a Town Council for Sittingbourne
 - The establishment of a Parish Council for Halfway
 - A name change for Warden Parish Council to Warden Bay Parish Council
 - Boundary changes for Bobbing and Iwade Parish Councils.
- 2.6 Existing Town and Parish Councils have also been contacted to invite them to put forward any proposals they would like considered as part of CGR.
- 2.7 These, along with those outlined in section 2.5 will be considered by the Member Steering Group as part of a wider assessment of which proposals will be taken forward to the first consultation stage.
- 2.8 Appendix 1 also outlines the timetable for the CGR. Under the act, we are required to complete the review, within 12 months of the start of the community governance review. The review begins when the council publishes terms of reference of the review and concludes when the council publishes the recommendations made in the review.

3.0 Proposals

- 3.1 That Policy and Resources Committee recommends the agreement of these Community Governance Review Terms of Reference to Council.

4.0 Alternative Options Considered and Rejected

- 4.1 Not to undertake a Community Governance Review. It would be possible to pause any Community Governance Reviews (except any which are the result of a petition). This has been discounted as it is a piece of work which is in the Corporate Plan

5.0 Consultation Undertaken or Proposed

- 5.1 Section 93 of the 2007 Act allows principal councils to decide how to undertake a community governance review, provided that they comply with the duties in that Act which apply to councils undertaking reviews. Swale Borough Council as the principal council will need to consult local people and take account of any representations received in connection with the review. When undertaking the review we must have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.

- 5.2 Under the 2007 Act the council is required to consult local government electors in any area under review, and others who may have an interest in the review. Other bodies might include local businesses, local public and voluntary organisations - such as schools or health bodies.
- 5.3 The Officers along with the Member Steering Group for CGR are developing robust plans for the delivery of the consultation to ensure its reach is as far as possible.

6.0 Implications

Issue	Implications
Corporate Plan	The work required to carry out Corporate Governance Reviews is in the Corporate Plan
Financial, Resource and Property	The cost of undertaking the CGR will be in the region of £10,000. Although we have no specific budget to undertake this piece of work, we have an officer working on Local Government Reorganisation and they will lead this piece of work
Legal, Statutory and Procurement	The Local Government and Public Involvement in Health Act 2007 (Chapter 3 of Part 4 of the 2007 Act) devolves the power to local authorities to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England
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	Although there is not direct Health and Wellbeing impact of this decision, Town and Parish Councils are able to undertake work to improve Health and Wellbeing
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	There are no direct Equality and Diversity implications of this proposal
Privacy and Data Protection	There are no direct privacy or data protection implications of this proposal

7 Appendices

Appendix 1: Proposed Terms of Reference for Swale Community Governance Review

8 Background Papers

There are no background papers.

Swale Borough Council

Terms of Reference

Community Governance Review 2025/2026

1.Introduction

1.1 A community governance review will be carried out by Swale Borough Council under the provisions of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”).

1.2 The review shall comply with the legislative requirements, have regard for the associated statutory guidance and will be conducted in accordance with these terms of reference.

2.What is a community governance review?

2.1 A community governance review provides the opportunity for Principal Councils (Swale Borough Council) to review and make changes to community governance within their areas, which reflect local identities and facilitate effective and convenient local government.

The Local Government and Public Involvement in Health Act 2007 sets out that a CGR can take place for the whole or part of the Borough and can consider one or more of the following:

- a. Creating, merging, altering or abolishing Parishes/Town Councils;
- b. The naming of Parishes and the style of new Parishes/Town Councils;
- c. The electoral arrangements for Parishes/Town Councils including: - the ordinary year of election; - the number of Councillors to be elected; and - the warding (if any) of the Parish/Town Councils;
- d. Grouping Parishes under a common Parish Council or degrouping Parishes.

2.2 The Council is required to ensure that community governance within the area under review will be:

- a. Reflective of the identities and interests of the community in that area; and
- b. Effective and convenient.

2.3 In doing so, the CGR is required to take into account:

- a) The impact of community governance arrangements on community cohesion; and
- b) The size, population and boundaries of a local community or Parish Council.

2.4 These requirements have been taken into account in defining the objectives and questions proposals will be assessed against.

3. What do Parish Councils do?

3.1 Parish Councils represent the most local form of government and can own land and assets, employ staff and provide services at a local level, this can include open space and recreation, cemeteries, grass cutting, street lighting etc. They can raise funds to meet the costs of administration and provision of services through setting a precept which forms part of council tax bills levied on council taxpayer's in

the parish. Parish Councils can also provide a local voice for the community responding to consultations and raising concerns with the relevant organisations.

3.2 A Parish Council is made up of parish councillors elected by the local government electors in the parish with elections taking place every four years. Vacancies within the four-year term are filled by co-option or by election if 10 local government electors request it.

3.3 A Town Council, which is likely to be a relevant consideration in this review, has the same powers and role as a parish council, but in addition can opt to style its chairman as Mayor.

4. Who will undertake the review?

4.1 As the principal authority Swale Borough Council is responsible for undertaking any CGR within its electoral area. A politically balanced member steering group has been established and will be overseen by Policy and Resources Committee, supported by SBC officers from appropriate departments.

5. Areas under review

5.1 The review will consider the establishment of Town or Parish Councils for Sittingbourne including but not limited to the following electoral wards Homewood, Roman, Murston, Kemsley, Milton Regis, Chalkwell, The Meads, Woodstock, with consideration of existing local council arrangements in these areas.

5.2 The review will also consider the establishment of Parish Council for Halfway in the electoral ward area Queenborough and Halfway with consideration of existing local council arrangements in these areas.

5.3 The review will also consider name change for Warden Parish Council to Warden Bay Parish Council

5.4 The review will also consider boundary changes as approached by Parish Councils or residents including Iwade and Bobbing.

5.5 It shall have particular regard for the need to secure that community governance within the area under review:

- reflects the identities and interests of the communities in that area; and
- is effective and convenient.

5.6 When carrying out the Community Governance Review, Swale Borough Council must also take into account other existing or potential community governance arrangements. A review does not mean there will be changes but will examine if there is a case for change.

5.7 Appendix A is a map of the borough including ward and parish boundaries for reference.

6. Assessment of proposals

6.1 Proposals will be assessed against the following objectives and questions: -

Objective 1

Support the Identities and Interests of Communities

- To recognise parishes as coming from the community, belonging to the community and requiring community support
- To listen and respond to the needs and concerns of communities

- To create fair boundaries that represent communities and avoid arbitrary differences between neighbours

Key Questions:

Does the community want a parish council and is it able to support one?

Does/would this parish represent a community or coherent communities?

Objective 2

Support Effective and Convenient Local Government

- To identify existing issues with parish boundaries and seek resolutions to them
- To minimise disruption to existing parishes through effective warding

Key Questions:

Is a parish council, or change to a parish boundary the most effective resolution to the community's needs?

Is this parish boundary practical and reasonable?

7. Consultation

7.1 The Council is required to consult the local government electors for the area under review and any other person or body who appears to have an interest in the Review and to take the representations that are received into account. The Council will also identify any other person who, or body that, it feels may have an interest in the Review and write to them inviting them to submit their views at all stages of the consultation.

7.2 Before making any recommendations or publishing final proposals, a full consultation process will form part of the Review to take full account of the views of local people and other stakeholders. The Council will comply with the statutory consultative requirements by:

- a) Consulting local government electors for the area under review;
- b) Consulting any other person or body (including a local authority) which appears to the Council to have an interest in the Review;
- c) Notifying and consulting Kent County Council; and
- d) Taking into account any representations received in connection with the Review.

7.3 The Council will publicise the Review by displaying a notice at the Council Offices and creating a dedicated page on the Council's website. The Council will also write to all potentially impacted Parish Councils or any other community or resident groups of which the Council is aware, Borough Councillors and the relevant County Councillors, and the MPs.

7.4 Information about each stage of the Review will be published on the Council's website. It will also be possible to view documents at: Swale Borough Council, Swale House, Sittingbourne, Kent ME10 3HT.

8. Indicative timetable

Event	Date
Consideration of Terms of Reference by Policy and Resources Committee	5 th November
Approval of Terms of Reference by Council	10 th December
Terms of Reference published	17 th December
First consultation stage	18 th December-9th February 2026
Approval of draft recommendations by Policy and Resources Committee	11 th March
Approval of recommendations by full council	1 st April
Second consultation Stage-draft recommendations	13 th April-12 th June
Final recommendations considered by Policy and Resources Committee	September
Final recommendations approved by Council	End of September
If applicable Community Governance Orders made	October/November

9. Electorate Forecasts

9.1 When considering the electoral arrangements of the Parishes in the area the Council must consider any likely future changes in the number or distribution of electors within five years (2030 forecast).

9.2 The Review will use the latest electorate figures available at a parish level together with the estimated delivery of new dwellings within the five year period taken from the Council's most recent forecast.

10. Consequential Matters

10.1 When the required consultation has been undertaken, and the Review completed, the Council may make an Order to bring into effect any decision that it may make taking account of the role of the Local Government Boundary Commission for England. If the Council decides to take no action, then it will not be necessary to make an Order.

10.2 If an Order is made it may be necessary to cover certain consequential matters in that Order. These may include: a) The transfer and management or custody of any property; b) The setting of a precept (Council tax levy) for the new Parish Council; c) Provision with respect to the transfer of any functions, property, rights and d) Liabilities; e) Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

10.3 It may also be necessary as a consequence of this review, in cases where Ward boundaries need to change to match Parish boundaries, for the Council to submit a Requested Alteration(s) to the Local Government Boundary Commission for England in order to request a change. Further, where certain changes are required to parish wards it may be necessary to seek consent from the Local Government Boundary Commission for England.

10.4 The Council will also take into account the requirements of the Local Government Finance (New Parishes) Regulations 2008 when calculating the budget requirement of any new Parish Councils when setting the Council tax levy to be charged.

Following the review the Community Governance Review Steering Group shall make recommendations as to:

- whether or not to establish a new Town/Parish Council in the identified areas.
- The electoral arrangements of any new parish or town council – including the ordinary year of election, warding and number of councillors; the review shall invite and take account of submissions from all interested parties.

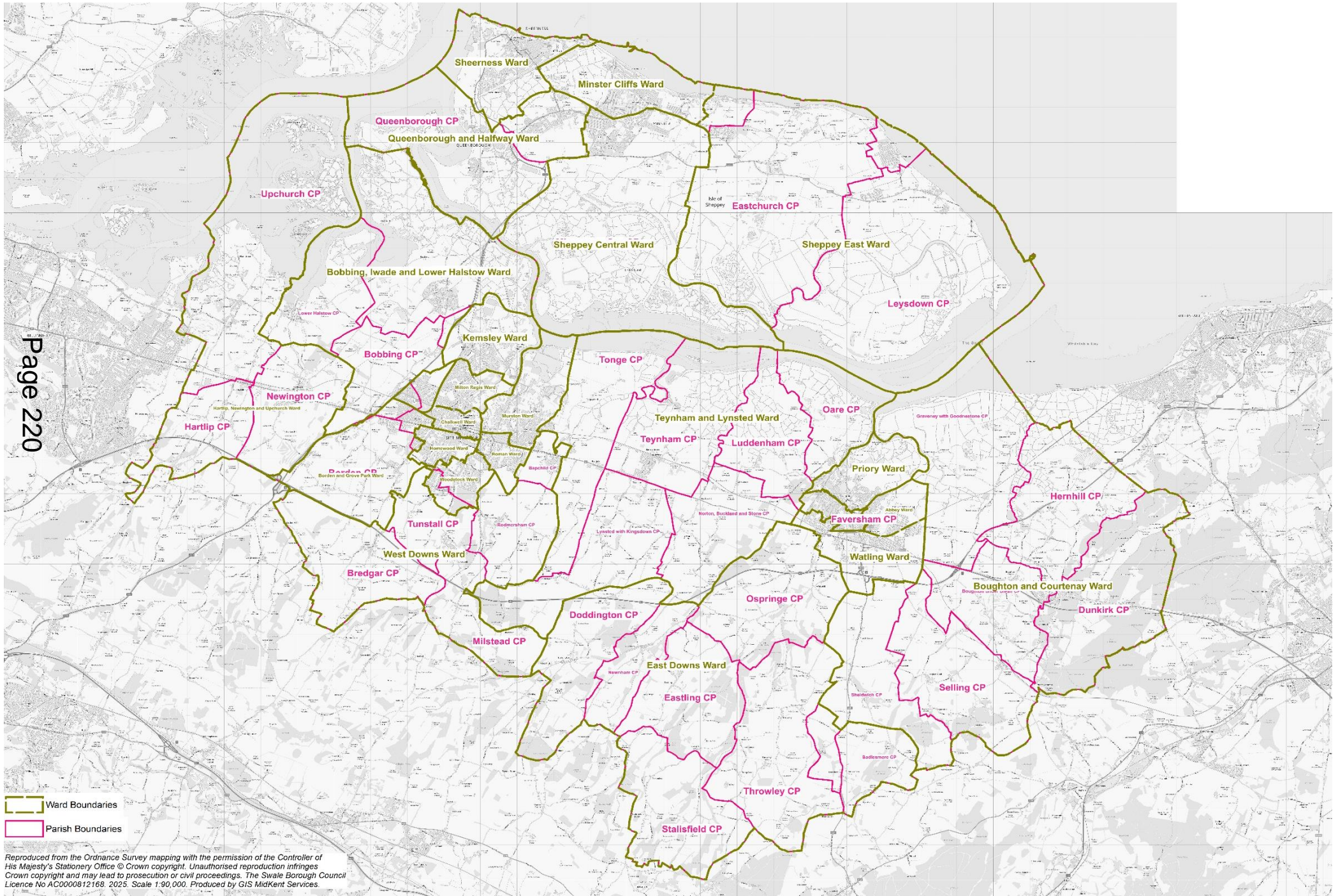
11. Representations

11.1 Swale Borough Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the Review.

11.2 Representations may be made:

By post:

Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT



Policy and Resources Committee	
Meeting Date	5 th November 2025
Report Title	Performance Monitoring Report - 2025/2026 Quarter 2
Head of Service	Claire Stanbury, Head of Finance and Procurement
Lead Officer	Kirsty-Leigh Parker, Information Governance Manager and Data Protection Officer
Recommendations	<p>For the Policy and Resources Committee to review and approve the proposed amendments to performance indicators</p> <ul style="list-style-type: none"> i. Delete Percentage of Delegated Decisions by Officers ii. Delete Refused Planning Applications iii. Add supplementary indicator to Major Applications processed within 13 weeks <p>That the Committee note the Performance Management Report at Appendix I (see §3.1),</p>

1 Purpose of Report and Executive Summary

- 1.1 This report presents the quarterly performance management report for the second quarter of 2025/2026 (July, August & September 2025), attached as Appendix I.
- 1.2 Appendix II outlines recommendations for changes to three key performance indicators for 2026/2027.

2 Background

- 2.1 Following discussions with both the Informal Administration Meeting and the Policy and Resource committee, it has been agreed that mid-year (Quarter 2) and year-end (Quarter 4) performance reports will be presented to leaders briefing and the P&R committee.
- 2.2 Appendix I details the second quarter Corporate Performance Management Headlines Report.
- 2.3 The Committee are asked to note that data for two waste performance indicators in August and September is unavailable at the time of drafting this report, as KCC have yet to publish the information.
- 2.4 Appendix II outlines proposed changes to three performance indicators. It recommends:

- removing LI/DC/DCE/0004 (Percentage of Delegated Decisions by Officers), as this is constitutionally defined and has limited value as a measure of performance
- The removal of LI/DC/DCE/006 (Refused Planning Applications) is also proposed, with alternative options presented in section 4.
- For the indicator on processing major planning applications within 13 weeks, it is proposed to introduce a supplementary measure: the percentage of major applications with an agreed Extension of Time (EOT).

3 Proposal

- 3.1 The Policy and Resources Committee are asked to review and approve the proposed amendments to the referenced performance indicators and to determine an appropriate solution for the planning-related indicator.
- 3.2 The Committee are also asked to *note* the Corporate Performance Management Headlines Report for 2025/2026 as attached at Appendix I

4 Alternative Options

4.1 Planning-Related Indicator: LI/DC/DCE/006 – Refused Planning Applications

It is proposed that this indicator is deleted, however the following alternative options could be considered by the committee:

- Retain the indicator in its current form
- Rename the indicator and record instances where applications are refused contrary to officer advice

- 4.2 The monitoring of organisational performance is widely regarded as essential to a well-governed, self-aware and effective council. The option of dispensing with performance reporting is therefore not recommended.

5 Consultation Undertaken or Proposed

- 5.1 The performance report is based on information provided by senior officers, for your noting.

6 Implications

Issue	Implications
Corporate Plan	The performance management supports all priorities in the corporate plan.
Financial, Resource and Property	The performance management report compliments the 6 monthly financial management reports produced by Finance
Legal, Statutory and Procurement	Few direct implications, as with few exceptions the Council is no longer under an obligation to manage its performance against an externally specified set of indicators.
Crime and Disorder	No direct implications, although the corporate indicator set includes measures on crime.
Environment and Climate/Ecological Emergency	No direct implications, although the corporate indicator set includes measures on climate change and sustainability.
Health and Wellbeing	No direct implications, although measures included in the council's corporate indicator set have a bearing on the health and wellbeing of residents.
Safeguarding of Children, Young People and Vulnerable Adults	No direct implications, although the corporate indicator set includes measures on safeguarding.
Risk Management and Health and Safety	No direct implications.
Equality/Diversity	No direct implications.
Privacy and Data Protection	No direct implications.

7 Appendices

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

- Appendix I: Corporate Performance Management Headlines Report: Quarter 2
- Appendix II: Proposed amendments to 2026/27 performance indicators.

8. Background Papers

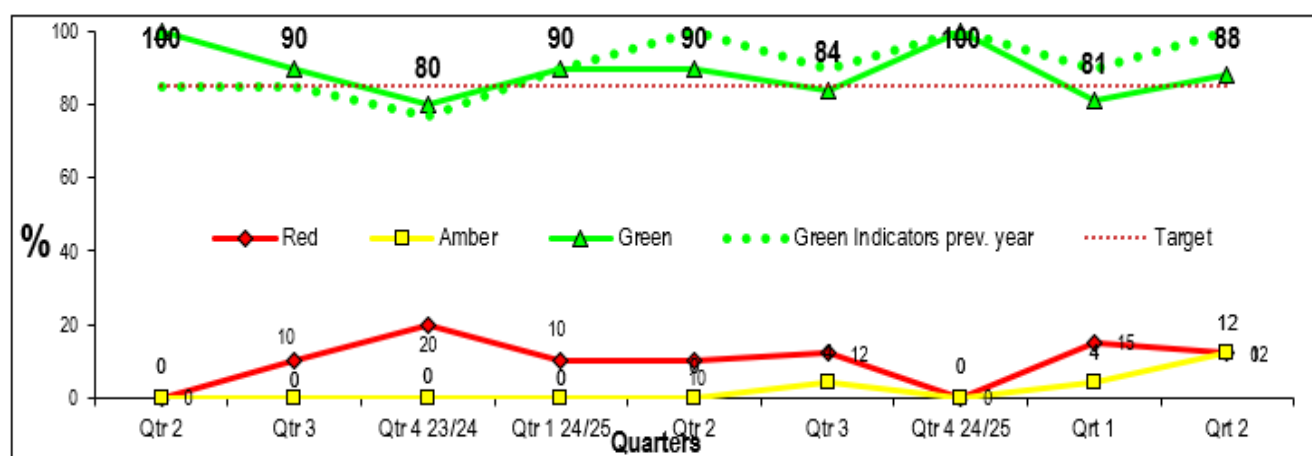
8.1 None

1. Performance summary:

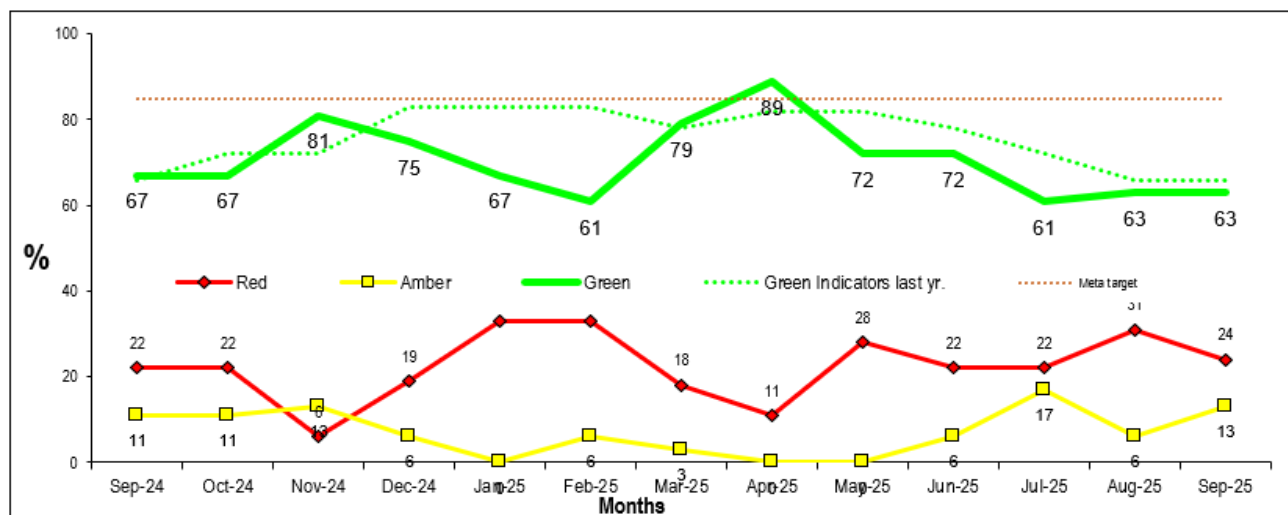
Combined result of 18 monthly and 10 quarterly indicators

Performance Status	No. indicators	Percentage
Red	4	17%
Amber	3	13%
Green	19	70%









a. Quarterly indicators (comparison against previous 8 quarters)





b. Monthly indicators (comparison against last 12 months)



2. Red Indicators this period

This Quarter	Last Quarter	Ref	Description	YTD	2025/26 target	Variance
		BV78a	Speed of processing – new Housing /Council Tax Benefit claims.	25.5 days	22 days	3.5 days
We now have less Housing Benefit claims being received, since the move to Universal Credit. The claims that we now received are now either from pensioners or those with complex needs, so it can take longer to receive information. We are however on track to meet the target for the year.						
		LI/DC/D CE/007	Planning Enforcement - Informing complainant within 21 days	83.58%	95%	11.42% of target
This follows a trend from when the team went from 5 persons to 4. One of the team had two weeks of annual leave and the team have had a productive month in terms of preparing Enforcement Notices, S215s and preparing a prosecution.						
		LI/CC/01	Missed recycling, refuse, food and garden bins	5774	3500	2274 above yearly limit
Missed bin performance is improving month on month. Current performance is strong with 99.9% of bins being collected as required. The current target is ambitious. Work is underway to review realistic targets for 'missed bins' as service begins to settle. Out of the 0.1% of bins that were 'missed', nearly every single bin was collected the following day after being reported.						
		LI/IC/CS C/002	Percentage of abandoned calls.	8.5%	8.5%	Hit yearly target
<p>July: Target not met for July, contributing factors were due staffing levels, planned and unplanned, as well as new staff training impacts. F2F/Emails increased by 18% compared to previous month.</p> <p>August: Abandoned call target not met for August, contributing factors were staffing levels, this was due to planned leave and high levels of sickness, we were also unable to attract sufficient temporary staff to cover and the new recruits needed training. This coincided with a peak in calls/emails following the bank holiday, which impacted the performance target further.</p> <p>September: Target met at 4.3%.</p>						

3. Amber indicators this period

This quarter	Last Quarter	Ref	Description	YTD	2025/26 target	Variance
		LI/CS C/003	Complaints responded to within 10 working days	89.1%	90%	0.09% of target
<p>13 out of 46 complaints not signed off on time.</p> <p>Despite chasing/reminders, it remains the responsibility of the service area to ensure complaints are signed off within target.</p>						

4. Year to Date overview of all KPIs

N.B. Where the monthly result differs to the cumulative year-to-date result, the monthly performance is indicated by either *R (Red), *A (Amber) or *G (Green)

KPI / MPI Log – 2025/26

Monthly Performance Indicators CUMULATIVE YEAR TO DATE RESULT		25/26 Target	Apr 25	May 25	Jun 25	July 25	Aug 25	Sep 25	Oct 25	Nov 25	Dec 25	Jan 26	Feb 26	Mar 26	2025/26 Outcome
BV8	Percentage of invoices paid on time (within 30 days)	91%													99.50%
SZ BV9	Percentage of Council Tax collected	95%													95.20 %
SZ BV10	Percentage of Non-domestic Rates collected	96%													98.34 %
BV12b	Short-term working days lost due to sickness absence (FTE)	3.20										2.83			3.43 days
BV78a	Speed of processing – new Housing /Council Tax Benefit claims	22 days						*G					30.6		21.6 days
BV78b	Speed of processing - changes of circumstances for HB/CTB claims	9 days							*G		*A				7.4 days
BV109a	Processing of planning apps: Major Applications (within 13 weeks)	89%		50.00	*G	*G	*G	*G	84.4	*G	66.67	83.64	83.64	*G	85.25 %
BV109b	Processing of planning apps: Minor Applications (within 8 weeks)	82%								*A					92.17 %
BV109c	Processing of planning apps: Other Applications (within 8 weeks)	91%					*A								98.06 %
BV109a	Abandoned vehicles - % investigated within 10 working days	95%													99.66 %
LI/DC/DCE/004	Percentage of delegated decisions (Officers)	86.5%													94.41 %
LI/DC/DCE/007	Planning Enforcement - Informing complainant within 21 days	95%	85.71	85.29	82.86	84.38	84.91	73.68							95.97 %
LI/IC/CSC/002	Percentage of abandoned calls	8.5%	6.2	*A	7.7	8.3	9.2	8.5	19.7	18.3	17.5	16.6	15.7	14.9	14.9 %
	<i>Abandoned calls monthly value</i>	8.5%	6.2	8.8	8.0	10.2	13.1	4.3	6.3	3.9	3.0	7.4	2.9	4.0	70.85
LI/LS/LCC01	Percentage of all Local Land Searches completed in 10 working days	95%													99.93 %
LI/CC/01	Number of reported missed bins per annum	3500	*R	*R	3062	4393	5159	5774	10141	11436	12754	14585	15553	16557	16557
	<i>Reported missed bins monthly value</i>	(292)	1200	1021	841	1331	766	615	1497	1295	1318	1831	968	1004	
LI/TBC/02	Proportion of Major Planning Applications overturned at appeal	10%				G*	G*	25%							1.64 %
NI 191	Residual domestic waste per household	475 kgs (40)	*R	*R	A*	R*			48.7	41.7	43.9	52.7	39.8	44.3	529.8 kgs
NI 192	Percentage of household waste sent for reuse, recycling and comp	38%		*A	A*				*R	*R	R*				34.74 %
MONTHLY INDICATOR RESULTS (x 18)		YEAR TO DATE Monthly Total	16G 0A 2R	13G 0A 5R	13G 1A 4R	11G 3A 4R	10G 1A 5R	10G 2A 4R	12G 2A 4R	12G 2A 3R	12G 1A 3R	12G 0A 6R	11G 1A 6R	12G 1A 6R	

Quarterly Performance Indicators CUMMULATIVE YEAR TO DATE RESULT		25/26 Target	Q1	Q2	Q3	Q4	2025/26 Outcome
LI/ICT/0006	Website availability	99%					100 %
BV79b(i)	Percentage of Recoverable Overpayments Recovered (HB) that are recovered during period	80%					92.95%
LI/CSC/003	Complaints responded to within 10 working days	90%				75.9%	56.87%
NI188	Planning to Adapt to Climate Change	3					3
LI/EH/001	Percentage of Planning consultations responded to in 21 days	80%					98.75%
LI/EH/002	Food Hygiene – The percentage of food inspections completed that were due.	90%					100 %
LI/IA/005	Audit recommendations implemented	95%					96.75
LI/CEL/002	Percentage of beach huts occupied	75%					100 %
LI/PAR/003	Percentage of disabled parking bay applications processed within 3 months	95%					98.21 %
LI/PAR/001	Civil enforcement officer accuracy rate	98%					99.1 %
QUARTERLY INDICATORS (x10)		YEAR TO DATE Quarterly Total		10G 0A 0R	9G 1A 0R	10G 0A 0R	8G 0A 1R

COMBINED INDICATOR RESULTS (x28) (Monthly + Quarterly KPIs)	YEAR TO DATE (Monthly + Quarterly Totals)	22G 1A 4R	19G 3A 4R	22G 1A 3R	21G 1A 6R
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Monthly MPIs – Monitored Performance Indicators (no targets / performance not managed)		24/25	Q1 (Apr, May, Jun)			Q2 (Jul, Aug, Sep)			Q3 (Oct, Nov, Dec)			Q4 (Jan, Feb, Mar)			25/26 Month Ave
NI 156	Number of households living in temporary accommodation	286	265	269	273	282	279	282	287	278	273	282	292	281	275
BV12a	Long-term working days lost due to sickness absence (YTD)	2.18	0.17	0.51	0.76	1.07	1.22	1.12	2.29	2.7	3.16	3.64	3.97	4.23	0.81
LI/CC/MON16	% of fly-tipping incidents attended to within 10 working days	96.4%	100%	95%	100%	100%	97%	100%	100%	100%	82%	97.5	85%	99%	98.66%
LI/EC/MON10	Swale Means Business – Website analytics	205	29	59	44	29	124	44	102	59	27	36	29	35	54.83
LI/EC/MON28	Swale VCS – Number of enquiries received	15.83	2	3	24	25	13	9	8	12	9	26	32	7	12.66
LI/HO/MON9	Rough Sleepers in Accommodation	21.8	25	27	29	22	19	21	21	23	24	23	26	23	23.83
LI/DC/DCE/006	Refused Planning Applications	12.88%	12.70%	8.16%	8.77%	10.91%	8.96%	6%	7.02%	20%	12.86%	12.43%	12.22%	12.70%	9.25%

Quarterly MPIs – Monitored Performance Indicators (no targets / performance not managed)		24/25 Qtr. Ave.	Q1	Q2	Q3	Q4	25/26 Qtr. Ave.
NI155	Number of affordable homes delivered (total year to date)	133.25	35	63	129	228	49
LI/CSC/006	Proportion of complaints escalating from Stage 1 (Service Unit) to Stage 2 (Chief Executive)	7.5%	4%	4%	3%	5%	4%
CSP1819/0006	All crime per 1000 population	94.75	94.7		94.6	95.3	94.7
LI/HO/MON7	Percentage of households who secured accommodation for 6+ months when prev. duty ended	74.25%	64%	63%	78%	68%	63.5%
LI/HO/MON8	Percentage of households who secured accommodation at the end of relief duty	32.75%	21%	47%	33%	42%	34%
LI/EC/MON33	Safeguarding training (% of training modules completed)	83.60%	81.05%	80.55%	85.99%	84.6%	80.80%
LI/CEL/001	No. of visits to Council owned or supported leisure centres	137,388.75	148,522	136,680	116,879	140,402	142,601
LI/CSC/001	% of contacts transacted digitally compared to other methods of contact to Customer Services	66.25%	70%	69%	67%	60%	69.5%

Corporate Performance Management Headlines Report

Appendix II: Proposed Amendments to 2026/27 Performance Indicators
 Action Required: Review and decision scheduled for April 2026.

Indicator	Current Status	Recommendation	Rationale/notes
LI/DC/DCE/0004 Percentage of Delegated Decisions (Officers)	Defined by the Constitution	Remove	<ul style="list-style-type: none"> Delegation of decisions is defined by the Constitution Head of Service considers this indicator to have limited value
LI/DC/DCE/006 Refused Planning Applications	Tracks number of refused planning applications	Options for review: <ul style="list-style-type: none"> Retain the indicator in its current form Remove the indicator entirely Rename and refocus to record refusals contrary to officer advice 	<ul style="list-style-type: none"> Indicator is considered too case specific. The Head of Service does not view it as a valuable performance measure.
New Indicator			
Major Applications with Extension of Time (EOT)	Supplement to existing indicator: Major Applications processed within 13 weeks	Add	<ul style="list-style-type: none"> Provides a more complete view of performance. measured as a percentage