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## Policy and Resources Committee

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 11 September 2024 from 7.00 pm - 9.44 pm.

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

**OFFICERS PRESENT:** Steph Curtis, Charlotte Hudson, Joanne Johnson, Kellie MacKenzie, Claire Stanbury and Emma Wiggins.

**OFFICERS PRESENT (VIRTUALLY):** Chris Hills, Larissa Reed and Ceri Williams.

**ALSO IN ATTENDANCE:** Councillor Ben J Martin.

**ALSO IN ATTENDANCE (VIRTUALLY):** Councillors Carole Jackson and Tony Winckless.

**APOLOGIES:** Councillors Derek Carnell, Alastair Gould (Chair of the Planning and Transportation Policy Working Group) and Rich Lehmann.

### 221 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

### 222 **Minutes**

The Minutes of the Meeting held on 15 July 2024 (Minute Nos. 75 – 91) were taken as read, approved and signed by the Chair as a correct record.

### 223 **Declarations of Interest**

No interests were declared.

### 224 **Annual Delivery Plan and Performance Measures**

The Director of Regeneration and Neighbourhoods introduced the report which set out the Annual Delivery Plan (ADP), at Appendix I of the report, and associated performance targets at, Appendix II to the report.

The Chair invited Members to make comments, and points raised included:

- There were some typographical errors on the ADP: page 10 Action No. PTP80, bullet point 7 should read 'Undertaking a draft Reg 18 consultation' and bullet point 8 should read 'Undertaking a draft Reg 19 consultation; page 9 Action No. EP2 bullet point 7 should read 'Great East Hall';
- under Action No. EP2 the Duchy planning application had not yet been considered, would the land swap leave the Council open to pre-determination?; and
- in terms of the targets why were temporary accommodation and affordable homes were marked as not applicable?

In response the Director of Regeneration and Neighbourhoods advised that the land swap was a separate piece of work under a different department but officers were mindful of the crossover. The Head of Housing and Communities explained that the temporary accommodation and affordable homes were more of a monitoring indicator at this stage, and the current affordable housing had already been granted permission.

Councillor Angela Harrison proposed the recommendations, which were seconded by the Vice-Chair.

**Resolved:**

- (1) That the Annual Delivery Plan, set out at Appendix I of the report, be agreed.**
- (2) That the performance targets that support the Annual Delivery Plan, set out at Appendix II of the report, be agreed.**

**225 Scrap metal policy for adoption**

The Community Services Manager introduced the report as set out in the agenda pack, which informed Members of the steps taken in reviewing the current Swale Scrap Metal Dealers Licensing Policy 2021 – 2024 including the public consultation. Members were asked to agree the revised Swale Scrap Metal Dealers Licensing Policy 2024 – 2027, set out at Appendix I to the report.

In response to questions from a Member, the Licensing Team Leader confirmed that ward councillors and Parish and Town Councils had been consulted on the document. She explained that due to theft of scrap metal the Government had ruled that payments for scrap metal could not be made by cash, only by cheque or electronic transfer. That would ensure there was an audit trail of where the scrap metal had come from. A Member said that cheque and electronic transfer payments were traceable.

The Vice-Chair proposed the recommendation, and this was seconded by Councillor Richard Palmer.

**Resolved:**

- (1) That the Swale Statement of Licensing Policy for Scrap Metal Dealers 2024 – 2027 be adopted and published on the Council's website on 1 October 2024.**

**226 Amendments to the Swale Borough Council Pavement Licence Policy 2023 - 2026**

The Community Services Manager introduced the report which informed Members of the steps taken in reviewing the current Swale Borough Council (SBC) Pavement Licensing Policy 2023 – 2026 brought about by changes to current legislation contained within the Levelling up and Regeneration Act 2024. Members were asked to approve the revised Policy set out at Appendix I to the report.

The Chair invited comments from Members, and points raised included:

- Were officers confident that there would be sufficient resource in respect of the 14 day consultation period for the licences, particularly during the holiday periods?;
- how would the licensee deal with any damage caused to their street furniture by

- anti-social behaviour (ASB)?;
- did the Council have control over the quality of any proposed street furniture?;
  - were officers confident that there was sufficient resource to deal with enforcement and could any monies secured via enforcement be ring-fenced?; and
  - in terms of paragraph 2.4 (Type of furniture permitted) of the draft Pavement Licensing Policy, on page 55 of the report, considered the wording 'to our satisfaction' should be included.

In response the Community Services Manager said that there were several pieces of legislation requiring a very quick turnaround, so the Licensing Team were very attuned to tight deadlines and processes were in place to ensure those were met during holiday periods. The Licensing Team Manager clarified that whilst the consultation was for 14-days, officers then had a further 14 days in which to make a decision.

The Community Services Manager said that if licensees were experiencing ASB issues, then officers would discuss those with them, and most pavement licences required that street furniture was put away at night. If there were issues during the day officers would seek to liaise with key partners such as Kent Police. The Licensing Officer explained that photos of any proposed street furniture needed to be included with any application. If officers had any concerns they would speak to the applicants or refuse the application.

The Community Services Manager reported that once the policy was in place, officers would monitor how much it cost the Council to put a pavement licence in place. The fee was for the application and the Council could not charge extra for enforcement. Officers were confident that there was capacity within the Licensing Team to deal with enforcing the policy.

Councillor Monique Bonney moved the following amendment: That delegated authority be given to the Community Services Manager to insert appropriate wording within paragraph 2.4 (Type of furniture permitted) to ensure that if the street furniture proposed was not to the satisfaction of the Council, then the application be refused. This was seconded by Councillor Mike Baldock. On being put to the vote the amendment was agreed by Members.

Councillor Mike Baldock proposed the recommendation, as amended, and this was seconded by Councillor Elliott Jayes.

**Resolved:**

- (1) That the amended Pavement Licensing Policy 2023-2026, as set out in Appendix I of the report, be agreed and delegated authority be given to the Community Services Manager to ensure that appropriate wording was included within paragraph 2.4 (Type of Furniture submitted) to ensure that if the street furniture proposed was not to the Council's satisfaction, the application would be refused.***

**227 Review of the current Statement of Principles under the Gambling Act 2005**

The Community Services Manager introduced the report which asked Members to ratify the draft Statement of Principles under the Gambling Act 2005, following the 6-week consultation, so that it could be presented to Full Council for formal adoption on 2 October 2024.

The Chair invited Members to make comments, points raised included:

- Reference to the European Parliament needed to be removed from page 8 of the document;
- the map on page 52 of the document was blurry and needed to be replaced;
- the deprivation map on page 57 of the document was for Kent not the Borough as stated so needed to be replaced; and
- considered the list of persons vulnerable to gambling on page 61 of the document, should refer to ex-prisoners rather than prisoners, and unsure what 'women potentially vulnerable to harm' meant?

In response the Community Services Manager said officers would check the document and review the list of, persons vulnerable to gambling and update the wording where necessary.

A Member asked that any amendments be highlighted when the document was considered by Full Council. This was agreed by Members.

The Vice-Chair proposed the recommendations, which were seconded by Councillor Lloyd Bowen.

**Resolved:**

- (1) That the response to the public consultation on the draft statement of Principles under the Gambling Act 2005 be noted.**
- (2) That the draft Statement of Principles be amended as minuted and endorsed and referred to Full Council on 2 October 2024 for formal adoption.**

**228 Temporary Accommodation (TA) Budget Virement**

The Head of Housing and Communities introduced the report as set out in the agenda papers. The report provided an update on the current controls in place to manage the Temporary Accommodation (TA) budget, and proposals for investment in resources within the Housing Options team, funded from the existing TA budget. Members were asked to approve a virement of £421k from the TA Budget to the Housing Salary Budget.

The Chair invited Members to make comments, and points raised included:

- Had some concerns but was satisfied that the Housing and Health Committee had considered the proposals in detail and was happy to recommend approval;
- referred to paragraph 2.10 of the report and queried what benefits there were to increasing monitoring from six monthly to quarterly?;
- there was a risk that inaction on this could result in an even higher financial pressure in this area in the future;
- important to approve this virement to enable the good work already achieved within the Housing Options team to continue;
- this was a significant virement and it was important that it was closely monitored;
- had no hesitation in supporting the virement as the Housing Options team were consistently looking at ways to improve the service and confident that if there were any issues officers would alert Members early on;

- would the funding secure the five existing posts within the team?; and
- had officers explored whether less staff could manage the project so less funding was required?

In response, the Head of Housing and Communities explained that increased monitoring would ensure transparency and that the proposals had been scrutinised by the Housing and Health Committee. She confirmed that the proposals would secure the five existing posts and allow additional posts to be secured where required within the service. Officers had undertaken extensive research on all available options. The staff restructure consultation, which would feed-into the proposals, had recently concluded and there were still areas where she had concerns about resources. The Head of Housing and Communities considered the proposals allowed enough resource to make a difference but warned anything less would create blockages within the flow of clients through the service.

The Head of Finance and Procurement added that regular monitoring would allow the council to make judgements around whether the best option had been put forward.

Councillor Angela Harrison proposed the recommendation, and this was seconded by Councillor Ashley Wise.

**Resolved:**

**(1) That the virement of £421k from the Temporary Accommodation Budget to the Housing Salary Budget be approved.**

**229 Local Plan Review - Vision and Objectives and Growth Options**

The Project Manager (Policy) introduced the report as set out in the agenda papers. The report sought recommendation to Full Council that the proposed Vision and objectives, and Growth Option 6 be taken forward for consultation to enable the drafting of the Local Plan Review Regulation 18 Report. He said the report had been considered by the Planning and Transportation Working Group (PTPWG) on 8 August 2024.

The Chair invited Members to make comments, and points raised included:

- Referred to Figure 2 on page 174 of the report and said that the PTPWG had made it clear that they were not happy with the phrasing ‘meeting local needs’ within the Revised Draft Vision;
- this was not local needs it was government targets and that should be made clear in the document;
- the proposed housing levels were unsustainable and beyond anything that the residents of the borough needed;
- would like the Faversham Community Land Trust document included within the minutes as it made it clear that Faversham would be taking a disproportionate amount of housing compared to the rest of Swale;
- considered the sentence “sympathetic and symbiotic” to be a nonsense sentence and Option 6 was neither of those things;
- the removal of reference to the A2 specifically in terms of air quality would result in a devastating failure on the Council’s air quality commitment to the A2, and have “catastrophic consequences” for residents living along the A2 at Ospringe,

- Faversham, Dunkirk and Boughton;
- Faversham would not be a “thriving small historic market town” if it grew by 80% in 20 years;
  - Sittingbourne could not regenerate and do all the work it wanted to do on connectivity if it took no development and received no Section 106 funding;
  - the Isle of Sheppey could not meet its goals if took no development and received no Section 106 funding;
  - this was a plan letting down all the residents of Swale in its lack of ambition;
  - building thousands of new houses in Faversham would not secure funding to upgrade the Brenley Corner junction;
  - Faversham’s other problem motorway junction was running over capacity and dangerous, there was no mention of it for improvement in the document;
  - the dwellings proposed for Faversham would have to be towards Graveney and the solar farm located there. The Council had already deemed that site to be dangerous to residents in Faversham so how would the council’s Planning officers be able to support housing applications closer to it;
  - the Faversham Community Land Trust, Faversham’s Future, Faversham Society, and Faversham Town Council were already discussing how they could oppose the Local Plan;
  - it would not be appropriate to attach the Faversham Community Land Trust document to the minutes as this could set a precedent;
  - the areas of Sittingbourne and the Isle of Sheppey had taken 85% of the housing in previous years and this proposal would be a rebalance of the distribution of housing across Swale;
  - the PTPWG had considered the document thoroughly and supported their recommendation;
  - putting 4,000 dwellings in Faversham was not symbiotic or sympathetic and would ruin a historic and medieval market town;
  - would have preferred to see a recommendation for a strategic site in the west of the borough to disperse the development more evenly;
  - not sure how deliverable the proposals were in terms of highways;
  - there were only three Members representing the east of the borough on the PTPWG and considered that was unfair;
  - recommendation (2) should be amended to make it clear that all the options would be progressed through to the consultation;
  - at this stage Members were only being asked to agree to go out to consultation, not to agree a particular option;
  - Members were aware that wherever houses were put forward for development in the borough there would be issues, including highway issues, and felt that the Government were constantly asking Local Authorities to put forward the impossible;
  - improvements to Brenley Corner would certainly not happen without development;
  - there was no sustainable solution for the housing, and the government might need to make the decision and they would have to ensure the highway improvements were made;
  - historically the west of the borough had been “loaded” with housing but had not received the infrastructure to support it;
  - there was an east/west split across the borough in terms of housing development which had divided Members;

- the current infrastructure was at breaking-point;
- not upgrading Brenley Corner would adversely impact on neighbouring boroughs as well as Swale;
- affordable housing was desperately needed across the borough;
- the PTPWG had agreed that the housing targets for Sittingbourne town centre were too low, and work was being undertaken to address that;
- it was important to remember that there was still a lot of housing to be developed within the west of Swale from the previous Local Plan;
- the reports considered by the PTPWG showed that the greatest viability for delivering on biodiversity and affordability came from the east of the borough;
- we needed to get across to the Government that there could be no more development in Kent otherwise the garden of England would be lost;
- Kent County Council (KCC) were consulting on their Local Transportation Plan (LTP5), which was woefully inadequate for Swale. It spoke about an A2/M2 link road which in no way tackled the absolute deficit of public transport. As a higher tier authority KCC should be working alongside local authorities who had to put a Local Plan in place and plan for services that were needed;
- Swale were in a double deficit with the Government and KCC who did not understand the specific issues Swale faced with its transportation, health and education networks;
- the Chair of the PTPWG should have been invited to attend the meeting;
- there should be a briefing for all Members to assist them in understanding the various growth options;
- the Chair of the PTPWG had voted against option 6;
- the proposals would see approximately 75% of affordable and social rent being in Faversham; and
- affordable rent in Faversham was not affordable because it was lower than the local housing allowance rate. Those on housing benefits did not get their full rent covered when getting an affordable housing property in the Faversham area.

The Vice-Chair moved the following amendments: That the first line of the Revised Draft Vision be amended to read “It is 2040. Development in Swale has come forward to meet **imposed Government Targets**”. That point 1) of the Draft Objectives be amended to read “To provide for homes and jobs that are best suited to meet the **imposed Government Targets**”. This was seconded by Councillor Richard Palmer. On being put to the vote the amendments were agreed.

Councillor Angela Harrison moved the following amendment: That the item be deferred so that a Member briefing could be held to assist Members in understanding what they were being asked to agree. This was seconded by Councillor Dolley Wooster.

Members considered the amendment for a Member briefing and points raised included:

- Did not support a Member briefing as any Member could have attended the PTPWG and read the reports;
- Members/groups had a responsibility to know what each committee was considering and had the opportunity to inform themselves;
- could not support deferment or delaying the process; and
- rather than deferring the item a Member briefing could be arranged prior to Full Council.

Following discussion, the motion to defer the item was withdrawn by the proposer and seconder.

In response to comments from a Member, the Head of Place apologised that the wording for recommendation (2) did not make it clear that all the options would be consulted upon and suggested the wording be amended to read “as the Council’s preferred option, with a requirement for a Member briefing on all six options being progressed, prior to Full Council” to be added at the end of the paragraph.

In response to a question from a Member, the Project Manager (Policy) explained that it was necessary to put forward a preferred option otherwise six versions of the documents would be required which would be resource intensive. It was possible to test all the options through the Sustainability Appraisal (SA) which ran alongside the regulation 18 consultation. The SA would also provide recommendations on which options were considered the best in terms of sustainability.

The Vice-Chair proposed the recommendations, as amended. These were seconded by Councillor Richard Palmer. It was agreed that a recorded vote would be taken on both of the recommendations.

In accordance with Council Procedure Rule 3.1.19(2), a recorded vote was taken, and voting on recommendation (1), as amended, was as follows:

**For: Baldock, Bonney, Bowen, T Gibson, Hunt, Jayes, Last, R Palmer, Speed, and Wise. Total equals 10.**

**Against: Harrison, C Gibson and Wooster. Total equals 3.**

**Abstain: Total equals 0.**

In accordance with Council Procedure Rule 3.1.19(2), a recorded vote was taken, and voting on recommendation (2), as amended, was as follows:

**For: Baldock, Bonney, T Gibson, Hunt, Jayes, R Palmer and Wise. Total equals 7.**

**Against: Bowen, Harrison, C Gibson, Last, Speed and Wooster. Total equals 6.**

**Abstain: Total equals 0.**

### ***Recommendations to Council***

***(1) That the proposed Vision and Objectives for the Draft Plan Regulation 18 document, as amended by the Policy and Resources Committee, be approved.***

***(2) That Growth Option 6 be progressed to regulation 18 consultation stage as the Council’s preferred option, with a requirement for a Member briefing on all six options being progressed, prior to Full Council.***

## **230 Potential Local Plan Employment Sites**

The Head of Place introduced the report which set out the discussion had at the PTPWG meeting on 8 August 2024. Members were asked to discuss, and set out their



preferences for, employment sites for allocation. The PTPWG discussion paper set out the evidenced need figure for employment allocations (73ha of industrial land and 1.1ha of office space) through the Local Plan, and the available sites to meet that figure.

The Chair invited comments from Members, and points raised included:

- Supported all three recommendations which were thoroughly discussed by the PTPWG;
- clarified that the PTPWG had made it clear that some sites would not be suitable for HGV type employment due to their location, and hoped that would be included;
- considered that site CSF50 was not sustainable as an employment site; and
- recommendation (3) could be agreed by the Policy and Resources Committee, it did not require a motion to Full Council.

Councillor Lloyd Bowen moved the following amendment: That recommendation (3) in the report, be amended to read: That Members agree that the Leader of the Council write a letter to the Local Government Authority (LGA) seeking to persuade the Secretary of State for Housing, Communities and Local Government and Deputy Prime Minister to include education and health as employment land, in the employment land calculations. This was seconded by the Vice-Chair. The amendment was agreed by Members.

The Chair proposed the recommendations, as amended, and this was seconded by the Vice-Chair.

**Resolved:**

- (1) That the potential employment sites available for allocation through the Local Plan be noted.***
- (2) That the Leader of the Council wrote a letter to the Local Government Authority (LGA) seeking to persuade the Secretary of State for Housing, Communities and Local Government and Deputy Prime Minister to include education and health as employment land, in the employment land calculations.***

**Recommendation to Council:**

- (3) That the preferred sites set out in the PTPWG report, with the exclusion of sites CSF30, CSF47, and CSF50, if no housing development be put forward to the site, for consultation through the Regulation 18 Local Plan.***

231 **Local Plan Review - Housing historic delivery and Local Plan Review housing targets**

The Project Manager (Policy) introduced the report as set out in the agenda papers. He said that recommendation to Full Council on the proposed housing target was required, as reported to the PTPWG on 8 August 2024. The report set out two main issues: Housing historic delivery up to 1 April 2024; and, Local Plan Review Housing target and balance of housing need. He referred Members to the recommendations for approval.

The Chair invited comments from Members, and points raised included:

- Could not support as Members had not had sight of the Exceptional Circumstances report;
- considered there were grounds to challenge the housing targets on a unsustainable transport basis;
- should defer the item until Members had read the Exceptional Circumstances report;
- referred to Table 4, on page 220 of the report, which stated that 231 houses were required under Neighbourhood Plan allocations, and said that the Faversham Neighbourhood Plan was expected to be passed within the next couple of weeks that figure would rise thus helping the wider targets;
- the proposed numbers were 'astonishing' and the number of planning permissions currently not built-out were 'significant';
- this was putting the current population at such a disadvantage that it was having a detrimental impact on their health and wellbeing;
- it would be remiss of the Committee to consider this item until they had received all the information required to make a decision;
- to build 17,000 houses and to get 3,000 in preferred areas, as viability dictated, they needed to be built in the most profitable areas, ie. rural areas, was extremely short sighted and utterly flawed by the Government; and
- what were the implications of this not going through to Full Council?

In response, the Project Manager (Policy) clarified that the Exceptional Circumstances report was almost complete, and available for consideration by the PTPWG. He referred to the Local Development Scheme (LDS) Autumn 2024 update report which would be considered by the PTPWG on 17 September 2024, which proposed a six month extension before the Regulation 18 consultation, so deferring the item would not delay the overall schedule.

Officers considered when the item could next be considered by the Policy & Resources Committee. The Chair confirmed that it was likely that the item would next be considered by the Vice-Chair Resources Committee at their meeting on 27 November 2024.

Councillor Lloyd Bowen moved the following motion: That the item be deferred until Members had been able to consider the Exceptional Circumstances report. This was seconded by Councillor Mike Baldock. On being put to the vote the motion was agreed by Members.

**Resolved:**

- (1) ***That the report be deferred until Members had been able to view the Exceptional Circumstances report.***

## 232 Forward Decisions Plan

The Chair invited comments from Members which included:

- To review and scrutinise the Council's policies should be added to the list;
- the Sheerness Dockyard Conservation Review needs to be included; and
- there could be other things that would need adding to the list such as any

proposal to scrap the single person council tax discount which could impact on the Council Tax Reduction Scheme.

The Head of Place agreed to find out when the Sheerness Dockyard Conservation Review was scheduled and advise the Member in question.

***Resolved:***

***(1) That the forward decisions plan be noted.***

233 **Adjournment of Meeting**

The meeting was adjourned at 9 pm until 9.10 pm.

Chair

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

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