

**Medway Council**  
**Meeting of Medway Council**  
**Thursday, 18 October 2012**  
**7.00pm to 10.15pm**

**Record of the meeting**

**Subject to approval as an accurate record at the next Full Council meeting**

**Present:** The Worshipful The Mayor of Medway (Councillor Hewett)  
The Deputy Mayor (Councillor Iles)  
Councillors Avey, Baker, Bowler, Brake, Bright,  
Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty,  
Clarke, Colman, Cooper, Craven, Doe, Etheridge, Filmer, Gilry,  
Griffin, Griffiths, Adrian Gulvin, Pat Gulvin, Harriott, Hubbard,  
Igwe, Irvine, Jarrett, Juby, Kearney, Kemp, Mackinlay,  
Mackness, Maple, Mason, Murray, O'Brien, Osborne, Price,  
Purdy, Rodberg, Royle, Shaw, Maisey, Smith, Stamp, Tolhurst,  
Turpin, Wicks and Wildey

**In Attendance:** Neil Davies, Chief Executive  
Robin Cooper, Director of Regeneration, Community and  
Culture  
Mick Hayward, Chief Finance Officer  
Wayne Hemingway, Democratic Services Officer  
Richard Hicks, Assistant Director, Customer First, Leisure,  
Culture, Democracy and Governance  
Perry Holmes, Monitoring Officer  
Julie Keith, Head of Democratic Services  
Barbara Peacock, Director of Children and Adults Services  
John Staples, Media Manager

**482 Record of meeting**

The record of the meeting held on 26 July 2012 was agreed and signed by the Mayor as correct.

**483 Apologies for absence**

Apologies for absence were received from Councillors Carr, Colman, Christine Godwin, Paul Godwin, Hicks and Watson.

**484 Declarations of disclosable pecuniary interests**

Councillor Cooper declared a personal interest in any discussion on the NHS as her step-daughter worked at Medway Maritime Hospital.

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Councillor Etheridge declared a personal interest in any discussion on the NHS as she was a Governor at Medway Maritime Hospital.

Councillor Jubby declared a personal interest in any discussion on the NHS as his wife worked at Medway Maritime Hospital.

### **485 Mayor's announcements**

The Mayor welcomed Barbara Peacock, the new Director of Children and Adults, to her first Council meeting. He also thanked all those in Medway including Members of the Council for taking up the challenges set over the last few months and MHS Homes, Wilsonian Sailing Club and the Arethusa Venture Centre for the invaluable support.

The Mayor announced a number of forthcoming events planned to raise money for the Charities he was supporting during the Mayoral year:

- A Fondue evening at Chatham ski slope on 24 October with the option of skiing, boarding or tobogganing;
- A Gurkha night at Gurkha Cuisine in Chatham on Tuesday 13 November.
- Pig Racing at Higham Village Hall on 20 February 2013. This event would be in partnership with Gravesham, the first time the two Mayoral offices had run a joint event.

The Mayor stated that he was supporting events which promoted healthy lifestyles including a walk around a nature/bird reserve in Hoo on 28 October.

Tickets for these events and more information were available from the Mayor's office.

The Mayor stated that he had arranged with the British Heart Foundation for charity donation bags to be delivered which would subsequently be filled and collected from Gun Wharf, starting from November.

The Mayor welcomed Councillor Harriott back following his recent illness, and also advised that Alvin Oades (Mayor's Officer) thanked all those who sent him get well messages after his recent illness and that former Deputy Mayor Stephen Kearney had also recovered from his recent illness.

The Mayor reminded Members to ensure that written copies of any amendments were provided to the Head of Democratic Services and that copies were brought up to the top table first.

### **486 Leader's announcements**

There were none.

**487 Petitions**

Councillor Etheridge submitted a petition which contained 31 signatures which registered objections to planning application no. MC/12/2338 on the basis that the site was designated as protected open space, the application involved an expansion of Medway City Estate beyond its current boundaries and that there were many vacant units on the Medway City Estate.

Councillor Price submitted a petition which contained 262 signatures which requested a skateboard park in the North Gillingham area.

Councillor Purdy submitted a petition which contained 31 signatures which requested the Council to renegotiate with Arriva Bus Company, the bus service from the Darland Estate to and from the Hempstead Valley and to reinstate a Saturday service.

**488 Public questions**

**489 Derek Munton, Chair of Medway Pensioners' Forum asked the Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien, the following:**

With whom did Medway Council consult before it decided to charge a fee for the issue of blue badges to disabled persons for parking?

Councillor O'Brien responded by stating that the Council conducted a survey during November – December 2011 with a sample of current Blue Badge holders during the preparations to implement the national changes to the Blue Badge. The Council sent a questionnaire to 500 existing Blue Badge holders and asked a series of questions. The Council received 175 replies. Of these 142 answered the question related to charges. The majority (65.5%) of the people who responded felt that £10 was, "acceptable for the Council to charge when it is time to renew your badge".

This information was included in the budget report to Full Council on 23 February 2012 where the decision was made to introduce an application fee administration charge of £10. He stated that the blue badge was valid for a three year period, therefore, the charge represented a little over £3 a year which he considered to be tremendous value for money.

Derek Munton asked in future whether the Council would consider consulting with the Medway Pensioners' Forum?

Councillor O'Brien stated that he would give this due consideration and would discuss it with the team when the Council next consulted.

**490 Jenny Churcher, on behalf of the Luton PACT Committee, asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following**

Can I confirm the revenue raised from the parking meter on Nelson Terrace/Luton Library since its controversial installation earlier this year?

Councillor Filmer confirmed the revenue raised from the parking meter on Nelson Terrace/Luton Road Library since installation earlier this year was £1,913.65.

Jenny Churcher asked that given the amount of revenue raised and the severe impact and pressure it had on parking on Nelson Terrace, could the Portfolio Holder move to scrap this meter so that residents in the area could return to parking normally so benefiting local business and the community?

Councillor Filmer stated that the car park was not owned by the Council. The Council leased the area and paid rent and business rates for it and also paid for the upkeep so it was right that the Council recover some of the costs. The alternative, as recently seen, were proposals from the owners to develop the car park and take it away from public use. Therefore, Councillor Filmer said he considered that charging was fair.

**491 Sue Groves MBE of Chatham asked the Portfolio Holder for Adult Services, Councillor Brake, the following:**

What arrangements are currently in place to ensure that the Council consults fully with disabled residents (including those with mental, physical and hidden disabilities) when considering the equality impact of policy changes and planning applications etc?

Councillor Brake stated that the Council took its responsibilities to service users seriously and made every effort to engage with people in an open, accessible manner, offering support where appropriate to enable an effective response to the consultation.

The Council's Diversity Impact Assessment process encouraged officers to think carefully about whether a change in policy or service would disproportionately affect people with what was known as protected characteristics like disability. The assessments encouraged officers to explore the potential impact with people that may have the protected characteristics both individually and holistically by reviewing evidence from consultations, surveys and statistical information. The Council had good examples of Diversity Impact Assessments being undertaken fully to inform its decision-making.

The key approach taken to consultation in relation to changes in policy and services was to engage with those people who are directly affected by the change and seek out their representative groups such as user led organisations like the Mental Health Service User Engagement Project and the Medway User

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Led Organisation (MULO) as well as groups hosted/managed by the carers centre or Council for Voluntary Service Medway (CVS).

When there was a significant change in policy or service delivery the Council would ensure that opportunities to engage were provided in a variety of ways such as specific meetings with particular service users, public meetings, surveys, questionnaires, use of the internet and with support from independent organisations like WRVS or Sunlight.

The Council took this approach when looking at changes to housing related support and engaged with both service users and service providers. The purpose of this was to better understand the experience of those using the services and how the service could be improved, whilst being made more efficient. This engagement was important in ensuring that the new service models were flexible and responsive to the needs of service users.

The Council was supported by the WRVS on the annual Adult Social Care Survey and they provided independent volunteers to support people in residential care homes to complete the survey. The survey was also provided in an easy read format to support people with a learning disability to complete the survey.

The Council would continue to consult and engage with service users including disabled service users to ensure that changes in policy and service took into account the views of residents of Medway. A Diversity Impact Assessment was carried out on all significant service changes, and policy proposals, to ensure the impact on the community had been taken into consideration before the policy was implemented.

In terms of planning, Councillor Brake stated that the Council had worked for some years with the Medway Access Group. They were given a copy of the weekly list of planning applications and could access these online to be able to provide feedback on any applications as appropriate and needed. The comments from the Medway Access Group were taken into consideration when processing the applications, particularly where the public would use or access the building or proposed development.

Sue Groves MBE asked in recognising the success of the Medway Ethnic Minority Forum, would the Council be willing to support the formation of a Medway Disabled Residents Forum?

Councillor Brake noted there were many issues relating to engagement with groups involving people with disabilities being tabled at this meeting and stated that he would be very much supportive of exploring every avenue that may be open to engage and to ensure people's views were heard.

**492 Jamie Morice-Jones of Chatham asked the Portfolio Holder for Children's Services, Councillor Wicks, the following:**

For years young people have felt disengaged with politicians and the political structure for various reasons, one being they don't see the point of getting involved with politics. You will also hear regular comments such as "Why should I bother voting?" At the end of the day, regardless of what people think of politicians, they have the power to make decisions which affect everyone, both positively and negatively. Today I would like to ask the Portfolio Holder what can we do to make sure young people feel engaged in the political process, and to help change the negative viewpoint many young people may hold about politics?

Councillor Wicks stated that the current population in Medway was now 265,000, of which 69,000 were young people aged 19 or under. This was a significant part of the population so it was important that the Council engaged with them. He stated the need to draw a distinction between party politics and political understanding and engagement as it would not be appropriate for the council to invest in the development of party politics among young people. However there was a wide range of activity which was helping young people develop their sense of awareness and belonging, involvement in community and society, in civil organising and in expressing their voice.

He reported that Medway Council had been very successful over recent years in encouraging, supporting and funding youth groups such as, Medway Youth Parliament (MYP), Medway Young Commissioners and Medway Young Inspectors. The last external assessment had demonstrated that these services were of a high quality and impact (Ofsted on MYP in 2006). The Youth Parliament had a full Parliament, it had a Cabinet and operated through a committee structure. It was important to note that their members participated in the UK Youth Parliament, which now for the first time had started to have an annual meeting in the House of Commons, which was very significant and worthwhile.

These participation groups all provided young people with a voice and an opportunity to be listened to and to change and influence their local community.

Democracy was also encouraged in Medway's 17 mainstream secondary schools and in some primary schools as well through the development of school councils. It was the intention that every young person in these schools would be able to have their voice heard by decision makers in Medway.

Medway Youth Trust (previously Connexions) had a very active young people's forum that was involved in all levels of decision making within the trust and the trust itself planned to go for a gold in an award called 'Hear by Rights' in the next twelve months.

The Medway Youth Service also had a key aim of ensuring that young people fully participated in the decisions that the service took with regard to the

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activities offered, the management of the service and also the quality assurance.

Councillor Wicks said that as far as possible these activities were all led by young people with young people being encouraged to take responsibility for the design and delivery of their own work. These participation programmes encouraged young people to have a greater involvement and voice in their own community and empathy with others.

By meeting in forums, inspecting services or being consulted on new developments, including by this Council, young people felt valued, were enthusiastic about supporting programmes of work or initiating change within their local area. This provided a stepping-stone to future local political involvement.

He also referred to the Medway Council Participation Strategy, which provided a framework that would ensure services were seeking the active involvement of children, young people, parents and so on.

In terms of the Council's Member level meetings, young people had a voice through two Medway Youth Parliament representatives who were co-opted on to the Council's Children and Young People Overview and Scrutiny Committee. The current representatives were Sam Tutt and Doyin Yahyi and they actively contributed to the debates at these meetings.

Medway, finally, remained committed to ensuring that the voice of young people was heard and that it continued to influence the services that were delivered on their behalf.

Jamie Morice-Jones stated that as with the Youth Parliament, there had been criticism over the years around the issue of representation. For example, when people were elected there had been a lot of incidents where teachers had told their pupils to vote for their school's candidates.

He asked what other ways existed for people like himself, who did not attend large schools, to get involved with politics more?

Councillor Wicks encouraged him to come to meetings like this and take part. He also suggested that he contact Medway Youth Parliament to get involved with them.

### **493 Matt Butt of Chatham the Leader of the Council, Councillor Rodney Chambers, the following:**

It has been confirmed that if Harriet Yeo is elected as Police and Crime Commissioner for Kent, she will resign her role as Councillor on Ashford Borough Council. Do you expect the Conservative candidate to resign as a Councillor if he is successful?

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Councillor Rodney Chambers stated that he assumed that the Labour candidate for the Police and Crime Commissioner made the pledge she did knowing full well that she would never have to meet the commitment given.

He said there was nothing in legislation or in the Council's Constitution which prevented or would prevent the successful Conservative candidate at the forthcoming election for Police and Crime Commissioner for Kent from remaining a Member of Medway Council.

Matt Butt asked whether the Leader agreed that it would be a bit of a farce if the candidate was to continue, knowing full well that he may have to hold himself to account in a Police and Crime Panel?

Councillor Rodney Chambers stated that he had nothing to add because it was not a farce, presumably because if the Labour Party were fighting a Police and Crime Commissioner election they thought it was serious and it was a serious role. He stated that the successful Conservative candidate would take it extremely seriously.

**494 Katie Smith-Palomeque, on behalf of Medway and Swale Advocacy Partnerships, asked the Portfolio Holder for Adult Services, Councillor Brake, the following:**

Do you feel that the Council has done everything it can to ensure residents, particularly disabled residents have been supported if they want to explore any aspect of localism?

Councillor Brake stated that he would encourage everyone to become involved in activities to improve their neighbourhood as localism in Medway was operating at the neighbourhood level with the local community taking the lead. Medway Council acted as a catalyst, the local community developed and owned the plans and programmes at neighbourhood level. Medway Council would continue to support these plans and programmes but it was the role of the local communities to set their own priorities and improvement agendas.

Where officers of the Council were supporting neighbourhood action plans they ensured that events and meetings were accessible for everyone. In the past year, officers had supported neighbourhood events and activities where over 2500 residents had attended.

**495 John Ward of Chatham asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:**

I have noticed that at least one Opposition member on this Council has recently been trying to manufacture the myth that this Council, under this Government, is raising council tax unreasonably.

With my solid belief that the facts show the true picture, may I ask the Portfolio Holder to place on the public record of this meeting a table of each year's Band D Council Tax from when the Conservatives took over the council's

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administration, along with the percentage increase from the previous year, and noting, for each year, which party was running the national government at the time?

For comparison it would be useful to have the national figures as well to show the value enjoyed by Medway's residents.

Councillor Jarrett informed John Ward that the table that he had asked for was being circulated around the room.

He explained that the information required in terms of column 2 set out the Medway increase year by year since 2001-2 when the Conservatives formed this administration until the current year and there had been many years of successful Conservative administration in Medway.

In column 4 there were the all England percentage increases and in column 6 there were the Unitary percentage increases. He stated that Medway's increases were not entirely dissimilar either to the all England increase or the Unitary increase.

He stated that during some of those years some of the increases were quite substantial, not just in Medway, but across the country and he believed they reflected the activities of the national government in terms the number of new burdens that were forced upon Medway Council without the compensating funding and that was reflected across the country.

He stated that since the coalition government had been formed in 2010, rather than council tax going up excessively in the last two years, it had actually gone up by 0.2% which was a matter of rounding, not a real increase. The reason for that was because the coalition government had worked hard to help to compensate local authorities at least in part for forgoing council tax rises. He stated he did not know if that trend would continue but the Council was committed to the lowest level of council tax rise, consistent with maintaining the high standard of service delivery.

He noted Medway's relative position with other Councils across the country:

- 2007/08 – second lowest council tax out of 46 unitary councils;
- 2008/09 – third lowest council tax out of 46 unitary councils;
- 2009/10 – sixth lowest council tax out of 55 unitary councils;
- 2010/11 and 2011/12 – seventh lowest council tax out of 55 unitary councils.

He stated that this clearly showed that Medway Council was doing all it could to provide the lowest rates of council tax. The comparison with the national picture did not quite bear out in terms of the position when comparing Medway with council tax charging authorities in Kent because the Council was something in the region of £130 cheaper than anywhere else in Kent.

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He also stated that the Council's standard of service delivery was amongst the best in the land and all impartial measures demonstrated either through the Comprehensive Performance Assessment (CPA) or the Comprehensive Area Assessment (CAA) process, showed this. Medway Council, as per the findings of the external audit, gave excellent value for money and the Council would continue to do so. He stated that Medway Council was low in terms of council tax charging and was high in terms of giving value for money. He hoped that these facts would remain in the public domain.

Band D charge increase with Parishes:

Year	Medway % increase	Medway Council Band D charge with parishes	All England % increase	All England Band D charge with parishes	Unitaries % increase	Unitaries Band D charge with parishes	National Govt
2001/02	6.13%	£686.26	5.98%	£811.98	6.07%	£807.30	Labour
2002/03	8.61%	£745.36	7.39%	£872.02	8.20%	£873.49	Labour
2003/04	10.85%	£826.20	11.35%	£971.00	9.63%	£957.65	Labour
2004/05	3.25%	£853.09	3.85%	£1,008.41	1.58%	£972.77	Labour
2005/06	5.71%	£901.84	3.91%	£1,047.86	4.51%	£1,016.66	Labour
2006/07	5.51%	£951.56	4.30%	£1,092.93	4.46%	£1,061.97	Labour
2007/08	4.51%	£994.44	3.96%	£1,136.25	3.92%	£1,103.56	Labour
2008/09	5.03%	£1,044.51	3.73%	£1,178.67	4.03%	£1,148.05	Labour
2009/10	4.89%	£1,095.57	2.92%	£1,213.08	5.95%	£1,216.39	Labour
2010/11	2.48%	£1,122.78	1.78%	£1,234.64	2.14%	£1,242.38	Labour
2011/12	0.02%	£1,123.02	-0.14%	£1,232.92	0.03%	£1,242.78	Coalition
2012/13	0.02%	£1,123.21	0.22%	£1,235.61	0.56%	£1,249.79	Coalition

### 496 Tony Jeacock of Rainham asked the Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

With Communities Minister, Don Foster, having revealed that over £63million additional funding has been unlocked by bringing thousands of empty homes back into use, can the Portfolio Holder tell me how many empty homes Medway Council has brought back into use since May 2011 and what percentage of Medway's empty homes that figure represents?

Councillor Doe stated that the Government had announced on 27 September 2012 that as part of its New Homes Bonus, it would be providing Local Authorities with a total of £63m by the end of the current financial year in respect of the Empty Homes element of the scheme.

The Council monitored these figures on a quarterly basis so since the beginning of the financial year for 2011/12 until the end of the first quarter of 2012/13, 204 long-term empty homes had been brought into use. At the last time of measuring, the figures for the last quarter had yet to be finalised but they were likely to be an additional 26 homes, which would give an expected total of 230 by the end of the quarter.

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The number of long term empty homes as a percentage of all private sector homes was currently 1.3%, which was well below the level experienced in other parts of Kent where levels were more than twice that. The number brought back as a percentage of those empty was 18.5%.

Tony Jeacock asked whether the Portfolio Holder agreed that a more vigorous endeavour by the Council to identify Medway's empty properties, coupled to a determination to return them in a fit and proper state for occupational use would do much to help the homeless, much for employment in the construction industry and do much to offer real and proper apprenticeships in the Medway Towns and if not, why not?

Councillor Doe stated that he did not think that a more vigorous approach in the sense of simply trying harder would actually make that much difference since the Council already had a vigorous approach. A measure of empty homes represented a snapshot and there are many quite good reasons why some homes are empty. Whilst empty homes ought to be recycled where possible there could of course be a number of reasons why the homes were empty and if there was not a reasonable number of empty homes then actually the market churn, (i.e. the buying and selling of homes) would become impossible.

He stated that he did not take this complacently, that the Council was doing relatively well when considering the resources available and whilst the provision of funding to local authorities through the new bonus was a new stream, it needed to be noted that other funding streams to the Council were reducing, particularly the Formula Grant which was reducing from £86m in 2011/2012 down to £69.7m in 2014-15. Councillor Doe said it was unlikely therefore that the Council would be able to deploy extra resources in the present climate of austerity. The Council used the resources available to the very best advantage and the record showed that it was achieving considerable success.

**497 Katie Smith-Palomeque, on behalf of Medway and Swale Advocacy Partnerships, asked the Portfolio Holder for Adult Services, Councillor Brake, the following:**

What mechanism does the Council use to engage with those residents with hidden disabilities such as mental ill health?

Councillor Brake stated that earlier this evening Ms Groves had asked a very similar question and that it was worth repeating the Council's position. The Council took its responsibilities to service users seriously and made every effort to engage with people in an open, accessible manner, offering support where appropriate and needed to enable an effective response to the consultation.

Councillor Brake referred to part of the response that he gave earlier which actually highlighted that the Council had good examples of the Diversity Impact Assessments being undertaken fully for it to inform its decision-making. In addition, he had also said that the key approach taken to consultation in relation to changes in policy and services was to engage with people who were directly affected by the change and seek out their representative groups as well

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as user-led organisations. An example of this was of course the mental health service user engagement project and Medway User Led Organisation (MULO) as well as groups hosted and managed by the Carers' Centres or CVS. He stated that he sincerely hoped that this answered the question and was happy to go into further details.

Katie Smith-Palomeque stated that she would still like some reassurance from the Councillor that the representative groups were sufficient in terms of their numbers to accurately represent the groups as they were in Medway and how would Councillor Brake guarantee that?

Councillor Brake stated that he believed he could give assurances that the Council did in fact take on board the hidden disabilities such as mental health and that, he, together with other Members had attended various sessions and meetings that had been held with various organisations looking at the impact of moving services from Medway Hospital to the Dartford Hospital. This was an example of talking directly with people with mental health issues. People present were clearly open and prepared to discuss their own particular health issues but equally there were representative carers, some of them parents, other members of the family, together with members of the local LINK organisation and other such people who represented the people who had these illnesses. He stated, as Portfolio Holder, he took these issues very seriously and would do all he could to ensure that the Council continued to engage with people with mental health issues.

### **498 Tony Jeacock of Rainham asked the Leader of the Council, Councillor Rodney Chambers, the following:**

From January 2013, there will be 800 plus serving members of the Corps of Royal Engineers who will be made redundant, some of whom are currently stationed in and around the Medway Towns. Under the Military / Community Covenant, to which Medway Council put its signature, what does the Leader intend to do about it?

Councillor Rodney Chambers stated that it was reassuring to see that the signing of the Medway Armed Forces Covenant earlier this year was already having a positive impact on how Medway citizens wished to support their local Armed Forces, especially considering the Council's special links with the Royal School of Military Engineering, and the Royal Engineers in particular.

As far as he was aware, there were no formal announcements in relation to the next tranche of Army redundancies and therefore it was not possible to predict the impact on those who were stationed here or who would wish to settle in Medway in the future. However, in the spirit of the Covenant, he envisaged Medway Council ensuring fair and equitable treatment, and special treatment where appropriate, in support of those serving and leaving the Armed Forces and could imagine areas of support might focus on Health, Education and possibly Housing depending on the needs of the individual.

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However, the Armed Forces had a comprehensive resettlement and redundancy package and therefore he did not envisage Medway Council having a specific role in supporting those who were made redundant unless of course they had specific needs that the Council could assist with in line with the Armed Forces Covenant.

In addition to this, and as an example of whether other organisations were also providing assistance, he stated that Medway Citizens Advice Bureau, which had also signed the Covenant had been helping and supporting the soldiers.

For example, Medway Citizens Advice Bureau spoke to just under 500 soldiers about debt earlier in the week at the request of senior military officers.

Redundancy and unemployment in Medway was something that Medway Citizens Advice Bureau would be closely monitoring as part of their Special Impact Board that the Medway Citizens Advice Bureau were setting up with the Council's support.

Medway Citizens Advice Bureau were also able to send a redundancy support team into any organisation that may need help in Medway.

Therefore, he stated that everyone needed to wait and see for any formal announcements from the Ministry of Defence. However, there were systems in place to deal with any eventualities.

Tony Jeacock stated that many of these young heroes enlisted upon completion of an extended period of full time education and had limited knowledge, if any, of how to approach adult civilian life or who to go to for help regarding everyday services that most of us take for granted. To demonstrate that more than lip service was being paid to the aforementioned Covenant, should Medway Council appoint someone to liaise with the local military and with local businesses and services and, for example, produce a pamphlet to guide and point them in the right direction locally thereby greatly assisting their integration into civilian life?

Councillor Rodney Chambers stated that the Ministry of Defence did not wash its hands of soldiers and when they were made redundant, they themselves provided the advice that Mr Jeacock was suggesting and as far as liaising with the services, he stated that the information that he was able to provide this evening was because of that liaison with the services and that a number of the answers that he had given came from them. He stated that Mr Jeacock had mentioned 800 in his question, there was no indication that a large part of that 800 would be here in Medway.

In fact, under Tranche 2 which was announced in January, the numbers that were made redundant and needing support were less than five here in Medway and they received support from the Council, Citizens Advice and also continuing support from the Army itself. He stated that he did not think there was a need to actually appoint a special liaison officer, there was continuing liaison with the Armed Forces and they kept in touch with the Council regarding

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anything that the Council could do to help support those that would be leaving the service and requiring assistance.

### 499 Leader's report

#### Discussion:

Members received and debated the Leader's report, which included the following:

- Hub Airport Consultation;
- Police and Crime Commissioner Election and the Police and Crime Panel;
- Regeneration including Rochester Riverside, Chatham Waterfront, Business in Kent, Construction Expo at Chatham Historic Dockyard, Jobs and Apprenticeships Fair at the Brook Theatre and employment rates;
- Examination results;
- Sporting Legacy including the recent British Transplant Games.

### 500 Overview and scrutiny activity

#### Discussion:

Members received and debated a report on Overview and Scrutiny activities, which included the following:

- Localising Support for Council Tax;
- Draft Special Needs Educational Transport Policy;
- Changes to Inspection Regimes;
- Update on Child Development Centre move to Temple Site;
- Provisional Test and Examination results;
- Proposed merger between Medway NHS Foundation Trust and Dartford and Gravesham Trust;
- Blue Badge Charging – Medway Maritime Hospital;
- Road Maintenance Funding;
- Medium Term Financial Plan;
- Task Group on Fair Access to Credit.

### 501 Members' questions

#### (A) Councillor Osborne asked Portfolio Holder for Front Line Services, Councillor Filmer, the following:

Will the Portfolio Holder request that double-yellow lines be added to the corner of Settington Avenue and Street End Road, Luton, as there is major concern in the surrounding community this blind spot on exit from this road could lead to a major accident?

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Councillor Filmer stated that, given Councillor Osborne's new found concern and passion about the Peninsula, he would personally see that the parking restrictions at the junction of Settington Avenue and Street End Road would be added to the next batch of yellow lines to be assessed and consulted on. He advised that subject to a favourable response to the consultation, yellow lines would be installed but it was likely that it would be several months before the drafting, consultation and implementation could be completed.

Councillor Osborne stated that he understood that this process may take 3-6 months and as a number of concerns had been sent to the Council, therefore, could the Council provide enforcement officers to currently look at the situation there prior to double yellow lines being placed down?

Councillor Filmer stated that there was some history to this issue and he had looked into it and that there was a suggestion that the police go along there.

**(B) Councillor Osborne asked the Portfolio Holder for Children's Services, Councillor Wicks, the following:**

Can the Portfolio Holder confirm the number of schools and pupils in Medway that have challenged the grading of GCSE papers after this summer's grading debacle?

Councillor Wicks stated that he had been advised it was three schools in Medway and 90 students.

Councillor Osborne asked if the Portfolio Holder could confirm that the Local Authority was supporting those pupils in challenging these grades and that they would receive guidance from the authority according to their requirements?

Councillor Wicks stated that almost all the secondary schools were Academies and that all the actions concerned with the GCSE adjustments were being conducted by the appropriate school.

**(C) Councillor Irvine asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

With the Conservative led Coalition government reversing the previous Labour Government's terrible decision to allow rail firms to increase rail fares by RPI + 3% to a more manageable RPI + 1%, can I ask what actions the administration carried out in lobbying for this?

Councillor Filmer stated that this question raised a topic that affected many of Medway's residents. The current government had reversed the Labour Government's previously unfair rail fare mechanism, something which had been long condemned.

Specific action that the administration had taken included writing to the Department for Transport on Medway's behalf calling for a change in the pricing mechanism. He stated that he had written to South Eastern Trains calling for

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them to limit fare increases in April and he had asked officers to draft a response to the summer's rail consultation. Furthermore, along with Cllrs Griffiths, Juby, Maple and Price, he had attended a recent stakeholders meeting for South Eastern held at Priestfield Stadium where the issue of their rail franchise was raised. In addition, Councillor Rodney Chambers had publicly spoken out a number of times in recent years about this.

Lastly, Cllrs Chishti, Mark Reckless MP and Tracey Crouch MP had all been lobbying the Department for Transport and this had been most welcome.

**(D) Councillor Murray asked the Portfolio Holder for Adult Services, Councillor Brake, the following:**

Could the Portfolio Holder give an update on the current long-term future of Age UK Chatham at their Hopewell Drive site?

Councillor Brake stated that Medway Council had supported Age Concern Chatham for many years – both with direct funding and with assistance when they moved from their previous poor quality accommodation to their lovely new home in Hopewell Drive, Chatham. He stated he had visited their centre both as Mayor and as Portfolio Holder and had seen first hand the value of this service to the local community.

Sadly, the Trustees and the senior management appeared not to have future-proofed the organisation and there was financial pressure. The Trustees and senior management could have pursued a proactive fundraising programme, could have merged with another local charity to minimise costs and administration or could have made modest increases to their charges. They had now turned to Medway Council to seek a bail out.

Recognising the need for such a service in Chatham and committed to supporting older people and their family carers, Medway Council had offered to underwrite liabilities and funding for Age Concern Chatham to the tune of £69,000 and had put this offer in writing.

It had been hoped that the Trustees of Age Concern Chatham would have accepted the Council's generous offer of assistance and that the service under their banner would have continued for many years to come. Sadly, in a letter received by officers and himself today, the Trustees had declined the offer made by Medway Council and had gone for closure. He stated he was personally extremely disappointed by this decision and he had therefore instructed officers to seek alternative provision for the elderly of Chatham to ensure that the commitment made to them and their family carers be honoured. He stressed that the Council remained open to discussions should Age Concern Chatham wish to speak further. He stated that he would keep Members briefed on this matter.

Following discussion, Councillor Brake stated that references to Age UK, Age Concern, Hopewell Centre, related to the Hopewell Centre, Age Concern Chatham, Units 4 and 5, Park House, 92-95 Hopewell Drive, Chatham.

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Councillor Murray, in accepting that the Trustees had found it difficult, asked the Portfolio Holder whether he could say whether the Council gave the Trustees any support for running the centre before things became, in their eyes, insurmountable especially given that it was Government policy at the moment to try and get voluntary organisations in running vital services?

Councillor Brake stated that the Council had not been sitting back waiting for this organisation to go to the wall. He assured Members that the support given by Medway Council to this organisation had been tremendous. Not only had it been by way of financial support and the provision of various contracts that they could use for the benefit of their users but the Council had made contributions by way of administrative and indeed support of a practical nature to help them put together business plans to see if other opportunities that may exist.

He stated that he believed that the Council had probably exhausted anything and everything that could be done for this group of people. Sadly, it was in the hands of the Trustees and the senior management who did not seem to be coming back very positively in the support that was being given. The Council would continue to offer support and hold further discussions should Age Concern Chatham wish to speak further. He would keep Members briefed.

### **502 Growing Places Funding: Rochester Riverside**

#### **Discussion:**

This report provided details of a proposed addition of £4.410m to the capital programme, to deliver the next phase of essential infrastructure for the Rochester Riverside Development, funded through an interest free loan, through the Department for Communities and Local Government's Growing Places Funding, following Cabinet's initial consideration on 9 October 2012.

Councillor Jarrett, Portfolio Holder for Finance, supported by Councillor Rodney Chambers, the Leader of the Council, proposed the recommendations set out in the report.

#### **Decision:**

- a) The Council approved the proposed investment of £4,410,000 Growing Places Finance, to be repaid as per table 1.1, subject to the approval by the Homes and Communities Agency (HCA) Board on 31 October, confirming that any future capital receipts, (above and beyond the current priority repayment of £2.5m of prudential borrowing), be used to pay off Growing Places Funding (GPF) debt.
- b) The Council approved that it enter into a loan agreement with Essex County Council, as accountable body for Growing Places Funding.
- c) The Council approved that it enter into a variation of the Rochester Riverside Collaboration Agreement to ensure that the loan amount can

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be recouped from the proceeds of disposal, prior to the division of any surplus between the Council and the HCA.

### 503 Constitutional Matters - New Legislative Requirements

#### Discussion:

This report provided details of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 which were laid before Parliament on 15 August and came into effect on 10 September 2012. These regulations clarify and extend the circumstances in which local authority executive decisions are to be open to the public. The report also provided details of the required changes to Medway's Constitution, following initial consideration at Cabinet on 4 September 2012.

Councillor Rodney Chambers informed Members that the Council had received a response from the Department for Communities and Local Government (DCLG) which indicated that the new regulations would not require the publication of officers' administrative or operational decisions (Regulation 13(4)).

In addition the report provided details of a revised Communications Protocol to replace the version in Part 5 of the Council's Constitution in order to reflect the Medway Protocol with the latest model Code of Recommended Practice on Local Authority Publicity.

Councillor Rodney Chambers, the Leader of the Council, supported by Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, proposed the recommendations set out in the report.

#### Decision:

- a) The Council agreed the changes required to the Constitution as set out in Appendices A and B.
- b) The Council noted the working arrangements for executive decision-making and access to information as set out in the revisions to the Constitution together with the proposed approach described in paragraphs 4.1 to 4.10 which took effect on 10 September 2012 to ensure compliance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations.
- c) The Council noted that the Monitoring Officer had been given authority by the Leader and Cabinet to put in place arrangements for the publication of executive decisions taken by officers, if required, once a reply from the Secretary of State as the intended scope of this provision has been received.
- d) The Council noted that the Leader had delegated authority to the Monitoring Officer to determine, in consultation with the Leader, a

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response to any representations received about why a Cabinet meeting should be open to the public following publication of a notice of intention to meet in private.

- e) The Council agreed the revised Communications Protocol, as set out in Appendix C to the report.

### **504 Statement of Policy in Respect of Sexual Entertainment Venues**

#### **Discussion:**

This report provided details of proposals regarding amendments to the Statement of Policy in respect of Sex Establishments, following consideration by the Licensing and Safety Committee in April, July and September 2012. The Committee had recommended a limit for sexual entertainment venues in the historic part of Rochester, as set out in the amended Statement of Policy.

A Diversity Impact Assessment screening had been undertaken on these proposals which was set out in Appendix C to the report. The screening had demonstrated that it was not necessary to undertake a full assessment on the proposals.

Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact, supported by Councillor Wicks, Portfolio Holder for Children's Services, proposed the recommendation set out in the report.

#### **Decision:**

The Council approved the amended Statement of Policy in respect of Sex Establishments as set out in Appendix A to the report for approval and for the new Statement of Policy to come into effect from 19 October 2012.

### **505 Members' Planning Code of Good Practice and Members' Licensing Code of Good Practice**

#### **Discussion:**

This report provided details regarding revisions to the Members' Planning Code of Good Practice and Licensing Code of Good Practice following the adoption of a new Member Code of Conduct at Council on 26 July 2012. The Licensing and Safety Committee and Planning Committee considered their respective codes on 19 September 2012 and 3 October 2012 respectively.

Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact, supported by Councillor Wicks, Portfolio Holder for Children's Services, proposed the recommendation set out in the report.

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### Decision:

- a) The Council agreed the Planning Code of Good Practice, incorporating the Member Site Visit Protocol, as set out in Appendix A to the report.
- b) The Council agreed the Licensing Code of Good Practice, as set out in Appendix B to the report.

### 506 Special Urgency Decisions

#### Discussion:

This report provided details of a decision taken by the Deputy Leader under the special urgency provisions contained within the Constitution. This related to the decision on 23 August 2012 in respect of an HR Matter.

Councillor Rodney Chambers, Leader of the Council, supported by Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, proposed the recommendation set out in the report.

#### Decision:

The Council noted the report.

### 507 Motions

#### (A) Councillor Murray, supported by Councillor Brake, proposed the following:

This Council congratulates the Medway Ethnic Minority Forum on ten years of successfully acting as an overarching, campaigning and representative organisation for many local community groups as well as supporting Medway Council in the promotion of equality and diversity.

This Council recognises that disabled residents are represented by specialist groups related to particular conditions but do not have an overarching organisation with a formal relationship to the Council which represents them and can work as a partner on issues that affect the whole disabled community in Medway.

This Council instructs officers to work with local residents and organisations to explore the formation of the Medway Disabled Residents' Forum which is supported by the Council and has the status afforded to formal consultees when changes are proposed which impact on the quality of life, access and welfare of the disabled community.

#### Decision:

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This Council instructs officers to work with local residents and organisations to explore the formation of the Medway Disabled Residents' Forum which is supported by the Council and has the status afforded to formal consultees when changes are proposed which impact on the quality of life, access and welfare of the disabled community.

**(B) Councillor Osborne, supported by Councillor Maple, proposed the following:**

Medway Council notes:

- Kent Police budgets are being cut by £53m or 20% of its total budget leading to reductions of 500 front line officers and 1,000 support staff by 2015
- The failure of the private sector company G4S at the Olympic Games
- That senior officers do not now need to attend PACTs or Community Police events as part of the Community Contract
- Alcohol Control Zones have been rejected due to resource constraints in Medway
- The Kent Police Commissioner election will cost the taxpayer £2m at a time of economic recession.

Medway Council believes:

- The continued reduction in levels of crime noted over the last 15 years are at real risk if cuts to PCSOs, Police officers and support staff continue at the current pace
- That communities are feeling increasingly isolated due to cuts in Police numbers
- That the Police should be responsive to community demand for Dispersal and Alcohol Control Zones
- That it is completely inappropriate for the Government's Chief Whip Andrew Mitchell to remain in post after allegedly calling Police 'plebs'
- That Council officers, in recognising the spirit of the Localism Act, should be responsive to PACT and community initiatives to combat anti-social behaviour.

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Medway Council resolves:

- To write to David Cameron to call on Andrew Mitchell to resign as Chief Whip
- To be responsive to PACT and community-led initiatives to combat anti-social behaviour
- To oppose any privatisation of Police services
- To endorse the position of the Police Federation on resources which would lead to no impacts on the front line.

Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact, supported by Councillor Chishti, proposed the following amendment:

### **Replace original motion with the following:**

This Council congratulates both Medway's Community Officers and Kent Police in Medway in the proactive way that they have both supported the Police and Communities Together Committee (PACT) and School and Communities Together Committee (SACT) process throughout Medway.

This Council recognises the valued contribution that the 21 PACTs, the SACTs and the PACT Chairs' Forum have made to the wellbeing of the residents of Medway.

This Council also acknowledges the significant reduction in crime and anti-social behaviour in Medway through the actions of all the partners of the Medway Community Partnership. This Council particularly acknowledges the role of Kent Police, who, despite the extra commitment of Olympic and Paralympic duties over the summer period have continued to work with Medway Council and other partners to ensure that Medway remains safe, clean and green, as previously reported to this Council.

On being put to the vote, the amendment was carried.

The substantive motion was put to the vote and was carried.

### **Decision:**

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This Council recognises the valued contribution that the 21 PACTs, the SACTs and the PACT Chairs' Forum have made to the wellbeing of the residents of Medway.

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**Mayor**

**Date:**

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