Meeting of Medway Council

Members of Medway Council are hereby summoned to attend a meeting of the Council for the business as set out in the agenda below

Date: Thursday, 24 January 2019
Time: 7.15pm (or at the rise of the special Council meeting, if this is later)
Venue: St George’s Centre, Pembroke Road, Chatham Maritime, Chatham ME4 4UH

Agenda

1 Apologies for absence

2 Declarations of Disclosable Pecuniary Interests and Other Significant Interests (Pages 19 - 20)

Members are invited to disclose any Disclosable Pecuniary Interests or Other Significant Interests in accordance with the Member Code of Conduct. Guidance on this is set out in agenda item 2.

3 Record of meeting (Pages 21 - 46)

To approve the record of the meeting held on 11 October 2018.

4 Mayor’s announcements

5 Leader’s announcements

6 Petitions

7 Public questions
A) John Williams of Rainham will ask the Portfolio Holder for Business Management, Councillor Turpin, the following:

As you all know Council Tax is an unfair tax in any event, it is understood that it is a government requirement to impose this tax.

Surely increases should be shared more fairly and this could be done by dividing the required total increase by the number of households in the authority, therefore all pay a fair share of the increase, relieving those on fixed income and living in high banded dwellings of a greater increase than those on lower bands.

Has the Council considered this?

B) Elaine Thomas of Rochester will ask the Portfolio Holder for Resources, Councillor Gulvin, the following:

Following a stabbing in the Vines and an attack on Rochester Bridge at the end of last year, can the Portfolio Holder assure me and residents of Central Rochester that there is adequate operational CCTV cover in Rochester High Street and the surrounding area of the Castle, Cathedral and Vines?

C) Zoe Van Dyke of Strood will ask the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers OBE, the following:

Last year the Council’s Conservative Cabinet adopted a fully detailed planning brief for Strood Riverside. The planning brief includes the area currently occupied by Kingswear Gardens housing estate that consists of affordable rented homes.

Why is the Council intent on encouraging Moat and Orbit Housing Societies to demolish their existing houses and flats, making residents face eviction, with no guarantee of being offered nearby alternative accommodation?

D) Dave Carman of Gillingham will ask the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

Shelter's recent national report recommended that 300,000 affordable rented homes need to be built each year in order to solve the housing and homelessness crisis and the latest Medway Matters in the #WeareMedway section on page 11 advertises affordable housing here.

Can the Portfolio Holder tell me whether or not Medway is achieving its own targets for building affordable homes and whether he is prepared to increase the targets to match the need demonstrated in the Shelter report and commended by residents who took part in the #WeAreMedway sessions?
E) Siju Adeoye of Gillingham will ask the Leader of the Council, Councillor Jarrett, the following:

Brexit is now less than 100 days away yet the Leader of the Council has said that he does not feel the need to make preparations for the people of Medway.

Has he changed his mind and if so what preparations are being made to ensure Medway has a good future after we leave the EU?

F) Joanne Howcroft-Scott of Strood will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

Is the Council concerned about Capstone Green half-finished housing project in Luton and Wayfield ward, which has been abandoned due to the building company declaring bankruptcy?

G) Jordan Hartley of Gillingham will ask the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

After residents faced up to 133% increase in car parking charges in 2017/18, some residents will undoubtedly want to make use of public transport more frequently.

Can the Portfolio Holder tell me how he plans to reduce fares on public transport to make it easier for local people to get around our towns and choose to leave their cars at home?

H) Alexa Chatfield of Rainham will ask the Portfolio Holder for Children’s Services (Lead Member), Councillor Mackness, the following:

In 2015-16, 278,123 service users attended Sure Start centres.

Can the Portfolio Holder tell me how many people have used the services since the new arrangements were put into place?

I) James Braithwaite of Rochester will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

Twice, since the Conservative Party became this Council’s administration, the Council has failed to adopt a Local Plan. In Strood North there are currently two planning applications for large scale housing on Metropolitan Greenbelt land.

Noting the number of green field housing developments that the Council has already given recent permission for, why should Rede Court and Brompton Farm Road residents have any confidence in this Council’s Conservative administration successfully seeing off these two planning applications?
J) Simon Curry of Rochester will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

Will you apologise to the people of Medway for consistently failing to meet housebuilding targets for Medway?

K) James Chespy of Gillingham will ask the Leader of the Council, Councillor Jarrett, the following:

What are you going to do to get a new job after you are defeated next May?

L) Sean Carter of Gillingham will ask the Portfolio Holder for Business Management, Councillor Turpin, the following:

Why is the Council covering up fraud amongst its officers?

M) Vivienne Parker of Chatham will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

When does the Council hope to publish the Section 19 draft Local Plan?

N) Anthony Hill of Strood will ask the Portfolio Holder for Resources, Councillor Gulvin, the following:

In October 2018, 651 crimes were reported across Strood and the Peninsula. With CCTV cameras across Medway, and in Strood, in various states of disrepair, when will Councillor Gulvin ensure that residents of Strood and the Peninsula benefit from an effective CCTV system ensuring the safety of business and residents?

O) Hazel Browne of Gillingham will ask the Portfolio Holder for Adults' Services, Councillor Brake, the following:

Following a successful campaign by patients, ward councillors and local people the CCG has announced that contracts for GP surgeries at the Sunlight Centre and Twydall branch surgery can continue for the short term.

Can the Portfolio Holder tell me what he is doing to secure the long term future for these important NHS facilities?
P) Ravinder Jassal of Chatham will ask the Leader of the Council, Councillor Jarrett, the following:

I strongly oppose the development of Capstone Valley. I am concerned about the damage to local wildlife and the lack of existing infrastructure that would support such a development (such as schools, roads, GP surgeries, etc.), as well as the extra pressure this will likely place on the already struggling Medway Hospital.

Will the surrounding area of Princes Park receive any of the £170 million Housing Infrastructure Fund if Medway’s bid is successful?

Q) Harinder Mahil of Chatham will ask the Leader of the Council, Councillor Jarrett, the following:

Does the Leader of the Council know of any other individual in the history of local government (officer, elected member, or otherwise) apart from Councillor Gulvin, who was unaware of all of the responsibilities under his or her remit for two years, and was still allowed to keep their position after their incompetence was revealed?

R) Lia Mandaracas of Twydall will ask the Portfolio Holder for Adults’ Services, Councillor Brake, the following:

Baby weighing services have been significantly reduced over the last 6 months leaving new parents with less support for ensuring their babies and toddlers maintain a healthy weight and that good eating habits are established for the future.

What is the Portfolio Holder doing to ensure that this vital service is accessible to as many parents as possible?

S) Bryan Fowler of Chatham will ask the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers OBE, the following:

This is a question about the £1.4M revamp of Chatham Station. On the 29th November 2018 you were quoted in the Medway Messenger as saying “This project will make it easier for residents and visitors to access the station”. It is disappointing to note that the sheets of A4 paper posted on windows around Chatham Station show that a key part of the project, widening the pedestrian access by means of a ramp to the bus stops, is now listed “as a potential future project”.

Network Rail has stated the cost of this raft has now exceeded the project budget and has been “de-scoped”. Bearing in mind that planning permission has been given for this project by Medway Council, how can residents be confident that this essential part of a major regeneration project (safe pedestrian access over the raft) will ever be delivered?
T) Rob Heathfield, Chair of Friends of Rede Common, will ask the Portfolio Holder for Business Management, Councillor Turpin, the following:

I'm sure you would agree with me that the dog attack on Rede Common in December was totally unacceptable, regrettably this is the second similar incident in six months.

What did Medway Council do between June and December and what further work will be happening to reduce risk of dog attacks?

U) Martin Rose of Rainham will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

The decision to postpone consultation on Medway’s draft Local Plan until summer 2019 is extremely disappointing.

The current situation places developers in a strong position to push ahead with piecemeal, unsustainable and undesirable applications, in the absence of a Local Plan. The Council's need to meet government housing targets further compounds this issue.

The South East is experiencing significant population growth and housing shortages, particularly in the affordable sector. An adopted, up-to-date Local Plan would protect our countryside in vulnerable areas such as the Capstone Valley and help ensure developers make appropriate contributions to much needed social infrastructure.

Medway Liberal Democrats believe this situation should be addressed as soon as possible, within this Council term.

Delaying to the summer avoids resolution of questions of where to build, and does nothing to protect the residents of Medway from undesirable and environmentally unsustainable development.

Please explain the reasons for the delay and which, if any, measures are being taken to expedite the process of adopting a Local Plan?
V) John Castle of Chatham will ask the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

Shelter have announced their figures for homelessness across the country. Medway has figures far higher than the rest of Kent, this should be a cause of concern, with over 600 children affected.

Medway Liberal Democrats believe these numbers hide many others in need of permanent houses. Some are in temporary accommodation, some are sofa surfing, others are in distressed circumstances fleeing from abuse. We believe the number of people needing accommodation is higher than the Shelter numbers.

Medway Council provides the Severe Weather Emergency Protocol (SWEP) for emergency housing in freezing temperatures. There is also an announcement of a government backed hub coming to Medway.

Medway Liberal Democrats believe that more action is needed to address the situation.

What actions above those mentioned earlier are the Council prepared to take?

W) Lindsey Burke of Rochester will ask the Portfolio Holder for Resources, Councillor Gulvin, the following:

It is my understanding that Medway Council owns and is responsible for the actual CCTV cameras and that MCG informed the Council that cameras were beyond repair and needed replacing. Yet the broken CCTV camera outside The Crown Pub in Rochester has been broken since I reported it to the Council nearly a year ago.

As the Councillor who is responsible for the portfolio that includes CCTV can Councillor Gulvin explain why no action was taken to replace this broken camera and why Medway Council have allowed the CCTV cameras in Medway to fall into such disrepair?
X) Chris Spalding of Gillingham will ask the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

A lack of foresight and planning prior to the opening of the new Amazon depot meant many lorries looking to deliver goods got lost due to a lack of road signs causing and continuing to cause misery for many Peninsula residents.

A meeting with Council officers at which Councillor Pendergast and I were to present a comprehensive plan that would have ended this chaos was cancelled by the Portfolio Holder so he could take the matter forward.

Would it not have been sensible to allow the meeting to go ahead and adopt or amend our plan rather than the Council wasting resources and council tax payers’ money duplicating work that that already been done for free?

8 Leader’s Report

9 Report on Overview and Scrutiny Activity

10 Members’ questions

A) Councillor Osborne will ask the Portfolio Holder for Resources, Councillor Gulvin, the following:

A recent Overview and Scrutiny briefing note has confirmed that 90 out of 175 CCTV cameras in high crime or priority areas in Medway are not operational, in all or some capacity which negates their working.

As this is an abject scandal given the potential for missed evidence at a time of rising crime, did he at any point consider his position as Community Safety Portfolio Holder, given this egregious failure of this administration to monitor this contract effectively?

B) Councillor Opara will ask the Portfolio Holder for Adults’ Services, Councillor Brake, the following:

I warmly welcome national progress that has been made in bringing discussions about mental health to the forefront of public consciousness, however there is always more that can be done. Here in Medway, we are committed to delivering the very best service to all residents who need support.

Would the Portfolio Holder please provide an overview of the measures Medway Council has put in place to ensure vulnerable members of our community are being given the necessary care to protect and improve their mental wellbeing?
C) **Councillor Joy will ask the Portfolio Holder for Adults' Services, Councillor Brake, the following:**

I am sure the Portfolio Holder will join me in celebrating the phenomenal success achieved in the first season of Man vs Fat, undertaken by Medway Council at Strood Leisure Centre, which saw a record combined weight loss of 694.1kg for the 15 week season.

I am pleased that this initiative was both funded through our Public Health Team, and supported by the Medway Sports Team. The fight against obesity is a major challenge, which has been successfully hit head on through the Man vs Fat programme.

Following the start of a second season which is fully subscribed with a waiting list of over fifty people, I would like to know both whether there are any plans to start a second league within Medway (preferably in the East) and in doing so, due to this initiative being only for men, what other opportunities to improve health Medway Council provide for all other groups of people within Medway?

D) **Councillor Bhutia will ask the Portfolio Holder for Business Management, Councillor Turpin, the following:**

Will the Portfolio Holder please outline what is being done to ensure that the Blue Badge application process is as streamlined and efficient as possible, as well as what measures are in place to ensure fraudulent applications and fraudulent abuse of the permits are detected, so that we can continue to ensure the best service is delivered to those that such permits are designed to help?

E) **Councillor Pendergast will ask the Leader of the Council, Councillor Jarrett, the following:**

Since he has seen fit to avoid answering this question within email communications over recent months, and given public concern a real tragedy could occur if emergency services are delayed or prevented as a result, can the Leader of the Council please tell me what contingency plans there are in the event of a traffic incident causing gridlock on the main route in and out of the Peninsula?
Councillor Freshwater will ask the Leader of the Council, Councillor Jarrett, the following:

I have sent you a copy of the report from Shelter over the affordable housing crisis that calls for action as social housing builds decline. The report, building for our future: a vision for social housing, recommends the government invests in a major 20-year housebuilding programme, which would offer a social home to millions who fail to qualify under the current system, including:

* 1.27m homes for those in greatest housing need – homeless households, those living with a disability or long-term illness, or living in very poor conditions.
* 1.17m homes for ‘trapped renters’ – younger families who cannot afford to buy and face a lifetime and insecure private renting.
* 690,000 homes for older private renters – people over 55 struggling with high housing costs and insecurity beyond retirement.

Former Treasury Minister Lord Jim O’Neill is one of the commissioners. He said: “There needs to be a profound shift to see social housing as a national asset like any other infrastructure. A home is the foundation of individual success in life, and public housebuilding can be the foundation of national success. It is the only hope the government has of hitting its 300,000 homes a year target.

The government’s budget for capital expenditure is £62bn a year – our housebuilding programme would cost only a fraction and is well within its financial reach. With current spending on housing benefit shockingly inefficient, it’s not hard to see what an investment in bricks and mortar could do to help solve the housing crisis and boost our economy.”

The Leader will be aware the reference and numbers of ‘trapped renters’ is causing profound worries and distress to very large numbers of Medway residents and relates directly to the number of households on the Medway housing waiting list. Medway Council is well aware, but not taking any action, knowing the private sector is not building anywhere near the required number of affordable houses needed for Medway’s increasing population. That mortgage costs of the cheapest properties are beyond the reach of the majority of people earning local salaries and housing developers are aiming their advertisement directly at London commuter markets with no homes for local people. The large housing developers are making grotesque profits, not putting in place necessary infrastructure and just walking away from local community problems and health inequalities they have directly created and leaving the lives of local people far worse. The Peninsula and other rural areas in Medway are examples where the developers are leaving the lives of local people far worse.

The actual capital investment by housing developers is in real terms minuscule and Medway Council is being held to ransom by large
housing developers saying if they do not make sufficient profit they will just walk away and not build homes to meet Medway’s 37,000 new housing target, increasing monthly by the government. I believe that Medway Council is not blocking every legal loophole used by developers to prevent sufficient numbers of affordable housing being built for the hard-working people living in Medway who are providing essential services on minimum wages including blue light services, nurses, local residents providing social care for increasing ageing population, local industry and retail shops employees, residents on nil hour contracts and those supporting the many small businesses in Medway earning minimum wages that are celebrated by the Leader as the backbone of Medway businesses and important for the local economy. Additionally, Medway also has also severe pressures from house owners near universities who are telling residents paying low affordable rents to leave so that properties can be converted into profitable student bedsits with rent guaranteed by student parents and supporting high market rents.

Can the Leader confirm he will be writing to all the MPs in Medway and the Secretary of State for Housing, Communities and Local Government confirming actions to be taken by Medway Council over the projected serious affordable housing crisis and additional social homes needed in Medway for households which currently fail to qualify for the reasons set against the 3 million additional homes programme headings identified in the Shelter report. It is assumed that the Local Plan will also address these housing crisis issues and one of the actions and solutions submitted in writing to Secretary of State for Housing, Communities and Local Government will be asking that Medway Council Private Housing Company be allowed to borrow money against Medway Council assets to build sufficient affordable homes for local people including the additional social homes for three group headings identified in the Shelter report. Such action would allow Medway Council to be seen as a bold leader in not viewing affordable housing and local homes for local people as a commodity that creates a housing crisis and social division, but as a human right that balances social and local community stability in Medway?

G) Councillor Johnson will ask the Portfolio Holder for Children’s Services (Lead Member), Councillor Mackness, the following:

Has the Chancellor of the Exchequer’s allocation for schools, announced in October, for what he insultingly referred to as ‘those little extras’ when, in fact, local school budgets are under intense pressure, been received by the Council and distributed to Medway schools?
H) Councillor Gilry will ask the Portfolio Holder for Resources, Councillor Gulvin, the following:

CCTV in Twydall was recently found to be out of action when a serious crime was committed. I, alongside other ward councillors have received assurances that repairs are being carried out to CCTV equipment but when I asked to see the cameras in operation I was refused access.

Now that the Portfolio Holder has been made aware he is responsible for CCTV, can he help me get the access to operating cameras I have requested to enable me to assure my constituents that their safety is no longer being compromised by broken equipment?

I) Councillor McDonald will ask the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

In recent months, there has been a marked increase in the number of residents complaining to the Council about the woeful lack of street cleaning across Medway. Residents have reported overflowing litter bins and streets not being swept for at least two months, despite being on weekly or fortnightly cleaning schedules.

Why are taxpayers having to foot the bill for a service which they are not receiving, and what is the Portfolio Holder doing to ensure that Veolia cleans up its act and the Council recoups the money paid for a service which hasn’t been delivered?

J) Councillor Khan will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

The Planning Committee are being forced to take decisions that they disagree with due to the repeated Tory failure to implement an up to date Local Plan.

How many more planning applications does the Portfolio Holder expect to see passed with similar views expressed by the Planning Committee?

K) Councillor Murray will ask the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

Medway Development Company’s current public proposals will lead to a reduction of just under 600 car parking spaces across Medway.

Although all Councillors want to see a reduction in car usage, is the Portfolio Holder concerned that this may have a further negative impact on our already struggling High Streets and town centres?
Councillor Maple will ask the Leader of the Council, Councillor Jarrett, the following:

At time of submission, it is widely anticipated that the meaningful vote in Parliament on Brexit will reject Theresa May’s deal. In December, the Leader of the Council said, for a number of reasons, he has no confidence in the Prime Minister.

If the outcome of the meaningful vote is as anticipated, does the Leader of the Council agree with me that it is in Medway’s best interests that the Prime Minister resigns?

11 Council Tax Reduction Scheme

This report seeks approval of the re-adoption of the existing local Council Tax Reduction Scheme for 2019/20.

12 Additions to the Revenue Budget and Capital Programme

This report requests Full Council approval for a number of additions to the Capital Programme and Revenue Budget.

13 Contract Letting - Exceptional Circumstances

This report details contracts awarded in accordance with the provisions of the current Contract Procedure Rule 1.8.2.

14 Review of Polling Districts and Polling Places

This report recommends no changes to the configuration and designation of polling districts and polling places and updates the Council on the allocation of polling stations by the Returning Officer in preparation for the Local and Parish elections on 2 May 2019.

15 Allocation of Committee Seats

This report sets out the position regarding the overall allocation of seats on Committees following receipt of notice from three Councillors that they no longer wish to be members of political groups.

Following consultation with Group Leaders and Group Whips, the Council is recommended to formally review the allocation of seats on Committees.

16 Schedule of Meetings 2019/2020

This report asks the Council to consider a provisional programme of meetings for the 2018/2019 municipal year, as set out in Appendix A, for recommendation to the Annual Meeting of the Council on 22 May 2019.
Motions

A) Councillor Khan has submitted the following:

This Council welcomes the campaign to end Section 21 – the clause in the Housing Act 1988 that allows private landlords to evict tenants without reason. We acknowledge the threat of a no-fault eviction causes insecurity and stress for Medway residents who rent privately and can discourage tenants from complaining about substandard housing.

This Council welcomes the action taken by the Scottish Government to restrict no-fault evictions. This Council agrees to write to the Housing Minister urging the government to abolish this unfair section of the Housing Act 1988. Further, this Council will urge our local Members of Parliament to support this campaign in Parliament.
B) Councillor McDonald has submitted the following:

Modern slavery is a hidden issue; the Home Office estimated that in 2013 there were between 10,000 and 13,000 potential victims of modern slavery in the UK. This means that there is a chance that modern slavery is taking place here in Medway without our knowledge.

This Council welcomes the recognition of this issue by the Archbishop of Canterbury on his recent visit to Medway.

This Council notes the hard work of the Co-operative Party, local Government procurement teams, and NGOs to develop a new charter which aims to ensure there is no place for modern day slavery in the supply chains used by local authorities.

This Charter proposes that each council shall:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency’s national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

This Council resolves to:

Support the Co-operative Party’s Charter against Modern Slavery and ask the Cabinet to arrange the implementation of the Charter.
C) Councillor Maple has submitted the following:

This Council notes the Cabinet's incomprehensible and damaging refusal to publish adequate preparations for Brexit.

This is despite the cross-party recommendation from Business Support Overview and Scrutiny Committee to do so.

The Council has a clear duty to protect residents and businesses from the range of possible detrimental effects and to enable them to benefit from the range of potential positive outcomes.

Council calls on the Cabinet to review its original decision and therefore prepare and publish promptly and in detail a meaningful analysis of the threats and benefits to Medway of Brexit and detailed action plans to cover the range of possible outcomes.

D) Councillor Pendergast has submitted the following:

This Council requests that the Cabinet agrees that some tickets to Medway Council run events be donated to the charity Tickets For Troops and the Council encourages all users of Council theatres and facilities to likewise donate tickets in order that those whose service to this country is valued by all can enjoy such events free of charge as a token of our appreciation.

For further information please contact Julie Keith, Head of Democratic Services on Telephone: 01634 332760 or Email: democratic.services@medway.gov.uk

Neil Davies
Chief Executive

Date: 16 January 2019

Reporting on the meeting: Members of the press and public are entitled to report on this meeting except where the public are excluded, as permitted by law. Reporting includes filming and recording of the proceedings and use of the internet and social media such as tweeting and blogging to report the proceedings. Guidance for people wishing to exercise this right is available on the Council’s website and in the public seating area at the meeting.

Please note that Wi-Fi can be accessed at the St. George’s Centre as follows: Name = CAN-St Georges Centre, Password = StGeorge01
It is helpful if people wishing to film the proceedings could contact the Council’s media team in advance on 01634 332736 or by email to pressoffice@medway.gov.uk. Please sit in the front row or other designated area if you wish to report on the meeting. If you are attending and do not wish to be filmed or recorded please sit at the back of the public seating area.