

**Medway Council**  
**Meeting of Medway Council**  
**Thursday, 24 January 2013**  
**7.00pm to 11.20pm**

**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, Bright, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Clarke, Colman, Cooper, Craven, Doe, Etheridge, Filmer, Gilry, Christine Godwin, Griffin, Griffiths, Adrian Gulvin, Pat Gulvin, Harriott, Hicks, Hubbard, Igwe, Irvine, Jarrett, Juby, Kearney, Kemp, Mackinlay, Maple, Mason, Murray, O'Brien, Osborne, Price, Purdy, Rodberg, Royle, Shaw, Smith, Stamp, Tolhurst, Turpin, Watson, 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  
Simon Wakeman, Marketing and Public Relations Manager

**744 Record of meeting**

The record of the meeting held on 18 October 2012 was agreed and signed by the Mayor as correct.

**745 Apologies for absence**

Apologies for absence were received from Councillors Bowler, Brake, Paul Godwin, Mackness and Maisey.

**746 Declarations of disclosable pecuniary interests**

Councillor Irvine asked that it be recorded in the minutes that he had taken advice from the Monitoring Officer about the motion submitted by Councillor Murray which names his employer, Mark Reckless MP.

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Councillor Irvine stated that because the motion was not about his Disclosable Pecuniary Interest (employment) and it did not affect it, he believed he was entitled to remain in the room and take part in the discussion and vote.

Councillor Irvine also stated that he did not believe that the mere reference to Mark Reckless MP gave him any conflict of interest since the motion was broadly about civil partnerships and national legislation.

### **747 Mayor's announcements**

The Mayor informed Members that Councillor Paul Godwin had been admitted to hospital earlier in the day having suffered a heart attack. He asked Councillor Christine Godwin to pass on Members' best wishes.

Councillor Christine Godwin thanked Members for their best wishes and stated that Councillor Paul Godwin was in good hands.

The Mayor asked Members to join him in wishing Councillor Brake a speedy recovery after his hip replacement. Councillor Brake was currently at home recuperating.

The Mayor stated that he had received thanks from the British Heart Foundation (BHF) to all those who had taken up the red bag clothing collection made at Gun Wharf during the Autumn. The items were of excellent quality and helped BHF immensely and were very much appreciated. A further collection would take place shortly and the red bags were available in reception at Gun Wharf. He thanked Perry Holmes and Frank Akehurst for organising this on his behalf.

The Mayor stated that the Firefit programme over the New Year period was very successful with live coverage given on Radio Kent. Both the Mayor and Deputy Mayor hosted this on respective days.

The Mayor stated that the sum raised by both the Mayor and Mayoress for the Terry Kiddie Trust on the Boxing Day ground collection at Priestfield Stadium was £700. The Mayor thanked Gillingham Football Club for their support and in particular the Gillingham supporters and the away Barnet visiting supporters for their generosity.

The Mayor provided details of forthcoming fund raising events for the Mayor's Charity:

- Chinese Night at Confucius Restaurant – 7 February 2013
- Pig Racing evening to be run by Strood Rotary at Higham Village Hall – 20 February 2013. This event would be the first Mayoral event run jointly with a neighbouring Council.

### **748 Leader's announcements**

There were none.

**749 Petitions**

There were none.

**750 Public questions**

**751 Sue Alexander of Lordswood asked the Leader of the Council, Councillor Rodney Chambers, the following:**

All of Lordswood's links are with the Chatham and Aylesford Constituency. Therefore, I can see no point or purpose in Lordswood becoming part of the Gillingham and Rainham Constituency, please could you explain any advantages for the residents of Lordswood of this proposed move?

The Leader stated that the responsibility for Parliamentary constituency boundaries fell to the Boundary Commission for England and that the initial consultation had taken place in 2011. The current proposal was for the Lordswood and Capstone ward to transfer to the Gillingham and Rainham constituency, the public consultation for which ended on 5 December 2012. He stated that as a result of that consultation there may be further amendments by the commission when it submits its final recommendation to the government before the statutory deadline of 1 October 2013.

From the Council's point of view there were neither advantages nor disadvantages of Lordswood and Capstone Ward being in the Chatham and Aylesford constituency or the Gillingham and Rainham constituencies.

Sue Alexander asked why the Council did not see any disadvantages in Lordswood being moved.

The Leader stated from the Council's perspective whether a ward was in one constituency or another constituency did not affect its representation within the Council or as a ward in Medway.

**752 Gareth Batts of Strood asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

Network Rail's replacement of its Darnley Arch bridge in December caused traffic chaos during the busiest period of the year for local Strood retailers and other businesses. I understand that Network Rail only applied for the A228 road closure from 24 to 30 December. Network Rail was not responsible for the Traffic Management works beyond 3pm on 30 December. It was Medway Council who asked Network Rail's Traffic Management contractor to extend the road closures and diversions until 6 January to facilitate works for Southern Gas Networks.

Why did the Portfolio Holder allow this work to be undertaken at a time most likely to inflict maximum damage to Strood Town Centre's local economy and cause lengthy inconvenience for local people?

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Councillor Filmer stated that Medway Council was the highway and traffic authority and was under a duty to co-ordinate roadworks where possible. However, the timing for the Network Rail works was outside the Council's control. By arranging for the essential gas main repairs to be done during the same closure, Southern Gas Networks (SGN) and Network Rail were able to overlap for a short period. In addition Network Rail did not have to extend the closure to remove their traffic management and SGN did not need to extend their closure period to set theirs up. It was estimated that the total time saved over both closures was 4 to 5 days.

The gas main repair would have had to have been carried out in early 2013 to minimise the risk of leaks as an unplanned closure of the road. Such a closure would not have allowed time for the businesses most affected to make contingency plans and the effects would be much more difficult to deal with. Taking account of this risk, and the reduction in the total time for both closures the least harm and inconvenience to businesses and local people was achieved by extending the closure.

Gareth Batts asked the Portfolio Holder to detail the consultations the Council had with Strood businesses on the Network Rail planned road closures at Darnley Arch and to explain why the Council failed to consult and inform Strood traders on the Southern Gas works that extended the road closures to 6 January. The extended closure happened at the worst possible time for High Street traders, particularly when the greatest activity for retail sales was taking place on Boxing Days and the following days.

Councillor Filmer stated that the Council had carried out a lot of consultation. The rail bridge replacement could only be carried out during specific periods and very limited periods because thousands of commuters used the trains (Victoria line), therefore, closures could only take place over Christmas and Easter on the railway bridges. He assured Mr Batts that there was a lot of consultation carried out.

**753 Andrew Birch (on behalf of Kevin Banks) asked the Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

How can the council justify a 28% rent increase over the 2 years 2012-13 on allotment plots at Great South, when there have been over 100 break-ins on this site, and when the fence along Magpie Hall Road was condemned in the year 2000 and has not yet been fully replaced?

Councillor Doe agreed that these increases as a percentage were alarming, however, in terms of the outturn figure the price per rod had gone up from £3.55 to £4.47, including the water supply. This meant that the average price for an allotment with a water supply was £21.20 a year, which he did not think was unreasonable. The Council had carried out this adjustment having looked at prices elsewhere and this was considered reasonable bearing in mind the amount of money that was being spent on allotments.

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He stated that in terms of break-ins, repairs were very expensive. However, the Council had invested £514,000 in allotments over the last five years. In terms of the Great South site, which he had visited on a number of occasions, the Council had already spent £32,000 on replacing part of the fence and hoped to be able to complete the final elements as soon as there was budget availability.

He stated that fences alone did not keep out those that break-in to allotments and they were always a target and that the Council would continue to work with the police to reduce break-ins. However, he could never provide the assurance of no break-ins.

Andrew Birch (on behalf of Kevin Banks) asked whether Medway Council undertake an inspection of the fence on safety grounds to establish its current state?

Councillor Doe stated that the Council was willing to look at any proposals including further fencing. If such a proposal was agreed, it would be added to the list. However, he could not confirm when finances to undertake additional fencing work would be available given the very tight budget situation.

**754 Lauren Wright of Walderslade asked the Portfolio Holder for Children's Services, Councillor Wicks, the following:**

Would the Portfolio Holder for Children's Services please explain why Medway's school performance has been so low over the past five years? Would he publish whatever action plan is in place to improve this and also establish what funding is available to our schools to help?

Councillor Wicks stated that the Council restructured its school improvement function in April 2011. 2012 saw the best ever results for Medway in Foundation Stage, Key Stage 1, Key Stage 2, Key Stage 4 and post 16. At Key Stage 4 performance was above national.

The performance at Key Stage 2 was the subject of an in depth scrutiny review, reported to the Children and Young People Overview and Scrutiny Committee in October 2012.

There were national performance indicators and 10 performance measures in the Council Plan. Progress was updated quarterly on the council performance monitoring tool (Covalent). Similarly the Service Plan for the School Challenge and Improvement Team was placed on Covalent.

Each school where there were concerns had a school development plan. Each school had a school challenge and improvement lead officer assigned to them.

Funding for schools was provided by central government through the Dedicated Schools Grant (DSG). Heads and governors on the Schools Forum were consulted on the allocation of that grant and most of the funds were delegated to schools using a formula based on pupil numbers and other factors. One of those other factors related to schools below the floor threshold standards set by

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government, and schools in that position received an extra £26,000 a year. Schools, therefore, had control of their own funds and were expected to use those funds to improve the quality of education for their pupils.

In addition schools received the Pupil Premium which was currently £600 per pupil who was eligible for free school meals. Schools were required to show how this additional income was being spent to overcome barriers of deprivation and address any underachievement by pupils.

In addition, the Council had allocated another £68,000 last year to schools to fund one to one tuition for 200 pupils in the lead up to the 2012 SATs. This funding was targeted at pupils currently working at level 3 to help them move to level 4 to achieve the national expectation by the end of Key Stage 2 and that would have helped Medway's position in terms of the national Key Stage 2 league.

Lauren Wright asked, in light of Medway's position in certain league tables, at the bottom, would the Portfolio Holder agree to public meetings with concerned parents, governors, teachers and support staff?

Councillor Wicks stated that the most important thing he could do was to make sure that the school improvement and challenge team, which had a programme for improving performance in our primary schools, did their work. He stated that he spent a lot of time and effort in doing exactly that. He stated that he did not think public meetings were going to contribute a great deal to school improvement in the short term.

### **755 Andrew Millsom of Strood asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

As part of their planning application, Morrisons signed up to a S106 agreement which contained two traffic improvement schemes, one of which was the widening of Cuxton Road under Darnley Bridge. This project was to be completed in conjunction with Network Rail (NWR). It now transpires that NWR have replaced the bridge and no widening has been undertaken.

Can the Portfolio Holder explain how this came to pass and what arrangements were in place between NWR and Medway Council Highways Department that permitted NWR to conduct the bridge span replacement without widening the road at the same time?

Councillor Filmer stated that the contribution from Morrisons was received many years before Network Rail had any plans to replace the bridge. The project for which the contribution was taken, which was to drive a pedestrian tunnel through the embankment, had been suspended before Medway Council was aware of the Network Rail proposal. The reason for suspension was that the total project cost was significantly more than the available budget.

Soon after the suspension, Medway Council became aware that Network Rail's bridge inspection had shown serious problems which meant the bridge would

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have to be replaced. Officers from both organisations tried to arrange for the widening or tunnel option as part of Network Rail's project. However, because of the poor condition of the bridge and the serious risks to the travelling public from its failure, it was always understood that the bridge replacement must have priority.

He stated that the bridge was in a worse condition than Network Rail had thought and despite their best endeavours there was insufficient time to develop and deliver the widening scheme without putting the bridge replacement at risk.

Andrew Millsom asked, in light of the fact that there was some co-ordination happening at the time between Network Rail and the Highways Department, how come this (road widening) had still not occurred and would there be an investigation into discover how this blunder occurred in terms of the co-ordination and would the report show the persons culpable and what punitive action would be taken against them and further, what would happen financially with Morrisons since this part of the Section 106 had not been undertaken?

Councillor Filmer stated that this was not a blunder. The Council had worked very hard to try and co-ordinate the widening on this closure. The next closure available on this line would be in 2014. The bridge was at such a risk that the job had to be done this Christmas. The Council was working with consultants to try and sort out the widening there as this was as a priority but this certainly was not a blunder on the part of Medway Council.

**756 Paul Chaplin of Rainham asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:**

Can the Portfolio Holder please tell me that if considering Christmas free-parking in Medway in the forthcoming budget, could the Council consider putting a time-limit commitment in place in order to avoid commuters taking up the free parking to the detriment of local shoppers and local business owners?

Councillor Chitty stated that this would be subject to the budget process and this administration had been very keen to see free parking as a very important element to local businesses and also to encourage local people to go to their town centres.

Councillor Chitty stated that she was not in a position to comment on commuters using free parking or how this could be prevented but she had had a discussion with Councillor Filmer and asked him if he could look into this. She was aware that there were some technical issues regarding any changes required to parking meters.

She thanked Mr Chaplin for raising this issue as it gave the Council the opportunity to investigate it further.

Mr Chaplin asked, in addition to the free parking measures, what other steps would the Portfolio Holder propose to improve the amount of parking to support

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local trades people over the Christmas period and to attract outsiders to Medway rather than to Maidstone or Bluewater?

Councillor Chitty stated that Christmas was always considered as a very special time. Local businesses took a huge proportion of their yearly takings so any opportunity to extend free parking would always be considered and she would have a discussion with Councillor Filmer because he was in a much better position to make a fair analysis of this.

Councillor Chitty stated that the Council considered its high streets as very important and that she was happy to say that Medway was well below the national average for vacant properties within its town centres.

**757 Gareth Batts (on behalf of Sue Groves MBE) asked the Portfolio Holder for Adult Services, Councillor Brake the following:**

Medway Council agreed the Labour motion on 18 October 2012 asking the Council to set up and support a Medway Disabled Residents Forum, to enable disabled residents to have a collective voice and to act as a formal consultee when the Council proposes changes or improvements that affect this group. I am disappointed however by the lack of contact on this matter since that agreement was given.

Can the Portfolio Holder tell me what steps have been taken to set up the forum, who is the point of contact, when it is likely to be operational and how disabled residents will be invited to join?

Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact (on behalf of Councillor Brake), stated that officers from across the Council had met to explore this proposal and to consider how it might be supported in practice. He stated that he was grateful for the time spent by those officers and for the suggestion that the Forum should be resident led and run. The long term success of such a Forum would be dependent on residents who had everyday experience of living with disability being actively engaged in all aspects of running the Forum, from naming the new Forum, to setting the agenda.

It is recognised that residents would no doubt require support from officers so they could maximise the opportunity to actively participate. This support could be available during initial formation, and ongoing as the Forum develops. It could also include practical assistance such as the distribution of documents well in advance of meetings in formats such as Easy Read and Braille. Assistance to bid for funding to support this initiative from the Government's Office for Disability Issues could also be available.

There were a number of existing very effective and active disability forums which it would be important to involve in developing proposals, as well as reaching out to the wider group of disabled residents in Medway. These included the Learning Disability Partnership Board, the Physical Disability



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Partnership Board, Medway Access Group, Medway Older People Partnership, Medway Carers Board, and Medway Parent and Carers Forum.

Councillor O'Brien suggested that the next step would be to invite key members of existing disability groups together with cross party Member representation to a planning meeting in February 2013. Appropriate draft terms of reference for the Forum could be developed at the meeting. It would of course be for the Forum itself to agree these.

The outcome of this exploratory work by officers, Members and most crucially disabled residents could then be considered by Cabinet in terms of the support required from the Council. He stated that contact details for the public have yet to be agreed and subject to approval, the Forum could be operational from Spring 2013.

Key representatives from existing Disability Groups in Medway would be invited to join the new Disabled Residents Forum. The planning meeting would also consider the most appropriate approach to maximise wider participation.

Gareth Batts (on behalf of Sue Groves MBE) asked whether the Disabled Residents Forum would be able to deal with issues such as the recent attempt by Medway Maritime Trust to try to charge blue badge holders for parking. Now that the Trust had moved to reduce the adverse impact of its actions on disabled patients, was the Portfolio Holder prepared to review the Council's decision to charge Blue Badge Holders to renew their badges?

Councillor O'Brien stated that Gareth Batts would be aware of his public pronouncements on charges for blue badge holders at the hospital and that he would also know of his public pronouncements when he reported on the Council's administration charge which was a very small administration charge that the Council put into place after much public consultation.

**758 Vivienne Parker of Chatham asked the Portfolio Holder for Finance, Councillor Jarrett, the following:**

Will expecting our poorest citizens to pay council tax push Medway back to the days of the poll tax when large numbers were sent to prison for non-payment?

Councillor Jarrett stated that it was not for the Council to decide whether a person was imprisoned for the non payment of council tax, but for the Magistrates' Court. Even then, the court could only imprison someone where there is wilful refusal or culpable neglect. Where there was genuine hardship the courts had the power to write the debt off.

In addition, Medway Council would be creating its own hardship fund and would consider applications from those in genuine need thus preventing successful applicants from appearing before the courts. The Council would also assist its taxpayers in maximizing their benefit entitlements and signpost them to relevant support groups where appropriate.

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Vivienne Parker asked whether the cost of collecting any council tax arrears would ultimately outweigh the amount of cash eventually recovered.

Councillor Jarrett stated that quite clearly there would be a cost associated with collection. However, the Council was not in a position to say what the cost would be in comparison to the amount collected. The Council would have to see how that developed over the years ahead.

**759 Lauren Wright of Walderslade (on behalf of Jonathan Primett) asked the Portfolio Holder for Adult Services, Councillor Brake, the following:**

Given 29.3% of year 6 pupils in schools in Walderslade are considered obese according to the Medway Childhood Obesity Update in September 2012, does the Portfolio Holder support a majority, but not all it would seem, of his backbench Councillors that the Council has no role to play in restricting access and in managing licences for fast food outlets near to Primary and Secondary Schools?

Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact (on behalf of Councillor Brake), stated that obesity was a major public health concern and it was important that the Council used the powers at its disposal to help tackle this problem. These powers included the use of Planning and Licensing to restrict access to fast food outlets near to Primary and Secondary Schools. Such steps would help create an environment that reduced the risk of obesity and made it easier for people to make healthy choices.

This approach had been on the agenda for some time and the Council was taking action. A review commissioned by the Children and Adults Overview and Scrutiny Committee in 2010 recommended investigating the use of the planning process to restrict fast food outlets in key locations.

Tackling obesity in this way also had been prioritised by the Health and Wellbeing Board and included in the Joint Health and Wellbeing Strategy that was recently approved by the Council.

Earlier in the week the Council had held a seminar with colleagues and Councillors to consider how obesity could be tackled through a number of measures. In addition to the use of Planning and Licensing, a range of softer, voluntary measures could also be employed, such as working with schools and retailers. It was important to consider which combination was most appropriate for Medway.

**760 Tony Jeacock of Rainham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

Can the Portfolio Holder please tell me how much the Council took in car parking fees and traffic fines over the last financial year and how much of the profit was actually spent on upgrading and increasing parking facilities and local road improvements?

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Councillor Filmer stated that for the financial year 2011/2012, car park annual income was £2,924,325 and penalty charge notice income was £1,433,149.

He stated that all surplus that may be generated from car park charges and Penalty Charge Notices must be ring fenced to fund car park facilities ensuring these remained to a very high standard, contributed to repairing and improving the highways and could also be used to assist with travel schemes. Therefore, 100% of any surplus made had been utilised for use in car park improvements, highway repairs, maintenance and improvements.

He had a number of examples of works carried out including:

The Brook - Car Park works - £100,000

Dock Road - Highway resurfacing - £256,000

London Road - Highway resurfacing - £126,000

Various - Micro Surfacing - £260,000.

Mr Jeacock asked that with the Medway Towns' respective high streets clearly suffering during these difficult and austere times, would the Portfolio Holder not agree with him that a reduction in parking fees and the repayment of fines imposed as a result of poor traffic signage might do something worthwhile to encourage shoppers back to the high streets rather than going out of town and spending their money elsewhere.

Councillor Filmer stated that the Council was very mindful when the Council was setting its car parking charges and if Mr Jeacock looked across Kent and compared Medway with other towns and boroughs, Medway's charges were quite reasonable.

**761 Lauren Wright of Walderslade (on behalf of Sue Groves MBE) asked the Portfolio Holder for Children's Services, Councillor Wicks, the following:**

Following the report showing that Medway primary schools are yet again amongst the lowest performing in the country, I gather that local MPs sought an urgent meeting to discuss the matter. Can you advise the outcome of that meeting and what plans are in place to address the issues going forward, to ensure our children get the best possible start to their education?

Councillor Wicks stated that two of Medway's local MPs, Tracey Crouch and Mark Reckless, both Conservatives, met with the Director and the Assistant Director on 4 January. There were seven primary schools in Medway that were below the national 'floor target' meaning the Key Stage 2 results were too low, and as such attracted government attention, either in terms of the overall level 4 combined english and maths results, or the levels of progress children have made, in both cases they were below the floor.

The school improvement work and the impact it was having on these was shared with the MPs – both of whom had visited schools in their constituencies and have seen direct evidence of change in schools. The MPs were satisfied in the end that action had been, and was continuing to be taken.

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The Council undertook regular monitoring with schools with a B risk rating, a higher rating, and this took place through challenge and progress review meetings which focused on pupil progress, standards and progress against the Ofsted key findings. These meetings included opportunities for book scrutiny and learning walks and took place with the headteacher, the chair of governors and included another member of the school's senior team. Councillor Wicks also stated that Rehman Chishti MP, would also meet with the Director.

Lauren Wright (on behalf of Sue Groves MBE) asked whether Councillor Wicks, as Portfolio Holder, would be making a public statement apologising to the children and parents of Medway who had been let down by the significant impact of the lack of progress over recent years to address primary education performance on our children.

Councillor Wicks stated that education achievements in Medway overall, both at Early Years and in Key Stage 1 and Key Stage 4, with GCSE results which had been confirmed as the best ever where Medway had increased by 5 percentage points and at post-16, results have improved year on year. He stated that there was no need for an apology.

**762 Lauren Wright, on behalf of Jonatham Primett of Chatham, asked the Portfolio Holder for Children's Services, Councillor Wicks, the following:**

Can the Portfolio Holder please explain why, in light of Medway Primary Schools' abysmal ranking in OFSTED league tables, he has made no comment about this matter and why he has left a recently appointed director to deal with the questions regarding these poor results?

Councillor Wicks stated that the position of Medway Primary Schools in the Department for Education performance tables showed Medway at the bottom of the table. This was not a position that anyone was trying to defend or be complacent about. However, it should be noted that the results of 2012 in both Key Stage 1 and Key Stage 2 were in fact Medway's best ever results and gave an indication of the impact the school improvement work was having. He stated that officers did not run schools and that it was headteachers and governing bodies who had that responsibility.

Councillor Wicks stated that he worked closely with Local Authority officers and met regularly with the Director. In this case he considered it appropriate for the new Director to be able to share her vision, which was a strong one, and celebrate the successes of some Medway's young people and for this reason it was the Director who was interviewed by BBC South East. Councillor Wicks stated that he had made comments to the press, the radio and Overview and Scrutiny.

**763 Leader's Report**

**Discussion:**

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

- Look back at the 2012 year of celebration
- Rochester regeneration – Rochester Station and Rochester Airport
- Schools and education – official opening of Strood Academy, KS2 results, recent Ofsted inspections and GCSE/A-Level results
- Eastgate House – heritage lottery funding
- Wheelchair Rugby League World Cup – to be held at Medway Park in July 2013
- Linked Service Centres – forthcoming report on Nelson Court and Robert Bean Lodge.

**764 Report on Overview and Scrutiny Activity**

Members received a report on Overview and Scrutiny activities.

**765 Members' questions**

**766 Councillor Hubbard asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

Could the Portfolio Holder update Members on the progress in securing much needed improvements to pedestrian access around Darnley Arch in Strood?

Councillor Filmer stated that he was aware that there was an item going to Regeneration, Community and Culture Overview and Scrutiny Committee on 31 January 2013, including a very detailed report regarding Darnley Arch. He stated that he had already explained the circumstances earlier in the evening in which the bridge repair was undertaken separately to the pedestrian access and that this was an important piece of work which would be given priority.

Councillor Filmer stated that the only way that this could have been implemented from a financial perspective, was if it had been included on the back of work that was being done by Network Rail so that some of the risk factors were taken out of the costings.

The Council planned to employ a consultant to consider and design an alternative scheme, consider how a revised scheme might be funded, consider whether a two-phased scheme might be most appropriate whereby phase 1 dealt with the improvements to the pedestrian areas either side of the Network Rail bridge and phase 2 provided a pedestrian tunnel through the railway embankment at a later date (2014). However, there were some challenges including the funding to implement phase 2 and the support and agreement of Network Rail for a further closure in 2014. He stated that was a priority.

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Councillor Hubbard invited the Portfolio Holder to attend the Overview and Scrutiny meeting next week so that he could hear the debate. He stated that the Council, back in 2006, drew up detailed plans on how the pedestrian improvements could be delivered using the section 106 monies from the development of the then new Morrisons superstore. So, why were the works carried out by Network Rail this Christmas, some six years later, not used as an opportunity to deliver the much needed pedestrian access improvements?

Councillor Filmer stated that it was not possible to organise the works in conjunction this time and that something would be sorted out for the next closure. He stated that he would not be able to attend the meeting on 31 January but was happy to come along to any other meeting.

### **767 Councillor Igwe asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty the following:**

Could the Portfolio Holder explain to Members what has happened to the £500,000+ of developer contributions obtained from Morrisons, Strood, which stipulated the need for improved pedestrian access in the Darnley Arch area, in 2000:

How much of this money has been spent?

What has it been spent on?

What proportion, if any, has been spent on the proposed pedestrian improvements?

Councillor Chitty stated that there was the planning towards getting the pedestrian walkway. This had been looked at for a very long time and plans were in place and discussions with Network Rail were undertaken. However, the Council could not ignore the advice that this bridge had to be dealt with immediately. It was in a very serious condition and was a matter of health and safety.

The Council had received payments totalling £654,721.75, which included indexation and also interest of £61,820.45, calculated to the end of March 2012. £153,836.63 has been spent on scoping and designing the works, and preparing technical drawings. The sum of £562,705.57 was currently held by the Council on an interest bearing account for the provision of a pedestrian access. She confirmed that this information was included in the report to Regeneration, Community and Culture Overview and Scrutiny Committee on 31 January 2013.

Councillor Chitty stated that in the circumstances it was extremely sad that a lot of work between Network Rail and this authority had been effectively scuppered by the need to do the work to the bridge.

Councillor Igwe stated that following his investigations with regard to the Darnley Arch issue, he had come to the conclusion that the major problem was a communication issue between the Council and Network Rail. He asked whether any lesson had been learned from what had happened.

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Councillor Chitty stated that she understood the point that Councillor Igwe was trying to make. However, she did not agree the issue of communication had been a problem. There had been substantial communication. Both officers and Members were made aware of what was going to happen and the timeframes.

The difficulty had arisen due to the urgency of the work which had distorted the timetable. She stated that there was good communication between Network Rail and the Council. There was a lot of discussion to try to overcome some of the problems that existed.

She stated that the next challenge was what would happen now. The Regeneration, Community and Culture Overview and Scrutiny Committee had a really good opportunity to investigate the issues and make suggestions to try and improve Darnley Arch.

### **768 Councillor Murray asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:**

Can the Portfolio Holder for Finance confirm whether the Rochester Airport u-turn on part site development has come about because of a lack of long-term investment viability on the current lease agreed by the Conservative administration and whether, as a result, the improvements to the airport will happen before, or after, the Council has secured the proceeds from the sale and development of part of the Rochester Airport site?

Councillor Jarrett stated that the proposal, which was agreed by Cabinet on 18 December 2012 to grant a new 25-year lease to an airport operator, which may or may not be the current airport operator from January 2014, was so that the airport could be improved and that eventually land could be released for development. He stated that this was certainly not a "U turn" of any sort but it was a sensible, considered approach, which would have the following benefits:

- it would safeguard the long-term future sustainability of the airport;
- it would also allow an operator the security of tenure on a longer lease to invest in the airport without tying up the site over a much, much longer period, which had been suggested in some quarters in the past;
- it would secure the improvement of the airport with improved public access and the heritage offer that the Leader referred to in his Leader's Report; and
- it would release much needed employment land.

Councillor Jarrett stated that the lease would initially be of the whole site as currently configured with the airport operator being required to carry out the improvements during the first two years of their lease. The Council would contribute towards the cost of these improvements and the level of this contribution was to be agreed with the operator and Cabinet and Full Council this summer and he would be bringing forward proposals to the Budget Council meeting in February.

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When the improvements had been carried out, the development land would be handed back to the Council, so that it could be bought forward for development for employment uses and employment uses only. As a result, the improvements would be carried out before the Council secured the proceeds of sale from the development land. This process had been finalised after careful consultation, careful discussions and careful planning on the most beneficial use of the site ensuring the future longevity of the airport. He stated this was in stark contrast to the way that the Labour and Liberal led coalition had adopted a different policy which was born pretty well out of class hatred because of the constant speeches from Labour members at the time talking about the Conservatives wanting to protect the airport for their flying chums and the whole strategy that they were pursuing at that time was one of confrontation with the airport operators. There was confrontation with the local residents because of their desire to close the airport and so successful was that confrontational approach that they took they actually lost two seats in what was then Horsted Ward and two seats in what was then Warren Wood Ward and as a result lost their ascendancy on the Council.

The current approach had been a stark contrast to that. The Labour and Liberal led coalition had arrogantly dismissed all the views of local people who were interested in the site, local users of the site, the airport operators; in fact the views of anyone of any consequence were totally disregarded in this mad dash for cash that the failing administration had at that time because of their complete inability to bring forward sustainable budgets. He referred to the multi-million pound raids on reserves to prop up the budget and even a £400,000 cut in the street cleaning budget. So, it was a desperate and gloomy tale to be told about the Labour/Liberal administration at that time. The current approach brought forward some sensible plans that would do the things that had been mentioned, that would honour and respect the users of the site, would bring forward the airport so that it could be enjoyed not just by the users and the operators but by the local population and it would put the airport really at a very important place in terms of the wider regeneration of Medway. He stated that most boroughs throughout the south east would like to have an operational airport and Medway would continue to have one because the public of Medway had the good foresight to elect the Conservative administration.

Councillor Murray asked where the proposed business development would be: would the business rate income come to Medway Council or Tonbridge and Malling Council.

Councillor Jarrett stated that Councillor Murray was correct that the site fell across two administrative boundaries. In terms of the whole of the airport site, the freehold was owned by Medway Council. The greater part of it lay within Medway Council's administrative area with a proportion of it within Tonbridge and Malling. He stated that Tonbridge and Malling would be part beneficiaries of the business rate income.

This would be dealt with in due course, but as a result of a Conservative-led coalition government, there were new arrangements for business rates and that local authorities would be greater beneficiaries of business rate income than



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they had been in the past. Therefore, whatever the scenario going forward regarding business rates on the site, Medway would be a major beneficiary and the beneficial income from the site would be both in terms of business rates underpinning the revenue budget and of course in terms of capital release from the site when it's eventually developed. This would enable the Council to spend on other priorities.

Councillor Jarrett stated that the Council would not be selling the freehold of the developable land because it was essential that the Council retained control over developments that took place there, so there would be good quality business development coming forward.

He concluded by saying this was a large piece of development land of some 30 acres in size, which would be brought forward for development over a period of time in a careful, measured way and that the market would not be flooded to ensure the best possible prices to reinvest in Medway.

### **769 Councillor Osborne asked the Portfolio Holder for Children's Services, Councillor Wicks, the following:**

Will the Portfolio Holder for Children's Services apologise to concerned parents of pupils at St Mary's Island CoE Primary School for the failure of the Conservative administration to consistently manage Medway Primary Schools; leading in this case to an 'Inadequate' Ofsted performance rating in achievement of pupils, quality of teaching and leadership and management?

Councillor Wicks stated that he was concerned about the Ofsted judgement for St. Mary's Island Church of England Voluntary Aided Primary School as it had gone into Special Measures and that he shared the concerns of the community. He stated that this school was receiving targeted support from the Local Authority and also the Church of England Diocese. The new Ofsted framework in September 2012 had raised expectations of standards of attainment, teaching, behaviour and leadership and management.

Since September there had been 11 published inspections of Local Authority primary schools in Medway – two were judged outstanding, five good and two require improvement, one in serious weaknesses and St. Mary's Island in special measures. The school had already been identified as being at risk of a category (special measures) and changes in leadership – swift and decisive action had been taken prior to that inspection.

The newly appointed Headteacher was praised in the inspection and parental questionnaires also provided evidence of the confidence of parents in her leadership. There was a clear and focussed action plan for the support of the school in order to address the key issues of raising standards, improving the quality of teaching and leadership and management and there was every confidence that the trajectory of school improvement was steep. This would ensure that pupils are well prepared for their next steps in education.

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Councillor Osborne asked whether the Portfolio Holder attended the meeting on 4 January 2013 with Medway MPs, Mark Reckless and Tracey Crouch, in which they discussed tangible measures to improve primary schools and if he did not attend could he explain why he was not present at such an important meeting.

Councillor Wicks stated that he had already answered that question.

### **770 Councillor Osborne asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:**

Can the Portfolio Holder for Finance confirm that given 14,180 people will be paying an additional Pickles Poll Tax of on average £233 as a result of his government, how many residents in Medway will be paying more than £400, £500, £600, £700 and £800 in light of the recent localisation of Council Tax, and what has been the level of contact with Medway MPs on this topic?

Councillor Jarrett stated that the exact number would vary from day to day as people's circumstances change, but as at 16 January 2013 there were 14,521 working age claimants who would be expected to contribute towards their council tax. However, 3,250 of these claimants were already contributing something towards their council tax.

The average amount payable across all working age claimants will be £223 per annum.

Out of the 14,521 working age claimants:

- 692 claims would be affected by over £400 a year;
- 48 claims would be affected by over £500 a year;
- 72 claims would be affected by over £600 a year;
- 2 claims by over £700 (one of whom is on 2<sup>nd</sup> adult rebate);
- 9 claims would be affected by over £800. All of those in the £800 plus group had at least three non-dependants where there was now going to be a deduction of £3.65 for each week from 1 April 2013.

Councillor Jarrett reported that the three MPs had been involved in quite extensive discussions about this matter in terms of the Council's representations, which had been made to the Local Government Association and to the Department of Communities and Local Government and he stated that the three MPs had joined the Council in making those representations.

Councillor Jarrett stated that this had to be looked at more widely and that he had used the term working age claimants advisedly because what the government had done was to exempt pensioners from this measure. Locally it had been recommended that war widows would also be exempt from these proposals and he believed this was right and proper, particularly in the current circumstances.

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Councillor Jarrett referred to the root cause and the genesis for all of these austerity measures and they went back to the profligate spending of the last government on a whole range of things, some of which were worthwhile of course but some were less so but spending money in a bizarre out of control fashion. Fortunately, Labour were not re-elected to clear up their own mess leaving an incoming Conservative administration to clear up the mess and that was being done at the moment.

He stated that this is one of the austerity measures that had been taken. It was a measure which he did not necessarily approve of, nor did he approve of some of the ways it had been carried out, nonetheless it was an essential measure to try and prevent this country from going bankrupt.

Councillor Osborne stated that 800 of our poorest residents were going to pay for this fiasco. He asked that given that the Council was already labelled the worst council in the south east for council tax collection with some £6m outstanding, had the Portfolio Holder done any scenario testing about whether these people, who were some of the poorest in the community, would be able to afford such a massive increase in tax this year?

Councillor Jarrett stated that Councillor Osborne was wrong with his figures as the Council had actually collected 98.6% of council tax. There was always a large outstanding amount and it was collected over a period of some years, with the great majority of council tax due being collected in the first year and subsequent collections ongoing after that. However, there would be a point some time in the future where write-offs had to be dealt with.

He stated that the Council was well aware that these measures, as lobbied on by the Council, had the potential to have a detrimental affect on the collection rate. He did not foresee any detrimental affect for the coming financial year but it could well be for the year after. He stated he was not in a position to accurately forecast what that diminution on the collection rate would be but recognised that there may be a problem which would be dealt with in due course. He stated that if it were in not for the mess that the previous Labour government left the country in, there would not have been this discussion tonight.

### **771 Councillor Shaw asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

In view of the continuing complaints regarding the “dynamic” bus station in terms of its lack of protection against the elements, and the lack of public conveniences in the evening, could the Portfolio Holder indicate what he is doing to improve customer experience in this respect?

Councillor Filmer stated that he recognised that the protection on Platform B of the Bus Station could be improved. The Council had hoped that the redevelopment of this area would have been further advanced by now which would have assisted that objective but as a stop gap and to enhance the local

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environment the Council would shortly be planting a number of trees between the Bus Station and the car park.

He stated that regarding the toilets in the Bus Station Information Centre, it was important to mention that this was the first request on this issue. The toilets were currently open between 8am and 6pm Mondays to Fridays and between 9am and 5pm on Saturdays. To extend the opening hours would require additional staff costs which the Council could not justify, particularly when footfall reduced quite significantly after 6pm. The toilets in the Pentagon remained open until 7pm in the evenings although that there was a charge of 20 pence per visit.

Regrettably the male toilets in the Bus Station were currently closed due to vandalism and were awaiting repairs which, alongside the frequent cleaning that is required, had resulted in a significant extra cost to the Bus Station operational budget.

It was also worth mentioning that the toilets in the former Pentagon Bus Station closed in 2007 so the facility in the new Bus Station was an improvement on the previous situation.

Councillor Shaw asked if the Portfolio Holder could provide some information on the proposals for Platform B and the impact of the tree planting with regards to public nuisance.

Councillor Filmer stated that he was quite happy to share any plans to enhance the area with Councillor Shaw.

### **772 Youth Justice Plan (Policy Framework)**

#### **Discussion:**

This report outlined the Medway Youth Justice Plan 2012-2014, which had been developed following discussions and consultations with partner agencies, and also reflected the requirements of the Youth Offending Team (YOT) Improvement Plan.

The report had been considered by the Children and Young People Overview and Scrutiny Committee on 11 December 2012 and Cabinet on 18 December 2012, details of which were set out in the report.

A Diversity Impact Assessment screening had been carried out on the proposals which indicated it was not necessary to proceed to a full assessment.

Councillor Wicks, Portfolio Holder for Children's Services, supported by Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, proposed the recommendations set out in the report.

**Decision:**

The Council approved the Youth Justice Plan, as set out in Appendix A to the report.

**773 Gambling Act 2005 - Review of Council Statement of Gambling Policy (Policy Framework)**

**Discussion:**

This report provided details of the revised Council Statement of Gambling Policy, which had been developed in accordance with the provisions of the Gambling Act 2005.

The report had been considered by the Licensing and Safety Committee, Business Support Overview and Scrutiny Committee and Cabinet, details of which were set out in the report.

A Diversity Impact Assessment screening had been carried out on the proposals which indicated it was not necessary to proceed to a full assessment.

Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contract, supported by Councillor Maple, proposed the recommendation set out in the report.

**Decision:**

The Council approved the Statement of Gambling Policy (Gambling Act 2005), as set out in Appendix A to the report.

**774 Localising Support for Council Tax**

**Discussion:**

This report provided details of the Council Tax Reduction Schemes (Medway Council) 2013, as set out in Appendix A to the report, as required under the Local Government Finance Act 2012. The Cabinet had considered the issue on 4 September 2012, 27 November 2012 and 18 December 2012 with regards to the consultation process and the draft scheme.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix C to the report. The assessment had identified a number of potential adverse impacts together with some mitigating factors being incorporated into the scheme.

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

**Decision:**

The Council adopted the Council Tax Support scheme as set out in Appendix A to the report.

**775 Technical Reforms of Council Tax**

**Discussion:**

This report provided details of the technical reforms to council tax, as required by the Local Government Finance Act 2012 and consequential regulations and orders. The report set summarised the changes to council tax regarding empty homes discount, Class A exemptions (dwellings undergoing major repair work), Class C exemptions (dwelling that is unoccupied and unfurnished), Class L exemptions (dwelling where mortgagor has had home repossessed by a bank or building society), empty homes, paying by instalments, information to be contained in demand notices, "rent a roof" solar photovoltaic installations on domestic properties and valuing annexes as part of the main dwelling,

This report had been considered by Cabinet on 15 January 2013.

Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, supported by Councillor Wicks, Portfolio Holder for Children's Services, proposed the recommendation set out in the report.

**Decision:**

- a) The Council noted the power to reduce the discount in respect of second homes from 10% to 0% but agreed not do so at this time.
- b) The Council noted the removal of Class A & Class C properties from the list of exemptions and agreed to replace them with new discounts of 100% for 12 months (Class A) and 100% for 3 months (Class C) respectively.
- c) The Council noted that no regulations have yet been issued to change the liable party in respect of properties where the mortgagee is in possession.
- d) The Council noted the power to levy an additional premium on those properties that have remained empty and unfurnished in excess of two years but agreed not do so at this time.
- e) The Council noted the changes to the instalment scheme for Council Tax and possible consequences for the timetabling of future tax setting meetings.
- f) The Council requested officers to publish the information to be contained in demand notices electronically, only supplying hard copy as and when requested.

- g) The Council noted the changes relating to the valuation of solar panels and granny annexes.

**776 Treasury Management Strategy Mid Year Review Report 2012/2013**

**Discussion:**

This report provided details of the mid year review of the Treasury Management Strategy 2012/2013. This included the management of the local authority's investments and cash flows, its banking, money market and capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks.

This report had been considered by the Business Support Overview and Scrutiny Committee on 6 December 2012 and Cabinet on 18 December 2012.

Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, supported by Councillor Wicks, Portfolio Holder for Children's Services, proposed the recommendation set out in the report.

**Decision:**

- a) The Council noted the report.
- b) The Council adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011, as set out in Appendix 1 to the report.

**777 Eastgate House Heritage Lottery Fund - Stage 2 Award**

**Discussion:**

This report provided an update on the successful award from the Heritage Lottery Fund (HLF) of a Stage 2 Application for Eastgate House, and sought formal approval to add the scheme to the Capital Programme. It was noted that the Council had been awarded £1,280,000 by the HLF, and details of the full project/funding costs were set out in paragraph 7.1 of the report.

Councillor Doe, Portfolio Holder for Housing and Community Services, supported by Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, proposed the recommendation set out in the report.

**Decision:**

The Council agreed to add Eastgate House HLF Project to the Council's Capital Programme, and to approve the Prudential Borrowing as set out in paragraph 7.1 of the report.

**778 Addition to the Capital Programme - Refuse and Recycling Fleet**

**Discussion:**

This report sought approval from Full Council to add the purchase of the Refuse and Recycling Fleet to the capital programme and to support an increase in both recycling and organics collections to weekly in line with black sack refuse collections, following the award to the Council from the Department for Communities and Local Government (DCLG) of £14 million.

It was noted that in respect of exemption 2 (page 315 of the agenda), the Director of Children and Adults had approved the exemption request on 9 December 2011.

Councillor Filmer, Portfolio Holder for Front Line Services, supported by Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, proposed the recommendation set out in the report.

**Decision:**

The Council agreed to add to the capital programme the scheme for the capital purchase of the recycling and refuse fleet in order to introduce weekly recycling and organic waste collection and maintain the weekly residual waste collection service for a minimum of 5 years as per the funding criteria.

**779 Contract Letting - Exceptional Circumstances**

**Discussion:**

This report provided details of contracts awarded in accordance with the provisions of the current Contract Procedure Rules 1.8.1 and 1.8.2 to deal with the letting of contracts in exceptional circumstances where it was considered to be in the best interests of the Council to do so, provided that the exemption did not breach any EU or UK Directive, Statute or Regulation.

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

**Decision:**

The Council noted the contents of the report.

**780 Schedule of Meetings 2013/2014**

**Discussion:**

This report provided details of a provisional programme of meetings for the 2013/2014 municipal year, as set out in appendix A to the report, for recommendation to the Council's annual meeting.



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Councillor Kemp, supported by Councillor Jarrett, Portfolio Holder for Finance and Deputy Leader, proposed the recommendation in the report.

### **Decision:**

The Council agreed a programme of Council and Committee meetings for 2013/2014 as set out in Appendix A to the report for recommendation to the annual meeting of the Council on 15 May 2013.

## **781 Motions**

### **(A) Councillor Price, supported by Councillor Maple, submitted the following:**

This Council notes:

1. That Medway has been ranked worst in the country for children's attainment in English and Maths, creating anger and concern amongst schools and parents.
2. That since 2010 a number of support staff in primary schools and 54 school improvement council staff have been cut, making it more difficult to monitor and raise standards in the increasingly complex primary sector.

This Council resolves:

1. To fully implement the recommendations of Medway's 2011 Key Stage 2 task group report.
2. To instigate a cycle of separate member-led 'task group' meetings with headteachers and chairs of governors (including, where relevant, academy sponsors) of all primary schools who have had recent Ofsted inspections in order to:
  - i) review how the authority can further support the schools with their action plans to improve attainment
  - ii) formally share good practice where this has been identified.
3. That the authority be represented at each 'task group' meeting by the portfolio holder, director and/or assistant director, and spokespersons from the Children and Young People Overview and Scrutiny Committee.
4. To set up a Medway-wide forum including primary schools, academy sponsors and the Council to collaborate on and review future improved performance on children's attainment in English and Maths.

Councillor Wicks, Portfolio Holder for Children's Services, supported by Councillor Kemp, proposed the following amendment:

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

This Council notes:

That Medway is placed bottom in the 2011-2012 national league tables for children's achieving a level 4 in both English and Maths.

This Council resolves:

To continue implementing the recommendations of Medway's 2012 Key Stage 2 task group report.

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

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

### **Decision:**

This Council notes:

That Medway is placed bottom in the 2011-2012 national league tables for children's achieving a level 4 in both English and Maths.

This Council resolves:

To continue implementing the recommendations of Medway's 2012 Key Stage 2 task group report.

### **782 Councillor Murray, supported by Councillor Osborne, submitted the following:**

Medway Council recognises that all residents should be treated equally and should not be barred from any aspect of civil society either because of their beliefs, race, gender status, disability or sexual orientation.

Medway Council notes the recent Government consultation on extending the legal form of marriage to same-sex couples, and the commitment of Medway Council to non-discrimination of lesbian, gay, bisexual and transgendered persons.

Medway Council acknowledges and welcomes the positive efforts of the last Government to support lesbian, gay, bisexual and transgender rights, including:

- Equal legal age of consent;
- Adoption rights for same-sex couples;
- Fertility treatment rights;
- Introduction of civil partnerships for same-sex couples

Medway Council supports the current government's efforts to build on this progress and legislate for equal Civil Marriage and also calls for equal Civil Partnerships.

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Medway Council requests that the Chief Executive and the Leader of the Council write an open letter to Mark Reckless MP and Rehman Chisthi MP requesting they vote in favour in any parliamentary vote supporting the equal marriage rights of lesbian, gay, bisexual and transgendered couples to bring any proposed legislation to a reality and that they lobby for equal Civil Partnerships.

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

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

This council notes:

1. That the Government is currently considering proposals for the redefinition of marriage
2. That there was a considerable consultation where all members of the public were given the opportunity to comment
3. That the 3 month long public consultation attracted over 228,000 responses as well as a number of petitions
4. That Members of Parliament are to be given a free vote on this matter according to their own convictions

This Council believes:

That this is a matter for Parliament to debate and vote upon when the Bill is presented.

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

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

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### **Decision:**

This council notes:

1. That the Government is currently considering proposals for the redefinition of marriage
2. That there was a considerable consultation where all members of the public were given the opportunity to comment
3. That the 3 month long public consultation attracted over 228,000 responses as well as a number of petitions
4. That Members of Parliament are to be given a free vote on this matter according to their own convictions.

This Council believes:

That this is a matter for Parliament to debate and vote upon when the Bill is presented.

**Mayor**

**Date:**

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