

Medway Council
Meeting of Regeneration, Community and Culture
Overview and Scrutiny Committee

Thursday, 27 June 2013

6.30pm to 10.45pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Bright (Chairman), Clarke, Griffiths, Adrian Gulvin, Harriott, Hubbard, Juby, Mackinlay, Turpin, Mason, Mrs Diane Chambers and Griffin

Substitutes: Councillors:
Diane Chambers (Substitute for Councillor Carr)
Griffin (Substitute for Councillor Etheridge)

In Attendance: Superintendent Julia Chapman, Kent Police
Sean Bone-Knell, Assistant Director Kent Fire and Rescue Service
Tina Hughes, Director of North Kent Local Delivery Unit, Probation services
Dr Alison Barnett, Director of Public Health
Katherine Bishop, Community Development Officer
Marc Blowers, Head of Housing Management
Tim England, Head of Safer Communities
Barbara Graham, Legal Advisor
Steve Hewlett, Integrated Transport Manager
Neil Howlett, Community Safety Partnership Manager
Daniel Kalley, Democratic Services Officer
Julie Keith, Head of Democratic Services
Anna Marie Lawrence-Lovell, Performance Manager
Andy McGrath, Assistant Director, Front Line Services
Kevin Woolmer, Finance Manager, Business Support & Regeneration, Community & Culture
Martin Morris, Traffic Management Manager
Katherine Bishop, Community Development Officer
Keith Gulvin, Youth Offending Team Manager
Dr Alison Barnett, Director of Public Health

126 Record of meeting

The record of the meeting held on 11 April 2013 was agreed and signed as correct by the chairman. The record of the Joint Committee meeting on 15 May 2013 was agreed and signed as correct by the chairman.

127 Apologies for absence

Apologies for absence were received from Councillor Carr and Councillor Etheridge.

Apologies were also received from Dr Nathan Nathan of the Clinical Commissioning Group.

128 Urgent matters by reason of special circumstances

There were none.

129 Declarations of disclosable pecuniary interests

Councillor Adrian Gulvin declared a non-pecuniary interest in item 6, as his brother was the Youth Offending Team Manager was present to advise on the item relating to scrutiny of the community safety partnership.

130 Scrutiny of the Community Safety Partnership

Discussion:

The Vice Chairman of the Community Safety Partnership (CSP) Superintendent Chapman gave a presentation to the Committee on the work of the partnership (a copy of which has subsequently been published on the Council's website along with the other papers for this meeting). The presentation highlighted the achievements of the CSP and the challenges faced under each of the five priorities in the Community Safety Partnership Plan 2013-2016 together with a look ahead to future planned activity:

- Priority 1 – Tackle drug and alcohol abuse
- Priority 2 – Tackle anti-social behaviour and enviro-crime
- Priority 3 – Reduce re-offending
- Priority 4 – Tackle domestic abuse
- Priority 5 – Reduce the number of people killed or seriously injured in road traffic collisions

The Committee then made comments, raised a number of questions and discussed a range of issues including:

Preventative work – several members commended the Partnership for the effectiveness of awareness raising programmes in schools. Particular reference was made to work being undertaken by Kent and Medway Fire and Rescue and the Youth Offending Team. One member praised a pilot involving placement of social work students in Pupil Referral Units in secondary schools.

Re-offending – members asked about the overall picture in relation to re-offending rates and asked for an explanation for the significant reduction in instances of re-offending. Superintendent Chapman explained that re-offending

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rates are reported by re-offending types and that there had been a 32% reduction in reoffending rates among the adult cohort under the integrated re-offender unit rather than across the board. The Police actively worked with other agencies such as the probation service, to seek to achieve early intervention, a targeted regime for prolific offenders and successful restorative practices. The Director of NK LDU Probation Services acknowledged it was difficult to explain the reduction in re-offending rates and highlighted the targeted intervention work being undertaken by the probation service with a focus on getting people through their court orders

Number of people killed or seriously injured (KSI) – a request was made for these statistics to be presented separately so it was possible to differentiate between the number of road traffic collisions causing deaths and those causing serious injury. The Kent Fire and Rescue Service representative agreed to look into this although members were asked to note that the statistics were presented together as the difference between death or serious injury could be attributable to the degree of heroic medical intervention available at the roadside or on arrival of the patient at hospital.

'Skunk' shops – the Committee asked for assurances that the partnership was working on a multi-agency basis to discourage these shops, given the risk of harm they present to young people. CSP representatives acknowledged the difficulties caused by limited powers available to close down 'skunk' shops but assured the Committee action was being taken to try and disrupt usage within the existing legal framework

Use of illegal tobacco – with reference to the use of illegal tobacco members commented that performance on this was currently rated green/amber but pointed out that Medway had received recent media attention for being a hot spot for illegal cigarettes. Members were advised to treat the recent press coverage with caution as it was based on a survey undertaken by a tobacco industry organisation involving an assessment of street litter to measure bonafide as opposed to illicit cigarettes. It was explained that HMRC is the government enforcement agency and that Medway's Trading Standards Team get heavily involved in enforcement activity with a number of recent successful local seizures of illegal cigarettes. The situation in Medway is also influenced by the fact it has densely populated urban areas and is located in close proximity to channel ports. Members also noted the higher level of risk of harm associated with counterfeit tobacco products compared with illicit products, which cannot be sold legally. Officers confirmed there was an ongoing commitment to take appropriate action in relation to illegal and counterfeit tobacco, as the problem could not be regarded as resolved.

Domestic Abuse – members queried whether improved performance was actually due to higher levels of reporting by those affected by domestic abuse or whether cases of domestic abuse were on the rise. Members also noted the evidence of the positive impact of better partnership working in this area and asked what was being done to support people who have reported domestic abuse but may have a change of mind when confronted by the prospect of court proceedings.

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Chief Superintendent Chapman assured the Committee that the CSP recognised the serious long- term impact of domestic abuse but that it was difficult to know if current figures were attributable to improved levels of reporting or an increase in the number of incidents of abuse. She stated that good safeguarding agreements were in place between the statutory agencies so that signs of domestic abuse could be detected early. Dedicated police officers were dealing with high- risk families and there were a number of support networks in place involving voluntary and statutory agencies. The police seek to always prosecute in cases of domestic abuse rather than offer alternatives such as conditional cautions or restorative justice. If victims were unhappy to go through with court proceedings the Police would seek to rely on evidence from neighbours and the scene of the incident. The work of the IDVAs was important in encouraging and supporting those who have reported domestic abuse to go to court. IDVAs provide invaluable practical support, which can help to discourage victims from withdrawing at this stage.

The Committee welcomed enhanced levels of support now available from advisers on domestic abuse through a community organisation based in premises in Chatham and the introduction of a computer system accessible to a number of partners, which made it easier to share information. Officers reported particular progress in supporting those experiencing abuse who have no other back-up.

Assurances were given to the Committee that measures are being taken to prevent domestic abuse in specific communities where cultural influences are known to lead to lower rates of reporting.

Crime statistics – public perception following recent report by HMIC on inaccurately recorded crimes – the view was expressed that the recent HMIC finding of inaccurately recorded crimes by Kent Police had undermined public confidence in statistics. Superintendent Chapman assured the Committee that Kent Police welcomed the review and was committed to implementation of all the recommendations. She stated there had also been positive commentary about areas of good practice and work already carried out to address the issues raised. A recent survey had shown nine out of ten people were satisfied with police recording processes. She explained the statistics about Medway crime levels in her presentation were based on this financial year up to 26th June.

Looking ahead – resourcing priorities – the Committee noted the overall 4% reduction in crime in Medway and asked whether, going forward, resources were being targeted more systematically at priority areas. Specific reference was made to a 10% increase in crime in Strood North and Luton and Wayfield and also to a high number of crimes involving only two households in Gillingham South together with a high incidence of damage to vehicles in this ward.

Superintendent Chapman explained that Kent Police undertook a priority review every two weeks. A certain level of resourcing was maintained across all areas

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but operational plans were also in place to target specific issues as appropriate. For example seasonal crime and release of offenders.

She undertook to explore the possibility of a five year ward- level trend analysis being produced to supplement published ward based crime statistics.

With regard to spikes in anti-social behaviour often involving damage to vehicles as experienced in Gillingham South the Committee was advised that the Police combined a targeted approach to known offenders with attempts to discourage car –owners from leaving valuables on display inside vehicles.

Efforts were continuously made to let people know when perpetrators of reported crimes were caught and brought to justice.

Safeguarding – members asked about the role of the CSP in relation to the safeguarding of children and adults with reference to the interface between the partnership and other relevant agencies. As an example Members queried whether the CSP had any knowledge of the problems in children’s social care before the publication of the recent OFSTED Inspection report. Officers advised that Medway Council as a whole was a “responsible authority” for the purposes of the CSP and that the Strategic Executive Group included senior colleagues from across the Directorate of Children and Adults to ensure integrated working. Links between the various Safeguarding Boards and CSP were in place.

Members asked for a briefing note documenting the interface between the CSP and other relevant safeguarding teams and organisations.

Drug and alcohol addiction- members noted with concern the point made in Superintendent Chapman’s presentation about lack of aftercare for drug addiction. The Director of Public Health advised that a specification for a drug and alcohol treatment system was being drawn up as part of a procurement exercise for an integrated service. It had been recognised there are gaps and the new service will include support through to recovery. There would be consultation with the Health and Adult Social Care Overview and Scrutiny Committee on the new service specification.

Decision:

The Committee thanked the Community Safety Partnership for its attendance and agreed:

1. that in future years the Committee should scrutinise the annual strategic assessment at the end of the calendar year which may then result in changes to the CSP’s priorities
2. that senior members of the CSP should be invited to attend meetings of the Committee for the annual CSP report and other meetings where specific community safety issues are discussed throughout the year

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3. that Superintendent Chapman should report back on whether ward level crime statistics could be expanded to include a five year trend analysis
4. to ask officers to explore what more can be done to control and discourage 'skunk' shops and
5. that a copy of the PowerPoint presentation for this item should be circulated

131 2012/13 year end performance monitoring

Discussion:

The Performance and Intelligence manager for Regeneration, Community and Culture introduced the report to Members, which provided performance information against the Council's relevant Key Measures of Success for the year 2012-13.

For the year 2012/13 28 out of 36 Regeneration, Community and Culture Council Plan Key measures of success were on target or exceeded their target. Overall 81% of customers were satisfied overall with the way Medway runs its services. The Performance and Intelligence manager outlined a number of successes under each priority.

The Chair informed members that at the previous Business Support Overview and Scrutiny meeting it was recommended that, subject to agreement from this committee, Council be recommended to agree that housing be moved from the remit of this committee to the remit of the Business Support Overview and Scrutiny Committee.

The Assistant Director, Frontline Services advised members to consider the strategic and cross cutting links between housing and other matters within the remit of this committee which would be lost if scrutiny of housing transferred back to the Business Support Overview and Scrutiny Committee.

Members agreed that there was cross party support for housing to be moved back to Business Support Overview and Scrutiny Committee.

Members welcomed the report and raised a number of points and questions including:

- **Overall levels of customer satisfaction** – a member requested a copy of the questions asked in the customer satisfaction survey. Officers were asked if an analysis was undertaken of the responses from those people who expressed dissatisfaction in surveys. It was confirmed that this was done via scrutiny of responses provided in free text in survey returns. A quarterly telephone tracker survey generates the information presented to members about satisfaction levels. Where satisfaction levels remain at an unacceptable level for two quarters a view is usually invited from the

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Citizens Panel and where the response remained inconclusive further recourse could be made to Focus Groups, the Equalities and Access Group and the Youth Parliament.

With specific reference to member's questions about Trading Standards and Environmental Health it was explained that the user sample in the tracker survey was insufficient and a direct service user survey may be better in future. Steps were being taken to seek agreement from users of these services to be approached in future surveys. It was also pointed out that 5-6000 contacts with Trading Surveys were via a national helpline which impacts on available survey sample numbers.

- **Chatham Waterfront Bus station** – whilst noting high levels of satisfaction concern members reported that people were complaining about conditions when it is windy and cold. Officers were asked to circulate the questions used in the survey undertaken in March
- **Affordable homes** – officers were asked to advise on how Medway compares with other local authorities in relation to affordable homes.

Officers advised that the most recent affordable homes statistics were published by HCA earlier in the week. Medway is providing more affordable homes than the rest of Kent. To illustrate this members were advised 7 new units were provided in Thanet compared to 278 in Medway where targets were consistently being met and exceeded. The Committee was advised that an overview of national comparators could be provided in due course.

- **Homelessness** - a member expressed concern about rising levels of homelessness. Reference was made to a former Task Group on homelessness, which had recommended consideration of establishing an assessment centre in Medway, similar to the successful centre in Southampton but that this had not been implemented locally. Concern was also expressed about welfare reforms and the impact this was having on people in houses on the Twydall Estate, which had been built as two-bedroom properties but converted to three beds. A comment was made about the disposal of supported accommodation, such as Sholders House, which could have been upgraded instead.

Officers updated the Committee on the current position relating to homelessness, including a 20% increase in the number of households being accepted as homeless. It was reported that a Medway Homelessness Strategy would be coming forward later in the year.

It was reported that the Assessment Centre in Southampton had now closed probably due to the impact of Welfare Reform and more restricted access to levels of funding. The emphasis in Medway had been on early intervention and use of private sector accommodation. It was confirmed that private sector temporary accommodation was inspected either by the relevant Registered Social Landlord or the Council where an RSL was not involved.

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The Council would always work with families if temporary accommodation did not meet their needs.

With regard to disposal of supported accommodation members were referred to the Asset Management Strategy later in the agenda.

- **Temporary Accommodation and Bed and Breakfast** – it was noted that these were currently rated as “reds” and members asked if the new Homelessness Strategy could address both in detail with a link back to Council Plan targets
- **Employ Medway** – the Committee expressed an interest in a breakdown of the number of part-time, as opposed to full-time jobs, secured by Employ Medway and officers were asked to supply this information in a briefing note.
- **Number of jobs created and safeguarded through intensive assists** – the Committee asked what this meant and asked for some contextualisation including whether or not any difference was being made. Officers advised that other organisations had more influence over performance in this area than the Council For example Locate in Kent. Members were assured that much was being done to assist failing businesses in partnership with other organisations. One measure of impact was the number of businesses choosing to locate in Medway with the Innovation Centre currently full. Members asked for a further briefing note on this indicator explaining how the various interventions were working in terms of safeguarding jobs and for how long.

Decision:

The Committee agreed to :

1. note the report
2. recommend the Council to transfer scrutiny of housing from this Committee to the Business Support Overview and Scrutiny Committee
3. request briefing notes on:
 - i) questions asked in the general customer satisfaction survey and the Chatham Waterfront Bus Station satisfaction survey
 - ii) how Medway compares with other local authorities on provision of affordable homes
 - iii) a breakdown of full time and part time jobs secured by Employ Medway
 - iv) number of jobs created and safeguarded through intensive assists analysing how the various interventions were working and for how long

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4. request that the forthcoming Homelessness Strategy should address member concerns about the red rating of targets for temporary accommodation and bed and breakfast with links back to the Council Plan

132 Petitions

Discussion:

The Committee was advised that the report set out the petitions and e-petitions that had recently been received by the Council within the remit of this Committee. There had been no petition referrals from the lead petitioners following receipt of a response from the Director of Regeneration, Community and Culture.

A Member asked if those petitions that had come to the committee previously could be added to this report rather than the work programme report, so that the committee to see what progress had been made.

Decision:

The Committee noted the report and appropriate officer action as set out in paragraph 3 of the report.

133 Member's Item: Traffic flow in Chatham

Discussion:

Councillor Mackinlay was invited to address the Committee as he had submitted the item for consideration. He voiced his concern that the traffic did not flow properly with two major 'pinch points', in particular The Brook where two lanes of traffic merged into one.

He suggested there were a number of cheap and easy fixes to the problem, including the introduction of puffin crossings, which would allow for traffic to flow better.

The Assistant Director, Frontline Services informed members that the major alterations to the road network in Chatham had been delivered to regenerate Chatham town centre. The key objective of the new traffic management arrangements was to remove a traffic barrier between the town centre and the River frontage. He informed members that the report outlined a number of measures that could be taken to help the traffic flow through Chatham and he would welcome a meeting with relevant councillors to review options that could be taken forward.

A member raised the issue that the traffic flow is unique to Medway as it is not a traditional city in terms of its layout due to the boundaries created by the river. However the creation of the bus station at the waterfront had taken away roads at a cost. The issue of traffic flow needed to be looked at in the wider context.

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Another member commented that it was easier to drive from Rochester via Strood and the Medway Tunnel to Chatham than use the direct road into Chatham from Rochester.

Members questioned the use of £100,000 for puffin crossings without a deeper investigation, and the need to look in depth at issues before spending money. Members also agreed that the Council should engage with the bus company to inform their bus drivers to not block up road junctions, which impacts on the flow of traffic going in the opposite direction.

The Assistant Director, Frontline Services informed members that the lions share of the cost would go on changing the traffic lights to puffin crossings, and this is a scheme that will be rolled out across Medway and not just Chatham.

Decision:

The Committee agreed that:

- 1) Members and officers will meet to discuss traffic flow;
- 2) A report will come back to committee in six months time

134 Report from the task group into "De-cluttering streets in Medway"

Discussion:

The Chair introduced the report and the work carried out by the task group, including four meetings and a stakeholder event, held at St. George's Centre. The Chair informed members that there were 12 recommendations to Cabinet as set out in the report. The Chair invited the Assistant Director, Frontline Services to present the key findings from the task group.

The Assistant Director, Frontline Services informed members that no one size fits all when it comes to de-cluttering streets. The recommendation is for Medway Council to systematically de-clutter its streets on a case by case basis and in association with future maintenance work and new capital schemes, and that a streetscape manual would guide this process. The Task Group was recommending that a pilot scheme for de-cluttering should be carried out in Strood Town Centre.

Members welcomed the report and raised a number of points including:

- The project in Strood High Street is welcomed, particularly as the barriers lining the edge of the pavements are dangerous with a number of gaps, which people use to cross the road.
- Standardisation of materials used should be a key aim, as this will reduce procurement and ongoing maintenance costs.

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- With regard to bollards, there were concerns that removing some bollards would cause greater problems. For example on the roadside outside schools.
- Request for assurances that Ward Councillors will be consulted before any decluttering work is carried out in their ward.
- The importance of consulting shop owners when consideration is given to policy on tables and chairs in front of shops.

In response to the issues raised the Assistant Director, Frontline Services explained that each case would be looked at individually and would follow the policies in the Medway Streetscape Manual. With regards to advertising boards, tables and chairs outside shop fronts, representatives from the Guide Dogs Association had raised concerns and explained that blind and partially sighted people had to physically learn the route where in areas more tables, chairs and advertising boards were located on pavements.

In relation to the pilot scheme in Strood Town Centre, the committee was advised that the project design could be completed by the end of Autumn and by the end of the financial year the work in Strood Town Centre could be completed.

Decision:

The Committee agreed:

- a) To recommend that the De-cluttering Streets in Medway review document is referred to Cabinet for approval, including recommendations 1-12;
- b) To add an additional recommendation that all Ward Members are consulted before the removal of any street furniture in their wards as part of the de-cluttering programme;
- c) To bring a report back to this committee in 12 months time updating members on progress and the impact of the pilot scheme in Strood.

135 Implications of Localism Act 2011 - Landlord Services Complaints

Discussion:

The Head of Housing Management introduced the report, which sets out a new role for Councillors. A tenant who has exhausted the Council's internal complaints procedure can ask a 'designated person' to refer the complaint to the Housing Ombudsmen. All Councillors are 'designated persons' under the Localism Act 2011.

The recommended option proposed a 'designated person panel' and would comprise Members selected cross party, a tenant representative and an independent person.

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The Committee asked how the new system would work if option 2 were to be adopted. Officers advised that once a complaint about housing landlord services has been through stages 1 and 2 of the Council's Corporate Complaints Procedure the Localism Act stipulates that complaints may only then be referred to the housing ombudsman if a "designated person" agrees to make the referral, refuses to review the complaint or the complainant may refer the complaint directly eight weeks after the internal complaints process has been exhausted. The definition of a "designated person" is an MP, a member of Medway Council or a Designated Tenant Panel. The Committee was advised that there were limited circumstances under the Act where the housing ombudsman would accept referrals directly from complainants; where eight weeks has elapsed from the day on which stage 2 of the complaints procedure has been exhausted or where a designated person has refused to make a referral or has agreed to a direct approach to the Ombudsman.

The Committee was advised that whilst complainants will be notified they are able to approach any of the "designated persons" it was being recommended that in addition they be offered the alternative of discussing their complaint and the option of referral to the Ombudsman with a Panel of Members who will be supported (in an advisory capacity) by an Independent Person and a tenant representative.

The Committee discussed whether the establishment of a Designated Person Panel as recommended in paragraph 3.3 of the report (option 2) would add an additional and unnecessary layer of bureaucracy to the complaints procedures. Reference was made to the small number of housing landlord complaints typically reaching stage 2 of the complaints procedure, the work that will continue at ward level by Councillors to resolve complaints and the possible difficulty in convening a meeting of the Designated Person Panel before the expiry of eight weeks.

The view was expressed there may be some merit in offering the option of a Designated Person Panel particularly for complainants who feel their ward member has been unable to resolve their concerns.

Decision:

The Committee agreed to recommend the Cabinet to adopt option 2 set out in paragraph 3.3 of the report. It was recommended that the Designated Person Panel should comprise 5 Councillors (3 Conservative members, 1 Labour member and 1 Liberal Democrat member nominated by Group Whips); that the advisory independent person should be from Gravesham Council (or another neighbouring Council) on the basis of a reciprocal arrangement with Medway and the advisory tenant representative should be nominated by the Tenant and Leaseholder Scrutiny Panel.

136 Housing Revenue Account Business Plan 2012-2042, and Asset Management Strategy

Discussion:

The Head of Housing Management introduced the report to Members and explained that the Interim Housing Revenue Accounts (HRA) Business Plan was approved in April 2011, giving up to date information on the nature and condition of the housing stock, recent management performance and targets for improving the service in the future.

The HRA Plan illustrates a sustainable budget over the next 30 years and allows for further improvement to housing stock and potential new stock by using the 'headroom' created by self-financing.

The Committee discussed the potential to build up significant financial Headroom created by self-financing over the period of the Plan and questioned the absence of a clear strategy for use of this resource in the report. Concern was expressed about accumulating balances at a time of unmet housing need. Officers advised that the alignment of the HRA Business Plan and Asset Management Plan would be followed by a further report providing an options appraisal and possible projects for utilisation of this headroom. The Committee asked for this further report by the end of the calendar year.

A Member asked if the Government's right to buy scheme would affect the return on investment and how long it would be before the property would re-enter the housing market. In response the Head of Housing Management informed Members that the legislation makes clear that the Council can't sell properties eligible for sale under the RTB until a tenant has held an appropriate tenancy for a minimum of five years. This will enable the Council to get the capital back.

Decision:

The Committee agree to recommend that Cabinet adopt the attached HRA Business Plan and that a further report providing an options appraisal and possible projects for utilisation of the Headroom created by self-financing should be presented to the Overview and Scrutiny Committee and Cabinet by the end of the calendar year.

137 Work Programme

The Democratic Services Officer introduced the report and highlighted to the committee the additions to the Cabinet Forward Plan, as set out at paragraph 4 of the report.

Decision:

The Committee agreed:

- 1) the committee's work programme as attached at Appendix A;

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- 2) that further reports be added to the work programme updating members on progress and the impact of the pilot scheme in Strood, an update on the meeting between officers and councillors on the traffic flow in Chatham, and a report on issues with the bus station at Chatham Waterfront.
- 3) that a report on the use of the accumulating 'headroom' fund will be added to the work programme for Business Support subject to that being agreed by Full Council on the 25th July.
- 4) that a report on the Rochester Airport Masterplan comes to committee following public consultation.

Chairman

Date:

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