

Medway Council
Meeting of Medway Council
Thursday, 25 July 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 Iles)
The Deputy Mayor (Councillor Etheridge)
Councillors Avey, Baker, Bowler, Bright, Carr,
Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty,
Clarke, Colman, Cooper, Craven, Doe, Gilry, Christine Godwin,
Paul Godwin, Griffin, Griffiths, Adrian Gulvin, Pat Gulvin, Hewett,
Hicks, Hubbard, Igwe, Irvine, Jarrett, Juby, Kearney, Kemp,
Mackinlay, Brake, Maple, Mason, Murray, O'Brien, Osborne,
Price, Rodberg, Royle, Shaw, Maisey, 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, Deputy Director, Customer First, Leisure,
Culture, Democracy and Governance
Julie Keith, Head of Democratic Services
David Quirke-Thornton, Deputy Director, Children and Adults
Services
Jane Ringham, Head of Elections and Member Services

212 Records of meetings

The records of the meetings held on 25 April 2013 and 15 May 2013 were agreed and signed by the Mayor as correct.

213 Apologies for absence

Apologies for absence were received from Councillors Filmer, Harriott, Mackness and Purdy.

214 Declarations of disclosable pecuniary interests

Councillor O'Brien declared a personal interest in any discussion on the former Chatham South School site, because his grandson currently attended Chatham Grammar School for Boys.

215 Mayor's announcements

The Mayor reminded Members that she had chosen to support the following Charities during her Mayoral year: Age UK, Caring Hands, Demelza and Help for Heroes. There were two fundraising events taking place shortly: a night at the musicals at Strood Academy on 27 September and a race night at Medway Rugby Club on 21 October. Tickets were available from the Mayor's Office.

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

216 Leader's announcements

There were none.

217 Petitions

William McLennan of Rochester submitted a petition which contained 514 signatures which asked:

- Medway Council, Councillors and officers not to sign or commit to a 25-year Rochester Airport lease until residents' safety is assured and confirmed through a full Community Impact Study and a public hearing;
- That a comprehensive study be undertaken to determine the best and most appropriate use of the airport site with respect to community benefit in health, environment, jobs creation and financial return, and that it be published and time be allowed for it to be read and considered by residents and business people not directly involved in the proposal before the public hearing mentioned above;
- That no financial investment of public money be made or committed to Rochester Airport's future until a comprehensive and independent fiscal due diligence is completed;
- That any investment be fully endorsed by an independent auditor and the Medway community (the undersigned) prior to a legally binding commitment to ensure value for money and to avoid infringement of European Court of Justice rulings.

Councillor Osborne submitted a petition which contained 445 signatures which requested Medway Council to reject the resubmitted proposal for an asbestos transfer station (MC/13/1549) in Lordswood.

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Councillor Stamp submitted a petition which contained 14 signatures which asked Medway Council to completely resurface Coniston Close, Gillingham because the road had now deteriorated beyond repair.

Councillor Wildey submitted a petition which contained 58 signatures which asked for support to stop the proposal for Asbestos First Limited to re-submit its planning application to create an asbestos waste transfer station at North Dane Way/Albemarle Road.

218 Public questions

Members agreed that the period of time allocated for public questions be extended by 15 minutes from 30 minutes to 45 minutes and that questions would not be read out. Any questions not asked at the meeting would receive a written response.

A) Peter Dickinson of Rochester asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

Currently aircraft with a flight path over the City Way end of the airport, fly very low, and loudly, at great noise inconvenience and safety risk to the residents of those areas.

Assuming a doubling of movements and a concentration of all flights into that area, it is likely that the noise and the risk and inconvenience will increase at least four fold.

Please can you answer specifically, what measures will be put in place to prevent this, ensuring that these rules are adhered too, and penalties imposed for any and all breaches?

Councillor Jarrett stated that that he would give fairly short answers and not answer the same question twice. In response to this question, he stated these issues would be considered in detail as part of the planning application for the future operation of the airport.

Mr Dickinson stated that leisure power plane flying was a pastime of a very affluent minority, therefore, how could spending £4m of public money be properly justified at a time of austerity for the majority? This money could be better spent on improving the quality of life for the majority of people living in Medway.

Councillor Jarrett stated that this was an investment that the Council was planning to make which would be for the benefit of all the people of Medway.

B) James Brewood of Chatham asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

Why are negotiations taking place to renew the 25-year lease, to the Rochester Airport Company, before appropriate development plans are fully agreed and authorised by all Council Members. No commitment should be given until after any new lease is signed, and then what proportion of this staggering sum will the lessee be contributing financially to benefit from this probably under estimated, staggering costing of £4.4 million pounds?

Councillor Chitty stated that negotiating the new lease and producing the Masterplan was being carried out in parallel. This was not unusual and would enable the airport proposals to progress. The Council would obtain a return on its investment by rental payments linked to operational usage. Furthermore, the Council would not be granting the 25-year lease until the Rochester Airport Masterplan had been subject to further consultation and agreed by Members.

Mr Brewood stated that if the Rochester Airport Company only contributed to an airport management service, were they to be responsible for all or any of the future running and maintenance cost of the airport?

If they were not, why not? If they had no financial investment then this grossly underestimated investment of £4.4m, which would most likely end up costing at least twice that amount, amounted to nothing less, in general terms, than an interest free loan to the Rochester Airport Company of rate payers' hard earned money which could be better spent on maintaining needed services and social care in the community. To do this, the Council would not only be acting more responsibly in their duty and jobs would be retained and new jobs created. To boldly claim 1,000 new jobs would be created if this so called masterplan goes ahead was in his opinion, and that of many others, pure fantasy.

Councillor Chitty stated that the capital could not be spent on revenue costs and all the negotiations that would take place would be based on that and would be quite clear for people to understand and see.

C) Keith Baldock of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

How steep are the planes going to be on the flight path into the runway at Rochester Airport?

Councillor Chitty stated that the question should be addressed to the Civil Aviation Authority (CAA) because flight paths and flight plans followed a very strict protocol that was set down by the CAA.

The type of planes to be used and their characteristics had been subject to improvements over the years and the CAA was extremely rigorous in terms of what the flight paths would be.

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Mr Baldock stated that if the Council was going to give a 25-year lease it should have some idea of what path those planes were taking into the runway. Mr Baldock said he lived just at the end of the airport and there was a tree in his back garden with the top ten feet missing where low flying aircraft had taken it out and some of the people that lived next door to him had had chimney pots removed. Mr Baldock stated that surely Councillor Chitty should have some idea of how steep these planes were going to come in and the inconvenience caused to local residents?

Councillor Chitty stated that the flight paths were dictated by health and safety regulations and the CAA were very clear in terms of what the flight path would be, in terms of going in and coming out of any landing area. Much of this would be discussed, particularly at the planning stage, and that was why having this document and going through the planning issues would give it the proper attention that it deserved.

D) William McLennan of Rochester asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

Will Councillor Jarrett confirm the new 25 year Airport lease will not be signed before Full Council approval of the Rochester Airport Masterplan and in compliance with the "Say No to Rochester Airport Masterplan" petition statement to stop the democratic process being undermined?

Councillor Jarrett referred to Councillor Chitty's response to question B.

Mr McLennan asked would it therefore not be right to remove from the agenda this evening the approval of the £4.4m for the Rochester Airport lease due to unknown costs and that the £4m had already gone up by another £400,000 in the last three months and that perhaps by the time the Rochester Airport Masterplan would come to fruition or not it might be at £5m.

Councillor Jarrett stated that he would do no such thing. Having considered the responses to the original consultation, he stated that he been led to the conclusion that Mr McLennan appeared to be intent on seeing the airport closed. After discussions with the airport operators recently, they believed Mr McLennan's revised schematic number 2 that he placed before the Council in effect closed the airport because it would become so restrictive as to make the airport non-viable. His number 2.1 proposal would indeed close the airport. Councillor Jarrett stated that Mr McLennan now focused on safety issues which were addressed elsewhere. Councillor Jarrett asked whether the people who had been signing the petition realise that Mr McLennan seemed intent on closing the airport altogether.

Councillor Jarrett stated that he had noticed when some of the signatories of the petition being organised by Mr McLennan attended the last Cabinet meeting, that Mr Munton was among them. He stated that Mr Munton was a leading Member of the Labour administration from 1998 to the year 2000 that was so intent on closing the airport at that time. One of things currently being said was that the current Administration had been just copying Labour

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proposals which, in fact, the current Administration had voted against some 10 to 12 years' ago and that Labour wanted then and wanted now to see the airport closed.

Councillor Jarrett referred Members to the minutes of the joint meeting of the Policy and Resources Committee and Economic Development and Europe Committee dated 27 April 1999. Recommendation 2.5 referred to the establishment of a residential quarter, 5.5 asked Members to support the proposal to cease flying at the airport whilst 5.6 asked Members to approve a residential quarter of around 200 houses. He stated that this was why the current Administration opposed Labour then, and that was why proposals were being brought forward to save the airport for the future. He stated that the airport would not be closed.

E) David Allen of Chatham asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

If the Rochester Airport Masterplan is implemented in its current design, local residents will experience higher noise, air pollution and danger with up to 50,000 air movements a year from a single runway. Homes on and near the flight path will drop in value if the stated aim of Medway Council to have a commercially viable airport is fulfilled. Will Councillor Chitty please tell us what compensation payments will be made to local residents and how the Airport Operator or Medway Council will pay them?

Councillor Chitty stated that no evidence had been supplied that indicated that homes would become less valuable. Residents, including Councillors, had been living in the area for many years, indeed since the 1930s and it was very much part of the regular life in that area.

Mr Allen asked that he would like to know how Councillor Chitty had arrived at these figures as he had lived alongside the airport and had a business there for 33 years.

Councillor Chitty stated that there was no evidence to prove that those figures were not accurate and that this would come up in a later question.

F) Sid Witham of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

The Medway Council leaflet "Rochester Airport the future" states -"We want Rochester Airport to become a commercially viable airport." The August 2012 TPS Consultant report shows the cost of investment for a commercially viable Rochester Airport at over £11 million.

If Councillor Jane Chitty is to be believed and the airport and types of aircraft will stay similar as today, how are investors going to get a return on their investment without a significant increase in air traffic or pricing private club flyers out of the airfield?

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Councillor Chitty stated that the type of aircraft, frequency of flights and restriction on airport operation would be considered as part of the planning application. It was anticipated that the same class of planes that used the airport now would use it in the future. Residents would, of course, have been aware of aircraft movements when they purchased their homes and historically going back, for operational purposes, over 80 years.

G) Michael Mew of Rochester asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

Medway Council have not looked at a range of options for the future use of the airfield land to determine best value for the community in monetary, environmental and jobs terms. It has ignored public safety and chosen a single option which was opposed by Conservative Councillors and public over a decade ago.

Will Councillor Jarrett tell everyone why this Conservative led Council have not undertaken their fiduciary duty correctly in determining the best use and value of the land for the community and its welfare?

Councillor Jarrett stated that a number of options had been developed and considered. The Council believed that the proposals represented the most appropriate future use of this site. Furthermore there were significant differences to past proposals. A decade ago the Labour Group wanted to concrete over what the majority of the local community regarded as an important community asset. In its current state the airport was not sustainable and the proposals put forward provided a long-term future for the airport. A do nothing option was not considered appropriate. Councillor Jarrett stated that the Council, therefore, considered the level of investment reasonable as it was infrastructure owned by the Council, planned over a 25-year period and would secure a percentage of rental return against the airport operator's lease holdings. Lastly, the investment would enable the Council to lever in private sector finance and help create additional local jobs.

Mr Mew asked if Councillor Jarrett would tell everyone why this Conservative-led Council had not undertaken a study which correctly determined the use and value of the land and its welfare?

Councillor Jarrett stated that the reason why this option had been chosen was because this had been the favoured option by the people that live locally, by the vast majority of them, and it was a matter of choice for the administration and this was the choice that had been made. At all times the Council had been aware of the need to invest wisely public funds and that was what would happen and that was why these proposals would show a social and economic return for the area.

H) Bernard Howell of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following;

Medway Council were in receipt of the TPS Consultant document August 2012 which outlines a blueprint for a commercially viable Rochester Airport. The Medway Council leaflet "Rochester Airport the future" states, "We want Rochester Airport to become a commercially viable airport".

Would Councillor Chitty please explain why Medway Council have lied by omission and attempted to mislead the public repeatedly on what a commercial Rochester Airport may cost and look like in the future in Council exhibition material and propaganda leaflets?

Councillor Chitty stated that the Council had not lied and that she stated that she was rather sad that those words were used in the way this question had been framed.

She also stated that the question's reference to cost related to the figures quoted in the TPS report (circa £12m), it had subsequently become clear that the necessary infrastructure could be provided at a much lower cost.

The Council was working with Rochester Airport Ltd to agree a lower priced specification of infrastructure works that were satisfactory to all parties and would provide good value for money.

Mr Howell asked what measures would be in place to ensure the Council would recoup its investments on its prospect?

Councillor Chitty stated that this was an integral part of anything the Council did. It was incumbent on the Council to make sure that any financial issues were fully investigated and weighed against the overall expenditure with the good that it could engender in these propositions.

I) Susan McLennan of Rochester asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

The "To Let Rochester Airport Kent" tender document mirrors the current design of the Rochester Airport Masterplan which is almost identical to that of Labour led Medway Council commissioned W S Atkins consultant study December 2000, "Rochester Airfield review option 3."

Can Councillor Jarrett explain why he and his colleagues have now decided to support the configuration when it was stopped by a Conservative Councillor led petition previously on safety grounds and the "Save our Green Space" campaign?

Councillor Jarrett stated that the proposals retained the majority of the grassed area within the current airport footprint and were seen as a pragmatic solution which enabled retention of a large grassed area, creation of a sustainable airport and development of employment accommodation creating up to 1000

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jobs and he referred to an answer he had given previously that there was a clear distinction between these proposals, which would retain the airport and bring the other benefits that he had referred to, and the proposals that were brought forward by the previous Labour administration which were to close the airport and concrete it over.

Mrs McLennan stated that it seemed that a lot of documents had not been looked at by quite a lot of people over this issue, including a petition which was raised for safety. Over the years, since the airport was opened in 1933, there were drop sites for aircraft. Over the years those drop sites had been built on. She asked Councillor Jarrett that given the aircraft were being aimed in just two directions, in highly densely populated areas, other than school playing fields, what would happen, with regard to drop sites?

Councillor Jarrett stated, as referred to by Councillor Chitty, that the airport operators must, of course, take advice from the Civil Aviation Authority. He stated that the Council did take these responsibilities very seriously but of course there were airports in other parts of the country, not least Heathrow, which were in extremely heavily populated areas and that across the whole of the UK the safety records were something to be proud of when compared to some other countries.

J) Michael Fowler of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

When will Medway Council undertake a full and comprehensive flight risk and safety assessment, and how will Medway Council guarantee the safeguarding of the lives of residents living below the aircraft flight paths with the significant increase in air traffic?

Councillor Chitty stated that safety was an issue that everybody took seriously. No airfield or airport could operate legitimately without a full licence that had been issued by the CAA. There would be constant monitoring and if there was an accident the CAA would investigate and see why the accident was caused and whether it was a direct reflection on the airfield. This would be undertaken by the CAA and the CAA had a reputation second to none and was the envy of many other countries in the world. Also it would be subject to health and safety requirements as well, so this showed how an airfield was licensed and how that licence was maintained.

Mr Fowler stated that he found the answer quite interesting and that there was lots of support about the safety aspect and he believe that safety should not be undermined by the proposed development of the airport. He stated that there needed to be only one accident and that was one too many. In these days Councils were more accountable for responsibility, (for example, London Councils), so did the Council agree that if such an event happened and an aeroplane landed on fully populated family house, that those Members who approved and agreed this proposal would be held legally and morally accountable by their actions with subsequent appropriate actions taken?

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Councillor Chitty stated that if there was an accident it would be fully investigated by the CAA and they would be the arbiters of who was at fault but the most important thing was that accidents were prevented by good and proper management and the CAA doing its job.

K) David Day of Rochester asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

As a resident who lives directly under the flight path, what benefits do my family gain from bigger more frequent aircraft landing and taking off?

Councillor Jarrett referred the questioner to Councillor Chitty's response to question F.

Mr Day asked if any Councillor had any personal financial gain from this investment?

Councillor Jarrett stated that he was not aware of any, however, in any case it would clearly be set out in the Members' declarations of interests.

L) Lawrence Lucas of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

Cabinet Supplementary agenda No1. Appendix 1, Agenda item 6, 9 July Cabinet meeting document states that the new concrete runway will be 25 metres wide and not significantly longer than the existing. If we are to believe the Council propaganda that the aircraft will be similar to existing and that the aircraft will take off quicker and be quieter, then the runway can be made shorter and save ratepayer money as a concrete runway is very expensive.

Would Councillor Chitty like to explain why the runway will be longer?

Councillor Chitty stated that this was a safety issue and that the extension and the site of the runway gave maximum safety and that was the reason for the dimensions.

Mr Lucas asked that he understood to construct this runway it was going to cost a staggering £4.09m alone, was that correct or incorrect?

Councillor Chitty stated that, to the best of her knowledge, she did not believe it to be correct however it was not a question that she could answer as she had not been involved in the negotiations. Councillor Jarrett clarified that the questioner was referring to some of the estimated costs that were in the TPS report which were estimated costs and were entirely dependent on the chosen specification. This was not a figure that the Council was anticipating to spend on that part of the structure.

M) Patricia Lewis of Chatham asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following

Do the Conservative Councillors on Medway Council understand the residents surrounding Rochester Airport as a "trivial population" in the same way their Conservative colleague Boris Johnson referred to residents of the Isle of Grain in response to questions about the proposed airport on that site?

Councillor Chitty stated that having already conducted an initial consultation with residents, the Council was now conducting a second full and thorough consultation exercise including leaflet drops and a manned exhibition. The leaflets that would be delivered to residents had been produced with the assistance from the airport operator and the Council's planning consultant to give correct, fair and appropriate information.

In relation to Mr Johnson, Councillor Chitty stated the Council had made its view abundantly clear. The Mayor of London had no jurisdiction in Medway. His pie in the sky ideas for an airport roughly 150 times the size of Rochester Airport was not welcome and would continue to be opposed.

Ms Lewis asked if Councillor Chitty could explain why Conservative Councillors in Medway were inconsistent in their stance on airports. They were opposed to Grain and Boris Island but they were quite happy to ruin the lives of people who live in the vicinity of Rochester Airport. No care was demonstrated to local residents and he asked Councillor Chitty to explain that inconsistency.

Councillor Chitty stated that there was no inconsistency. The airport had existed for a very long time. It was much smaller and fulfilled obligations and opportunities for people within Medway. What was being proposed for Boris Island or any other suggestions in the Estuary was completely inconsistent with what was there; it would take the whole of Grain and in terms of engineering it was simply not possible. So there was no inconsistency, there was a decision to save Rochester Airport some 10 or 12 years ago and it was only right and proper that improvements be made to bring it up to a standard that people in Medway could appreciate.

N) William McLennan, on behalf of Stuart Taylor of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

Why does the literature disseminated by Medway Council not provide true and complete information about the proposed Rochester Airport Masterplan and the costs involved?

Councillor Chitty referred the questioner to the answer provided to question M.

Mr McLennan, on behalf of Mr Taylor, asked whether Councillor Chitty had read the TPS consultant's report commissioned by Medway Council in August 2012?

Councillor Chitty stated that she was aware of the document and had read it.

O) Chris Sams of Gillingham asked the Portfolio Holder for Children's Services, Councillor O'Brien, the following:

Can the Portfolio Holder explain the decision to cut Woodlands nursery's budget by forty percent forcing them to remove "under 2s" spaces which is causing severe problems for would be working mothers, such as my wife, returning to work?

Councillor O'Brien stated that the revenue budget provided by Medway Council for Woodlands Sure Start Children's Centre for 2013-14 was at exactly the same level as it was for 2012-13. The suggestion that the budget had been cut by 40% was totally incorrect.

He stated that Woodlands was an independent Academy. It was understood that the day care nursery at the Academy would begin to curtail the admission of the very youngest babies such that they could continue to provide a combination of childcare for families who needed long hours while they work and an increase in publicly funded early educational places for local children. The Headteacher had confirmed that all current children's places would be honoured, and the intention of the Academy to continue to provide full day, full year provision.

In addition, there were around 40 other day care nurseries in Medway, and 300 registered childminders – all registered and inspected by Ofsted - specifically providing childcare for babies and young children such that parents could continue or return to work.

P) Martin Radford* of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following:

Will homeowners be compensated for the estimated loss of 35% on the value of their properties due to the Airport? This was supposed to be our retirement home but the peace and quiet we were expecting will be shattered and we will have to move. Do any of the Councillors live on the flight path?

Councillor Chitty referred to her response to question E.

*Mr Radford was not present at the meeting, but he had agreed to it being put in his absence.

Q) Jane Marsh of Lordswood asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

Will the Portfolio holder support the Lordswood residents in their campaign to oppose the proposed asbestos transfer station on North Dane Way? If so how? If not why not?

Councillor Jarrett stated that it was not a matter for him as Portfolio Holder for Finance or Deputy Leader of the Council to form a view on this matter, and that

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it was a matter for Members that decide planning matters to deal with. However, as Ward Councillor, Councillor Jarrett stated that he could assure the questioner that he was totally opposed to this application and he would do all he could to support the residents of Lordswood and Capstone, in company with Councillor David Wildey, to put forward the best possible argument opposing the transfer station. Councillor Jarrett stated that he believed it was too close to a heavily populated area and he believed there were potential safety issues. He stated that he also believed that there were other facilities in Medway that could cope with this kind of transfer quite adequately.

Ms Marsh asked what assurances could Councillor Jarrett give that the IT issues experienced by the Planning Department and the E-petition this week would not be repeated and that all of the details and representations were present, correct and up-to-date.

Councillor Jarrett stated that this was an important point and there had been quite a number of emails on the subject. The matter had been raised with officers who have, he believed, corrected the problems. In terms of an assurance that it would not happen again, it would be a matter for the planners and the departments to ensure there was no repetition and he had raised this matter via an email to the Director, Mr Cooper, to ask him whether in his opinion the consultation process had been compromised because of these lapses and that he looked forward to Mr Cooper's reply in due course.

R) Lauren Wright on behalf of Alan Collins of Gillingham, asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

Now that Medway Council has an empty property in Building No. 4 Riverside, formerly the RAFA Club, what plans have the Council got for its future use?

Councillor Jarrett stated that the longer-term future of the building was being considered in the context of the regeneration of Chatham Waterfront for which the Council had a Growing spaces Fund to help facilitate that. In the meantime the Council was making use of the building for temporary storage, which in turn was freeing up space in other Council buildings.

Ms Wright, on behalf of Mr Collins, asked that the Portfolio Holder that the RAFA Club be opened to a wider section of the community and that Mr Collins sought an assurance that whatever happened with the building it would be continued to be used for the benefit of the community.

Councillor Jarrett stated the Council could give that assurance. The building was not in the best state of repair. It was one of the challenges that the Council faced in terms of the wider regeneration of the Chatham Waterfront. That building with its juxtaposition with Chatham Central Library was an important building but it would need some careful planning and the provision of adequate finances to bring it back into good use. It would absolutely be a community facility of some kind.

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S) Vivienne Parker of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

Given there have been so many serious accidents at the junction of Beresford Avenue and Pattens Lane, Rochester involving young children, when is the Council going to extend the double yellow lines at the junction and stop people parking right across the pavement forcing pedestrians to walk into the middle of the road?

Councillor Hicks, on behalf of Councillor Filmer, stated that there had been three crashes in the vicinity of this junction in the three-year period up to 31 January 2013, two of them were serious.

The first serious accident in June 2010 involved two child pedestrians both of whom were seriously injured, who were allegedly playing chicken in the road. The police noted that a contributory factor in this accident was that the children were masked by parked cars on the opposite side of the carriageway to the junction.

The second serious accident, occurred in January 2012, where a car turned left out of Beresford Avenue and was struck by a southeast bound car. The police noted in the contributory factors that in this accident there were parked cars and the road layout.

He stated that Medway Council did not currently enforce footway parking. If a vehicle was parked on the footway then this would need to be reported to the Police as this would be deemed as causing an obstruction. However, the traffic management team would undertake consultations with nearby residents and ward members during 2013 with a proposal to extend the existing no waiting 'At Any Time' restrictions at this junction.

T) Jonathan Primett of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

Outside Oaklands Primary School in Weedswood, bollards were erected on the corner of Weedswood Road and Gorse Avenue to stop inconsiderate parents parking on the pavement and as a result blocking both the pavement itself, and the view of pedestrians looking to cross this busy road safely. These bollards have made no difference however as they have been erected in positions that allow cars to drive straight between them and carry on parking on the pavement. These bollards have been installed at considerable expense to the Council yet serve no purpose whatsoever.

Can the Portfolio Holder confirm what quality-control measures are followed to check that contractors carrying out work on behalf of the Council, complete it to a competent standard, and that the work fulfils the purpose for which it was initially instructed?

Councillor Hicks, on behalf of Councillor Filmer, stated that contractors working on behalf of Medway Council which undertook planned or programmed

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maintenance of the highway network acted in accordance with procedures that were designed to ensure the work was completed to a satisfactory standard and in a timely manner and in a safe environment.

The contractor worked to a drawing and/or specification provided by the engineer, site meetings and site supervision of the works resolved any potential issues.

Medway Council together with the contractor's supervisor monitored the works at critical points during their duration.

The Term Maintenance contract provided a one-year warranty on the works and Medway Council had the right to instruct the contractor, at their own expense, to rectify any part of the works that failed to reach an acceptable standard.

Additionally if a scheme proved not to fulfil the purpose for which it was originally designed the Council would re-examine the scheme together with any associated illegal activity and where possible make appropriate adjustments to meet the specified criteria.

In this case, officers had advised Councillor Filmer that it was not possible to add further bollards to one corner of Gorse Avenue because of the location of utilities in the footpath. However, he stated that Councillor Filmer would ask them to look at this again to see if there was anything else which could be done.

Mr Primett asked what was the current recall rate as a percentage for contractors on work that had not satisfied the necessary requirements?

Councillor Hicks informed Mr Primett that he would receive a written response.

U) Derek Munton of Rochester asked the Portfolio Holder for Front Line Services, Councillor Filmer the following:

Every day there is a traffic problem in City Way as it joins Horsted Way. Crashes are common. It will get worse because of development in the vicinity. What action is being taken to ensure the traffic system will be improved to accommodate existing and future development on this critical junction?

Councillor Hicks, on behalf of Councillor Filmer, stated that the Horsted gyratory had been acknowledged as a congested junction in its current form.

Consequently £200,000 of Section 106 highways contributions had been secured from the developers of the former Mid Kent College site to fund improvements to the Horsted Gyratory.

Whilst redevelopment of the college site was predicted to generate less peak traffic than its former use and local traffic levels had fallen in the past three years, there were still concerns about the operation of the gyratory and the

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Council was currently considering various options for improvements in order to fulfil this S106 obligation.

These proposals were currently being led by Traffic Management who were considering a number of options including a roundabout gyratory (ring junction) with three mini or small diameter roundabouts.

This scheme was still at a conceptual stage and had not yet been modelled for capacity and therefore the Council was not in a position to make any recommendations that this was a practical solution at this stage.

The Council had now secured an extension to the S106 funding in order to ensure that the deadline was now 10 years from the initial receipt of the funds in order to allow more time for officers to make the best solution with the funding available.

Mr Munton stated that he was sure that Councillor Hicks was familiar with the Medway Local Plan which was adopted by Medway Council in 2003, as Councillor Filmer was. The Local Plan referred to initiatives to facilitate the development of the Science and Technology Park at Rochester Airport and that Rochester Airport would continue to operate from a smaller site and would remain open and operational. The Local Plan stated that it was the intention of Medway to promote an innovative package of transport measures for the site, including dedicated bus, cycling, pedestrian facilities plus improvement to City Way gyratory. Would that commitment in the 2003 Local Plan be reconfirmed?

Councillor Hicks informed Mr Munton that he would receive a written response.

V) Paul Chaplin of Rainham asked the Portfolio Holder for Adult Services, Councillor Brake, the following;

In light of recent publicity about attendance levels at A&E departments, which have reached their highest ever levels across the country, how does the Council think the proposed merger between Medway Maritime hospital and Dartford's Darent Valley hospital will affect services to local people?

Can the Council give any guarantees that essential services such as A&E and maternity, to name a couple, will still be available locally after the merger?

Councillor Brake stated that responsibility for commissioning services at Medway Maritime Hospital was not part of the Council's remit, hence the Council was unable to give any guarantees with regards to essential services remaining in Medway. The Clinical Commissioning Group (CCG) was commissioner of these essential services and had no plans to decommission them.

As part of the Council's scrutiny process, Mr Chaplin could be assured that discussions about the proposed merger had taken place at meetings of the Health and Adult Social Care Overview and Scrutiny Committee and the Chief Executive of Medway NHS Foundation Trust had attended a number of

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meetings to discuss the proposals. The Chief Executive of Medway NHS Foundation Trust would also attend the next meeting of the Overview and Scrutiny Committee, to be held on 20 August 2013, to discuss pressures in A&E and the outcome of the Keogh review.

During the Committee meetings where the merger had been discussed, the Chief Executive of the hospital had been questioned on the topic of essential services remaining at Medway Maritime Hospital and assurances had been given that there were no plans to move clinical services at either of the two sites as the intention was to maintain access to services and move staff rather than patients.

Councillor Brake stated that he was personally being kept informed of the progress on the merger plans in his capacity as a partner governor appointed this year by Medway Council to the Hospital Council of Governors.

Mr Chaplin stated that in other such cases where services had been duplicated, one or other of the hospitals had closed its department. Was the Council able to give any assurances that Darent Valley would not lose its A&E Department post merger as such a loss would have a disastrous impact on services at Medway which were already stretched beyond reasonable limits.

Councillor Brake stated that with regard to the services, the issue was the proposed merger of Medway Hospital with the facility at Dartford. Councillor Brake stated that he understood that essential services, such as A&E, would remain at Medway Hospital. There were no plans to move that away from Medway Hospital. Equally the Dartford facility would continue with its A&E facility.

He also stated that any proposed change to any of the facilities in Medway with regard to health, as a Portfolio Holder, he would do his utmost to ensure that all services were contained here within Medway for the benefit of the people of Medway. He stated that he was focussed on facilities in Medway.

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

Having taken over £76,000 in traffic fines from over 28,000 confused drivers sucked through poor signage into the restricted area of the "like it or lump it" bus station, clearly worsened by the sudden further changes introduced in March, would the Portfolio Holder consider in fairness reimbursing those even more confused drivers caught during that subsequently well-reported 4 weeks peak period? If not, why not?

Councillor Hicks, on behalf of Councillor Filmer, stated that the signs and markings for the bus station had always met the legal standards required and therefore all PCNs had been issued correctly and in accordance with government legislation. The changes that were implemented in March of this year followed comments from members of the public and after listening to local

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residents it was then decided to make the alterations where Medway Street meets with Globe Lane and Waterfront Way.

The changes that were put in place aimed to send buses into the two right hand lanes on Medway Street while pushing all other traffic towards the left lane and a loop in the road that makes drivers double back. The changes had been implemented to make it even more difficult for motorists to drive into and through the bus station

The restrictions in and around the bus station were in place to make it a safer environment for the 60,000 passengers that use the station every week. When the Council started enforcing against motorists that drove through the bus station, it was found that 96 drivers were flouting the regulations and driving through every day. This figure had now dropped to 56 a day – more than 40 per cent less in just over a year. Each day up to 30,000 cars drove around and through Chatham – so the 56 people driving through the bus station each day constituted a very small minority and this confirmed that the correct message was being relayed to the motorists.

As previously stated, the reasoning for the restrictions in and around the bus station was solely to protect the users of the bus station and local shopping facilities and the safety of pedestrians was of course paramount.

As the signage had always met the legal standards there was no requirement or reasoning for any PCNs to be reimbursed. If Mr Jeacock thought that cars should drive through bus stations and endanger pedestrians that was a matter entirely for him but it was not the policy of this administration.

Mr Jeacock asked what did the Portfolio Holder think £30,000 or part thereof would be best spent on and why:

- (a) the £30,000 budget for the questionable viability of the Explore Medway bus; or
- (b) installing a prominently positioned electrically lit traffic information gantry to overcome driver confusion around the bus station;

and would he not agree with him that the latter would be more likely to encourage rather than discourage outsiders to come back to Medway shops?

Councillor Hicks informed Mr Jeacock that he would receive a written response.

X) Lauren Wright of Chatham asked the Leader of the Council, Councillor Rodney Chambers, the following:

Are the residents of Grain trivial?

Councillor Chambers stated that the short answer and indeed the long answer was, no, and neither were they paranoid as described by Boris Johnson, the

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Mayor of London, but they were very concerned at his proposals for a five runway hub airport at Grain.

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

Will the Council support the Make Care Fair campaign, which aims to end 15 minute care visits as they do not allow enough time to deliver good quality care and support, and what assurances can the Council give that they will opt for quality in such contracts rather than cost-cutting?

Councillor Brake stated that he was pleased to answer a resounding yes. He confirmed that the Council did not currently commission, nor did it intend to commission, home care calls of 15 minutes duration. The minimum call duration in Medway was 30 minutes.

A homecare framework had been developed to ensure that services of high quality were provided to Medway's most vulnerable residents and this framework went live in December 2012.

The Framework was based on bandings of Gold, Silver and Bronze and the providers were placed in these bandings based on their quality score, which was regularly reviewed. To be placed in Gold, a provider must achieve a quality score of 70% or more, for Silver a score of 60% or more and for Bronze a quality score of 50% or more. As the allocation of packages of care was sent out to the Gold providers first, there was a real incentive for providers to drive up quality and to maintain it at a high level.

Note: At the expiry of the 45 minutes, the Mayor announced that the remaining questions (questions 2.26-2.33 as set out in the public questions report) would receive a written response.

219 Leader's Report

Discussion:

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

- Local Development Framework
- Enjoy Medway/Events
- Lower Thames Crossing
- Davies Commission Visit
- Ofsted
- Medway Maritime Hospital
- Equal marriage.

220 Report on Overview and Scrutiny Activity

Discussion:

Members received and debated a report on overview and scrutiny activities, which included the following:

- Review of overnight short breaks
- NHS 111
- Fair Access to Credit Task Group nomination for Good Scrutiny Awards 2013
- Decluttering Streets in Medway Task Group
- Review into quality of care and treatment at Medway NHS Foundation Trust
- Fixed odds betting terminals
- Scrutiny of the Community Safety Partnership
- Review of the School Organisation Plan 2011-2016
- Petition – Sure start nursery and pre-school facilities.

221 Members' questions

222 Councillor Juby asked the Leader of the Council, Councillor Rodney Chambers, the following:

Why has Southern Water's Resources Management Plan Consultation not been on any Council agendas or considered by Cabinet.

If we were not going to make any comments or recommendations why have we wasted taxpayers' money and officers' time on a task group.

Councillor Chambers stated that, as the Councillor would be aware, officers had delegated authority to respond to such plans and the consultation period for Southern Water's Management Plan did not end until 12 August. Officers were currently compiling a response.

Councillor Chambers referred the Councillor to minute no: 297/2012 and the associated report to the Regeneration, Community and Culture Overview and Scrutiny Committee of 16 August 2012. This provided a full update of the Task Group's recommendation and it would inform the officers' response.

He stated that a little research would have shown that there had been no waste of taxpayers' money or officer time.

Councillor Juby stated that, bearing in mind Mr Osborne, the Chancellor's comments this week on shale fracking, whether this could be included in that response and any effect that might have on water resources in Medway.

Councillor Chambers stated that he would suspect that this would be part of a further consultation. He also stated that he did not know whether the Task

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Group considered that matter. However, it was the Task Group recommendation that would inform the officers' response.

223 Councillor Price asked the Portfolio Holder for Children's Services, Councillor O'Brien, the following:

Is the Portfolio Holder for Children's Services prepared to work with the Labour-controlled Derby City Council, who, after meeting commitments laid out in their manifesto, such as showing a commitment to children in Local Authority care and remaining committed to all Children's Centres, ensuring they remain open, recently won a Municipal Journal award for their management of children's services?

Councillor O'Brien stated that as the new Lead Member for Children's Services he was committed to learning from other authorities who were doing well in their children's services and that he referred to this the previous evening at Corporate Parenting Group. He stated that he had already made good contacts through the Local Government network of Lead Members of Children's Services and would attend the South East Regional meetings of Lead Members of Children's Services.

There were many services to children and their families to be proud of in Medway and there were also areas of good practice to share with others. Since the new Children's Centre inspection framework had been introduced in May 2013, Medway had been the first Children's Centre in the country to be rated as outstanding – Bligh Children's Centre and Day Care Nursery – and Members should be extremely proud of that for them.

100% of the Medway children's centres inspected in this new framework had been judged to be good or better and this compared with 25% across the country. With reference to Derby, under the old system they had 9% outstanding, Medway had 14%; they had 45% good, Medway had 57%; Derby was higher on satisfactory, 45% compared to 29% in Medway.

Councillor Price asked Councillor O'Brien how he was going to manage children's services in the Council to help all Medway schools in the future to obtain at least a good rating.

Councillor O'Brien stated that so far he had visited some 56 schools and children's centres throughout Medway. All of Medway's schools had enthusiastic staff as indeed did the children's centres and they all showed a real drive and determination to deliver a first rate education at all ages. He referred to one Ofsted, Walderslade Primary School, which was released earlier the same day, where Ofsted congratulated the work that was being done by Councillor Tolhurst and the school improvement team and they made special note of that in their Ofsted report. He stated that he believed that through the school improvement team the Council was doing everything that it could to help them to meet the new challenges that they were facing. He stated that he had left each school feeling encouraged about the future.

224 Councillor Igwe asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:

What does the council intend to do with the former Civic Centre since Tesco have withdrawn from the development of the proposed flagship shop?

Councillor Jarrett stated that the Tesco proposal was actually only for a temporary store on the former Civic Centre site, whilst a new store was built in place of the existing store. The temporary store on the Civic Centre site was to be removed by Tesco once the new store was built.

Irrespective of that proposal, the Council was, as part of its property rationalisation programme, working on relocating the remaining uses from the Civic Centre site, excluding the Control Centre which was likely to remain in its current location for the foreseeable future, to enable the site to be regenerated for a mixed-use development when the economic climate improves.

In the meantime, the majority of the remainder of the site was being used as an operational car park available for public use.

Councillor Igwe asked Councillor Jarrett to confirm, because there had been situations in the past whereby decisions were made about what was going to happen in Strood South without proper consultation, that if there was any planning about any kind of improvement in that area, that the relevant Members be consulted in Strood South.

Councillor Jarrett stated that this would take place. There were a number of potential schemes on which the Council was working and that residents and Ward Members would be consulted in the normal way, either in direct relation to the property aspects involved or as part of any planning process that needed to come forward.

225 Councillor Igwe asked the Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

Do the council have any plans, or have concluded an arrangement, to close Strood Library?

Councillor Doe stated that he was not sure how this kind of idea that the Council was going to close Strood Library had originated and that he had never made any such suggestion. The Council was seeking an improved location, an enhancement of the library service and with other complementary services right in the heart of Strood.

Councillor Igwe stated that this information was not out of the blue. Therefore, if there was any suggestion or any kind of discussion around this issue that Members had to be duly consulted.

Councillor Doe stated that he could assure Councillor Igwe that the objective here was to enhance the library service and to make sure that the overall offer

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to the people of Strood was enhanced. This would not take place without consulting the Ward Members, but proposals needed to be at an appropriate stage before consultation was useful and that this was currently at a very early stage.

226 Councillor Murray asked the Leader of the Council, Councillor Rodney Chambers, the following:

Will the council support the Fighting Fitter campaign, which builds on the Armed Forces Community Covenant by encouraging the leisure sector to offer discounted services to members of the Armed Forces?

Councillor Chambers stated that he was pleased to say that Medway Council had been offering a discounted membership to all of its leisure facilities to members of the Armed Forces for the last ten years. As part of the Armed Forces Covenant, the Council now offered a discounted Echoes Premier Membership to all of its leisure centres.

The membership included free use of gyms, swimming pools, fitness classes and racquet sports within any of the leisure centres. Further to this, in recognition of the sacrifices our Armed Forces made, this offer was also available for the partners of military personnel living at the same address.

The Council was indeed more than willing to encourage other leisure providers to follow the Council's lead in offering discounted services to members of the Armed Forces and he would look to having the offer more widely published in Medway Matters so that all were aware.

227 Councillor Cooper asked the Portfolio Holder for Adult Services, Councillor Brake, the following:

Medway Hospital's A&E is struggling to provide services and investment is at a standstill. What is the portfolio holder doing to support the hospital and help them to ensure that Medway residents get improved services when they visit A&E?

Councillor Brake stated that the Medway Clinical Commissioning Group (CCG) was the Commissioner of Medway Hospital and Medway Council was working as a critical friend to improve services at the hospital. An Executive Programme Board had been established to take forward an A&E Improvement Plan. Medway Council was represented on this Board by the Deputy Director for Children and Adults Services, David Quirke-Thornton.

This board had agreed key priorities, one of which was the establishment of an Integrated Hospital Co-ordination Team on health and social care, which would bring together current teams across all organisations under a single leadership and ensure a patient centred approach. The team would ensure only those patients that needed admitting were admitted and those that were admitted stay for the time that was clinically necessary – with the overall aim of supporting people to be managed in the community.

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Prevention was better than cure and through the Health and Wellbeing Board the Joint Health and Wellbeing Strategy had been developed which prioritised interventions which would improve health and support independent living.

Councillor Brake stated that he had raised his concerns with regards to A&E directly with Mark Devlin, Chief Executive of Medway Foundation Trust, and received assurances of the Trust's commitment to deliver the improvement plan and reduce waiting times.

Councillor Cooper asked Councillor Brake if he would be visiting the A&E department so that he could see what was actually happening because the hospital must be supported.

Councillor Brake stated that he was committed to the health service and the hospital here in Medway. He stated that he was always interested to know what was going on in and around Medway and other parts of Kent but of course at the end of the day the priority was Medway and it would always be so. He stated that he would always see that the very best facilities were available for the people of Medway.

Councillor Brake stated that he had already visited A&E and would be doing so in his new role as a governor at the hospital. He stated that when he chaired the Health Overview and Scrutiny Committee he held Medway Hospital, the PCT and the Ambulance Service to account for the poor service that they delivered to the people of Medway and that he had no intention of making that happen again. He stated that he wanted services here in Medway to be the very best for the people of Medway.

228 Councillor Murray asked the Portfolio Holder for Adult Services, Councillor Brake, the following:

Does the Portfolio Holder agree with Agincare's proposals to rename Robert Bean Lodge?

Councillor Brake stated that he did not know where this rumour had come from but it was a rumour and whomsoever was responsible for starting it had caused unnecessary upset for so many people, which was of course most unfortunate to all those involved.

Whilst the company name for Robert Bean Lodge would be Rochester Care Home Ltd, the name of the home would remain the same.

He stated the Council had checked with Agincare, the incoming provider, and they had confirmed that they intended to continue to name the care home Robert Bean Lodge, which was in line with the original commitment when the process with regard to Medway's care homes was actually started.

Councillor Murray stated that Agincare had been intending to do this. They had put plans in place and changed their mind after representations. She asked that

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for the future, was the Portfolio Holder prepared to ask his Cabinet colleagues to insist that no service providers in Medway which received Council contracts were permitted to rename facilities without first consulting the Council and did he agree that by doing so he could prevent the hurtful and offensive experiences that Bob Bean's family had been through in the last few weeks?

Councillor Brake stated that this was a rumour and that there was no thought of changing or taking away of the name Robert Bean Lodge. Agincare had registered the company name as the Rochester Care Home Ltd but the name would always remain Robert Bean Lodge.

He stated that he could not make a commitment on behalf of his colleagues with regard to various services. However, in terms of the services that were being changed at the moment he had made that commitment as Portfolio Holder that there would be no change to names.

However, it would depend on the service that might be provided and the circumstances at the time, therefore, whilst he could make a commitment from his side with regard to this particular issue, he could not make any commitments on behalf of his colleagues with regard to any other project.

229 Councillor Shaw asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

Why are the traffic lights in Chatham 'under consideration' when the council has said there aren't any problems with traffic flow in the area?

Councillor Hicks, on behalf of Councillor Filmer, stated that an item was taken to Regeneration, Community and Culture Overview and Scrutiny Committee on 27 June 2013 following a Member's concern regarding the traffic flows in Chatham.

This was a town centre location and as such it was not unusual that such environments would experience certain levels of congestion. The measures to be introduced aimed to improve the flow of traffic along the Brook, and would produce improvements generally wherever such measures were introduced.

To attempt to reduce any congestion that did occur, alterations to the signal timings would be undertaken, the pedestrian crossing facilities would also be changed to puffin type crossings, which would also improve traffic flow and be responsive to pedestrian demands.

It was the intention to move to widespread use of puffin crossings at signal-controlled crossings within Medway; the first puffin site was on the A2 in Rainham.

The signals to be removed at the bottom of the bus ramp were now redundant and could be removed to reduce the street clutter, improve the environment and again improve the flow of traffic in Chatham.

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Councillor Shaw asked how many traffic surveys had taken place since the building of the somewhat less than dynamic bus station and the effect this had had on traffic flow?

Councillor Hicks informed Councillor Shaw that she would receive a written response.

230 Councillor Stamp asked the Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

The sea wall at the Strand in Gillingham is in a state of disrepair and a potential danger to the public. A significant section of it collapsed last year and has been cordoned off ever since. When will the Council repair this section, and why has no long term funding solution for the sea wall been developed to keep the public safe through proper maintenance and prompt repairs?

Councillor Doe stated that the section of sea wall that collapsed last year was repaired, but unfortunately a further section then collapsed at the end of February / early March, which was now cordoned off.

He stated that following a number of briefings from officers, this had been discussed with the Corporate Property Team and they were undertaking a full investigation into the extent of the damage and likely costs of repair to ensure the safety of visitors to the Strand.

Councillor Doe stated that the Council was continuing to seek potential solutions, but of course the costs would be quite significant and finances were very constrained.

He stated that Councillor Stamp was in regular contact with the team and they would continue to keep both Councillor Stamp and himself closely informed of progress.

Councillor Stamp stated that there were actually two sections of sea wall that had collapsed into the sea that had gone unrepaired for several months. He asked the Portfolio Holder what he thought was more of a priority, investing in a much valued leisure and sporting amenity such as the Strand, which was used by thousands of residents and visitors each year, or giving a £4m subsidy to a private airfield used by a small number of wealthy aircraft owners?

Councillor Doe stated that he was not going to answer such a fatuous question of that nature but with regards to the repairs these were of course part of the continuing repair budget. The Council would make sure that the public were adequately protected and those areas where necessary were cordoned off. He stated that he had discussed with the Deputy Director the need for a much more strategic solution to that particular section because he believed that the whole sea wall there was really in a very bad state of repair generally. This would be a much longer term solution which would need to be properly planned and properly resourced.

231 Councillor Osborne asked the Leader of the Council, Councillor Rodney Chambers, the following:

Given the £27m spent on the Core Strategy document which has now been flatly rejected; will you now give categorical and unambiguous assurances to the people of Lordswood, Capstone, Walderslade, Chatham and Medway that there will be no construction of homes on the Capstone Valley under a Medway Conservative administration?

Councillor Chambers stated that Councillor Osborne would be aware from the Leader's Report that Medway Council had not spent £27m on the Core Strategy document and nor had that Strategy been flatly rejected.

He stated that he could only assume that Councillor Osborne was referring to the fact that the Labour Government had invested £25m in the Lodge Hill site. Otherwise the Council had expended around £1m on the current Core Strategy and around £1m on the earlier document.

The Council submitted a sound Core Strategy for examination in February last year. All the issues around Lodge Hill and nightingales only arose after a first round of public hearings and the Council had now written to the Inspector requesting her to keep the examination open until Natural England had completed its consideration as to whether a SSSI was justified at Lodge Hill – or not. The Council's evidence was that it was not.

Councillor Chambers stated that he could give a categorical assurance to all residents of Medway that this administration would always resist development in the Capstone Valley and other green designated areas that were at present subject to predatory developers.

Councillor Osborne stated that given Medway Magna had a long history of lobbying and the simple fact that this had been rejected, could Councillor Chambers give a categorical assurance that Capstone Valley would not be developed in the future?

Councillor Chambers stated that he could give a categorical assurance that as long as there was a Conservative administration here in Medway, Capstone Valley would not be developed.

232 Councillor Osborne asked the Leader of the Council, Councillor Rodney Chambers, the following:

Does the Leader support the resident-led campaign, aided by the Chatham and Aylesford Labour Party, to oppose the Asbestos Transfer Station in Lordswood, and will he agree to advertise this resident-led campaign in the next Medway Matters?

Councillor Chambers stated that he had been advised that a planning application had been received at the end of June for the change of use from a winter management depot to an asbestos waste transfer station.

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He started that he understood this was due to come to the Planning Committee for determination on either 21 August or 11 September.

The Council was unable to use Medway Matters to promote this campaign as suggested as to do so risked pre-determination of the current planning application and that also applied to any comment that he could make as Leader of the Council.

Councillor Osborne asked if the Leader could confirm and write to him concerning the planning application portal which had consistently over the last several years not reported accurately the number of negative or positive comments and the wider concern around planning around whether this could legally implicate all applications and the perception to the public on this system. He also asked if the Leader could categorically assure him that it would be looked at urgently to ensure that confidence remained in this administration and Council.

Councillor Chambers stated that he could give an assurance that it would be looked at and as far as the other instances were concerned, the Director of Regeneration, Community and Culture would write to Councillor Osborne.

233 Rochester Airport

Discussion:

This report set out proposals for the approval for an addition of £4,400,000 to the Capital Programme, to fund improvements at Rochester Airport. The report also sought delegated authority for officers, in consultation with the Portfolio Holder for Finance, to enter into contracts in respect of the works at the Airport and to declare land surplus, so that it could be disposed of for development.

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

Councillor Murray, supported by Councillor Griffiths, proposed an amendment to the recommendations:

Delete 9.1.1 and replace with the following:

Defer the decision to spend funds on improvements to Rochester Airport until after the public consultation on the Airport Masterplan has been completed and analysed.

In accordance with rule 11.4 of the Council Rules at the request of six Members, a recorded vote on the amendment was requested.

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For – Councillors Bowler, Colman, Cooper, Craven, Gilry, Christine Godwin, Paul Godwin, Griffiths, Hubbard, Igwe, Juby, Kearney, Maple, Murray, Osborne, Price, Shaw, Smith and Stamp (19)

Against – Councillors Avey, Baker, Brake, Bright, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Clarke, Doe, The Deputy Mayor, Councillor Etheridge, Griffin, Adrian Gulvin, Pat Gulvin, Hewett, Hicks, The Worshipful The Mayor, Councillor Iles, Irvine, Jarrett, Mackinlay, Maisey, Mason, O'Brien, Rodberg, Royle, Tolhurst, Turpin, Watson, Wicks and Wildey (31)

Abstain – (0)

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

Following a question from a Member as to whether voting on the substantive motion amounted to pre-determination on the future consideration of the Rochester Airport Masterplan, the Monitoring Officer confirmed that Members could vote on the substantive motion.

In accordance with rule 11.4 of the Council Rules at the request of six Members, a recorded vote on the substantive motion was requested.

For - Councillors Avey, Baker, Brake, Bright, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Clarke, Doe, The Deputy Mayor, Councillor Etheridge, Griffin, Adrian Gulvin, Pat Gulvin, Hewett, Hicks, The Worshipful The Mayor, Councillor Iles, Irvine, Jarrett, Mackinlay, Maisey, Mason, O'Brien, Royle, Tolhurst, Turpin, Watson, Wicks and Wildey (30)

Against - Councillors Bowler, Colman, Cooper, Craven, Gilry, Christine Godwin, Paul Godwin, Griffiths, Hubbard, Igwe, Kearney, Maple, Murray, Osborne, Price, Shaw, Smith and Stamp (18)

Abstain – Councillor Juby (1).

Decision:

- a) The Council agreed to add £4,400,000 to the capital programme to fund improvements at Rochester Airport. This is made up from £4,000,000 as a contribution towards the works, which the airport operator will carry out and the balance of £400,000 is to fund professional fees and works on the council's retained land.
- b) The Council agreed to delegate authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to declare land surplus at the Airport so that it can be disposed of for development on the best terms reasonably obtainable.
- c) The Council agreed to delegate authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to enter into contracts in respect of the improvements works

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at the airport and any necessary agreements in respect of any disposal land.

234 Changing the Contract Procedure Rules and Processes in Medway

Discussion:

This report provided details of an overview of changes proposed to the Council's Contract Procedure Rules to reduce red tape and encourage and support new and existing suppliers to the Council.

The report provided details of consideration at Cabinet on 9 July 2013 and Audit Committee on 11 July 2013, as set out in paragraphs 7 and 8 of the report respectively.

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

Decision:

The Council agreed the revised Contract Procedure Rules attached at Appendix C to the report, for inclusion within the Constitution.

235 Anti-Money Laundering Policy

Discussion:

This report provided details of the Anti-Money Laundering Policy and amendments to the Audit Committee's terms of reference for consideration and approval, following consideration at the Audit Committee on 11 July 2013.

A Diversity Impact Assessment (DIA) screening form had been carried out on the draft policy, as set out in Appendix C to the report.

A revised Appendix B to the report (Audit Committee terms of reference) was tabled at the report owing to a formatting error in the original documentation.

The Chairman of the Audit Committee, Councillor Mackinlay, supported by the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, proposed the recommendations set out in the report, with reference to the revised Appendix B.

Decision:

- a) The Council agreed the Anti-Money Laundering Policy, as set out in Appendix A to the report, for inclusion within the Constitution.
- b) The Council agreed the proposed amendment to the Audit Committee's terms of reference, as set out in the revised Appendix B to the report.

236 Constitutional Matters

Discussion:

This report provided details of a number of constitutional issues: the position regarding the overall allocation of seats on committees following a change in the size of the Labour Group and disestablishment of the Independent Group; the appointment of Healthwatch representatives to the Health and Wellbeing Board and two of the Council's Overview and Scrutiny Committees and; a recommendation that the scrutiny of housing should be transferred from the Regeneration, Community and Culture Overview and Scrutiny Committee to the Business Support Overview and Scrutiny Committee.

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

Decision:

- a) The Council agreed the allocation of seats to political groups as set out in paragraph 2.7 of the report following notice of an increase in the size of the Labour Group and a request for a review of the allocation of seats on Committees.
- b) The Council agreed that the Chief Executive should approve any consequential changes to committee memberships in line with the wishes expressed by political groups under his existing delegation.
- c) The Council agreed the continuation of an ad hoc committee to consider the removal of Council appointed school governors as and when necessary and to waive political balance in respect of this Committee.
- d) The Council agreed the appointment of the nominees put forward by Healthwatch to the Health and Wellbeing Board and two Overview and Scrutiny Committees for the remainder of the municipal year as set out in paragraph 3.1 of the report.
- e) The Council agreed the transfer of scrutiny of housing to the Business Support Overview and Scrutiny Committee and the consequential change to the terms of reference of Overview and Scrutiny Committees as set out in the Constitution.

237 Members' Allowances - Report of the Independent Remuneration Panel and Amendment to Members' Allowances Scheme

Discussion:

This report provided details of the recommendations of the Independent Remuneration Panel along with some changes to the Members' Allowances Scheme to reflect changes in legislation.

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

Decision:

- a) The Council agreed that the role of Chairman of the Health and Wellbeing Board be awarded a Special Responsibility Allowance (SRA) and that it should be at 40% of the benchmark, currently £7326.68 eligible from 15 May 2013.
- b) The Council agreed that the SRA to the Chairman of the Health and Wellbeing Board (HWB) be reviewed in twelve months to allow time for the HWB to establish its role and as potential proposals to increase the responsibilities of the HWB become clearer.
- c) The Council agreed that the position of Chairman of Employment Matters Committee be brought in to alignment with other positions that attract an SRA and that the SRA be no more than 20% of the benchmark, currently £3663.34 eligible from 15 May 2013.
- d) The Council agreed that payment of these new SRAs to the current postholders are made with effect from the date of their appointment, and are index-linked to officer pay awards for the same period, as are the other SRAs in the Members' Allowances Scheme.
- e) The Council agreed that the Members' Allowance Scheme be amended as indicated in Appendix 2 to the report, to reflect changes to the code of conduct for Councillors and the Standards regime.
- f) The Council agreed that officers bring back a report reviewing the composition of the Independent Remuneration Panel for consideration by Members.

238 Motions

(A) Councillor Maple submitted the following:

Council notes that:

- the current unemployment in Medway is around 7,000 as a result of the economic crisis;

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- local government will see real term cuts in central grant of 28% over the 2010 Comprehensive Spending Review period, meaning a cut of £6bn in annual grant by 2015;
- extending the current Financial Transaction Tax (FTT) on shares to other asset classes such as bonds and derivatives could raise £20bn of additional revenue in the UK a year; and
- At least 11 European nations including France, Germany, Italy and Spain are moving ahead with FTTs on shares, bonds and derivatives estimated to raise £30bn a year.

Council believes that:

- revenues from the FTT could help repair the damage caused by cuts in public services since 2010;
- local government deserves to receive a significant proportion of FTT revenues, making an important contribution to both capital and revenue expenditure such as reversing cuts to council tax benefits; and that
- investing FTT revenues in a smart and progressive way would see a significant increase in employment levels.

Council requests that:

- the UK government should extend the current FTT on shares to other asset classes, such as bonds and derivatives.

Council further resolves to:

- write to the Prime Minister, Deputy Prime Minister, Leader of the Opposition, Chancellor and Shadow Chancellor of the Exchequer, and Secretary of State for Communities and Local Government stating this council's support for extending FTTs; and
- write to all local MPs outlining the Council's position.

On being put to the vote, the motion was lost.

Mayor

Date:

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