

**Medway Council**  
**Meeting of Medway Council**  
**Thursday, 23 April 2015**  
**7.00pm to 10.19pm**  
**Record of the meeting**

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

**In Attendance:** Neil Davies, Chief Executive  
Dr Alison Barnett, Director of Public Health  
Robin Cooper, Director of Regeneration, Community and  
Culture  
Wayne Hemingway, Democratic Services Officer  
Richard Hicks, Deputy Director, Customer Contact, Leisure,  
Culture, Democracy and Governance  
Perry Holmes, Assistant Director, Legal and Corporate  
Services/Monitoring Officer  
Julie Keith, Head of Democratic Services  
Barbara Peacock, Director of Children and Adults Services  
Phil Watts, Chief Finance Officer

**931 Record of meeting**

The record of the meeting held on 26 February 2015 was agreed and signed by the Mayor as correct.

**932 Apologies for absence**

Apologies for absence were received from Councillors Kearney, Purdy and Watson.

**933 Declarations of disclosable pecuniary interests and other interests**

Disclosable pecuniary interests

There were none.

Other interests

Councillor Cooper declared an interest in any reference to Medway Maritime Hospital because three of her immediate family worked at the hospital.

Councillor Mackinlay declared an interest in agenda item 8 (Leader's Report – South East Local Enterprise (SELEP) Accountability Board)) to the South East Local Enterprise Partnership (LEP) because his firm were the Auditors for the SELEP.

**934 Mayor's announcements**

The Mayor referred to the forthcoming local elections and proposed that the Council should place on record its appreciation for the contribution made by all our outgoing Councillors, with particular tribute to the long and distinguished service of Councillors Baker and Harriott. This was agreed.

The Leader of the Council, Councillors Rodney Chambers OBE, paid tribute to Councillors Harriott and Baker and gave highlights from their long and distinguished service as Councillors on Medway Council and various predecessor authorities.

In recognition of this, the Leader of the Council, Councillor Rodney Chambers OBE, with the support of the Leader of the Labour Group, Councillor Maple, asked the Chief Executive to make arrangements for a Special Council meeting after the local elections for the purpose of conferring the title of Honorary Alderman on both Councillors Baker and Harriott.

Councillor Rodney Chambers, OBE, also paid tribute to the following outgoing Councillors; Etheridge, Maisey, Watson, Bright, Mackinlay and Colman.

The Leader of the Labour Group, Councillor Maple, and the Leader of the Liberal Democrat Group, Councillor Juby, also paid tribute to Councillors Harriott and Baker.

Councillor Maple also paid tribute to Councillor Colman, who was standing down at the local elections.

Councillors Tolhurst, Doe, Griffiths, Etheridge, Murray and Chishti all supported the vote of thanks to outgoing Councillors including Councillors Harriott and Baker.

Councillors Hariott and Baker thanked Members for their kind words.

## Council, 23 April 2015

The Mayor reminded Members that a written copy of amendments to any proposals must be provided to the Head of Democratic Services and that copies should be brought up to the top table first.

### 935 Leader's announcements

The Leader of the Council, Councillor Rodney Chambers OBE, reported that Robin Cooper, Director of Regeneration, Community and Culture, would shortly be leaving the Council's employment to take up a position with the Ebbsfleet Development Corporation. He thanked Robin, on behalf of all Members, for his hard work and achievements since he joined the Council in 2005 and wished him well in his new role.

The Leader of the Labour Group, Councillor Maple, and the Leader of the Liberal Democrat Group, Councillor Juby, also thanked Robin and wished him well in his new role.

### 936 Petitions

#### Public petitions

Sally Ann Briggs submitted a petition containing 1728 signatures which requested help to stop bin raiders in Medway.

Ben Pranczke submitted a petition containing 47 signatures which requested that Albany Road, Gillingham be made a one-way road.

#### Member petitions

Councillor Hewett submitted a petition containing 336 signatures which opposed development of the countryside in Rainham North, especially on Mill Hill.

Councillor Tolhurst submitted a petition containing 224 signatures which requested that parking bay restrictions be introduced outside business premises between 118-130A Maidstone Road, Rochester.

### 937 Public questions

#### **A) Della Averley of Chatham asked the Portfolio Holder for Adult Services, Councillor Brake, the following question:**

“Care Homes in Medway have not received all of their yearly inflationary increases since the 2006 contracts were invoked. Also, any inflationary increase has been well below the rate of inflation. New contracts were due in April 2012, they are now overdue by nearly three years (two years was an extension but this has been exceeded by 10 months).

My question is: Are care homes in Medway being starved of cash and thus becoming the scapegoats for Medway Council's austerity measures?”

## Council, 23 April 2015

Councillor Brake stated that Medway Council was committed to supporting the local care market, which was made up of over 90 nursing care and residential homes by working closely with care and residential home providers. Through Medway's commissioning and procurement processes, care home partners were contracted to provide quality, safe services that met service users' needs. There was also a duty to ensure the Council achieved value for money for taxpayers when commissioning services.

He stated that it was certainly not true that Medway Council had not awarded inflationary uplifts as far back as 2006. Members reviewed annually the funds available to award inflationary uplifts. These decisions and the full rationale were communicated to providers. The inflationary uplifts awarded to providers also depended on the type of contractual arrangement in place and what had been agreed within contract in relation to inflationary uplifts. For example, a contract framework of providers for a three year period could include a "performance by results" or an "outcome based payment" instead of an inflationary uplift provision. The contractual terms and conditions set out would indicate whether providers would be given an inflationary uplift or not.

He advised that Medway Council paid competitive rates in respect of nursing and residential care. As in all areas of Council expenditure, it continued to review how much it paid for services to ensure value for money for the taxpayer without compromising quality.

### Supplementary question

Ms Averley asked if she could be told when contracts would be renewed, which had been due to be renewed in 2012.

Councillor Brake stated that the inflationary uplifts went back as far as 2006 and there was a system in place which looked at each of the uplifts and payments on an annual basis. He stated that he would be more than happy to take this further with officers outside of the meeting.

### **B) David Skinner of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:**

"A resident's parking permit in Medway costs about £25.00 and a business permit over £130.00, why is there such a differential? Surely the cost to administer the service is similar."

Councillor Filmer stated that resident parking permits had remained low following a Full Council decision to freeze the cost of resident permits for three years. In relation to the business permit, there were two available. The first allowed businesses to park in one zone, perhaps where their business was located and the second permit allowed businesses to park in all zones within the authority for delivery purposes.

## Council, 23 April 2015

He stated that the Council had tried to support local businesses by keeping the costs competitive when viewed with other Local Authorities across the South East.

### Supplementary question

Mr Skinner stated that he did not believe the question had been answered in terms of the price differences. He stated that there was actually a third permit that organisations like mhs homes and Mears had, which apparently was a lot less than the £130 that he just had to pay including a 4 hour time limit, whereas mhs homes and Mears did not have a time limit on their permits. He stated that the Council did not appear to be supporting small businesses on this issue.

Councillor Filmer stated that he would be dealing with this issue in a further public question and would answer it at that time (public question L refers).

### **C) Robert Pitt of Chatham asked the Portfolio Holder for Adult Services, Councillor Brake, the following question:**

“Working in healthcare, I am concerned about the continuous unnecessary pressures put on Medway’s A&E department, do you feel that enough is being done by the Council to help improve the health and wellbeing of the community, given recent cuts in public health services such as the popular healthchecks minibus, which has now been withdrawn from service?”

Councillor Brake stated that the Council was concerned by the pressures faced by A&E and that the Council was playing its part in improving health and wellbeing.

A Better Medway was the face of health improvement services in Medway, provided by Medway Council. This commissioned and provided a comprehensive range of health improvement services to help people living or working in Medway improve their health and wellbeing.

These included stop smoking services in a variety of settings, including an innovative project which targeted people with a background of mental health problems, a population which experienced health inequalities. There was an obesity programme that Medway could be proud of which included specialist weight management support and an exercise referral programme as well as community food projects which encouraged health eating and food growing.

The Public Health Team facilitated and delivered health improvement programmes including tobacco control, sexual health promotion, the healthy child programme, mental health promotion, and substance misuse, working with partners across the statutory, private and voluntary sectors, recognising that the whole community needed to come together to tackle these issues.

The Council worked with local employers to help make workplaces healthier and provided nationally recognised, accredited training to ensure that the

## Council, 23 April 2015

Council could continually increase capacity within the community to improve health.

Public health also commissioned sexual health services, drug and alcohol treatment services, and services for the Healthy Child programme including school nurses and health visitors. In addition, NHS health checks were available through all general practices in Medway.

He stated that the Council did provide a comprehensive range of services which helped improve the health of thousands of residents every year and this was done in partnership, particularly with the NHS.

### Supplementary question

Mr Pitt stated that across Medway there was currently a nine year age gap in life expectancy between the different wards, did Councillor Brake think the cutting of healthchecks bus and other public health services would help to reduce that gap?

Councillor Brake stated that the Council's Public Health Team were working to improve health right across the Medway. With reference to the nine year age gap in life expectancy, he stated that this was recognised as being a challenge that public health needed to address.

**D) Mark Jones of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following question:**

"Are you concerned as I am about the negative impact of Tesco leaving Chatham Town Centre, both as regards the impact on employment but also for the community who use this as their main shopping venue?"

Councillor Chitty stated that Council officers had met with Tesco in March and had provided support to affected staff. Job Centre Plus (JCP) worked with Tesco and the National Careers Service (NCS) to deliver redundancy talks to staff prior to the store closure in early April. They continued to offer employment support to staff affected. Tesco was pursuing the potential redeployment of the 121 employees who worked at the store.

Tesco had appointed property agents Morgan Williams to market the store for either disposal or letting. Tesco was prepared to consider all options, including letting to other supermarkets and discount food shops, and an outright site disposal.

Tesco's willingness to look at all options for the store was positive and encouraging. Subject to the success of Tesco's marketing exercise this could mean a minimum amount of disruption to the town centre's offer.

Tesco had told Council officers that the closure of the store would have no immediate effect on the operation of the adjoining business.

## Council, 23 April 2015

Council officers had met with a prospective purchaser of Tesco's land interest in Chatham who had significant experience of regeneration and redevelopment projects. This company intended to lease the existing store in the short to medium term, but would also work up development proposals, to be discussed with the Council in due course.

### Supplementary question

Mr Jones stated that regeneration plans for Chatham centre had long since included a large food store, and despite the site structural problems, the Tesco store provided such an offer. Given this and other recent store closures in the town, what steps were the Cabinet urgently taking to ensure the sustainability of the city centre?

Councillor Chitty stated that there had been a considerable amount of change in the way in which supermarkets now operated. This had undoubtedly caused some challenges. However, there would be opportunities to regenerate Chatham in a much more sustainable way. It was working through the challenges but the priority was that the Council would continue to work extremely hard, encouraging Chatham to be recognised as a worthy place to go shopping.

**E) Mike Smith of Twydall asked the Portfolio Holder for Community Safety and Customer Contact, Councillor Hicks, the following question:**

"Could the Portfolio Holder specify what measures Medway Council have in place to carry out the necessary checks on out-of-town private hire vehicles that may be operating in Medway without proper insurance cover, as I understand that some companies insure these vehicles only to operate in their local area?"

Councillor Hicks stated that Medway Council sympathised with the issues facing its licensed taxi trade, but had a duty to work within the confines of legislation. No officer of the Council had a legal right to stop a vehicle and could not request sight of any documents of a person not licensed by this authority.

Wherever possible Medway was working alongside other local authorities and providing intelligence on any relevant information to the licensing authority concerned. He stated that a Statement of Policy for Taxis was to be drafted and may include changes to conditions, to which legal advice was being sought on whether a condition could be placed on an operator to ensure that any vehicle sent to a pre-arranged collection had the appropriate insurance cover.

### Supplementary question

Mr Smith stated that if the Council's Enforcement Team had no responsibility for the vehicles which worked in Medway from Tonbridge and Malling, Thanet and Gravesend, who had the responsibility of duty of care towards the fare paying public?

## Council, 23 April 2015

Councillor Hicks stated that those Local Authorities had their own licensing departments and they were responsible for taxis in their own area, so Tonbridge and Malling, Gravesham, Dartford or any other district council had the authority for taxis licensed in their own area and Medway Council had authority over taxis registered in this area for taxi companies which operated here.

**F) Mrs Knowles, on behalf of Robert McCulloch Martin of Gillingham, asked the Portfolio Holder for Community Safety and Customer Contact, Councillor Hicks, the following question:**

“With reference to the lead article in Medway Messenger’s paper of Friday 10 April, can the Portfolio Holder confirm how many people have been arrested, cautioned or fined for “Bin Raiding” here in Medway since you have held the Portfolio position for Community Safety?”

Councillor Hicks stated that Kent Police had arrested individuals for the offence described, which was known as ‘theft by finding’. However exact numbers were not yet available.

Kent Police were currently working with Medway Council to ensure that they were dealing with the matter.

Supplementary question

Mrs Knowles, on behalf of Mr McCulloch Martin, stated that following the phobia of Councillor Hicks’s predecessor, Councillor Carr, with a particular minority group, why had the Council not sought to tackle the problem and educate the entire community.

Councillor Hicks stated that he assumed that Mrs Knowles was referring to travellers, in which case he was dealing with that matter amongst many others, and that this would be dealt with in conjunction with officers in the next few months.

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

“Given the heavy investment in Chatham, Strood and Rochester, when will Gillingham and its High Street benefit from regeneration?”

Councillor Chitty stated that Gillingham had benefitted from a number of regeneration related initiatives where the Council had worked in partnership to benefit local people and improve the area.

Gillingham Railway Station had been the subject of significant investment in 2012/13 and was much improved.



## Council, 23 April 2015

Berkeley Homes' Victory Pier development included a new hotel (opening later this year), student accommodation, riverside apartments, together with retail and leisure facilities (including Tesco Metro).

Peel Holdings were currently developing Chatham Waters. A new Asda store and the University Technical College were currently under construction, with new homes and other commercial development to follow.

Over the past year The Strand had undergone extensive renovation and improvements, together with an enhanced programme of grounds maintenance. This had considerably developed the range and the quality of leisure activities on offer with an improved open air pool and changing rooms, all-weather pitches, golf course and paddling pool. In the coming year the Council would be turning its attention to improving the play areas and the promenade as well as increasing the activities offered at The Strand.

The Council had invested significant sums in Medway Park, Centre for Sporting Excellence, including major improvements to the public realm around the war memorial and the development of the Great Lines Heritage Park.

Other new developments included Balmoral Gardens Healthy Living Centre.

### Supplementary question

Mr Chaplin stated that in 2007 the Council had commissioned from Barton Wilmore the Town Centre Development Framework. Gillingham was now a university town and there was a new technical college opening soon. He asked whether the Portfolio Holder could give me some indication of when the Council would expect to fully implement the plan and if not why not?

Councillor Chitty stated that any existing plan was precisely that. It was a blueprint which could be referred to very often. In addition, it could mean that the Council would have to have a rethink and update the plan, which she thought was normal and correct.

However, the overall significant factor was that Gillingham had received its fair share and recognition and clearly the universities had proved very influential in this. In addition, Medway Park, as part a gateway into Gillingham, had sent out some very positive messages. She stated that these things were very much part of an overall plan and that the plan would continue, and would be reviewed and updated from time to time.

### **H) John Jones, on behalf of Rajah Miah of Gillingham, asked the Portfolio Holder for Adult Services, Councillor Brake, the following question:**

“Age UK state as part of their Warm Homes Campaign one elderly resident needlessly dies every seven minutes in the UK due to the temperature in their home. Do you think Medway Council has done enough to tackle the issue of fuel poverty?”

## Council, 23 April 2015

Councillor Brake stated that although Medway had a lower percentage of fuel poor households compared to both Kent and the England average, the Council continued to develop services and support vulnerable households. This included privately owned and rented properties as well as those owned by Medway Council.

Both the Council's Housing Strategy and the Annual Public Health Report – Ageing Well – highlighted the challenges and the steps that the Council was taking to help address the issue.

Key to addressing the issues was ensuring that households were capable of being adequately heated and the Council continued to help households to improve the energy efficiency of their properties. In partnership with other local authorities in Kent, KCC, Housing Associations, NHS and others, the Council had successfully secured funds that had already helped improve energy efficiency of homes.

The Council also provided training to health, social and other professionals who worked with those clients who were particularly vulnerable on accessing advice and assistance and was offering targeted assistance during periods of particularly cold weather.

The Council had also provided training to private landlords and worked with them to improve the energy efficiency of their properties and where they had been unwilling to work in partnership with the Council to address issues, the Council had undertaken enforcement action and prosecuted private landlords for failing to address the issues as outlined.

It was also essential to work with and support households by raising awareness of the issues and to provide accessible advice to them. To assist with this, the Council jointly commissioned with partners across Kent and Medway the Warm Homes Call Centre to provide this advice and assistance on improving energy efficiency and reducing fuel poverty. Council services also worked with vulnerable households to ensure they were accessing the appropriate benefits to help meet the costs of heating their homes with this work supported by local national advice and advocacy services.

### Supplementary question

Mr Jones, on behalf of Mr Miah, asked whether the Portfolio Holder agreed that the programmes of home insulation already available should be accelerated and targeted on the fuel poor?

Councillor Brake stated that the Council was, in fact, offering targeted assistance during the period of particularly cold weather and would like to provide as much support as the Council could and would continue to do so.

**I) Ben Pranczke of Gillingham asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following question:**

“Could you explain how the £30,376 from Tesco designated specifically for "Town Centre Improvements" that was part of the £135,000 spent on a Japanese Garden on a roundabout will help improve our town centres?”

Councillor Chitty stated that the contributions from Tesco covered a wide range of projects related to assisting town centres. The contribution of £30,376 represented a small proportion of this.

The prosperity of a retail area was also dependent on the visual amenity of the routes to it. As a result, it was agreed with Tesco that a part of their planning contribution would be spent on roundabout improvements to assist with that aim.

Preparatory work had now been completed on the Will Adams roundabout. The planting and surfacing would be completed when a period of dry weather could be guaranteed. The final planting would take place in the late summer on advice from the provider of the shrubs.

A variety of funding sources had been brought together to fund this –  
S106 funding - £108,000

Highways Maintenance budget - £13,000

Local Transport Plan funding - £13,000

Under the terms of the Tesco s106 agreement, relating to planning application MC/04/1883, Tesco paid £318,000 plus for town centre improvements in Gillingham. The town centre improvement funds supported the delivery of significant projects in the Gillingham area.

Supplementary question

Mr Pranczke asked whether it would not have made more sense to put the money for the roundabout improvements into the safety of the roundabout rather than what, as many Gillingham residents were calling it, another vanity project by the Tories.

Councillor Chitty stated that any suggestions or ideas put forward by Gillingham residents should be taken seriously and were taken seriously.

**J) John Jones of Brompton asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:**

“What consultation was carried out with residents or businesses for the change to make Batchelor Street no right turn onto the Brook?”

Councillor Filmer stated that prior to the changes being introduced the scheme had been discussed with local Ward Members and had also been presented at

## Council, 23 April 2015

the Chatham Centre Forum Steering Group on 4 September 2014, where the scheme was supported.

### Supplementary question

Mr Jones stated that he had recently watched some vehicles coming out of Batchelor Street. Two of the first five turned right illegally so there was obviously demand (for the right hand turn).

He asked whether the Portfolio Holder would agree that officers should investigate the feasibility of alternative responses to the deletion of the right turn such as and including a mini roundabout which would also facilitate the permitted right turn from the Pentagon car park into the Brook.

Councillor Filmer stated that this had been put in as a temporary measure to reduce congestion. Temporary Orders could last up to until 18 months, so if the Council proposed a permanent order, the Council would have to go out to full consultation. He stated that he was happy to take on board Mr Jones's suggestion and would ask officers to look into it.

### **K) Alan Higgins of Gillingham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:**

"At a recent Overview and Scrutiny Committee meeting, a report into local bus fares clearly shows Medway residents are getting a raw deal. I don't think this Tory administration has done enough to tackle this, what do you think?"

Councillor Filmer stated that Arriva was a commercial company and the Council had very limited influence on the setting of commercial fares. Evidence would suggest that Medway did have high fares compared with a number of similar sized urban areas.

Smart ticketing, which was planned to be introduced across Medway and Kent in the next few months, would reduce boarding times and thereby speed up journeys, possibly bringing cost savings through the reduction of cash handling, which would contribute to reducing overall operational costs. It was envisaged that these savings should be reflected in keeping fares down in the future.

### Supplementary question

Mr Higgins stated a lot of bus users, like himself, felt totally let down by this Tory led Council in not doing enough to help working people in Medway.

He asked whether the Portfolio Holder would write to Arriva in Medway expressing dissatisfaction to their official response to the Labour motion in January and invite these bus chiefs to the Council after 7 May to discuss ways to lower fares across Medway.

Councillor Filmer stated that the Council did subsidise quite a few bus routes and that when the Council was looking at subsidised routes, this included

## Council, 23 April 2015

services taking people to and from work. He stated that he was talking to Arriva regarding the cost and that he would continue to do so.

**L) David Skinner of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:**

“I understand that some large companies operating in Medway purchase parking permits at a greatly discounted price whereas small businesses and sole traders do not get a discounted price, do you think this is fair?”

Councillor Filmer stated that Mr Skinner had raised concerns with Parking Services regarding mhs homes who purchased special permits and essential user permits. This was due to mhs homes working in partnership with Medway Council and looking after in excess of 7,000 properties and this was why there was a special rate for them.

Supplementary question

Mr Skinner stated that he ran a small business so he could only look after limited number of a residents' properties. He stated that he had raised the question with parking services regarding the four hour time limit on his permit to which he was told by parking services that the limit was to stop abuse in areas. However mhs homes and Mears with their special permits did not have a time limit, so were they not going to abuse the system?

Councillor Filmer stated that he was quite willing to look into this issue, but for businesses that carried out work in properties within the permit area they could apply for a parking dispensation which cost £3.90 a day and these were only issued on the day or on a weekly basis so he was quite happy to look into the Mr Skinner's remarks.

**M) Mark Jones of Rochester asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following question:**

“The Medway Messenger reported on the 20th March of the problems of Chatham Town Centre - do you feel Chatham Town Centre has got better or worse in the last 10 years?”

Councillor Chitty stated that Medway Council continued to support Chatham Town Centre, investing in regeneration projects and encouraging privately funded development that would boost the economy and benefit local residents including:

- A major programme of road and public realm improvements, including the new Bus Station, strengthening the links between the shopping core and previously under used waterfront areas.
- A new 'Big Screen' at Chatham Waterfront, the first phase of wider regeneration plans for the waterfront area.
- A new pontoon for Sun Pier, providing public access to the riverfront.

## Council, 23 April 2015

- Environmental improvements to the riverside walk between Gun Wharf and Staples.
- Investment in workspaces along the 'Lower High Street', fast becoming a hub for creative industries.
- Free access to recruitment support services through Employ Medway.
- Supporting the Chatham Town Centre Forum.

The current retail vacancy rate for Chatham was 12% against the national average of 13.9%. The High Street continued to hold its own with Primark, TK Maxx and Wilkinson's having moved in over the last five years.

The Council had also worked with public and private sector partners to secure investment in Chatham. MHS Homes, Golding Homes and Orbit Homes had all shown confidence in the regeneration of Chatham by choosing to develop the new Theatre Quarter, Empire Reach and Admirals Place.

The Council would continue to invest in Chatham Town Centre to build on the success of the last 10 years and had successfully bid for £3million of Growing Places Funding and £4million of Local Growth Fund through the South East Local Enterprise Partnership. A major investment in public realm improvements between the Town Centre and Chatham Station would be delivered in 2017.

The Council would also be bringing forward the Chatham Waterfront site, delivering a new quarter of residential, leisure and cultural uses, opening up access to the waterfront and retail core.

### Supplementary question

Mr Jones stated that one particular way to help Chatham Centre and the surrounding areas of social deprivation which Councillor Chitty had mentioned was to strengthen small business presence in the area. The closure of Varley's Electricals showed that not all the recent store closures had been large stores. What specific plans did the Cabinet have to encourage SMEs to set up and remain in the area?

Councillor Chitty stated that areas of social deprivation had certainly been a very major part of what had been undertaken over the last ten years and drew attention to the significant European funding that had been achieved and this had gone directly into areas of social deprivation. Many of these areas did not consider themselves to be areas of social deprivation but only having certain problems which need to be addressed and the European funding had been significant in that respect.

She stated with reference to small businesses, Chatham Town Centre Forum was absolutely pivotal in which small businesses had the opportunity to work with the Council and had done so very successfully in addressing some of these issues.

## Council, 23 April 2015

Note: At the expiry of 30 minutes, the Mayor announced that the remaining questions (questions N-Q as set out in the public questions report) would receive a written response.

### 938 Leader's report

#### Discussion:

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

- Education
- Regeneration
- Budget
- Support for Care Leavers Task Group
- Forthcoming local elections
- Social Care provision
- Public Health.

### 939 Overview and scrutiny activity

#### Discussion:

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

- Six monthly review of the Welfare Reform Task Group
- Medway Youth Parliament Annual Conference findings
- Support for Care Leavers Task Group
- Proposed development of an integrated Children's Community Nursing Service for Medway and Swale
- Medway Foundation Trust
- Children's Services including schools
- Bin raiding
- Assessment of the cost of bus travel in Medway
- Proposed shared use bay installation for York Avenue, Gillingham.

### 940 Members' questions

#### A) Councillor Juby asked the Portfolio Holder for the Portfolio Holder for Adult Services, Councillor Brake, the following:

"Does the Portfolio Holder for Adult Services support the concept of plain packaging for cigarettes?"

Councillor Brake stated that due to the lethal consequences of smoking and the far-reaching impact of tobacco use on the Medway community, it was necessary to take into account all of the findings from work undertaken in Australia, where plain packaging has already been introduced, and the UK

## Council, 23 April 2015

independent review, where it seemed likely that the introduction of plain packaging would contribute towards reducing youth uptake of smoking and would prompt quit attempts in current smokers and would not impact negatively on small businesses or illegal trade. It was therefore an important measure for public health in Medway as well as for England as a whole.

By way of background much of the reasoning for supporting this concept centred on the findings of the independent 'Chantler Review' commissioned by the government to investigate the possible impact of plain packaging. After robust investigation, Sir Cyril Chantler concluded that it was "*highly likely that standardised packaging would serve to reduce the rate of children taking up smoking*" and would have a "*positive impact on public health*". This conclusion was formed after consideration of the large amount of research that existed showing that features of branded packaging such as logos, pack colours and pack design appealed to specific audiences and that this effect could be seen in young people as well as adults, despite manufacturers claiming that they were only aimed at those aged over 18.

Since tobacco was known to kill one in every two users, there was a duty to protect young people from this lethal addiction and this therefore included implementation of measures likely to reduce youth uptake of smoking. Nicotine addiction could form extremely quickly, so research showing that plain packaging would reduce the appeal of smoking could only be a positive thing by decreasing the likelihood of young people taking up the habit.

The younger a child started smoking, the more damaging it was to their health and the more likely they were to become heavily addicted and to have difficulty quitting. Since the introduction of plain packaging in Australia, calls to 'Quit Line' had increased and smoking rates were at an all time low.

Therefore, Councillor Brake confirmed that he did support plan packaging for cigarettes.

### Supplementary question

Councillor Juby stated that given that the standardised packaging made it easier for counterfeiters or smugglers as they would only have to master one design thus increasing the availability of untaxed products under the counter, would this not increase the amount of people smoking in the long term and also make it harder to identify smuggled goods harder to trace and then make Council's Trading Standards harder to prosecute vendors of illegal cigarettes.

He asked what the Portfolio Holder would be doing to make it easier for Trading Standards.

Councillor Brake stated that as part of the work undertaken, it dismissed concerns that plain packaging resulted in an increase in any illegal trade stating that there was no evidence that standardised packaging was easier to counterfeit and indeed the work undertaken in Australia, hardly any counterfeit



## Council, 23 April 2015

standardised packages had been found to date indicating that it had clearly gone the other way.

He stated that he believed that Trading Standards, who had a very difficult job to undertake, would work very closely with law enforcement agencies regarding illicit and illegal tobacco.

**B) Councillor Murray asked the Portfolio Holder for Community Safety and Customer Contact, Councillor Hicks, the following:**

“The government has not yet responded to the public consultation on relaxing taxi licensing laws even though there was an overwhelming public response against the proposals because many other people share my concerns that public safety would be compromised.

Does the Portfolio Holder agree with me that this is already happening in Medway because a failure to resource the instructions in my motion, agreed at Full Council in October, has led to an even bigger increase in out of town cab drivers working in Medway?”

Councillor Hicks stated that Full Council agreed the following motion last October:

- Medway Council notes concerns that private hire vehicles from outside Medway are operating in Medway.
- Council believes that employment should not be discouraged, but recognises there may be safety concerns over out-of-area drivers operating in Medway.
- Council resolves to work with the Medway Licensed Taxi Drivers Association in finding a sustainable and legal solution

He stated that officers continued to work with the Medway Licensed Taxi Driver Association (MLTDA).

The issues centred around the case of Stockton - On - Tees BC v Fidler and others and the decision of the High Court in that case. The essence of that case determined the following matters:

- It is not an offence under section 46(1)(e) of the Local Government (Miscellaneous Provisions) Act 1976 to operate a hackney carriage on journeys booked and wholly contained in the area of a local authority, even though the vehicle is only licensed by another local authority.
- It is an offence under section 45 of the Town Police Clauses Act 1847 for a hackney carriage to stand or ply for hire in the area of a local authority where it had not been licensed to do so (even if it is licensed to do so in another local authority area).

He stated that following this judgment, licensed hackney carriages could be used for private hire via a pre-booking system in another borough but could not operate as a hackney carriage during those journeys. The court highlighted

## Council, 23 April 2015

that Local Authorities still had control of those plying for trade in their areas and that all hackney carriages still had to be licensed.

Given this, it meant that there was now a grey area with regards to enforcement. Medway Council considered public safety to be paramount and was therefore working with partner Local Authorities to ensure that public safety was maintained. It was due to public safety that Medway Council required that its licensed drivers and vehicles undergo the checks and standards required.

He stated that officers were looking at the implementation of a policy which would deal with hackney and private hire drivers, vehicles and operator licensing. At this stage, he stated that he would like to thank Councillor Rehman Chishti for raising this matter in Parliament and undertaking further consultation work on this very important subject.

He informed Members that on 17 April 2015 the Council had carried out pre-planned taxi licensing enforcement operations jointly with Tonbridge and Malling Council but for operational reasons he could not confirm the outcome of this initiative. However, he did confirm that further operations of this kind were planned and the Council was committed to thwarting illegal trading. Clearly intervention could only lead to prosecution where cogent evidence was established via, for example, test purchases.

He then stated that he would like to summarise what took place at the Licensing and Safety Committee meeting last November as follows:

Members made the following comments:

- The first priority for Councillors was customer safety whether whilst using hackney carriage or private hire vehicles.
- It was noted that mystery shopping exercises were difficult to carry out within the Medway area and collaboration with other local authorities was more effective. Officers working as mystery shoppers from each authority used the same questions in relation to the condition of the vehicle, customer care and attention, and knowledge of the shortest route versus the quickest route, for reasons of comparison.
- A question was asked in relation of the safety of officers working as mystery shoppers. Members were assured that a risk assessment was calculated on each route and, depending on the time of day, low risk routes were worked by a lone officer and high risk routes by two officers. The Committee noted that the licensing authority was the regulating authority and therefore partnership working would make any initiative to address the cross-border working issues more effective. An issue with regard to the use of Regulation of Investigatory Powers Act 2000 (RIPA) powers was raised. The Committee was advised that the Council's Licensing function had gone through the RIPA process in the past and the Council was likely therefore to be able to withstand a legal challenge.

## Council, 23 April 2015

However, the Licensing and Local Land Charges Manager agreed to obtain legal advice should this matter arise.

- The Head of Legal Services clarified that partnership working with other local authorities would work in the same way as joint committee arrangements. The delegation of enforcement powers to partner authorities would have to be agreed by Council. This would give officers the ability to deal with all drivers operating within the Medway area if their licensing authority was part of the signed agreement.

### Supplementary question

Councillor Murray stated that Councillor Hicks's response was clearly an attempt to ignore the second part of her question. Everybody knew that there were now drivers from all over Kent working in Medway and the Council did not know who they were, whether their vehicles were safe or whether they were insured and Councillor Hicks had just demonstrated his failure to take responsibility for what was happening.

Councillor Hicks stated that the matter was subject to further consultation and the Council would take such enforcement action as it was at liberty to do.

### **C) Councillor Juby asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:**

"Please could you give me a year by year breakdown, since the 2011 Local Elections, of the Special Responsibility Allowances paid to Members of the Labour Group on the Council?"

Councillor Jarrett stated that Councillor Juby would be aware that the Council was required by law to publish the total sum paid to each Councillor by way of each type of allowance under the Members' Allowances Scheme on an annual basis. This information was readily available on the Council's website.

He stated that since 2011, Members of the Labour Group had received Special Responsibility Allowances (SRAs) for the following positions:

- Opposition Group Leader
- Opposition Group Deputy Leader
- Opposition Group Whip
- Overview and Scrutiny Opposition Group Spokespersons X 4
- Opposition Group Spokesperson for the Planning Committee
- Licensing Hearing Panel Members from all political groups also receive an SRA for each attendance.

## Council, 23 April 2015

The following information was tabled at the meeting. Councillor Jarrett stated that this information was provided by financial year because this was how the Council held the information for each period.

<b>Member/ Financial Year</b>	<b>2011/2012</b>	<b>2012/2013</b>	<b>2013/2014</b>	<b>2014/2015</b>
Opposition Group Leader	Councillor P.Godwin <b>£7,100.28</b>	Councillor P.Godwin until May 2012 <b>£591.69</b>  Councillor Maple from May 2012 <b>£8395.20</b>	Councillor Maple <b>£9158.40</b>	Councillor Maple <b>£9158.40</b>
Overview and Scrutiny Opposition Group Spokespersons	<b>Business Support</b> Councillor Griffiths until May 2011 (see below for total figure)  Councillor Maple <b>£5680.20</b> from May 2011(also see below)  <b>Children and Young People</b> Councillor Maple until May 2011  Councillor Price <b>£4825.12</b> from May 2011  <b>Health and Adult Social Care</b> Councillor Murray <b>£5680.20</b>  <b>Regeneration, Community and Culture</b> Councillor P.Godwin <b>£229.04</b> until May 2011  Councillor Griffiths <b>£5680.20</b> from May 2011	<b>Business Support</b> Councillor Maple <b>£2991.91</b>  <b>Children and Young People</b> Councillor Price <b>£5510.47</b>  <b>Health and Adult Social Care</b> Councillor Murray <b>£5510.47</b>  <b>Regeneration, Community and Culture</b> Councillor Griffiths <b>£5510.47</b>	<b>Business Support</b> Councillor Maple <b>£2747.52</b>  <b>Children and Young People</b> Councillor Price <b>£5495.04</b>  <b>Health and Adult Social Care</b> Councillor Murray <b>£5495.04</b>  <b>Regeneration, Community and Culture</b> Councillor Griffiths <b>£5495.04</b>	<b>Business Support</b> Councillor Maple <b>£2747.52</b>  <b>Children and Young People</b> Councillor Price <b>£5495.04</b>  <b>Health and Adult Social Care</b> Councillor Murray <b>£5495.04</b>  <b>Regeneration, Community and Culture</b> Councillor Griffiths <b>£5495.04</b>

## Council, 23 April 2015

Deputy Opposition Group Leader	Councillor Griffiths until May 2011 <b>£203.59</b>  Councillor Maple From May 2011 <b>£1694.86</b>	Councillor Maple until May 2012 <b>£157.78</b>  Councillor Murray from May 2012 £1679.04	Councillor Murray <b>£1831.68</b>	Councillor Murray <b>£1831.68</b>
Opposition Group Spokesperson for Planning Committee	Councillor Bowler <b>£3786.84</b>	Councillor Bowler <b>£3673.65</b>	Councillor Bowler <b>£3663.36</b>	Councillor Bowler <b>£3663.36</b>
Opposition Group Whip	Councillor Shaw <b>£946.68</b>	Councillor Shaw <b>£918.41</b>	Councillor Shaw <b>£915.84</b>	Councillor Shaw <b>£915.84</b>

**Licensing Hearing Panel / Licensing 1982 Act Hearing Panel – these attract an SRA for each attendance of £32.85 for 2011/2012 and £31.78 for subsequent years.**

Financial Year	2011/2012	2012/2013	2013/2014	2014/2015 to date
<b>Members</b>	Councillor Colman <b>£65.70</b>  Councillor Harriott <b>£164.25</b>  Councillor Shaw <b>£98.55</b>	Councillor Colman <b>£63.56</b>  Councillor Shaw <b>£63.56</b>	Councillor Colman <b>£190.68</b>  Councillor Shaw <b>£127.12</b>	Councillor P. Godwin <b>£63.56</b>  Councillor Harriott <b>£127.12</b>

He stated that the total SRAs paid to the Labour Group during the life of this administration was approximately £141,000. With reference to budgeting matters and value for money, he stated that the wider public could draw their own conclusions but he struggled to see where the value for money was for SRAs paid to Labour Group Members who, by a large, did nothing much apart from denigrate Medway.

Councillor Jarrett referred to the basic allowance which applied to all Councillors of £8,730.94 and stated that the Leader of the Labour Group received a total allowance of £20,636.86 which was the third highest payment under the Members' Allowances scheme to any Member of the Council. This was only exceeded by himself as Deputy Leader, and the Leader of the Council. In addition, Councillor Murray received a little over £16,000, Councillor Griffiths and Price £14,225, Councillor Bowler £12,394 and Councillor Shaw slightly less. He stated that his point was to look at whether there was any hypocrisy in the way that the Labour Group referred to allowances and comparing them with the living wage.

## Council, 23 April 2015

He referred to the headcount for non-schools budgets and schools budgets and stated that the Council paid 3,215 people, by headcount, less than it paid Councillor Maple and stated that all of those people did some work for the Council and added some value. 1,469 people received less than Councillor Murray received for doing a day job, and, in terms of Councillor Griffiths and Bowler there were 1,211 people paid less than them.

Councillor Jarrett stated that those Members of the Labour Group in receipt of SRAs, needed to take a very hard look at themselves and if they did not like SRAs as much as they professed, they could follow the example of Councillor Chishti and Councillor Mrs Chambers and not draw all of their allowances. He stated that this option was available to the Labour Group in relation to the living wage.

Councillor Chishti asked that it be placed on record that since becoming an MP he had not claimed any Members' Allowances.

### Supplementary question

Councillor Juby asked whether Councillor Jarrett could provide a written answer stating how many people would be able to go from earning the minimum wage at Medway Council to the living wage if the Labour Councillors did not claim their SRAs.

Councillor Jarrett stated that he was happy to do this.

### **D) Councillor Osborne asked the Portfolio Holder for Children's Services (Lead Member), Councillor O'Brien the following:**

"Can the Portfolio Holder give details of the level of teacher and management turnover at the Wayfield Primary School since the school fell under the Griffins School Trust?"

Councillor O'Brien stated that as an Academy school Wayfield Primary school staff were not employed by Medway Council, and that any enquiries relating to staffing at this school should be directed to the Griffin School Trust.

Councillor Osborne stated that given the Local Authority had oversight over pupils it was of significant concern that the Portfolio Holder was not aware at all of any staff turnover as Medway was in charge of recruiting some of these individuals in schools. He asked whether the Portfolio Holder would be happy to meet with parents, himself and also leadership of the Griffins Trust to discuss the turnover of staff in future months?

Councillor O'Brien stated that the reality was that the Council had a strong professional relationship with the Griffin Trust and were kept fully informed at a professional and political level. He stated that he did know that the Trust had a strategy and that they had already written to parents and arranged a meeting with them shortly to explain that strategy and to engage with them.

## Council, 23 April 2015

He also stated that the Chief Executive of the Trust would be pleased to meet with Councillor Osborne should he wish to contact her.

Following this question, the Mayor stated that there was only sufficient time remaining to take one further Member question. Councillor Osborne who had submitted question 10E waived his right to ask this question at the meeting to enable Councillor Price (question 10F) to ask his question. Subsequently, the Mayor also allowed Councillor Igwe (question 10G) to ask his question at the meeting.

**E) Councillor Osborne submitted the following to the Portfolio Holder for Children's Services (Lead Member), Councillor O'Brien:**

"Hundreds of parents are very concerned that the Griffins School Trust has not performed in relation to its management of Wayfield Primary School. Can the Portfolio Holder confirm he has confidence in the Trust to manage the school and what advice would he give to parents who do have concerns?"

Note: Councillor Osborne waived this question and would receive a written response.

**F) Councillor Price asked the Portfolio Holder for Finance and Deputy Leader, Councillor Jarrett, the following:**

"The Children's Society estimates that 7,204 children living in 4,158 families have faced council tax debt in the Medway Towns. Last year, an estimated 1.3 million bailiff referrals were made across the southeast. Council tax arrears can be a particular problem for families already struggling to maintain the everyday costs of supporting children.

Could the Portfolio Holder reassure me that the collection methods used by Medway Council recognises the vulnerability that families with children face if they fall behind with their bills and sufficient support and advice is provided to families struggling with council tax debt to help them get safely back on their feet?"

Councillor Jarrett stated that the Council operated a council tax reduction scheme for those on low incomes which would contribute up to a maximum 75% of the council tax bill. The Council also operated a discretionary hardship relief for individuals who still struggled to pay despite the reduction scheme. Any taxpayer who presented themselves as struggling to meet the council tax bill would be signposted to these schemes and/or any other discounts or exemptions that may be applicable.

During the course of the last financial year, the recovery section had formed a partnership with Stepchange and again any taxpayer who still remained in difficulty either through hardship or lack of budgeting skills and had received a summons was referred to them for advice. This year officers had been looking

## Council, 23 April 2015

to introduce this process earlier in the recovery process, whereby referrals could be made at reminder or final notice stage.

The use of enforcement agents was seen as a choice of last resort and would only be taken where all other alternatives had been unsuccessful in either recovering the debt or obtaining contact with the taxpayer. The enforcement agents used by the Council also employed Welfare Officers so that vulnerable cases could be given relevant advice and help.

If the debtor had young children and severe social deprivation was evident, the enforcement agent must seek guidance from the Council before continuing action. If the enforcement agent called at a property and only children were present he would withdraw immediately.

### Supplementary question

Councillor Price asked whether the Portfolio Holder would join him in asking that the recommendations from the recent Children Society report called the 'Wolf at the Door' that would work to protect children from debt collection practices go on to the work programme for Overview and Scrutiny and then to Cabinet after 7 May 2015.

Councillor Jarrett stated that the work programme for Overview and Scrutiny was a matter for them but he was sure that all Members would agree with the premise of what Councillor Price was saying. He stated that these were very difficult financial times brought about by the failure of the last Labour Government to manage the economy properly. The Conservative Party was committed to solving the financial problems of the country.

He stated that the Council would do all it could to help vulnerable people as it did every year at budget setting and Councillor Price knew that only too well because he never supported those initiatives.

### **G) Councillor Igwe asked the Leader of the Council, Councillor Rodney Chambers OBE, the following:**

"A UKIP campaign leaflet named a Medway Council employee explicitly by name as the "right person to lead in tackling traffic holdups in Strood".

It is a known fact that Council employees should not in any way be linked with any form of political campaigns to avoid unnecessary perceived bias – this position is supported by the member officer protocol.

Can the Leader of the Council formally instruct the Chief Executive to write a letter to the Medway UKIP Group Leader highlighting the Member officer protocol?"

Prior to the answer being provided by Councillor Rodney Chambers OBE, Councillor Irvine stated that the question should refer to a consultation



## Council, 23 April 2015

undertaken by Mark Reckless whilst he was an MP rather than a UKIP campaign leaflet.

Councillor Rodney Chambers OBE stated that he understood that the Chief Executive had already informed the Leader of the UKIP Group that such action was not appropriate.

He stated that he would take this opportunity to remind all Members that the impartiality of officers should be respected at all times and that included the contents of party political leaflets and literature and of course Councillor Irvine would have known this because that was part of the induction that took place when Members were elected to the Council and it was made quite clear under the terms of the Code of Conduct.

He stated that he did not think he would need write to the Chief Executive because he had already undertaken what has been requested and as such he would leave the matter there.

### Supplementary question

Councillor Igwe stated that given what Councillor Irvine had said, it appeared the message was not very clear to him, therefore, he asked the Leader of the Council if he could extend that message very clearly to the former Member of Parliament, Mark Reckless?

Councillor Rodney Chambers OBE stated that this related to activities within the Council and by a Councillor and that he was not sure that writing to Mr Reckless would have any effect whatsoever, because he never took any notice of what anybody said.

## **941 Rent Setting - HRA New Build Properties**

### **Discussion:**

This report provided details of the setting of rent and service charges for 10 new build Council homes in Twydall which would be ready for advertising via the Homechoice letting system from May 2015.

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

### **Decision:**

The Council approved the proposed rent setting and service charges as set out in paragraph 2.4 of the report.

**942 Special Urgency Decisions**

**Discussion:**

This report provided details of a decision (Section 75 Agreement with NHS England for Commissioning HIV Services) taken by the Cabinet on 14 April 2015 under special urgency provisions, in accordance with both Section 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) 2012 and Rule 17 (Special Urgency) of the Access to Information Rules as set out in the Constitution.

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

**Decision:**

The Council noted the report.

**943 Motions**

**A) Councillor Irvine, supported by Councillor Hewett, submitted the following:**

This Council notes that, nationally and locally, voter turnout has been decreasing for years, with party membership similarly falling. Politicians, rightly or wrongly, are generally held in low esteem.

Members note the proposals posited in the House of Commons by Zac Goldsmith MP to introduce real recall into the political system to empower voters. Real recall would assure voters that, in the event of their elected representatives losing their confidence, they would have a mechanism which would allow them to effectively remove said elected individual.

While Zac Goldsmith's amendment was aimed primarily at allowing constituents to "sack" their MP, this Council believes that real recall should be extended to elected representatives at all levels including local government to enable them to "sack" their Councillor.

This Council believes that where Councillors fail to represent the wishes or the majority of residents whom they were elected to represent resulting in a loss of confidence, or where they are convicted of a criminal offence or they otherwise bring their office into disrepute, residents should be permitted to demand the removal of a Councillor by way of a local ward by-election subject to receipt at Full Council of a signed petition made up of no less than 30% of the eligible electorate in that ward.

This Council calls on the Chief Executive to write to Eric Pickles, the Secretary of State for Local Government, expressing its support for and calling for the introduction of real recall of locally elected Councillors. This Council also calls

## Council, 23 April 2015

on the Chief Executive and officers of this Council to review the Council's constitution and to consider whether and how real recall can be introduced unilaterally by Medway Council as a unitary authority in the event of an unfavourable response from the Secretary of State.

Councillor Murray, supported by Councillor Osborne, proposed the following amendment:

Delete everything after "This Council notes" and replace with:

"That local communities in Medway should be given a stronger democratic voice on Councillor conduct issues.

Council therefore resolves to ask the Councillor Conduct Committee to review the Member Code of Conduct and legislation related to the conduct of individuals in elected office. Council further resolves for the Committee's report to be considered by Medway Council and for any recommendations to be submitted to government for the new Secretary of State to consider".

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

On being put to the vote, the substantive motion was carried.

### **Decision:**

This Council notes that local communities in Medway should be given a stronger democratic voice on Councillor conduct issues.

Council therefore resolves to ask the Councillor Conduct Committee to review the Member Code of Conduct and legislation related to the conduct of individuals in elected office. Council further resolves for the Committee's report to be considered by Medway Council and for any recommendations to be submitted to government for the new Secretary of State to consider.

### **B) Councillor Bowler, supported by Councillor Price, submitted the following:**

That this Council notes:

- The last Westminster government increased firefighter pension contributions and raised the retirement age of all frontline firefighters to 60
- Firefighters negotiated and presented evidence when asked, but the government turned its back on negotiations in October 2014, refusing several requests for further discussion with the Fire Brigades Union
- There have been over 50 periods of strike action in this long running dispute

## **Council, 23 April 2015**

- Strike action on this issue has been avoided in Scotland, Northern Ireland and more recently in Wales too

This Council believes:

- Firefighters do a brave and heroic job putting at risk their own lives to protect our residents
- Firefighters should be rewarded for this service to the public with a fair pension settlement upon retirement
- The new regulations, imposed by the Westminster government, that force all firefighters to remain on frontline duty until the age of 60 will put both public and firefighter safety at risk
- If the devolved governments in Scotland, Wales and Northern Ireland have negotiated a fairer deal, then the Westminster government can achieve a similar deal in England

This Council therefore resolves:

- After the general election to write to the Westminster fire minister urging them to enter into negotiations with the Fire Brigades Union in England over pension contributions, the normal pension age and pension accrual rates
- To write to Medway's three MPs after May 7th, asking them to campaign for a fair negotiated settlement
- To support our firefighters in their campaign for a fair pension.

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

**Mayor**

**Date:**

**Julie Keith, Head of Democratic Services**

Telephone: 01634 332760

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)