

## **REGENERATION, COMMUNITY AND CULTURE OVERVIEW AND SCRUTINY COMMITTEE**

**29 SEPTEMBER 2015**

### **ATTENDANCE OF THE PORTFOLIO HOLDER FOR PLANNING, ECONOMIC GROWTH AND REGULATION**

Report from: Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty

#### **Summary**

This report sets out progress made within the areas covered by the Portfolio Holder for Planning, Economic Growth and Regulation which fall within the remit of this Committee.

#### **1. Background**

1.1 The areas within the terms of reference of this Overview and Scrutiny Committee covered by the Portfolio Holder for Planning, Economic Growth and Regulation:

- Economic Development
- Local Plan
- Markets
- Planning Policy
- Regulation – Environmental Health/Trading Standards/Enforcement and Licensing (executive functions only)
- Social Regeneration
- South Thames Gateway Building Control Partnership

Note: The Leader and Full Council have delegated the Council's building control functions to the South Thames Gateway Building Control Joint Committee. The terms of Reference of the South Thames Gateway Building Control Joint Committee are set out within the Council's Constitution and include executive and non-executive functions. Councillor Chitty is appointed to sit on the South Thames Gateway Building Control Joint Committee.

1.2 Achievements for 2014/15 are detailed by services area below.

## **2. Economic Development**

### **2.1 Business and Economic Development**

2.1.1 A total of 460 jobs were created and protected in Medway and 888 intensive assists provided during 2014/15.

2.1.2 The Local Enterprise Partnership funded TIGER business loan scheme ended in October 2014. It lent a total of £14.5m, of which £4.3m was loaned to 13 businesses in Medway, creating 328 jobs and safeguarding a further 115, at an average cost per job of £9,781, compared to the Department of Business, Innovation and Skills (BIS) target of £22,500. Three of these businesses were new inward investments into Medway.

2.1.3 The 30<sup>th</sup> annual Medway Business Awards ceremony was held in November 2014. The overall winner was Dovetail Games, which is now based at The Observatory in Dock Road, Chatham, with over 100 employees.

2.1.4 Having outgrown the Dockyard, the annual Manufacturing & Construction Expo was held at Detling showground in October 2014. The event attracted 180 exhibitors and 2,200 delegates.

2.1.5 Innovation Centre Medway is fully occupied (55 businesses), with a waiting list. It generated an annual revenue budget surplus of £30,000 in 2014/15, plus nearly £142,000 in business rates. There are 274 employees in total, contributing approximately £4.3m to Medway's GVA (Gross Value Added).

2.1.6 The inaugural meeting of the private sector led Medway Innovation Board, chaired by Paul Jackson, Chief Executive of Dovetail Games, was held on 25 March 2015 at the Innovation Centre. Other members include BAE Systems, Delphi, Amaro Group, Cura Energy and Fountain Workshop, as well as the Universities at Medway. The Board will be taking an active role in promoting the Innovation Centre and Medway generally as a place for innovative and high value businesses, and in lobbying government for investment.

2.1.7 A grant of £600,000 from the Coastal Communities Fund will be used to provide small and medium-sized workspace at Watermill Wharf in Strood. There will be eight small offices of 12.1sq m and seven medium-sized offices of 26sq m, as well as storage units at the site. The centre will be built in two blocks, with communal kitchens, bathrooms and meeting rooms in each. It is scheduled for completion by March 2017.

### **2.2 Markets**

2.2.1 Total gross income from the markets in 2014/15 was £191,855

- 2.2.2 A total of 220 markets were held in Strood, Gillingham and Rochester (Farmers' Market) over the financial year.
- 2.2.3 Additional markets were held as part of the English Festival, Sweeps and Dickensian Christmas.
- 2.2.4 Gillingham market continues to remain strong. Local retailers such as Stannys Smokehouse have used the Saturday market to successfully advertise their business in the High Street.
- 2.2.5 Strood has been less successful, with some traders leaving, either for other markets or retiring from the trade.
- 2.2.6 An overall marketing strategy for Medway's markets is being developed. Strood market will benefit from public realm improvements being designed for the Tolgate Lane area.
- 2.2.7 The level of stall holders at Rochester Farmers' Market remains consistent, with between 20-25 producers. The move to Blue Boar Lane Car Park in October 2015 (initially temporarily) will provide an opportunity to strengthen the offer of this community market.

### 2.3 Social Regeneration

- 2.3.1 The Employ Medway Service continued its high performance throughout 2014/15. A total of 554 people registered for the service, of which 265 were Work Programme registrations. This represents a 38.5% over-achievement against the target of 400. The number of jobs taken up, at 364 (compared to a target of 88), was slightly lower than in 2013/14, but this was in the context of a significant decrease in the number of local people claiming Job Seekers Allowance (JSA), and a corresponding decline in the number of referrals.
- 2.3.2 The EU funded GAPS project (which ended in December 2014) achieved its annual target of 50 apprenticeship placements. A campaign to achieve 100 apprenticeships in Medway by October 2015 was launched at BAE Systems on 12 March.
- 2.3.3 The EU funded IMPRESS project (which ended in March 2015), delivered as part of the Employ Medway service was an innovative cross-border project to help people to stay in employment by supporting employers to recruit, train, and retain their workforce. The service supported 725 unemployed people and 242 local businesses, and increased the job sustainment rate (people staying in employment for six months or more) from 69% to 75%.
- 2.3.4 A jobs fair held at the Pentagon Centre on 18 September 2014 attracted 27 organisations advertising 1000 jobs, and was attended by 1200 local unemployed people. Another jobs fair is being held in September 2015.

### **3.1 Planning Policy**

- 3.1.1 The council is progressing work on a new Local Plan for Medway, which will replace the 2003 Medway Local Plan, and set a framework for development up to 2035.
- 3.1.2 A Strategic Housing and Economic Needs Assessment has been commissioned, to identify the scale of development and land requirements needed to meet the housing, employment and retail needs in Medway over the next 20 years. This will form a key part of the evidence base to the Local Plan, and will be published later in 2015.
- 3.1.3 In preparation for the first formal stage of consultation on the Local Plan, the Planning Service has carried out a Strategic Land Availability Assessment which seeks to determine the availability, suitability and viability of potential development land across Medway. This has involved the detailed assessment of over 600 sites.
- 3.1.4 This information will be used to help identify constraints on development land and assess what may be the most sustainable locations to consider for future allocations through the local plan process.
- 3.1.5 An Issues and Options consultation document is to be published later in 2015 as the initial formal consultation stage of the new local plan. This will enable Members and the wider public of Medway to engage on the Local Plan, recognising the constraints and requirements and to comment on the various issues and options.

### **3.2 Development Management and Planning Enforcement**

- 3.2.1 During the financial year 1 April 2014 to 31 March 2015 the authority received 1456 planning applications, compared to 1371 for the previous financial year. Income for the year 2014/15 relating to planning applications was £1,224,303 compared to £751,059 in 2013/14 reflecting the upturn in the economy and the increase in large scale planning applications being submitted. In part this is due to a recognition of the positive way in which Medway's regeneration agenda is perceived in the Development Industry.
- 3.2.2 The Planning Service's liaison with major house builders continues to assist them to meet commitments during challenging economic times. This has resulted in the negotiation of payment plans to assist developers to meet their S106 developer contributions. During the year 2014/15 S106 contributions of £1,014,090 were received. This compares to £3,404,329 received during 2013/14.
- 3.2.3 The Government has recognised that planning applications can go out of time (beyond the government guidelines for processing applications) for various reasons including the need for amendments to seek improvements or delays due to the completion of S106 agreements. To respond to this challenge Medway agreed 148 Planning Extension

## Agreements (PEA's) during 2014/15 and 10 Planning Performance Agreements (PPA's)

- 3.2.4 Enforcement activity during 2014/15 involved 441 new cases being progressed. During the year 15 Enforcement Notices were served and 5 prosecutions have been undertaken. This includes Notices served under S215 in relation to untidy/ derelict buildings.

### **4. South Thames Gateway Building Control Partnership (STG)**

- 4.1 Despite increased competition from Approved Inspectors (who provide building control services in the private sector), STG has maintained its customer base, retaining its market share at 78% and increased its income by 4%.
- 4.2 STG has successfully trialled and developed the use of iPads across the STG area, allowing surveyors to upload site inspection records directly into the system from site. This is proving to be a major improvement, providing significantly improved customer service, with access to application data readily available to surveyors away from the office.
- 4.3 STG's move to new accommodation in Rochester High Street has enabled an increase in personal callers to the office and reduced STG premises costs by 32%.
- 4.4 Further development of the services offered through STG consultancy has helped generate additional income for the partnership. Discussions are under way with Gravesham Borough Council to provide stock condition surveys for their Housing Department, similar to the service currently provided to Medway's housing service.
- 4.5 A £30,000 STG budget surplus was delivered in 2014/15. It is intended to use this to develop a new website and also to examine the development of STG's consultancy service as a local authority company, to add greater sustainability to the partnership.

### **5. Regulation – Environmental Health/Trading Standards/Enforcement and Licensing (executive functions only)**

#### 5.1 Regulation

##### 5.1.1 Environmental Health Food and Safety Team

- 5.1.2 The Food and Safety Team consists of 8.0 full time equivalent staff (FTE) and delivers a broad range of statutory duties and functions including: food safety; health and safety at work; infectious disease control and port health. The team also carries out food and health and safety training courses and is responsible for Sports Grounds Safety Authority (SGSA) certification at Gillingham Football Club.

### 5.1.3 Food Hygiene key achievements for 2014/15:

- The number of food premises in the highest risk category (A) reduced by 64% (to just 4)
- The team delivered a comprehensive food hygiene inspection programme and inspected 100% of high and medium risk premises (categories A, B and C)
- Broad compliance increased to 93% of food premises (highest in 6 years)
- 86% of food businesses rated as “Good” or “Very Good” under the National Food Hygiene Rating Scheme. 1,234 premises now are rated in Medway under the scheme.
- 80% reduction in the number of food businesses required to be formally closed.
- 56% reduction in the number of businesses receiving a Hygiene Improvement Notice
- Three food businesses were successfully prosecuted, two receiving fines of £15K plus costs

5.1.4 Compliance is the desired outcome and formal enforcement is undertaken as a last resort. During 2014/15 the team put more emphasis on educating and supporting businesses as a more sustainable and cost-effective way of promoting and maintaining public safety.

5.1.5 The team provided advice and guidance to over 220 new and existing premises for food hygiene and 40 premises for health and safety.

5.1.6 New Food Information Regulations came into force in 2014/15 and the team assisted Trading Standards colleagues to advise businesses on the introduction of new controls on allergen labelling of food products.

5.1.7 The team promoted food safety messages in the run up to Christmas 2014 and for Valentine’s Day 2015. The latter (“Look before you book”) encouraged customers to check the food hygiene rating of a restaurant before making a booking.

5.1.8 The service also participated in national food sampling programmes for swabs from serving platters and food from takeaway premises with a food hygiene rating of three or less. Poor results were taken up with the premises concerned.

5.1.9 The team participated in the Food Standards Agency’s Food Safety Week 2014.

5.1.10 The team investigated over 230 cases of food-borne infectious disease, including a lengthy investigation into cases of Listeria associated with attendance at large premises in Medway. The suspected outbreak was eventually traced back to a sandwich supplier.

5.1.11 The Team investigated:

- 275 food complaints

- 375 health and safety complaints
- 85 serious work-related accidents
- 2 fatalities

5.1.12 A new safety certificate was issued to Gillingham Football Club in January 2015, the result of several months of working in collaboration with the club and external partners (Kent Police, Kent Fire and Rescue Service, South East Coast Ambulance Service and Sports Grounds Safety Authority). This means that the arrangements put in place by the club meet sound, modern safety standards.

## 5.2 Strategic Environmental Protection Team

5.2.1 The Environmental Protection team consists of 3 FTE and delivers a broad range of statutory duties in respect to contamination of land, local air quality management, private water supplies and distribution systems, environmental permitting, licensing and planning.

5.2.2 This year the team have been working towards producing a draft air quality action plan that details the steps to be taken to reduce levels of nitrogen dioxide to below the EU-set health objective levels, within the three air quality management areas within the district. A twelve-week public consultation will be undertaken on the draft air quality action plan in 2015/16. The team has been working closely with the communications team to produce the consultation material, to ensure that the consultation is as effective as possible.

5.2.3 The team:

- Completed 100% of the Environmental Permitting inspections.
- Provided comments on 758 planning consultations and discharge of conditions applications.
- Commented on 87 licensing consultations.
- Provided information and advice in respect to 108 environmental enquires/searches.
- Maintained the two air quality stations within Medway.
- Continuously works towards ensuring that new development and activities are placed in suitable locations whilst having regard to the past, present and future uses of the locality.

5.2.4 The service also provided comments and guidance to the planning department on proposed major developments within Medway including:

- 200 houses at Moor Street in Rainham,
- 300 houses at Otterham Quay Lane in Rainham, and
- 475 houses at Land West of Hoo.

5.2.5 The team was also involved in issuing consents under section 61 of the Control of Pollution Act 1974 to control noise, dust and air pollution from construction sites. Section 61 consents were issued for the upgrading works undertaken by British Rail across Medway including Rochester Railway Station and Rainham Railway Station. The team

continues to support the council with its regeneration program for Medway.

### 5.3 Noise and Nuisance

- 5.3.1 The team consists of 5 FTE and deals with statutory noise and other nuisances. This involves an initial investigation following any complaint of statutory nuisance from a local resident. Statutory nuisance is mainly defined as something that seriously disturbs the comfort and enjoyment of a person's property. It related to noise, light, air pollution and odours, sewers and drainage, pest infestations and hoarding.
- 5.3.2 Last year, the team dealt with 3,281 such complaints from members of the public. The vast majority of these complaints are resolved without the need for formal action. The team operates an out-of-hours callout service, which is essential in establishing whether or not a statutory nuisance exists.
- 5.3.3 It was necessary to prosecute in just one case last year. After several warnings, the offender's stereo and other noise making equipment was seized. This included computers, lap tops, and televisions as well as CDs and DVDs.
- 5.3.4 He was found guilty at Medway Magistrates Court. Fines and costs totalled £870. A forfeiture order was also made, regarding the seized equipment, valued at over £3,000.
- 5.3.5 11 notices were served relating to filthy and verminous premises and 15 relating to drainage where rats were involved.
- 5.3.6 Works in default, where the notice had not been complied with were carried out in 11 cases.
- 5.3.7 The team launched a new initiative, encouraging dog day care and home boarding establishments to register with the council. There are currently 12 such licensed businesses in Medway.
- 5.3.8 The 'Day for Every Dog' event took place at parks across Medway, engaging with thousands of people in the process. 264 dogs were micro chipped free of charge. Utilising the kennel club's safe and sound scheme, approximately 250 children were taught the key elements of interacting safely with dogs. Battersea Dogs Home provided 342 engraved tags to dog owners free of charge.
- 5.3.9 The event received an award from the Connell Institute for its work in reducing complaints about nuisance noise from barking dogs. This is in addition to the awards already received from the RSPCA and the Kennel Club.



#### 5.4 Environmental Enforcement

- 5.4.1 This section is split into two teams, which work very closely together to take action against those that blight our environment so as to create a cleaner and safer Medway.
- 5.4.2 The Environmental Enforcement Team consists of 7 FTE and deals with the investigation of fly tipping and other waste related crime such as untidy private land, trade waste and illegal waste carriers.
- 5.4.3 The Street Scene Enforcement Team consists of 7 FTE and deals with on street enforcement of littering and dog fouling offences as well as the removal of fly tipping.
- 5.4.4 Last year the team dealt with 7,182 cases, 1,361 of which were dealt with proactively. Most of these cases were resolved without the need for formal action. However, it was necessary to prosecute in 69 cases.
- 5.4.5 The team secured a 100% conviction rate. Fines and costs totalled £39,457.
- 5.4.6 Other sanctions included:
- 12 cautions
  - 2 conditional discharges
  - 7 arrest warrants
  - 1,750 hours community service
- 5.4.7 451 fixed penalty notices were issued for littering and dog fouling. A 12% increase on the previous year.
- 5.4.8 1,888 fly tips were searched, with evidence retrieved in 232 cases. 90% of these fly tips were removed on the same day that they were reported, including 809, which were dealt with proactively; i.e.; they were removed before a complaint was received from a member of the public.
- 5.4.9 The total amount of waste removed from the public realm for the year was 125 tonnes.
- 5.4.10 The team's success in the investigation and quick removal of fly tipping has led to it providing a service to the Housing Revenue Account on an SLA basis, bringing in an annual income of £12k.
- 5.4.11 MHS has also expressed an interest in employing the team's services, which is currently being explored.

#### 5.5 Trading Standards Team

- 5.5.1 The Trading Standards team consists of 4.8 FTE and delivers against a broad range of statutory duties and functions including: product safety; food standards & feed safety; weights & measures; intellectual property; trade representations; unfair terms; unfair trading practices;

animal health & welfare; price indications; explosives & petroleum and the Medway Council Act 2001.

- 5.5.2 The year has seen the small team being commended by the Municipal Journal for their initiatives to tackling doorstep traders in the Medway area. Over 32,000 'No Cold Calling' stickers have been issued to local residents and an early warning system developed with local banks to support vulnerable consumers.
- 5.5.3 The Team has undertaken work addressing the subject of Novel Psycho-active Substances, also known as legal highs, and participated in a Home Office sampling survey to better understand these products. Through working with local businesses they have reduced the number of retailers selling these products from three shops to a single establishment, with more action planned once the proposed law changes take place. The service also participated in a joint enforcement day addressing this topic in partnership with Kent Police and Kent County Council.
- 5.5.4 The service delivered a comprehensive food standards inspection programme and inspected 100% of high-risk premises and 98% of medium risk inspections as required by the Food Standards Agency. This year saw the teams advising all local businesses on the introduction of new controls on the allergen labelling of food products. The service also undertook a comprehensive food-sampling programme covering a diverse range of products, from take away meals to diet supplements.
- 5.5.5 The service made a number of seizures of unsafe and counterfeit toys in High Street stores and at street markets. It also successfully undertook a project to discourage retailers from customising nursery goods and clothes with crystals and beads that are a potential choking hazard. The team participated in a number of national safety campaigns in areas ranging from cosmetics to electrical extension leads.
- 5.5.6 The service undertook a major campaign to ensure that low cost motor vehicles sold in Medway are safe in partnership with the Vehicle Operator Services Agency (VOSA). This project led to a number of vehicles on car sales forecourts being suspended, pending remedial work and an education programme to ensure that traders undertook effective pre-delivery inspections to low cost vehicles.
- 5.5.7 The team has continued its work addressing the topic of illegal tobacco sales and undertook inspections using sniffer dogs to reveal concealed stock of counterfeit and smuggled tobacco. The team made a number of large seizures and works extensively with HMRC.
- 5.5.8 The team undertook 100% inspections of premises selling fireworks to ensure that only compliant products were stocked and that the explosives products were being stored safely. This year saw the team acting as a national contact point for two major importers of fireworks.

5.5.9 The team inspects and licenses businesses that store petroleum. For the first time in a number of years the decline in the number of licenced petrol stations in Medway has stopped, with a number of older sites being re-developed as well as new sites such as the Asda at Gillingham Gate.

## 5.6 Business Compliance Team

5.6.1 The business compliance team sits alongside the Trading Standards Enforcement and the Food and Safety Teams. One of the main tasks is to act a portal for complaints and to triage each customer contact to ensure that appropriate advice and guidance is given to customers at the earliest opportunity. Only the more serious issues requiring specialist intervention are passed to the relevant team, allowing them to concentrate on the higher risk areas and to spend more time out of the office.

5.6.2 The number of customer contacts triaged by the Business Compliance Team has increased each year since its inception with 2014/15 seeing an increase in Trading Standards contacts of 19% on 2013/14.

5.6.3 In 2014/15 the Business Compliance Team successfully dealt with 73% of contacts without the need to involve more specialist officers, in accordance with 'Better for Less' principles and providing value for money.

5.6.4 The Fair Trader Scheme is administered by the Business Compliance Team and aims to both protect consumers and promote local businesses whilst deterring and/or restricting rogue traders. Following a review of the fee structure in 2013/14, 2014/15 reported an increase in revenue (compared to 2012/13 baseline) of 16% to over £30k.

5.6.5 Each March the team runs the Consumer Challenge Quiz (CCQ), which is open to the Special Educational Needs schools in Medway. This year saw a hotly contested competition resulting in the Hundred of Hoo School being declared the overall winner. The CCQ teaches the children about their consumer rights and who can help them when things go wrong as well as a number of other important messages. For the first time a number of local businesses and Fair Trader Scheme members sponsored the event, which offset most of the cost.

5.6.6 The team works with the National Scams Hub to provide support and advice to scams victims in Medway through a series of personal visits and talks to local groups to raise awareness and help protect the most vulnerable.

## **Appendices**

None

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**Background documents**

None