

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

Tuesday, 29 September 2015

6.30pm to 9.25pm

Record of the meeting

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

Present: Councillors: Carr (Chairman), Bhutia (Vice-Chairman), Brown-Reckless, Etheridge, Griffin, Hicks, Iles, Johnson, Osborne and Saroy

Substitutes: Councillors:
Griffiths (Substitute for Stamp)
Murray (Substitute for Cooper)

In Attendance: Richard Hicks, Director of Regeneration, Community and Culture
Stephen Gaimster, Assistant Director, Housing and Regeneration
Andy McGrath, Assistant Director, Front Line Services
James Bilsland, Assistant Head of Legal - Place
Councillor David Brake, Portfolio Holder for Adult Services
Laura Caiels, Legal Advisor
Councillor Jane Chitty, Portfolio Holder for Planning, Economic Growth and Regulation
Ruth Dulieu, Head of Integrated Transport
Tim England, Head of Safer Communities
Councillor Adrian Gulvin, Portfolio Holder for Resources
Anna Marie Lawrence-Lovell, Performance Manager
Councillor Andrew Mackness, Portfolio Holder for Corporate Services
Priscilla Mumby, Flood Drainage and Special Projects Officer
Ellen Wright, Democratic Services Officer

Petitioners:
Mrs Jeeves
Mrs Lovell

Arriva representatives:
Glen Shuttleworth – Head of Operations
Robert Patterson – Commercial Development Manager

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365 Record of meeting

The record of the meeting held on 6 August was signed by the Chairman as a correct record.

366 Apologies for absence

Apologies for absence were received from Councillors Cooper, Stamp and Tejan.

367 Urgent matters by reason of special circumstances

There were none.

368 Chairman's announcements

The Chairman, supported by the Committee extended congratulations to Richard Hicks following his appointment to the post of Director of Regeneration, Community and Culture.

The Chairman also welcomed Laura Caiels, Legal Advisor who was in attendance at this meeting as an observer.

369 Declarations of interests and whipping

Disclosable pecuniary interests

Councillor Griffiths declared a disclosable pecuniary interest in Item 10 relating to Lorry Parking on Gillingham Business Park on the basis that he is a Non-Executive Director of Medway Community Healthcare and he left the meeting for the consideration and determination of this item.

Other interests

There were none.

Whipping

There were no declarations of whipping.

370 Petitions

Discussion:

The Committee received a report setting out petitions received by the Council which fell within the remit of the Committee, including a summary of the responses sent to petitioners by Officers.

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The Committee was advised that two petitioners had requested that their petitions be referred to this Committee and the Chairman welcomed Mrs Jeeves and Mrs Lovell to the meeting. He also welcomed Mrs Gibbs, who was in attendance to support Mrs Lovell.

On the basis that Mrs Jeeves and Mrs Lovell's petitions related to changes to bus services operated by Arriva in the Walderslade area, the Chairman welcomed Glen Shuttleworth, Head of Operations and Robert Patterson, Commercial Development Manager from Arriva to the meeting.

The Chairman drew attention to Item 6 on the agenda and advised the Committee that he intended to take both items 5 and 6 together as they related to the same topic.

The Chairman then invited the petitioners to address the Committee on their concerns regarding the changes made by Arriva to bus services in the Walderslade area.

Both Mrs Jeeves and Mrs Lovell, supported by Mrs Gibbs outlined petitioners concerns that in July, without any consultation, residents in the Walderslade area, many of whom were elderly, had found that their bus services had been reduced in frequency. They stated that as a result of these reductions, many elderly and disabled individuals, who were reliant on public transport, were no longer able to participate in their usual activities such as attending clubs or shopping and were becoming isolated.

The petitioners advised that their area of Walderslade had previously been served by 3 buses per hour and that this had been reduced to 3 buses per day and, unless they were able to walk half mile to and from the nearest bus stop at Poachers Pocket they were required to catch the last bus at 14.10pm back to Walderslade from Chatham. This was not considered acceptable by the petitioners particularly as others areas of Medway had seen an increase in the level of buses provided on certain journeys.

The petitioners accepted that Arriva was a commercial company and was therefore required to run services for profit but requested that if Arriva could reconsider its decision to reduce the bus services to the Walderslade area and increase the number of buses by just two or three more buses per day, this would be helpful to the residents.

The Committee noted that following representations from both Councillors and the public, Arriva had recently made a number of changes to the 176 and 179 timetables and an additional commercial 179 journey had been introduced from Walderslade at 09.05 Monday to Saturday. Details of these changes were set out in Item 6 on the agenda.

In response to the petitioners concerns, Robert Patterson from Arriva accepted that the Company's consultation processes on the changes to the bus services earlier in the year had not been adequate and he offered apologies for this.

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Glen Shuttleworth from Arriva reassured the Committee and the petitioners that the changes had not been undertaken for the purposes of making savings but to provide customers with a better service. With the help of consultants and through use of census data, Arriva had established where its customers were located and which bus services were being utilised and those that were under utilised. Those services that had been removed were not considered commercially viable and the buses had been relocated on alternative routes to meet customer demand.

Glen Shuttleworth advised that Arriva had listened to customer concerns and, as a result, some bus links had been added but it was not possible for the service to return to that previously provided as the service was not being used sufficiently to be commercially viable.

Members expressed concern that it appeared that Arriva were diverting bus services away from areas with a high concentration of passengers with concessionary bus passes to boost services in areas with paying passengers.

Robert Patterson commended the petitioners for the valuable information they held on the wishes to the public in the Walderslade area and the passion that they had shown in attending this meeting to discuss their concerns. He suggested that Arriva meet with the petitioners to discuss their concerns in more detail so that Arriva could fully understand the issues and assess whether there was a way forward to resolve the issues. Councillor Brake as Ward Councillor advised the Committee that he was happy to facilitate this meeting.

Glen Shuttleworth added that Arriva were willing to attend any Resident Association meetings to discuss issues of concern with the local community and to explain the rationale behind the changes that had been implemented.

A Member questioned Arriva's social responsibility to provide services in areas where there is a high concentration of concessionary bus pass users and whether they were allowed to calculate profitability across a whole bus route (averaged) rather than across individual segments - since they had increased the frequency of other parts of that route. Glen Shuttleworth explained that whilst some bus routes were more profitable than others, it was not possible for one bus route to cross subsidise another. Therefore, each bus route was required to be self sufficient. He acknowledged that Medway Council currently provided subsidies to enable Arriva to operate bus services in areas where routes were not considered viable for a commercial company.

He briefly outlined Arriva's investment in the existing fleet of buses in Medway and offered to undertake a presentation to the Committee on the way in which a bus company operates as a business.

At the conclusion of the debate, the Chairman thanked the petitioners and representatives for attending the meeting.

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Decisions:

- a) The Committee noted the petition responses and appropriate officer actions in paragraphs 3 and 4 of the report;
- b) In response to the petitions referred to in paragraph 5 of the report relating to the changes to the Arriva bus services in Walderslade, it be noted that:
 - i) Arriva have acknowledged that its consultation processes require review so as to ensure that all parties and residents are aware of any future proposals to change bus services;
 - ii) Arriva has offered to undertake a presentation to the Committee on the operation of the bus services in Medway
 - iii) in response to the offer from Arriva to meet the petitioners from Walderslade, Councillor Brake as Ward Councillor has offered to facilitate such meeting.
- c) A report be submitted to a future meeting of the Committee on the outcome of iii) above.

371 Changes to Arriva Bus Services

Decision:

The Committee noted that this item had been considered jointly with Item 5 on the agenda (see minute 370 above).

372 Attendance of the Portfolio Holder for Planning, Economic Growth and Regulation

Discussion:

Members received an overview of progress on the area within the terms of reference of this Committee and covered by the Portfolio Holder for Planning, Economic Growth and Regulation as set out below:

- 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.

The Portfolio Holder for Planning, Economic Growth and Regulation responded to Member's questions and comments as follows:

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- **Dovetail Games** – In response to a question as to the background to this company, the Portfolio Holder explained that Dovetail Games was a newly created company in Medway specialising in computer games. Located at The Observatory in Dock Road, at start up, the company had 6 employees but now employed over 100 individuals.
- **Rochester Farmers Market** – A Member asked whether the Rochester Farmers Market had been successful at its new location. The Portfolio Holder confirmed that the farmers market had recently been temporarily relocated to Blue Boar Lane Car Park. Whether the market would return to its previous site would depend upon the views of the traders once they had had an opportunity to trade at the new site for a period of time.
- **Strood Market** – In response to a question as to the viability of the Strood Market, the Portfolio Holder confirmed that whilst the Saturday Strood Market was very successful, the Tuesday Market was less so. She referred to planned investment in Strood and stated that this may help to improve the Tuesday Market. The Portfolio Holder confirmed that the total gross income from markets in 2014/15, set out at paragraph 2.2.1 of the report, did not include the Christmas Market as this was a leisure event and therefore did not fall within her portfolio.
- **Innovation Centre** – In response to a question as to the success of the Innovation Centre, the Portfolio Holder confirmed that the Centre had been incredibly successful and was now fully occupied housing 55 individual businesses.
- **South Thames Gateway Building Control (STG)** – In response to a question as to why the STG was planning to spend its budget surplus of £30,000 on the development of a new website, it was explained that this funding was not just for the development of a website but to help STG develop its consultancy service.
- **Provision of Workspaces in Strood** – A Member questioned whether the future occupiers of the new workspaces at Watermill Wharf would be offered low rent to help them become established. The Portfolio Holder agreed to supply information outside of the meeting relating to the likely rents to be levied for the workspaces at Watermill Wharf in Strood.
- **Medway Local Plan** – A Member sought information on the progress of the new Medway Local Plan and whether the Portfolio Holder considered that not having an up to date Local Plan had a detrimental effect on defending developments in Medway. The Portfolio Holder confirmed that work was well underway on provision of a new Local Plan and that this would replace the 2003 Medway Local Plan and set a framework for development up to 2035. She acknowledged the difficulties encountered by a number of Local Authorities in not having their Local Plans accepted but was confident that now the criteria for the Local Plan was

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clear and had defined time constraints, Medway's Local Plan would be accepted when submitted.

In response to concerns that the lack of an up to date Local Plan, provided a risk to defending developments in Medway, the Portfolio Holder stated that the Council's Planning Committee was required to consider all planning applications on individual merits.

- **Lodge Hill** – In response to questions as to why Land Securities had withdrawn from proposals to develop Lodge Hill, the Portfolio Holder advised the Committee that there appeared to be a misunderstanding surrounding the situation regarding Land Securities position at Lodge Hill. She clarified that at the time that Land Securities preferential licence had been due for renewal, the Company had chosen not to renew the licence.
- **Fair Traders Scheme** – In response to questions about the effectiveness of the Fair Traders Scheme, the Portfolio Holder stated that the Fair Trader Scheme was a valuable scheme in bringing people together. She stated that she was happy to provide more details of the scheme if this was the wish of the Committee.
- **Tesco Site in Chatham** – A Member sought an update on the former Tesco site in Chatham and the Portfolio Holder advised that this site provided opportunities for improving the gateway to Chatham Town Centre. However, Tesco currently had a long lease of the site and were in the process of considering possible options available. The Committee was informed that officers were continuing to work closely with Tesco and potential developers of the site.
- **Rochester Riverside** – Information was sought as to when work would commence on the planned developments at Rochester Riverside and the Portfolio Holder confirmed that work had already begun on the extra care units. Although, this was not within her portfolio, she advised that negotiations for the development of the remainder of the site were proceeding well.
- **Section 106 Agreements** - A Member sought clarification as to why the level of funds receive through Section 106 agreements had been less in 2014/15 than 2013/14. The Portfolio Holder confirmed that the level of funding received through Section 106 agreements was dependent upon the completion of the agreements and was not an indicator of the level of investment. She advised that the inclusion of a Section 106 agreement was only applicable for certain types of development and therefore the number of agreements completed in any one year were dependent upon the planning applications received. The Portfolio Holder also advised that she had requested a briefing for Members on the subject of Section 106 agreements and she undertook to ensure that the date of the briefing would be circulated to Members.

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- **Penalty Charge Notices** – A Member asked why there had been an increase in the number of fixed penalty notices issued for littering and dog fouling. It was confirmed that in addition to educating the public about litter and dog fouling, the Team had actively pursued the issue of fixed penalty notices. More staff were in post and this had resulted in an increase in the number of notices served.

Decisions:

The Committee thanked the Portfolio Holder for attending the meeting and answering Member's questions on areas of her portfolio and noted that;

- a) The Portfolio Holder will respond to the Member direct on the issue of the level of rents to be levied at Watermill Wharf
- b) Members will be advised of the date of the briefing on Section 106 Agreements as soon as possible.

373 Council Plan Quarter 1 2015/16 Performance Monitoring Report

Discussion:

The Performance and Intelligence Manager outlined the performance summary for Quarter 1 2015/16 against the Council's priorities for the Committee:

- Safe, clean and green Medway
- Everyone benefitting from the area's regeneration

The Committee noted the following:

- **NI167- Average journey times across Medway** – A Member asked for information as to the 5 routes that were being used for this performance indicator.
- **NI 192 – Percentage of household waste sent for refuse, recycling and composting** – A Member referred to the suspension of the hard plastics recycling at the beginning of Quarter 1 and sought clarification as to whether these items were continuing to be collected. The Assistant Director, Front Line Services confirmed that Veolia were continuing to collect these items as part of the weekly recycling collections.
- **Eastgate House Project** – The Director for Regeneration, Community and Culture advised that following the current contractor having gone into Administration, a new contractor was now undertaking due diligence on the project and it was hoped that work would resume in the near future.
- **Integrated Transport** - A Member expressed concern that as a result of recent changes to bus service operated by Arriva from Rochester to the

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Medway City Estate, many people were now using cars to get to work. She explained that prior to the changes, the journey could be completed on one bus but that this journey now required two buses, operated by two different companies which had doubled the cost of the bus fare. In response, the Assistant Director, Front Line Services confirmed that generally the Council had a good working relationship with Arriva. However, the Council had received less than one weeks notice from Arriva of the recent changes to bus services in Medway. He acknowledged that there was a need to undertake improvements to the road links to and from the Medway City Estate to improve traffic flow and he outlined a number of initiatives that were in hand. In addition, he confirmed that funding had been received from the Local Enterprise Partnership to improve both pedestrian and cycles routes on the Medway City Estate. A Consultative Group involving companies on the Medway City Estate would be set up to consider options.

A Member referred to the discussions about the changes to Arriva Bus Services at Minute 370 above and suggested that one way forward may be for Arriva to discuss with the petitioners the possibility of increasing the frequency of buses to the Walderslade area on one specified day a week. The Assistant Director, Front Line Services agreed to ask Officers within the Integrated Transport Team to factor this suggestion into the discussions between Arriva and the petitioners.

- **New Rochester Station** – A Member asked whether there would be an opportunity for the existing independent sandwich seller located at Rochester Station to be offered the opportunity to continue to trade at the new Rochester Station. In response, the Assistant Director, Housing and Regeneration confirmed that the possibility of the existing independent sandwich seller being offered a kiosk within the new Rochester Station had been referred to Network Rail for consideration.
- **Rochester Airport** – A Member referred to the pending judicial review of the Rochester Airport planning application and asked whether this delay would have any implications for the approved funding. The Director of Regeneration, Community and Culture confirmed that the judicial review would be held later in the year and that the funding would not be jeopardised.
- **Libraries** – A Member referred to the Strood Community Hub and the 24.6% increase in footfall and he asked for information as to the number of books issued compared to when the Hub had first opened. The Director of Regeneration, Community and Culture confirmed that the Community Hubs provide a wide range of services to the public beyond loaning books, not least access to IT/the internet. He agreed to provide information on the number of books issued direct to the Member, outside of the meeting.

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- **Waste Services and commencement of refresh of the Medway Waste Strategy** - In response to a question, the Assistant Director, Front Line Services confirmed that new recycling bags had not reduced in size/capacity.

A Member referred to the refresh of the Medway Waste Strategy and asked whether this would result in any changes to the weekly collections. The Assistant Director, Front Line Services stated that it was too early to comment upon the revised waste strategy but the Council would be looking to maintain waste sustainability.

- **Parks and Open Spaces** – In response to a question as to whether alleyways fell within the remit of parks and open spaces, the Assistant Director, Front Line Services clarified that this would depend upon land ownership. Some alleyways were the responsibility of Highways and some were owned by developers or in private ownership
- **Play Area at The Esplanade, Rochester** - In response to a question as to whether there were planning or development briefs for the development of the play area at The Esplanade, Rochester, the Director of Regeneration, Community and Culture stated that whilst there were no specific plans for the development of this particular play area, the Council had aspirations and ambitions for all play area sites and a number of sites had been identified for works to be undertaken, should external funding or Section 106 funding be available.
- **Medway Innovation Centre** - A Member sought clarification as to a discrepancy in the rate of letting detailed in this report and the percentage quoted by the Portfolio Holder for Planning, Economic Growth and Regulation. The Assistant Director, Housing and Regeneration stated that the actual rate of letting at the Centre varied day by day as and when vacant spaces became available.
- **F4 – User satisfaction with events** – In response to a question, the Director of Regeneration, Community and Culture confirmed that the satisfaction scores were taken for individual events.
- **LRCC1 – Number of Visitors to tourist attractions in Medway** - In response to a question, the Director for Regeneration, Community and Culture advised that the target had been maintained at the same level as the previous year, partly because a number of tourist attractions in Medway were currently undergoing works and were therefore closed or partially closed to the public. This would affect visitor numbers for these particular attractions.
- **HP26 Satisfaction with road maintenance** – In response to a question as to level of target for this performance indicator and the level of public satisfaction achieved in Quarter 1, the Performance and Intelligence Manager advised that the Committee had had a lengthy debate on this

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performance indicator at its meeting on 6 August 2015. Arising from discussions at that meeting, a report would now be submitted to a future meeting on the Road Maintenance Budget and the National Highways and Transport Survey.

Decisions:

The Committee noted the Quarter 1 2015/16 performance against Key Measures of Success used to monitor progress against the Council Plan 2015/16 and agreed:

- a) Details of the 5 routes used to measure performance indicator NI 167 be circulated to Members of the Committee.
- b) The Assistant Director, Front Line Services ensure that the suggestion that Arriva may wish to consider increasing the frequency on bus services to parts of Walderslade on one day a week is factored into the discussions between Arriva and the petitioners referred to at Minute 370 above.

374 Annual Action Plan on the Local Flood Risk Management Strategy

Discussion:

The Flood, Drainage and Special Projects Officer outlined progress on the Local Flood Risk Management Strategy.

She advised the Committee that the Regeneration, Community and Culture Overview and Scrutiny Committee had considered a report at its meeting on 26 June 2014 on the Flood and Water Management Act 2010 and associated requirements and responsibilities and the report had referred to the Annual Action Plans that would be produced to review progress on the strategy and to provide updates as required as a result of new information, further studies or legislation.

Appended to the report for consideration were:

- Objectives and measures from the Local Flood Risk Management Strategy and information relating to the progress of such objectives;
- A list of new responsibilities included within the Annual Action Plan 2015/16 to reflect Local Flood Authorities having been made a statutory consultee for major development in relation to surface water drainage; and
- A list of specific actions relating to coastal flood risk applicable to Medway Council in its remit as Coastal Protection Authority.

Decision:

The progress of the Local Flood Risk Management Strategy and the 2015-16 Annual Action Plan be noted.

375 Lorry parking on Gillingham Business Park

Discussion:

The Committee was informed that at its meeting on 11 August 2015, the Health and Adult Social Care Overview and Scrutiny Committee had considered the issue of lorries being parked close to the Medway Community Healthcare's premises on Gillingham Business Park and the problems that this was causing. At that Committee, it had been suggested that consideration be given to the possible use of a vacant area on Gillingham Business Park for parking of lorries.

The Assistant Director, Housing and Regeneration outlined the background to the request and advised the Committee that no suitable site was available for lorry parking on the Gillingham Business Park. Discussions had taken place with the owners of a vacant site on the Business Park but the owner was not willing for the land to be used for the parking of lorries. However, he confirmed that Officers were continuing discussions.

The Assistant Director, Front Line Services advised upon enforcement action currently being taken by parking and community wardens and confirmed that this would continue.

Decision:

The report be noted and Officers be requested to continue to monitor the situation via the parking and community wardens as outlined in the report.

376 Work Programme

Discussion:

The Democratic Services Officer reported on the Committee's work programme and drew attention to the following:

- It was proposed that the item on the Road Maintenance Budget for the next 6 years along with the information on the National Highways and Transport Survey was now scheduled for submission to the Committee at its meeting on 29 March 2016;
- An update to the Forward Plan had been issued on 29 September 2015 relating to the inclusion of an item on 'Placing Objects on the Highway'. The timeline for this report included referral to this Committee on 29 January 2016 if this was supported; and
- The Children and Young People Overview and Scrutiny Committee at its meeting on 22 September 2015 would be putting forward Employment Opportunities for 18 – 21 year olds including apprenticeships as its Task Group for 2015/16. This would be a cross cutting task group between the Children and Young People Overview and Scrutiny Committee and this Committee.

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Decisions:

The Committee

- a) noted that a report on the Road Maintenance Budget for the next 6 years along with the information on the National Highways and Transport Survey would be submitted to the Committee on 29 March 2016;
- b) agreed that the report on 'Placing Objects on the Highway' be added to the Committee's work programme for 29 January 2016; and
- c) noted that the Children and Young People's Overview and Scrutiny Committee would be putting forward Employment Opportunities for 18 – 21 year olds including apprenticeships as its Task Group for 2015/16 and that this would be a cross cutting task group between the Children and Young People Overview and Scrutiny Committee and this Committee.

Chairman

Date:

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