

Medway Council
Meeting of Medway Council
Thursday, 21 July 2016
7.00pm to 10.12pm

Record of the meeting

Subject to approval as an accurate record at the next Full Council meeting

Present: The Worshipful The Mayor of Medway (Councillor Tranter)
The Deputy Mayor (Councillor Opara)
Councillors Bhutia, Bowler, Brake, Brown-Reckless, Carr,
Mrs Diane Chambers, Rodney Chambers, OBE, Chishti, Chitty,
Clarke, Cooper, Craven, Doe, Etheridge, Fearn, Franklin, Gilry,
Godwin, Griffin, Griffiths, Gulvin, Hicks, Howard, Iles, Jarrett,
Johnson, Joy, Kemp, Khan, Mackness, Maple, McDonald,
Murray, Osborne, Pendergast, Price, Purdy, Royle, Saroy,
Shaw, Stamp, Tejan, Tolhurst, Turpin, Wicks, Wildey and
Williams

In Attendance: Neil Davies, Chief Executive
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Director of Regeneration, Culture, Environment
and Transformation
Perry Holmes, Chief Legal Officer/Monitoring Officer
Ian Sutherland, Deputy Director, Children and Adults Services
Phil Watts, Chief Finance Officer

155 Apologies for absence

Apologies for absence were received from Councillors Avey, Filmer,
Freshwater, Hall, O'Brien and Potter.

156 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

Councillor Griffiths declared a disclosable pecuniary interest in any item on the agenda but specifically agenda item 9 (Report on Overview and Scrutiny Activity (reference to St Bartholomew's Hospital)) because he is a Non-Executive Director of Medway Community Healthcare (MCH). He stated that he would leave the meeting should there be any specific discussion on MCH.

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Other interests

Councillor Cooper declared an interest in any reference to Medway Maritime Hospital because she has immediate family members who work there.

157 Records of meetings

The records of the meetings held on 28 April 2016 and 18 May 2016 were agreed by the Worshipful the Mayor of Medway as a correct record.

158 Mayor's announcements

The Worshipful the Mayor of Medway reminded Members that he would be raising money for Christians Against Poverty during his term of office as Mayor and he hoped that they would support the various events being held. Tickets were still available for the Charity Strawberry Cream Tea on Friday 29 July at 4.30pm in the Mayor's Parlour at Gun Wharf.

The Mayor stated that he had a number of announcements about the smooth running of the meeting, the first of which related to coverage in the Medway Messenger last week about the arrangements for Council meetings. Councillor Mackness, Portfolio Holder for Corporate Services, had asked that Members and the public be assured that whilst the Council had already taken a number of steps in response to feedback about the accessibility of meetings, the Council was keen to work further with Sue Groves MBE to address further points and to ensure that Sue and others could engage in these meetings.

The Mayor reminded everyone in the public gallery that copies of public questions and Members questions were on every seat and some large font copies were also available. He stated that he had been asked by Councillor Mackness to ensure the public were invited to read out their questions in line with Council rule 8.6.

The Mayor asked Members to avoid repeating points made earlier in each debate so that business could be dealt with efficiently and enable contributions from across the floor before it would get too late into the evening.

The Mayor asked Members to speak clearly into the microphones to ensure people in the public gallery could hear. He stated that given the acoustics in this building were challenging it would also be helpful if Members would not engage in private conversations which could be distracting to others who were speaking or listening in the public gallery.

The Mayor stated that the meeting was being audio recorded and that this recording would be made available on the Council's website.

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

159 Leader's announcements

There were none.

160 Petitions

Public petitions

Victoria Hill submitted a hard copy petition containing 552 signatures and a copy of an online petition via change.org asking to keep Strand Lido open for all, in relation to the restricted opening hours for this season.

Member petitions

Councillor Fearn submitted a petition containing 55 signatures, which asked to make the crossing on Rochester Road, Halling, safe.

Councillor Stamp submitted a petition containing 123 signatures, which asked the Council to keep Splashes Leisure Pool open until at least 9.30pm on Sunday evenings.

Councillor Carr submitted a petition containing 18 signatures, which objected to the new pavements in William Street, Rainham.

161 Public questions

A) Rob Auger of Gillingham asked the Portfolio Holder for Resources, Councillor Gulvin, the following question:

“I have recently appealed against a disabled parking ticket and whilst this matter is now resolved, the problem arises when the Blue Badge holder has or is using the badge in another family member’s vehicle (shopping, medical appointments etc.).

As their own vehicle is left in their own registered bay without the Blue Badge, it appears it then can be a target for a parking ticket (in our case). As Blue Badges are now paid for, would it not be possible for a numbered window sticker to be issued along with the Blue Badge to allow wardens to check?

This also would have the benefit of preventing the Blue Badges being a target for theft.”

Councillor Gulvin stated that whilst he was sympathetic to Mr Auger’s situation and the suggestion had sounded very sensible, the Blue Badge concession did not extend to enabling a disabled parking bay near the badge holder’s home to be effectively reserved whilst the badge holder was also benefiting from the use of the badge whilst out in another vehicle with a family member or friend.

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He stated that the aim of the Blue Badge scheme was to help disabled people with severe mobility problems to access goods and services by allowing them to park close to their destination. Blue Badges had to be displayed in the vehicle that was transporting the Blue Badge Holder.

Although it was an individual application that triggered the assessment as to whether it was safe to install a bay in a particular location, disabled bays were not allocated to individuals and were available for any badge holder to use. This could lead to the situation where a vehicle should be removed from a disabled bay if the badge was now to be used in another vehicle.

He stated that the Council had to follow Department of Transport guidelines in these matters and there was very little scope to do things differently.

He suggested that Mr Auger write to his MP to see if the regulations could be revised. He also stated that he had emailed the local MP, Rehman Chishti, and that he had been assured that Rehman Chishti MP would be keen to take up the case.

B) Chas Berry of Strood asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following question:

“Following the recent death of a homeless man in the centre of Chatham, how are the Council addressing the needs of the increasing numbers of street homeless people in the Medway Towns?”

Councillor Doe thanked Mr Berry for his question and stated that it would not be appropriate to comment on the individual circumstances of this very sad case except to say that help had been offered. Councillor Doe confirmed that Medway Council, in partnership with a range of local and national charities and organisations, continued to provide advice and assistance to those who found themselves homeless.

Councillor Doe stated that the reason why people found themselves in this situation were often very complex and he knew, for example, that causes included dramatic life changes such as addiction to drugs or alcohol. In addition, he stated that no two cases were ever the same. The Council had to work with community groups, charities as well as health, social care, the police and other agencies to provide assistance.

In the first instance, the best option was to provide appropriate advice and assistance to those that approached the Council to help prevent them from homelessness.

He stated that whilst the Council did have a network with partners, it was not a question that rough sleepers were denied help, rather that the Council could not force people to take it. Often, people who were rough sleeping because of mental health difficulties, did not want help to live their own lives, but the Council would try to encourage them. He stated that he did not think it was

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necessary to get to the stage to force people to take help because the principle of democracy would be totally undermined.

He stated that, therefore, the Council would continue to do what it could. He stated that he very much regretted the case of this particular homeless person, as he would that of any homeless person, but they were the facts of the situation and they could not be changed.

C) Stephen Goldsbrough of Gillingham asked the Portfolio Holder for Children's Services, Councillor O'Brien, the following question

"Following the death of Alan Kurdi last September, there was a huge public outpouring of generosity.

People were willing to offer their homes to refugees, individuals and families wanted to foster etc.

The government has set up a coordinating page on its www.gov.uk website for the public who wish to offer help.

It is questionable whether the website is allowing those compassionate people who want to help to be able to do so effectively, therefore does the Portfolio Holder support the principle of a localised version of this on the Medway Council website?"

The Portfolio Holder for Business Management, Councillor Turpin, responded on behalf of Councillor O'Brien.

Councillor Turpin stated that the answer in short would be "yes". He stated that he not only supported the principle but he had already had some more detailed conversations in the Council which suggested a localised version of information about how to help refugees would help local residents in identifying which organisations within Medway area were currently supporting refugees, both financially and practically. He stated that the Council would have to be reassured that any local organisation was legitimate and complied with any regulatory requirements.

He stated that, in addition to local information, details regarding Oxfam; Save the Children; UNHCR: UNICEF; The World Food Programme; Refugee Action and others, should also be detailed on Medway's website due to their organisations' expertise in offering support.

He stated that there was also an alternative option that the Council would be exploring to promote international experienced relief agencies such as the British Red Cross and their helpline number to help direct offers of public support to appropriate organisations. Medway residents could be directed to the helpline by Customer Contact and details of the organisation entered on the Council's website. He stated that this was being looked into with a view to implementation.

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He also stated that any member of the public enquiring about fostering or adopting a child, and this was relevant for Unaccompanied Child Asylum Seekers, was that they could be signposted to Medway's Fostering and Adoption Services and that the link could be made quite clearly on the relevant part of the website. This could help, in addition, to gain extra foster carers.

D) James Chespy of Gillingham asked the Portfolio Holder for Adult Services, Councillor Brake, the following question:

"What steps is Medway Council taking in implementing an Obesity Strategy in order to improve the health and wellbeing of people living in Medway?"

Councillor Brake thanked Mr Chespy for his question. He stated that he was pleased that Mr Chespy had asked this question because when it came to tackling obesity, Medway Council was one of the leading authorities in the UK. Like any major issue, it required a multi agency response as obesity came from multiple factors.

Councillor Brake stated that two years ago, the Council had held its first obesity summit which formed a Healthy Weight Network made from a mixture of public, private, voluntary and academic partners. He also stated that he would be opening the third official meeting at Medway's 2016 summit which was due to open on 8 September.

He stated that he could also confirm that the Council had delivered a wide range of adult and family weight management services. This included working with Green Spaces to ensure that healthy activities such as walking and cycling were promoted and maintaining free swimming for young people as well as older people.

He stated that the Council would continue to work with families, schools and nurseries to improve their food options at home and school with the Active Community Food Programme, as well as facilitating a Peer Support Network, for example, supporting new mums to introduce good eating patterns into the household.

He concluded by stating that there was always more which could be done but that he would like to pay tribute to the officers across Medway and in particular those associated with Public Health who worked tirelessly on this issue.

E) Paul Chaplin of Rainham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:

"I am a resident of Rainham North, the ward represented by Councillors Carr and Potter. During the local elections in 2015, I understand that Councillors Carr and Potter stated in their "in touch" newsletter that the pinch point on the Lower Rainham Road near Motney Hill was to be removed. Over a year later nothing has been done to remove this pinch point that causes unnecessary traffic delays and daily misery to the many users of this stretch of road.

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It isn't enough that this tory administration curtails local democracy by disallowing supplementary questions at these meetings but it now appears that election pledges can also be ignored.

Can the Portfolio Holder for Front Line Services, Councillor Filmer, please give us a timescale as to when Councillors Carr's and Potter's election pledge will be honoured?"

The Portfolio Holder for Corporate Services, Councillor Mackness thanked Mr Chaplin for his question and stated that he would respond on behalf of Councillor Filmer.

Councillor Mackness stated that Councillor Filmer had spoken with the team looking at this matter and knew that both Councillor Carr and Councillor Potter as Ward Councillors (along with Councillor Filmer) were highly involved in finding a solution.

The Council was currently looking at a design which would enable a two way flow, although this would involve some land take. Whilst it was important to emphasise that this was still at the design stage, Councillor Filmer was keen to ensure that the Council remained conscious of local residents' concerns throughout the whole process. The Council would be writing to the landowner in the near future and it was hoped that agreeable solution could be reached that would both resolve the matter and support all the residents over the next two months.

F) Tony Jeacock of Rainham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following question:

"There is a disgracefully large number of long-term empty housing throughout the Medway Towns, artificially adding unnecessarily to the local housing shortage.

There is also what is believed to be an under estimation of the number of homeless people who are sleeping dangerously rough in various parts of the Medway Towns, whilst some of the aforementioned dwellings, which ought to have been acquired by the local authority and put to good use, are allowed in some instances to fall into dereliction.

One might be inclined to wonder how many more of these unfortunate people will have to die or be brought close to death as a result of their circumstances before Medway Council provides practical help other than supposedly offering so-called 'advice'.

Can the Portfolio Holder spell out exactly what practical help is being provided at this moment, including plans for when winter hits them again?"

Councillor Doe thanked Mr Jeacock for his question. He referred to the question where it stated 'the disgracefully large number of long term empty

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housing'. Councillor Doe informed Mr Jeacock that when he had first asked this question four years ago, Councillor Doe had reported that the number of long term empty homes had fallen to 1.3% of the housing stock, which was much lower than the national average. Councillor Doe stated that he was pleased to say that this was now under 1% - 0.97% of the housing in Medway was considered long term vacant.

Councillor Doe stated that this did not mean that there were an awful lot of houses which could instantly be occupied by suitable people because many of those properties may be subject to legal dispute, for example where someone had died and there were probate issues. There was also the issue that where properties could be awaiting some treatment, such as modernisation. Therefore, there were many different reasons why properties may be empty.

He stated that the Council encouraged and took steps to ensure that as many empty properties as possible were recycled.

Councillor Doe also referred to the number of rough sleepers in Medway and confirmed, that as part of the Government's Annual Rough Sleeper Assessment, the Council undertook an actual count (as opposed to estimates which were done by some local authorities). As part of this count, the Council used information provided by those working in the sector or who would encounter those sleeping rough. The last assessment took place in November 2015, and 14 people were found sleeping rough.

Councillor Doe stated that he would accept that it was likely that there may be more, but it would not be possible to investigate every single corner of Medway. He stated that it would be quite wrong to suggest that the Council did not offer practical help and assistance. This was done through a range of means where the Council provided and commissioned accommodation. Financial assistance and advice may also be appropriate.

He concluded by stating that the Council very much cared about the homeless and he believed that the Council provided, with its partners, a good service, and the Council would continue to seek to improve it.

G) Vanessa Roach of Rochester submitted the following question to the Portfolio Holder for Front Line Services, Councillor Filmer:

"I am the lead petitioner for a petition which was submitted to Medway Council on 19 April 2016 to reinstate the fixed speed camera on A228 Frindsbury Hill Road. Over 200 people signed this petition and it was also reported in the Medway Messenger: <http://www.kentonline.co.uk/medway/news/hundreds-calling-for-speed-camera-95873/>

In response to the petition (sent to myself and quoted in the article), the Council agreed with the need for a camera at this location and said it will be replaced as part of a general upgrade programme of speed cameras in Kent to digital cameras. The Council did also mention they were considering an 'interim solution'. This is welcome news for residents as they are very concerned about

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their safety due to speeding vehicles, including HGV vehicles. However, the Council has not offered any time scales for the upgrade, and neither did they mention what the 'interim solution' is and when will it be implemented.

I am asking for the Council to clarify when the 'interim solution' will be implemented?"

Please note that this question was withdrawn ahead of the meeting as the matter had been resolved.

H) Stephen Dyke of Strood asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following question:

"The number of homes proposed to be built in the Medway area over the next 20 years means that inevitably conflict will arise between preserving the local environment and making land available for housing.

As the Cabinet Member whose area of responsibility includes both Housing Strategy and Greenspaces, can you confirm which will take priority as far as Medway Council is concerned in the event of any such conflict: will it be removing restrictions on housing development or protecting Medway's natural environment?"

Councillor Doe thanked Mr Dyke for his question and stated that the Council was currently working on preparing a new Local Plan for Medway which would be available next year. The first parts of the plan-making process were to undertake a Strategic Land Availability Assessment. He stated that it would be quite wrong to simply say that the Council would have a blanket bias on one side or the other. What the Local Plan sought to do was to balance competing demands for space and also comply with the government edicts which underpin it.

Councillor Doe stated that, in terms of the number of homes that had to be provided, this was a very complex equation. Members would weigh these matters up and try very hard to come to sensible decisions and they would spend a lot of time considering what the public had to say on the issues.

He stated that the Council had consulted widely on this, and would continue to do so. He stated that when the spatial options paper was published in January/February next year, this would indicate the two tensions between housing and green spaces and how they would be resolved.

He concluded by stating that this was a difficult matter and that he could not pre-determine this matter before the Council had taken all the steps to produce the Local Plan, when the Council would take into account the value of each open space and the value of the housing land.

162 Leader's Report

Discussion:

Members received the Leader's Report and raised the following issues during the debate:

- Stability for the local community
- Supporting young people
- Medway's strategic future
- Post referendum issues facing the Council
- Councillor O'Brien, Portfolio Holder for Children's Services
- Improvement in schools' standards
- Barbara Peacock, Director of Children's Services (who had recently left the Council's employment)
- Devolution issues
- Housing (Demand, Supply and Affordability) Task Group
- Councillors' representative role
- Regeneration issues including Rochester Riverside and Strood Town Centre
- Surestart Children's Centres
- Medway Maritime Hospital.

163 Report on Overview and Scrutiny Activity

Discussion:

Members received a report on overview and scrutiny activity and raised the following issues during the debate:

- Procurement Strategy
- 6 Monthly Review of the Council's Corporate Business Risk Register
- 16-19 Strategy
- Update on Medway NHS Foundation Trust
- Proposed Development of the Health Service or Variation in Provision of Health Service - Relocation of Stroke Beds from St Bartholomew's Hospital
- Housing (Demand, Supply and Affordability) Task Group
- Medway Norse
- Call-In – Various Land Disposals
- Flytipping
- Bulky waste collection service
- Controlled Parking Zone review
- Update on Arriva Services in Medway
- "Getting Better Together" Medway Adult Social Care Strategy
- Ofsted reports
- Mental Health services
- Local Plan.

164 Members' questions

A) Councillor Joy asked the Portfolio Holder for Corporate Services, Councillor Mackness, the following question:

“Following the increased reports of hate crime in the form of racist and xenophobic abuse across the country, what is Medway Council doing to ensure the safety of all of our residents, especially EU migrants and also reassure them that our council will not tolerate this sort of criminal behaviour?”

Councillor Mackness stated that the Council totally condemned hate crime of any description. Medway had a proud history of being a tolerant, multi-cultural society and that would continue.

Councillor Mackness stated that the Council was working closely with Kent Police, who monitored the situation daily and would respond robustly to any reported incidents. Whilst he was pleased that there had been no reported increase in hate crimes in Medway, he was mindful of those that may feel threatened or insecure and the Council would continue to do all it could with its partners to support vulnerable persons.

Kent Police had a team of Community Liaison Officers to develop, maintain and improve positive relationships in the community and who were key to identifying and managing community tensions and providing appropriate reassurance.

He stated that, at the Community Safety Partnership consultation event, held on 12 July 2016, the Medway Police Commander confirmed that hate crime was a priority for the police; there had been no rise in reports which was the case as of today, but he emphasised that it was essential to report any instances. Councillor Mackness strongly urged anyone who thought they may have either experienced or witnessed a hate crime to report it by either:

1. calling the Police on the 101
2. contacting Crimestoppers on 0800 555 111, or online at <https://crimestoppers-uk.org/>
3. contacting the True Vision website at www.report-it.org.uk

Finally, always dial 999 if there was an emergency, crime was in progress or life was in danger.

B) Councillor Price asked the Leader of the Council, Councillor Jarrett, the following question:

“Could the Leader please outline what contingency plan the Council made in advance of 23 June, for the event that Britain voted to leave the European Union?”

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Councillor Jarrett stated that this was quite an interesting question and had been the subject of a discussion with the Chief Executive before the referendum and subsequently whether or not the Council would carry out any scenario planning in the eventuality of a whole range of things. Councillor Jarrett had decided that the Council would not undertake any scenario planning because it would be a rather facile exercise.

He stated that, firstly, there were such a wide range of scenarios it would be almost impossible to measure them.

Secondly, he considered how would the Council allocate scarce, and in some cases non-existent resources, to a range of such scenarios. He stated that it was much more important then, and he still thought the same now, to get on with the day job of running Medway Council effectively, delivering good quality services to Medway residents, making the best use of scarce resources and having confidence in the Conservative Government to deal with whatever situation would arise.

He stated that the UK had voted to leave the European Union and as a result there had been some difficulty at a national level, however, this had settled down very quickly. There was a new Prime Minister, a new team at the top of government, a commitment to exercise Brexit dictated by the British people and he believed that all local authorities would be well advised to wait and see what happened at a national level.

He referred to Councillor Chishti's comments earlier in that Article 50 would not be implemented for a few months. In fact, the new Prime Minister had said it would not be this year. So there was plenty of time for negotiations to be carried on that, in the meantime the Council would get on with the day job and let others write rather fatuous questions.

C) Councillor Khan asked the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers OBE, the following question:

“Could the Portfolio Holder please outline to the Council, in light of the fact that Medway has received large sums of money in funding from the European Union in the past, what action he will be taking to offset the loss of future funding, making specific reference to how he will be safeguarding the 7,000 jobs in Medway which are now at risk as a consequence of the UK's withdrawal from the European Union?”

Councillor Rodney Chambers OBE stated that the precise impact, threats and opportunities arising from the UK's decision to leave the EU were yet to be ascertained, and it was too early to quantify how many jobs, if any, were at risk in Medway. There had been no discernible drop in enquiries from businesses wishing to relocate in Medway and the Council was not aware of, nor been approached by any major investors or businesses planning to move out of Medway as a consequence of the EU referendum result. Therefore at this moment in time, and for the foreseeable future, it would be business as usual.

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He stated that with reference to the potential loss of future funding, it was not clear as to when the cut-off point for EU funding would be and this was unlikely to be clear until nearer the end of the year at the earliest. In the meantime, the Council would continue to pursue EU and non EU based funding to support the growth and skills agenda including the Local Growth Fund (LGF) and Coastal Communities Fund known (CCF). In addition, it was highly likely that once the position and timescales on EU funding were clear, central government would consider and develop opportunities for other means of funding which the Council would fully utilise.

He stated that he was sure that Members would be pleased to know that last week, he had been fighting Medway's corner in order to achieve a further £1.2million towards skills training and jobs creation. This was on top of the £28.5 million the Council had received from round 1 of growth funding and £4.4million the Council had received from round 2 and the significant amount the Council had received from the Coastal Communities Funding. Furthermore, another bid had been submitted to assist the Council to look at the Strand and the Gillingham Riverside area

He concluded by stating that it was important not to talk down the country's prospects. The decision had been taken and everyone needed to move forward and fight for Medway's best interests, something the administration would continue to do.

D) Councillor Murray asked the Portfolio Holder for Adult Services, Councillor Brake, the following question:

“Over several years many people have campaigned for a new hospital to be built in Medway. Could the Portfolio Holder please inform the Council as to whether this is something that the Council will support once we, inevitably, receive £350million as was promised by the ‘Vote Leave’ campaign on a weekly basis to be spent on the NHS?”

Councillor Brake stated that should the NHS be bolstered by the quoted £350m a week and it thought appropriate by NHS England, he would be delighted, as he was sure his colleagues, would also be, to support the building of a new hospital here in Medway.

E) Councillor Maple asked the Leader of the Council, Councillor Jarrett, the following question:

“As somebody who campaigned to leave the European Union could the Leader of the Council please reassure the many EU nationals who currently reside in and make a huge and invaluable contribution to Medway that they will continue to be welcome here in spite of the vote to leave the European Union?”

Councillor Jarrett stated that this was a good and important question, particularly on the third line it referred to those that currently reside in Medway and make a huge and invaluable contribution to Medway. He stated that his

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position, and as far as he was aware it was still the Government's position that it welcomed those that could make a contribution to the economy and way of life and still welcomed those fleeing persecution. It also took seriously its duty to unaccompanied asylum seeking children and he did not anticipate that any of that changing whether the UK was in the European Union or not.

Councillor Jarrett stated that he did not specifically campaign to leave the European Union, however, he had expressed his views on a number of occasions, which was slightly different to campaigning. He also stated that when this matter had been discussed by the Conservative Group on Monday evening everyone agreed that there had been a mature and reasoned difference of opinions. This did not mean any of the Group had fallen out which was more than could be said for those in the party opposite.

F) Councillor Osborne asked the Leader of the Council, Councillor Jarrett, the following question:

“A recent Channel 4 Dispatches programme has revealed Medway Council has £101,800,000 in private sector loans with a further £60,525,000 in Public Works Loans. This places Medway Council in the leading 30 Local Authorities for private sector LOBO (Lender Option Borrowing Option) Loans in the UK.

Some Councils like Newham and Cornwall are being charged interest rates of more than 7% on tens of millions of pounds of these LOBO loans at a time when base rates are at a historic low. Expensive exit fees imposed on councils by banks like RBS and Barclays mean that councils cannot get out of these loans which can run for up to 70 years.

Can you confirm and itemise the cumulative outstanding loans from the Council to the private sector (including Banks) listing the rate of interest, repayment duration, the sum of money including whether any of these loans are 'Inverse Floater' loans?”

Councillor Jarrett stated that Channel 4's Dispatches programme broadcast on 6 July 2015 criticised the high rates of interest being paid by many councils on LOBO loans taken out between 2003 and 2011. Whilst it was true that Medway Council's debt comprised just over £100m of such loans, all of them were taken out at rates below those being charged for loans of the same duration available from the Public Works Loan Board (PWLB) at the dates of advance.

The programme also made reference to the use of 'inverse floaters'. This type of loan would have been taken out as a hedge against interest rate increases and in the case of those local authorities that did this, they represented only a modest element of their overall debt portfolio. Councillor Jarrett confirmed that Medway Council did not hold any 'inverse floaters'.

At the time these loans were taken out, the dramatic fall in interest rates could not have been foreseen and against other products at the time they represented good value at the time.

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He stated that even the premature repayment fees, which whilst significant and effectively prohibit debt restructuring, were not wildly dissimilar to the fees attached to early repayment of long term PWLB loans.

He stated that Councillor Osborne had asked for itemised information and he ensured that Councillor Osborne would receive it and that all Members would receive it via the minutes of the meeting.

G) Councillor Cooper asked the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers OBE, the following question:

“Could the Portfolio Holder give an update on the Administration’s view on fracking, with specific reference to the potential impact on the river Medway, following the decision by North Yorkshire County Council to allow for it in their community?”

Councillor Rodney Chambers OBE stated that, hydraulic fracturing, (as it was known) or ‘fracking’ was a technique used in the extradition of gas and oil from shale rock by injecting water at high pressure. The process was subject to a number of regulatory regimes, including planning permission.

The exploratory appraisal or production phases of hydraulic fracturing could only take place in areas licensed by the then Department of Energy and Climate Change.

There were currently no licenced areas for exploration of fracking in Medway, nor did information published by the then Department of Energy and Climate Change identify any potential areas in Medway.

He stated that there was no published information to indicate that Medway’s geology provides the conditions to support the exploration of fracking.

H) Councillor Shaw asked the Portfolio Holder for Adult Services, Councillor Brake, the following question:

“At last week’s meeting of the Cabinet it was agreed that every service user at the Lordswood Community Hub would be supported following the decision to close the facility.

Could the Portfolio Holder please give a commitment that this is the case and agree to update the Council when we meet again in October to ensure the smooth transition of vulnerable residents?”

Councillor Brake stated that as Councillor Shaw knew from the Cabinet meeting, he was determined to ensure that every service user, and there were now 11 people involved at the Lordswood Community Hub, would be supported following the decision.

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He reiterated that his position on this had certainly not changed and he was expecting the process to happen much sooner than October and he would ensure that all Members were contacted to inform them of exactly what had happened.

165 Community Safety Plan 2016/2020 (Policy Framework)

Discussion:

This report provided information on the Community Safety Plan 2016/2020. It was noted that Community Safety Partnerships (CSPs) were under a duty to produce a Community Safety Plan to formulate and implement a strategy to reduce crime and disorder, combat substance misuse, and reduce reoffending.

The report provided details of the approvals process for the Plan, including consideration by the Regeneration, Community and Culture Overview and Scrutiny Committee and Cabinet, as part of the policy framework rules.

A refreshed Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 3 to the report. This indicated that the Community Safety Plan complies with the requirements of the legislation.

The Portfolio Holder for Corporate Services, Councillor Mackness, supported by the Deputy Leader and Portfolio Holder for Corporate Services, Councillor Doe, proposed the recommendation in the report.

Decision:

The Council approved the Community Safety Plan 2016/ 2020, as set out in Appendix 1 to the report.

166 Database and Virtual Server Infrastructure Licensing Model - Addition to the Capital Programme

Discussion:

This report provided details of a proposal to change the ICT infrastructure which in turn will create long term savings in database licensing expenditure. Approval to secure a budget of £226,000 by using prudential borrowing over a 5 year term was required as an addition to the Capital Programme.

The report stated that the Cabinet had considered these proposals on 7 June 2016, as set out in paragraph 7.1 of the report.

The Portfolio Holder for Corporate Services, Councillor Mackness, supported by the Portfolio Holder for Resources, Councillor Gulvin, proposed the recommendation in the report.

Decision:

The Council approved option 2, as set out in paragraph 4.2 of the report, as an addition to the Capital Programme.

167 Approval of Reason for Absence of a Councillor from Meetings

Discussion:

This report provided details of a proposal to approve the reason for failure to attend meetings by Councillor Mike O'Brien due to ill health, in accordance with section 85 of the Local Government Act 1972. This stated that if a Member of a local authority failed throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, he/she shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a Member of the authority.

The Leader of the Council, Councillor Jarrett, supported by the Leader of the Labour Group, Councillor Maple, proposed the recommendation set out in the report.

Decision:

The Council agreed that Councillor Mike O'Brien should not cease to be a member of the Council, if as a consequence of his ill health, he is unable to attend any meeting of the authority before 10 September 2016.

168 Motions

A) Councillor McDonald, supported by Councillor Johnson, submitted the following:

"We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country.

Therefore, we at Medway Council condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Medway Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in Medway that they are valued members of our community."

The Portfolio Holder for Corporate Services, Councillor Mackness, supported by the Deputy Leader and Portfolio Holder for Corporate Services, Councillor Doe, proposed the following amendment.

"Line 6: Insert "continue to" after "Medway Council will"

Council, 21 July 2016

Line 8: Insert “as necessary” after “racism and xenophobia”

Amended version should read:

“We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country.

Therefore, we at Medway Council condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Medway Council will **continue to** work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia **as necessary**.

We reassure all people living in Medway that they are valued members of our community.”

In accordance with Council Rule 11.4.1 and with the consent of the Council, Councillor McDonald agreed to alter the substantive motion as set out above.

Decision:

We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country.

Therefore, we at Medway Council condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Medway Council will continue to work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia as necessary.

We reassure all people living in Medway that they are valued members of our community.

B) Councillor Johnson, supported by Councillor Cooper, submitted the following:

“This Council recognises the plight of vulnerable young refugees and Unaccompanied Asylum Seeking Children who seek refuge in our Medway community.

It undertakes to engage in constructive dialogue with community groups, voluntary agencies, statutory bodies, educational institutions and other interested parties to develop support networks and opportunities for integration that may include but are not limited to:

- Educational opportunities;
- Access to purposeful activities;
- Structured contact with local residents.”

Council, 21 July 2016

In accordance with Rule 12.4 of the Council Rules, a recorded vote on the motion was taken.

For – Councillors Bowler, Cooper, Craven, Gilry, Godwin, Griffiths, Johnson, Khan, Maple, McDonald, Murray, Osborne, Price, Shaw and Stamp (15)

Against – Councillors Bhutia, Brake, Brown-Reckless, Carr, Mrs Diane Chambers, Rodney Chambers OBE, Chishti, Chitty, Clarke, Doe, Etheridge, Fearn, Franklin, Griffin, Gulvin, Hicks, Iles, Jarrett, Kemp, Mackness, Pendergast, Purdy, Royle, Tolhurst, Tranter, Turpin, Wicks, Wildey and Williams (29)

Abstain – Councillors Howard, Joy, Opara, Saroy and Tejan (5).

The motion was lost.

Mayor

Date:

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