

**Medway Council**  
**Meeting of Medway Council**  
**Thursday, 26 January 2017**  
**7.00pm to 10.40pm**

**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 Aldous, Bhutia, Bowler, Brake, Carr,  
Mrs Diane Chambers, Rodney Chambers, OBE, Chitty, Clarke,  
Cooper, Doe, Etheridge, Fearn, Filmer, Franklin, Freshwater,  
Gilry, Griffin, Griffiths, Gulvin, Hall, Hicks, Howard,  
Mrs Josie Iles, Steve Iles, Jarrett, Johnson, Joy, Kemp, Khan,  
Mackness, Maple, McDonald, Murray, Osborne, Pendergast,  
Potter, Price, Purdy, Shaw, Stamp, Tejan, Turpin, Wicks 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  
Julie Keith, Head of Democratic Services  
Ian Sutherland, Interim Director, Children and Adults Services  
Phil Watts, Chief Finance Officer

**650 Apologies for absence**

Apologies for absence were received from Councillors Avey, Chishti, Craven, Godwin, Royle, Saroy, Tolhurst and Wildey.

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

Disclosable pecuniary interests

There were none.

Other interests

Councillor Brake declared an interest in any reference to the matter of business rate relief because he is the Chairman of the Medway Towns District Scouts Council. Whilst he had withdrawn from the Cabinet meeting (17 January 2017) for the discussion and voting on the matter, he had been advised by the

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Monitoring Officer that he could remain in the meeting as no decisions were being made on the matter.

Councillor Carr declared an interest in any reference to the matter of business rate relief because he is a Trustee of Chatham Historic Dockyard.

Councillor Rodney Chambers OBE declared an interest in any reference to the matter of business rate relief because he is a Trustee of the Chatham Historic Dockyard Trust. Whilst he had withdrawn from the Cabinet meeting (17 January 2017) for the discussion and voting on the matter, he had been advised by the Monitoring Officer that he could remain in the meeting as no decisions were being made on the matter.

Councillor Mackness declared an interest in any reference to business rate relief because he is the Chairman of the Chatham Maritime Trust. Whilst he had withdrawn from the Cabinet meeting (17 January 2017) for the discussion and voting on the matter, he had been advised by the Monitoring Officer that he could remain in the meeting as no decisions were being made on the matter.

Councillor Maple declared an interest in any reference to business rate relief because he is a member of the Chatham Maritime Trust.

Councillor Murray stated that with reference to agenda item 11 (Community Governance Review – Proposed Establishment of Rochester Town Council), she had made her position clear on this matter. However, she stated that she would not serve on the proposed Working Group and she reserved her right to speak on the matter.

Councillor Opara declared an interest in agenda item 13 (Shared Legal Service between Gravesham Borough Council and Medway Council) because her daughter works for Medway's Legal Services department.

Councillor Tejan declared an interest in any reference to business rate relief because he is a member of Medway Towns Sea Cadets.

### **652 Record of meeting**

The record of the meeting held on 13 October 2016 was agreed by The Worshipful The Mayor of Medway as a correct record.

### **653 Mayor's announcements**

The Worshipful The Mayor of Medway welcomed two newly elected Councillors to the meeting – Councillors Aldous and Mrs Josie Iles.

The Mayor reminded Members that he was raising money for Christians Against Poverty during his term of office and he asked for support for the various events being held. Tickets were available from the Mayor's Office for a Curry Night on 7 March and The Big Quiz on 22 April. He also referred to a

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forthcoming visit for invited guests to showcase the Chatham Historic Dockyard.

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.

The Mayor asked Members to speak clearly into the microphones to ensure people in the public gallery could hear. He also stated that additional speakers had been provided in the public gallery this evening following the difficulties experienced at the last meeting and he apologised to any members of the public who had attended the meeting.

The Mayor reminded Members that the meeting was audio recorded and that the recording would be made available on the Council's website. In addition, he 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.

### **654 Leader's announcements**

There were none.

### **655 Petitions**

#### Public

There were none.

#### Members

Councillor Johnson submitted a petition containing 55 signatures which requested the Council to install a loading bay for the Essentials Shop, Canterbury Street, Gillingham.

Councillor Maple submitted a petition containing 71 signatures which requested the Council to improve road safety in the Pattens Lane/Wilson Avenue area of Rochester.

Councillor Murray gave notice that she would be submitting a petition regarding opposition to a proposed controlled parking zone area in Kitchener Road, Strood.

### **656 Public questions**

#### **A) Mike Billingham of Chatham asked the Leader of the Council, Councillor Jarrett, the following:**

"When is the Council going spend some of the money taken from permit parking and use it for the purpose it should be used, to develop the remainder

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of the Jezreels site, which is shown on the Council's own website as still being owned by the Council, and therefore the ratepayers, as a car park for local residents (not the old car park which has been sold)?"

Councillor Jarrett thanked Mr Billingham for his question. Councillor Jarrett confirmed that the Council owned the land in question. Some of this land was used for permit parking for local residents and whilst the Council had retained the freehold of the other section of the land, this had been sold on a 125 year lease from 5 December 2013. The Council was, therefore, no longer in control of this land to use as an extension to the existing residents' car park and the purchaser had an option to buy the freehold after 1 April 2019.

Councillor Jarrett advised Mr Billingham that the Council was aiming to put in place a Parking Strategy which would consider all on-street and off-street parking areas and that this would include the area at the Jezreels site.

He stated that the aim of a Parking Strategy would be to provide safe, enforceable parking solutions that make maximum use of new technology, for example to apply for permits online.

**B) Guy Jordan of Strood asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

"Following recent tragic events in Medway, will the Council review its homeless strategy, especially provision for rough sleepers?"

Councillor Doe thanked Mr Jordan for his question. He stated that Medway's current Homelessness Prevention Strategy had been approved by Cabinet in 2014. In October 2016, the Council had undertaken a review of homelessness in Medway and the findings of the review and consultation with key partners and stakeholders had been used to inform the development of the draft Homelessness Prevention Strategy 2017.

The draft strategy would set out how Medway Council, in partnership with stakeholders, would prevent and tackle homelessness and would be available for consultation in early February.

It would be shaped by current and anticipated national policy and would be reviewed regularly to ensure it remained relevant. The strategy recognised that homelessness was a complex problem, with multiple causes and had an emphasis on prevention and early intervention through multi-agency working. The strategy included a section on the help available for rough sleepers, including the supported accommodation that was commissioned by the Council.

**C) David Crowhurst of Hempstead had submitted the following question to the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe:**

"I note that the Council was unsuccessful in two applications to the Government's Homelessness Prevention Programme whilst a number of our

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fellow Kent local authorities were successful. I also note that those successful authorities appear to have worked in collaboration with other authorities.

So could the Portfolio Holder please inform me whether Medway worked in collaboration with any other local authority and if this was not the case, perhaps he could inform me why Medway chose not to?"

As David Crowhurst was not present at the meeting, the Mayor stated he would receive a written response to his question in accordance with Council Rule 8.6.

**D) Dalia Halpern-Matthews, Nucleus Arts, asked the Portfolio Holder for Business Management, Councillor Turpin, the following:**

"How can Medway Council justify the addition of 20% rates against Medway Council's strategic priorities - A place to be proud of; to maximise regeneration and economic growth; to support Medway's people to realise their potential?"

Councillor Turpin stated that this was a decision which had been taken after discussion with other Members of the Council and he thanked those Members for working with him on this issue over a long period of time.

Councillor Turpin stated that these had been difficult decisions to make. However, the effects of the Council failing to raise enough income could be very serious. The Council, along with the NHS, was the ultimate backstop for the most vulnerable members of society and the Council had had to take far more swingeing cuts than the NHS.

He stated that the Council's responsibilities were often so important that they were backed up by statute and enforced by judges' decisions but not to meet them was not an option despite increasing costs. Taking children at risk into Care and working with the NHS and care homes and often footing the bill to ensure continuity and quality of care at the other end of life, were just two of the heavy responsibilities of Council.

He stated that the Council would have been offered no sympathy had it reduced funding for meeting its statutory responsibilities to the Council's most vulnerable residents. Therefore, the Cabinet had exercised its powers to remove the discretionary part of business rates which was 20%; the remaining 80% to charities remained mandatory.

**E) Steve Dyke of Strood had submitted the following question to the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty:**

"The National Institute for Health and Care Excellence (NICE) recently conducted a public consultation on its draft guidance about practical measures that can be taken to improve air quality, including in relation to planning and transport. The guidelines are intended for local authority staff and Councillors, among others, and Medway Council would seem to be an eligible stakeholder in relation to the guidance.

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Medway has an acknowledged problem with certain types of air pollution. The Council is also currently developing its Local Plan.

It is to be hoped therefore that as a responsible local authority, Medway Council will have responded to this consultation. Can the Councillor advise if this is indeed the case and if its responses will be made public?"

As Steve Dyke was not present at the meeting, the Mayor stated he would receive a written response to his question in accordance with Council Rule 8.6.

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

"Following the deaths of two further homeless people in Chatham over the Christmas period does he now regret the inadequate answer he gave following the death last summer of Samson Paine and will he now consider his position and resign?"

Councillor Doe thanked Mr Berry for his question. He stated that whilst it would not be appropriate to comment in detail on the personal circumstances of the individuals concerned, he did consider that, as he was sure that all Members did, that deaths in these circumstances were very sad indeed.

The Council would continue to work within the framework that was set out in the legislation for assisting people that found themselves homeless within the Medway area. In addition to meeting statutory obligations, the Council provided advice and assistance. The Council also commissioned a number of services that provide accommodation and support for single people.

He stated that the Council had taken steps to implement protocols to safeguard rough sleepers against extended periods of cold weather and would continue to do so in line with national guidelines.

He stated that the Council would continue to work with partners, charities, health and social care to provide the support that rough sleepers need, although he recognised the Council would not be able to provide accommodation for all people at all times.

He also stated that he had no intention of resigning.

**G) Paul Chaplin of Rainham asked the Portfolio Holder for Adult Services, Councillor Brake, the following:**

"In view of the fact that care staff now have to be paid the minimum wage, and the Council have not increased the money they pay to care homes for about two years, how much are the Council intending to increase the council tax to fund social care?"

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Councillor Brake thanked Mr Chaplin for his question. He stated that Full Council would set its budgets, including Council Tax, for 2017/2018, at its meeting on 23 February 2017.

Councillor Brake referred Mr Chaplin to a report to the last Cabinet meeting (17 January 2017) on the provisional local government settlement which stated that upper tier local authorities, such as Medway, would also be able to continue to apply the so-called "social care precept". However, local authorities would now be able to increase Council Tax by up to an additional 3.0% per annum in 2017/18 and 2018/19.

Local authorities that took advantage of this further flexibility would not be able make a further increase in 2019/20, as the total allowable increase over the three-year period would remain at 6.0%.

He stated that work was ongoing to present the budget, initially to Cabinet on 7 February and then to Full Council on 23 February for final approval.

He also assured Mr Chaplin that Medway Council did increase the money paid to care homes that provide services to older people and to those suffering with dementia in the financial year 2016/17.

### **H) John Castle of Chatham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

"Streetlink work tirelessly in London to prevent such tragedies as the two deaths in Medway by aiming to provide a place of safety for all those found sleeping on the street.

Medway Council relies heavily on the voluntary sector to provide such services under the Severe Weather Protocol. The guidelines are followed more strictly in some areas than others regarding the 3 nights below 0 in particular.

When does Medway Council plan to take similar action to prevent similar needless deaths?"

Councillor Doe thanked Mr Castle for his question. He stated that the framework the Council worked to was a national model developed by Homeless Link. The Severe Weather Emergency Protocol (SWEP) was triggered when the weather was forecast to be freezing or below for three consecutive days. The Council monitored the weather forecast on a daily basis and would make a decision as to whether to trigger the Protocol based on the long term forecast.

For example, if the weather was forecast to be fluctuating around zero degrees over a sustained period of time, then the SWEP would be triggered for the whole period despite the fact that the temperature might be above freezing for some of that time.

He stated that the SWEP was communicated to all stakeholders via the Homelessness Forum. The Homelessness Forum was well established and



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made up of a range of services and organisations who directly worked with homeless clients or those who were at risk of becoming homeless.

When the SWEP was triggered, the Council would provide emergency accommodation for people with nowhere to sleep that night. During office hours, people could approach the Housing Options Team at Kingsley House, in Gillingham, who would assess the individual's circumstances and manage the arrangements for booking emergency accommodation.

Outside of office hours, the Council's out of hours homelessness service would arrange to place rough sleepers into emergency accommodation during the time that the SWEP was in operation.

**Note:** At the end of this item, the Mayor adjourned the meeting for a period of five minutes (7.30pm-7.35pm) owing to a disturbance in the public gallery.

### **I) Robert Heathfield of Chatham had submitted the following question to the Portfolio Holder for Business Management, Councillor Turpin:**

"The public consultation on Business Rates highlighted that the proposed option two will mean charity shops paying 20% business rates, this means in reality Medway Council is taking money from many local charities including those who help terminally ill children.

What do you say to families who have terminally ill children who will see reduced funding for those charities?"

As Robert Heathfield was not present at the meeting, the Mayor stated he would receive a written response to his question in accordance with Council Rule 8.6.

### **657 Leader's report**

#### **Discussion:**

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

- Regeneration projects funded by Local Enterprise Partnership, Heritage Lottery Fund (Eastgate House) and the Local Growth Fund
- Schools performance/educational attainment
- Support to vulnerable people
- Business rate relief
- Homelessness
- Local Plan
- Local Government finance
- Public Health initiatives.



**658 Overview and scrutiny activity**

**Discussion:**

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

- School Admission Arrangements
- Recommissioning of Medway Child Health Services
- Business Rate Relief
- Shared Legal Service between Gravesham Borough Council and Medway Council
- Development of GP Services in Medway
- Scrutiny of South East Ambulance Trust
- Kent and Medway Sustainability Transformation Plan
- Annual Scrutiny of the Community Safety Partnership
- Dementia Task Group
- KMPT Mental Health Update
- Housing Strategy Annual Review
- Christmas waste collections
- Cemeteries openings at Christmas
- Short Breaks Provision for Children with Disabilities and the Local Offer
- Future of the Medway Duke of Edinburgh Award Scheme
- Future Integrated Youth Support Services.

**659 Members' questions**

**A) Councillor Freshwater asked the Leader of the Council, Councillor Jarrett, the following:**

“Members will be aware that the Government in recent years have very much raised the profile and public concerns over pollution both in rivers and the sea. The sewage and polluted water in the tidal section of the River Medway have got stalled in an insanitary circulation, which is slowly getting worse and I understand there is no action being taken to ease this situation. Later this year, Medway Council is hosting a celebration of the Dutch Invasion of the Medway which will attract a large number of visitors, including from the Netherlands who are very likely to be horrified at the state of the water and the lack of available pump-out facilities.

Can the Leader of the Council, therefore, please outline what urgent consideration and action Medway Council is going to take in connection with public health concerns over the pollution and sewage contamination of the tidal Medway in hosting the important Battle of Medway celebrations in June 2017.”

Councillor Jarrett thanked Councillor Freshwater for his question. He stated that the Council had no jurisdiction, responsibility, nor enforcement powers in relation to this issue but officers had investigated isolated incidents and worked with partners to establish where any legislative responsibility sat.

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Councillor Jarrett stated that Peel Ports had confirmed that sewage discharge from house boats was a national issue that occurred all across the UK. Peel Ports Medway did not regulate sewage discharge from house boats used for residential purposes. Further, the Environment Agency had no legislation to prevent discharge of sewage into tidal waters from vessels either.

He stated that over the last few years the Council had successfully delivered the River Festival, which had attracted many visitors and recreational river users and the Council had not received any complaints concerning pollution of the River during those occasions.

He stated that, on this basis, the Council had no concerns in relation to The Battle of Medway commemorations, and he was looking forward to welcoming many thousands of visitors both from within the UK and international visitors, putting Medway firmly on the map, as always.

He also stated that the wider estuary provided outstanding examples of varied and thriving habitat for breeding and migrating birds, and that could only occur where the river was in good health.

**B) Councillor Pendergast asked the Leader of the Council, Councillor Jarrett, the following:**

“The Medway Local Plan, currently being consulted on for 3 years, sets out the vision for the Council’s approach to development between 2012 and 2035. When adopted, the plan will play an important role in shaping Medway’s future.

The Council will be aware that the proposed 30,000 new homes and current 7,000 approved, but unbuilt homes, will generate an additional £55 million per year in Council Tax.

It would seem right therefore that the Local Plan also includes a vision and statement informing residents where this additional colossal income sum will be spent for the benefit of Medway residents. Can you confirm that this will be the case?”

Councillor Jarrett thanked Councillor Pendergast for his question. He stated that the second paragraph ‘The Council will be aware that the proposed 30,000 new homes and current 7,000 approved’ reflected figures which were one and the same. Therefore, the total was 29,463 homes, not the 37,000 which Councillor Pendergast’s question inferred.

Councillor Jarrett, in responding to the question, stated that there was no requirement to include such a statement in the Local Plan, and in terms of any increase in the amount of Council Tax raised, this would be used, as always, to continue to deliver high quality services to local residents.

He stated that additional Council Tax yield was not just money for the Council to dispose of as it wished, there were all the issues which came with additional

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housing in terms of servicing residential settlements and residential areas such as road maintenance, waste collection and disposal and, of course, the adequate supply of social care services to those who needed it.

He stated that he wished the Council could have £55m to spend how it liked but that was not going to be the case at all.

**C) Councillor Fearn asked the the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

“I believe this whole Council will wish to express its sadness that during the Christmas period two homeless men died in Medway.

Can the Portfolio Holder confirm with me what preventative work and measures our Council is taking with regard to the homeless including how much money is being spent in tackling the issues relating to homelessness within Medway?”

Councillor Doe thanked Councillor Fearn for his question. He stated that the Council’s homelessness activity was carried out by the Housing Options Team based at Kingsley House, providing advice, guidance and accommodation where appropriate. In all cases the Council would try to prevent homelessness at an early stage as possible either by assisting people to remain in their existing home or helping them to obtain alternative accommodation. For 2016/17, the identified budget for work with people who were homeless or threatened with homelessness was £2.3m however, he stated that the Council was spending even more than that.

Councillor Doe stated that the Council directly commissioned 246 units of supported accommodation for a range of clients and 93 units specifically for homeless people via the Housing Related Support budget. The Council also funded a floating support service, giving advice and support to vulnerable clients to sustain their tenancies and the budget for these services in the current year was £1.36m.

He stated that the Council also engaged in a number of partnership arrangements to lead as well as support work that was undertaken to address the housing needs of the population of Medway. Work would continue with partners to address the needs of some of the most vulnerable groups of people who may be at risk of homelessness.

He stated that the Homelessness Policy was always under a state of review, as referred to in a previous answer earlier in the meeting. A draft of the policy was going out for consultation in February and he would be happy for this to be considered by Overview and Scrutiny.

He stated that the whole Council, regardless of political affiliation, deeply regretted anyone who had died under these circumstances. He referred to his first-hand experience of this in London and such cases were always extremely sad.

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He stated that the more the Council could do to prevent people from going on to the streets in the first place, through early intervention, would be the real key to success and this was why quite a lot of the expenditure was directed in such a way.

He also stated that this approach was having success compared with the performance of others in Kent. However, there was still more to do and he believed that the Government had more to do. He believed that the 16% increase in homelessness was unacceptable and that the appropriate pressure needed to be put on the Government.

**D) Councillor Griffin asked the Porfolio Holder for Business Management, Councillor Turpin, the following:**

“Do the community wardens have an effective plan in place to rescue stray dogs and promote responsible ownership?”

Councillor Turpin thanked Councillor Griffin for her question. He stated that the Council had a team of Community Wardens dealing with stray dogs. The service operated seven days a week between 8am and 9pm. The service was operational throughout the year, the only exceptions being Christmas Day and New Year’s Day.

Councillor Turpin stated that when a dog was found on the street, it was scanned by the warden. If it was microchipped, it would be returned to the owner straight away. If the owner was not at home, or there was no microchip it would be taken to kennels. A notice would be left for the owner informing them that the dog was in the Council’s care.

There was legislation which allowed the local authority to recover reasonable costs from the owner which the Council was attempting to do.

He stated that to date this year, the service had dealt with 309 stray dogs. 187 were returned directly to their owners and 93 were taken to kennels. Of those taken to kennels, 98% were either rehomed or reunited with their owners. It was unfortunately necessary to have one dog put down due to its aggressive nature.

The service had recently entered into a new kennelling contract, which facilitated more space for stray dogs. Currently there were 9 dogs in kennels, some of which had been there since mid-December. The additional kennel space provided under the new contract had allowed the Council to keep these dogs until homes were found for them. Had the Council been operating under the terms of the previous contract, many of these dogs would have had to have been put down to free up kennel space.

He also stated that the good news was that homes had now been found for all of these dogs and they should be out of the kennels by next week.

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The service operated a free microchipping service for dog owners. So far this year, the Council had chipped 246 dogs in their own home.

**E) Councillor Bowler asked the Portfolio Holder for Business Management, Councillor Turpin, the following:**

“In light of the fact that Conservative Councillors on the Business Support Overview and Scrutiny Committee unanimously voted against Labour Group proposals to retain 20% support to all organisations that qualify for business rate relief due to being a community, voluntary or charity organisation, could the Portfolio Holder please inform me what value he places on the voluntary and community sector?”

Councillor Turpin thanked Councillor Bowler for his question. He assured Councillor Bowler that all of Medway’s Conservative Councillors and, he assumed, opposition Councillors, valued greatly the contribution of the charity sector to Medway. He stated that many Councillors were involved with charities in one form or another and understood the pressures they were under.

He stated that to protect charities, it had been agreed, in principle, that any charity dealing primarily with vulnerable or disadvantaged people would be protected. In practice, this meant around 100 charity premises would receive the 100% relief (80% mandatory and 20% discretionary). All other charities not covered by the exemptions would be limited to the statutory 80% discretionary relief.

He stated that these other charities should not in any way be seen as being second class charities. However, they had benefits which extended to people in the community who were not vulnerable, many of whom would be Council Tax payers themselves and would, therefore, see both sides of the argument.

He stated that the overall amount of business rate relief was still well over £8m for Medway every year, compared with less than £400,000 in discretionary relief, before allowing for the appeals process.

He stated that whilst he had not expected the consultation with charities based upon depriving them of their discretionary relief to be welcomed, many respondents to the consultation sympathised with the budgetary pressures faced by the Council and recognised that the Council was faced with difficult circumstances.

He stated that a significant number agreed with the proposed approach. He also stated, that knowing the resilience and inventiveness of charities, he had confidence that they would respond well to the challenge and see this as a bump in the road and in time appreciate business rate relief as a glass 80% full rather than a glass 20% empty.

He also stated that he wanted to reassure all charities that they were very much valued by the Council and all the Councillors. The Council wanted to work hand

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in hand with them into the future for the overall benefit of the people of Medway.

**F) Councillor Griffiths asked the Portfolio Holder for Business Management, Councillor Turpin, the following:**

“The report into Business Rate Relief which was discussed at the Business Support Overview and Scrutiny Committee meeting on 5th January made no reference to the impact of the loss of match funding given by the government towards business rate relief.

Could the Portfolio Holder please detail to Council what consideration was given to the impact of the loss of match funding from the government towards business rate relief?”

Councillor Turpin thanked Councillor Griffiths for his question. He stated that business rate relief was not devised as a match funding mechanism. Nor for that matter was it a charity tax, rather it was a long standing relief on business rates for charities made up of 80% mandatory relief and 20% discretionary relief.

He stated that in the relatively benign funding environment of the early 2000s the discretionary part of this relief became applied to all charities and not for profit organisations without exception. He explained that these proposals had revisited the discretionary elements of business rate relief in order to fulfil the commitment to scrutinise every penny of Council spending on behalf of the Council tax payer. At the moment 49% of the discretionary amounts raised would go to the Council, 50% to the Government and 1% to the Fire Service. However, this full amount would go to Council starting in 2020.

He stated that in making decisions on this matter, the Cabinet had taken everything into consideration as far as possible. With regard to charity shops, which had been the most controversial part of the proposal, the Cabinet had taken into consideration normal high street retailers who had faced severe competition from charity shops and a perfect storm of difficult trading conditions including a rise in the living wage, competition from out of town shopping centres and the internet. For every shop which failed and was replaced possibly by a charity shop using volunteers, approximately two jobs would be lost to the local economy and the Council would lose 100% under the proposals, falling to 80% of the business rate for that premises. This was approximately £10,000 per shop every year so there was a very real cost to the Council and the local economy, if charity shops expanded at the expense of retail businesses.

In addition, he stated that where there were large concentrations of charity shops, there was a danger that the market of second hand goods would become saturated and the charity shops themselves would suffer from competition with other charity shops.



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**G) Councillor Osborne asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

“Does the Portfolio Holder, on behalf of the Council, regret the deaths of two homeless people in Medway over the festive period?”

Councillor Doe stated that he had already answered this question earlier in the meeting and that every Member of this Council regretted the deaths of homeless people, not only at the festive period, but at anytime.

He stated that he was sure that all Members of the Council would regret that anyone had to be on the streets as homeless. There was a very difficult series of events that lead to homelessness and the Council tried very hard to prevent the cycle which ended in homelessness.

He also stated that he had long experience of this issue in London and had seen what it did to people. He believed that that street homelessness was one of the evils of our time.

**H) Councillor Price asked the Portfolio Holder for Children's Services (Lead Member), Councillor Mackness the following:**

“All Councillors will, I'm sure, take great pride in the fact that Medway has the second highest Duke of Edinburgh Awards achievements in the country. I am concerned that, under the Portfolio Holder's proposals to privatise the service, the standards currently being achieved in Medway will fall.

Can the Portfolio Holder reassure Council that these achievements are not at risk under his proposals?”

Councillor Mackness thanked Councillor Price for his question. He stated he was proud to secure a regional centre in Medway rather than Kent or Essex and that the centre of excellence, supported by Medway Council, would use Council premises.

The Duke of Edinburgh (DofE) award scheme had, undoubtedly, been a major success in Medway and the new model of delivery which would now happen through the DofE south east region, would be resilient and would see Medway maintain and improve on the existing success.

He stated that DofE South East was a national organisation and a charity, and as such it was not a private sector body. Therefore, the Council was not privatising the service. The model was cost effective and it would draw on a wealth of experience of a national organisation.

He also stated that it would be, in particular, supporting disadvantaged young people as it grew and moved forward and he was delighted with the decision that had been taken to support this excellent service founded sixty years ago by the Duke of Edinburgh.



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**I) Councillor Maple asked the Portfolio Holder for Business Management, Councillor Turpin, the following:**

“Christmas Day is a day which many people understandably think of their loved ones who are no longer with them. Many families take time to visit cemeteries on this particular day which is why the situation that occurred at cemeteries across Medway, including the one in my ward, not being opened was totally unacceptable.

Would the Portfolio Holder like to take this opportunity to apologise for Medway Council’s failure to ensure that the company that has responsibility for this failed to deliver an adequate service giving a clear indication of lessons learnt to make sure that the same situation never happens in Medway again?”

Councillor Turpin thanked Councillor Maple for his question. Councillor Turpin stated that Medway Norse had apologised for this error, and he would like to add his own apologies to those residents who were not able to enter the cemeteries as they had expected on Christmas morning.

He stated that, unfortunately, despite a thorough briefing, the member of staff who should have unlocked the cemeteries did not carry out his duties. For residents this was made worse by the fact that signage at the cemeteries did not make the opening hours clear and they were trying to gain access just after 9am when the opening time was 9.30am.

As soon as Medway Norse were alerted to the problem, another member of staff opened the cemeteries. All were opened between 10-10.30am. There were no further issues on any other days. However, this was a very regrettable but isolated incident which has been dealt with. He confirmed that disciplinary action had been taken against the member of staff concerned.

He also stated that the Bereavement Services Team and Medway Norse were looking at improving signage and reviewing Christmas opening hours for the cemeteries as there was clearly resident demand for an earlier opening time.

**J) Councillor Stamp asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

“As you are aware, a late night permit scheme operates in Rochester, which allows holders of parking permits to park their vehicles in a Council car park between the hours of 7pm and 9am, setting a precedent for the rest of Medway.

Therefore will the Portfolio Holder agree to extending the Rochester late night permit scheme to allow residents in Gillingham and other parts of Medway to park overnight in a specified car park close to where they live?”

Councillor Filmer thanked Councillor Stamp for his question. He confirmed that late night permits were issued to anyone wishing to park in one of the Rochester car parks between the hours of 7pm and 9am. These permits were

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car park specific and were at a cost of £33 per annum. If such a demand was demonstrated then this permit could be rolled out across Medway.

**K) Councillor Murray asked the Portfolio Holder for Adult Services, Councillor Brake, the following:**

“The Local Government Association estimates that the size of the funding gap in providing adult social care in England by 2020 is £2.6bn. For some Councils year on year cuts have reduced the hourly rate they pay to domiciliary care providers from £15 per hour to between £12 and £13 per hour which according to the UK homecare Association, barely covers the cost of a care worker's salary (paid at the minimum living wage), statutory holiday, travel, sickness and pension entitlements.

Can the Portfolio Holder tell me how much Medway Council pay per hour to both homecare and care home providers who are looking after our most vulnerable and elderly people making reference to whether he agrees with me that if the Government do not make more funding available for the provision of social care we will be unable to ensure that safe care arrangements to those entitled to support can be made?”

Councillor Brake thanked Councillor Murray for her question. He stated that the Council regularly reviewed the rates it paid for social care services. The UK Home Care Association published a report in 2016 which directly quoted Medway Council's average hourly rates following a Freedom of Information Act request submitted to the Council in May 2016.

Medway's published average hourly rate was £14.78, with the highest being £20.46 and the lowest being £11.45.

He stated that the Council had put home care services out to tender in late 2015 and the Council's new contract commenced on 1 April 2016. This was a framework agreement for a period of 4 years, to 31 March 2020. The Council increased the capped rates from £12.05 per hour to £14.40 per hour, and set new half hourly and  $\frac{3}{4}$  hourly rates. The Council also introduced a two tier pricing system for urban and rural locations, with care for rural wards capped at £15.80 per hour.

Since implementing this contract on 1 April 2016, the Adults Access to Resources Team had dealt with 1,383 referrals for care packages. The Council was currently meeting demand for care packages.

He stated that since the new homecare contract commenced on 1 April 2016, no providers had handed back the contract. Commissioners met regularly with providers to review contract arrangements and only one of the agencies had reported recruitment difficulties, primarily because they operate outside of the area.

The Council did not capture costs to Care Home Providers on the basis of an hourly rate, but on a weekly cost basis.

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Care Home services for people with disabilities were funded on an individual basis in order to meet the specific needs of service users. The average weekly price for a residential care home placement for clients with disabilities across learning disability, physical disability and mental health service user groups was £1,253.

He stated that it was important to note that the health service paid an additional sum (FNC) of £156.25 per week to the provider, for every person that was placed in nursing care.

He stated that, in answer to the point whether he agreed with Councillor Murray that if the government did not make more funding available for the provision of social health care, the Council would be unable to ensure that safe care arrangements to those entitled to support could be made, that this was a hypothetical question but he assured her that safety was paramount to all that the Council did for vulnerable people.

**L) Councillor Khan had submitted the following question to the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe:**

“Given that a number of neighbouring local authorities, including Canterbury, Maidstone, Tunbridge Wells and Thanet were successful in securing funding through the Government’s Homelessness Prevention Programme, could the Portfolio Holder please update Council as to why the two bids that we submitted to that programme were unsuccessful?”

**M) Councillor Cooper had submitted the following question to the Portfolio Holder for Business Management, Councillor Turpin:**

“Elderly users of the Age UK Medway day centres currently pay £42 per day. Any decision to withdraw the 20% support that Age UK Medway currently receives as a result of qualifying for business rate relief would result in an increased cost for those elderly people and will price many people out of using the service.

Does the Portfolio Holder believe that this is acceptable?”

**N) Councillor Gilry had submitted the following question to the Portfolio Holder for Business Management, Councillor Turpin:**

“Medway Council relies on the voluntary sector to deliver services and to provide support to local residents. If costs to voluntary sector organisations rise then the service that they are able to deliver will be limited at the expense of local residents.

Conservative members of the Council’s Business Support Overview and Scrutiny Committee voted unanimously against Labour Group proposals to retain the 20% support to all organisations that qualify for business rate relief

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due to being a community, voluntary or charity organisation. The removal of this support will have a hugely detrimental effect on voluntary sector organisations who will be unable to provide the services that the Council currently relies on them providing. When these organisations are no longer able to provide these services local residents will turn to the Council for help and support. The cost to the taxpayer and the Council to substitute the services that are currently being provided by voluntary sector organisations will be greater than the savings made as a result of removing the 20% support.

Please could the Portfolio Holder inform Council what long term measures he has taken to ensure that taxpayers will not be out of pocket as a result of its short term decision?"

**O) Councillor McDonald had submitted the following question to the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty:**

"Could the Portfolio Holder please outline the following three figures:

- How many Medway Council licensed taxi drivers are currently operating in Medway;
- How many 'out of borough' are currently operating in Medway and;
- How many Uber taxi drivers are currently operating in Medway?"

**P) Councillor Johnson had submitted the following question to the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

"Municipal bus companies provide some of the best bus services in the country and the current Bus Services Bill, which prevents local authorities from setting up their own company to provide bus services is opposed by 57% of the population.

Does the Portfolio Holder agree with me that, where there is a need and a demand, Councils such as Medway should be able to provide their own bus service?"

**Note:** The Mayor stated that since the time allocation for Members' questions had been exhausted, Members would receive written responses to questions L-P above.

### **660 Community Governance Review - Proposed Establishment of Rochester Town Council**

#### **Discussion:**

This report provided details regarding the conduct of a Community Governance Review (CGR) for the proposed establishment of Rochester Town Council and sought approval to the terms of reference and other administrative matters associated with the review. This followed the receipt of a petition which had

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been submitted from 1623 local government electors requesting that a CGR be conducted to consider the establishment of Rochester Town Council.

The Portfolio Holder for Business Management, Councillor Turpin, supported by Councillor Steve Iles, proposed the recommendations set out in the report.

### **Decisions:**

- a) The Council noted the receipt of a valid petition requesting a Community Governance Review in respect of the proposed establishment of Rochester Town Council as set out in Appendix 1 and Appendix 2 to the report.
- b) The Council approved the establishment of an informal cross-party Member and officer working group as set out in paragraph 5 of the report.
- c) The Council agreed to delegate authority to the Chief Legal Officer to conduct the Community Governance Review in consultation with an informal cross-party Member and officer working group as set out in paragraphs 5.1 – 5.5 of the report and to report back the outcome of the Review to Council.
- d) The Council agreed that the rules for the appointment of substitute Councillors for the working group be as set out in paragraph 5.3 of the report.
- e) The Council agreed that the appointment of Councillors to serve on the working group should be made by the Chief Executive in accordance with the wishes of the relevant Group Leaders and Group Whips.
- f) The Council approved the Terms of Reference for the Community Governance Review attached to this report as Appendix 3 to the report.
- g) The Council noted the likely maximum spend for the purpose of the conduct of the Community Governance Review, as set out in paragraph 8.1 of the report and that officers will seek to recover the costs as possible from the CGR New Burdens Fund.

## **661 Localising Support for Council Tax**

### **Discussion:**

This report provided details of the Council Tax Reduction Scheme 2017/2018, following initial consideration by the Cabinet on 20 December 2016.

Given that the scheme would remain unchanged (with the exception of annual uprating) and as such would not result in a change to the impact on individuals, it was not proposed to carry out a further Diversity Impact Assessment,

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although officers would continue to monitor the impact of the scheme on individuals. A copy of the existing DIA was set out in Appendix 5 to the report.

Appendices 1-5 were set out in Supplementary Agenda No.1.

The Portfolio Holder for Business Management, Councillor Turpin, supported by the Portfolio Holder for Children's Services (Lead Member), Councillor Mackness, proposed the recommendation set out in the report.

### **Decision:**

The Council adopted the Council Tax Reduction Scheme for 2017/2018 as set out in appendix 4 to the report.

### **662 Shared Legal Service Between Gravesham Borough Council and Medway Council**

#### **Discussion:**

This report provided details of the proposals to establish a shared legal service between Gravesham Borough Council and Medway Council. It was noted that the proposals had been considered by the Business Support Overview and Scrutiny Committee on 5 January 2017 and the Cabinet had made a number of decisions relating to the proposals on 17 January 2017, as set out in paragraph 7 of the report.

The Portfolio Holder for Resources, Councillor Gulvin, supported by the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, proposed the recommendation set out in the report.

#### **Decision:**

The Council agreed to accept the delegation by Gravesham Borough Council of its Legal Services functions to Medway Council.

### **663 Appointment of External Auditor - Decision to Opt in to the National Scheme for Auditor Appointments**

#### **Discussion:**

This report provided details of the final proposals for the appointment of the External Auditor to the Council for the 2018/19 accounts and beyond, as the current arrangements only covered up to and including the 2017/18 audits. With regards to future arrangements, Council, on 13 October 2016, considered the options for appointing the External Auditor and decided to agree Option 3 (opt in to a sector led body).

The report also provided details of a consequential change to the Constitution arising from these proposals.

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The Chairman of the Audit Committee, Councillor Kemp, supported by the Portfolio Holder for Resources, Councillor Gulvin, proposed the recommendations in the report.

### **Decisions:**

- a) The Council agreed, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015, to accept Public Sector Audit Appointments' invitation to become an opted in authority for the purposes of the appointment of external auditors for five financial years commencing 1 April 2018.
- b) The Council agreed that the Chief Finance Officer be authorised to sign the notice of acceptance of the invitation to become an opted in authority.
- c) The Council agreed that the Chief Finance Officer be authorised, following consultation with the Audit Committee if the timescales allow, to respond to consultations from the PSAA regarding the appointment of the Council's auditor and the proposed scale of audit fees.
- d) The Council agreed the proposed amendment to the Constitution set out in paragraph 4 of the report.

### **664 Social Media and the Code of Conduct for Councillors**

#### **Discussion:**

This report provided details of a proposed update to the Code of Conduct in respect of social media, following consideration by the Councillor Conduct Committee on 12 October 2016.

The Chairman of the Councillor Conduct Committee, Councillor Hicks, supported by Councillor Kemp, proposed the recommendation in the report.

#### **Decision:**

The Council approved the suggested wording, drafted by the Monitoring Officer, be added to the Code of Conduct, as set out at Appendix 1 to the report.

### **665 Review of Allocation of Seats on Committees**

#### **Discussion:**

This report provided details of a review of the allocation of seats on Committees to political groups following two recent by-elections and one Member joining the Conservative Group, in accordance with the Local Government and Housing Act 1989.



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Councillor Kemp, supported by Councillor Steve Iles, proposed the recommendations in the report.

### Decisions:

- a) The Council noted the review of the allocation of seats on Committees and agreed the revised allocation set out in Appendix A to the report which complied with the principles set out in paragraph 3.1 in this report, in so far as this was practicable.
- b) The Council agreed to appoint Councillors to places allocated to the Conservative Group on the following Committees as set out below, noting that appointments yet to be advised by the Conservative Group Whip would be agreed subsequently by the Chief Executive under his delegated authority and in accordance with the wishes of the group.

Committee	Entitlement of Conservative Group	Nomination of Conservative Group
Planning Committee	One additional seat	One vacancy to be held until further notice
Health and Adult Social Care Overview and Scrutiny Committee	One additional seat	Councillor Bhutia
Children and Young People Overview and Scrutiny Committee	One additional seat	One vacancy to be held until further notice
Regeneration, Culture and Environment Overview and Scrutiny Committee	One additional seat	Councillor Mrs Josie Iles
Appointments Committee for Director of Children and Adults Services	One additional seat	To be notified each time an appointments process is required
Councillor Conduct Committee	One additional seat	Councillor Wildey

### 666 Land Adjacent to Golf Driving Range, Street End Road, Chatham

#### Discussion:

This report provided details of a proposed land and property transaction over £500,000 in respect of the Cabinet's decision on 22 November 2016 relating to land adjacent to the Golf Driving Range, Street End Road, Chatham.

This report complied with the constitutional requirement that Cabinet decisions in respect of land and property transactions over £500,000 were to be reported to the next Council meeting for information.

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The Portfolio Holder for Resources, Councillor Gulvin, supported by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, proposed the recommendation in the report.

### **Decision:**

The Council noted the report.

## **667 Schedule of Meetings 2017/2018**

### **Discussion:**

This report provided details of the provisional programme of meetings for the 2017/2018 municipal year, as set out in Appendix A to the report. Final approval to the programme would be sought at Annual Council on 17 May 2017.

Councillor Kemp, supported by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, proposed the recommendation in the report.

### **Decision:**

The Council agreed a provisional programme of Council and Committee meetings for 2017/2018 as set out in Appendix A to the report for recommendation to the Annual Meeting of the Council on 17 May 2017.

## **668 Use of Urgency Provisions**

### **Discussion:**

This report provided details of the recent usage of urgency provisions, on three occasions, contained within the Constitution.

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

### **Decision:**

The Council noted the report.

## **669 Motions**

### **A) Councillor Mrs Diane Chambers, supported by the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, proposed the following:**

This council notes the Government's Review of Gaming Machines and Social Responsibility Measures.

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The council further notes the earlier publication of independent research indicating that:-

- local betting offices (and therefore gaming machines) are clustered in areas of higher deprivation, and that
- rates of problem and at risk gambling have been found to be higher among loyalty card holders living near clusters of betting shops.

This council calls on the Government to address widespread public concern over this issue by implementing the proposals put forward by the Local Government Association and its member councils, to:

- Reduce high street gaming machine stakes to £2
- Give local authorities more powers to manage and respond to clusters of gambling premises in their areas, through:-
- Introducing a statutory cumulative impact approach to gambling licensing, in line with its approach to alcohol licensing.
- Aligning the licensing objectives in the Gambling Act 2005 with those of the Licensing Act 2003, to include an anti-social behaviour / public nuisance objective.

Councillor Maple proposed the following amendment:

“To insert the following paragraph after the second bullet point;

“This Council welcomes the strong cross party working on the issue of Fixed Odds Betting Terminals including visits to local betting offices, meeting with the Gambling Commission and Association of British Bookmakers and the Business Support Overview and Scrutiny Committee writing to the Minister responsible”.

In accordance with Council Rule 11.4.1 and with the consent of the Council, Councillor Mrs Diane Chambers agreed to alter the substantive motion as set out in the amendment proposed by Councillor Maple.

### **Decision:**

This Council notes the Government’s Review of Gaming Machines and Social Responsibility Measures.

The Council further notes the earlier publication of independent research indicating that:-

- local betting offices (and therefore gaming machines) are clustered in areas of higher deprivation, and that

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- rates of problem and at risk gambling have been found to be higher among loyalty card holders living near clusters of betting shops.

This Council welcomes the strong cross party working on the issue of Fixed Odds Betting Terminals including visits to local betting offices, meeting with the Gambling Commission and Association of British Bookmakers and the Business Support Overview and Scrutiny Committee writing to the Minister responsible.

This Council calls on the Government to address widespread public concern over this issue by implementing the proposals put forward by the Local Government Association and its member councils, to:

- Reduce high street gaming machine stakes to £2
- Give local authorities more powers to manage and respond to clusters of gambling premises in their areas, through:-
- Introducing a statutory cumulative impact approach to gambling licensing, in line with its approach to alcohol licensing.

Aligning the licensing objectives in the Gambling Act 2005 with those of the Licensing Act 2003, to include an anti-social behaviour / public nuisance objective.

### **B) Councillor Freshwater, supported by Councillor Pendergast, proposed the following:**

Just because Medway's residents are not shouting outside Gun Wharf with placards or protesting on the street, it does not mean that Medway does not have a serious housing crisis causing misery and heartache to many thousands of residents trying to live and plan their lives in Medway.

Medway Residents living in affordable and social housing contribute millions to our local economy and do the very important jobs which keep Medway running. Housebuilders have told the Council that the building of affordable homes needed for Medway residents is entirely the Council's responsibility and are continuing to employ very specialist financial viability advisors to protect their 20% profits and reduce their Section 106 affordable housing commitment to a trickle under planning agreements. The current government refuses to give funds to Medway Council to replace affordable housing being unfairly lost to London commuters. The government also refuses to fund Councils for additional affordable homes needed for 350,000 people from the EU and elsewhere, arriving each year who pay millions in additional income tax.

Medway Council must be bold and urgently find a solution to provide hope to the many thousands of people losing any hope of putting down secure roots in Medway and also satisfy business needs for growth and prosperity for the Medway economy where many essential local services and local businesses

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relying on paying mid-range or low salaries but cannot compete with London salaries.

For Members' information and example, the price of timber framed one bedroomed homes are £17,000 and two bedroomed £18,000 both include delivery to site but excluding land costs. The building regulations require any timber framed structures to have a minimum 60 year life expectancy and the NHBC 'Buildmark' and similar warranty schemes provide 10 years structural cover to accord with the requirements of the Council of Mortgage Lenders (subject, of course, to the builder being a registered member of whichever scheme is employed). So, in reality, 60 years would be an appropriate warranty period for the timber frame structural elements and, 10 years for everything else. The same as masonry built houses. In essence, timber frame and masonry construction are both classed as 'Permanent Construction' and have the same life expectancy. Insurance companies, mortgage providers, and building societies do not differentiate between timber frame and masonry.

It is worth noting that although timber frame construction is not (currently) widespread in England and Wales, 80% of all new housing in Scotland is of timber frame construction. And, with the ever increasing drive towards thermal efficiency and sustainability in housing, this is likely to become the case in England & Wales, probably sooner rather than later. In North America, Canada and the Scandinavian countries, where this figure rises to 90%, timber frame have been the construction method of choice for many hundreds of years.

The Council's position regarding the provision of affordable housing has dramatically deteriorated since the Housing Task Group report to the Council. I would therefore ask the Council to recommend the Cabinet:

1. To obtain detailed information of timber framed homes as a credible and financial solution for the urgent need to provide affordable housing for desperate Medway people.
2. To urgently hold and further extend discussions with community groups under the Local Plan to promote and discuss the building of local communities of timber framed homes on brownfield sites.
3. Following the Government decision on 3 October to substantially increase housing investment, to formulate a credible action plan to go forward to government and the Rt Hon Sajid Javid MP Secretary of State for Communities and Local Government requesting that Medway Council be given urgent funding or be allowed to borrow money against Medway assets to buy brownfield sites and complete appropriate infrastructure building costs. This will allow Medway residents and housing associations to go forward in partnership with the Council with their own investments for the building of thousands of timber framed homes.

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Councillor Griffiths, supported by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, proposed the following amendment:

To delete and insert as below:

~~Just because Medway's residents are not shouting outside Gun Wharf with placards or protesting on the street, it does not mean that Medway does not have a serious housing crisis causing misery and heartache to many thousands of residents trying to live and plan their lives in Medway.~~

~~Medway Residents living in affordable and social housing contribute millions to our local economy and do the very important jobs which keep Medway running. Housebuilders have told the Council that the building of affordable homes needed for Medway residents is entirely the Council's responsibility and are continuing to employ very specialist financial viability advisors to protect their 20% profits and reduce their Section 106 affordable housing commitment to a trickle under planning agreements. The current government refuses to give funds to Medway Council to replace affordable housing being unfairly lost to London commuters. The government also refuses to fund Councils for additional affordable homes needed for 350,000 people from the EU and elsewhere, arriving each year who pay millions in additional income tax.~~

~~Medway Council must be bold and urgently find a solution to provide hope to the many thousands of people losing any hope of putting down secure roots in Medway and also satisfy business needs for growth and prosperity for the Medway economy where many essential local services and local businesses relying on paying mid-range or low salaries but cannot compete with London salaries.~~

~~For Members' information and example, the price of timber framed one bedroomed homes are £17,000 and two bedroomed £18,000 both include delivery to site but excluding land costs. The building regulations require any timber framed structures to have a minimum 60 year life expectancy and the NHBC 'Buildmark' and similar warranty schemes provide 10 years structural cover to accord with the requirements of the Council of Mortgage Lenders (subject, of course, to the builder being a registered member of whichever scheme is employed). So, in reality, 60 years would be an appropriate warranty period for the timber frame structural elements and, 10 years for everything else. The same as masonry built houses. In essence, timber frame and masonry construction are both classed as 'Permanent Construction' and have the same life expectancy. Insurance companies, mortgage providers, and building societies do not differentiate between timber frame and masonry.~~

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~~frame have been the construction method of choice for many hundreds of years.~~

~~The Council's position regarding the provision of affordable housing was recognised as part of the cross-party Housing (Demand, Supply and Affordability) Task Group. Council notes that all recommendations from the cross-party Task Group were accepted in full by the Cabinet. Council will ensure that communities and key stakeholders are fully consulted on all aspects of housing as part of the Local Plan process. has dramatically deteriorated since the Housing Task Group report to the Council. I would therefore ask the Council to recommend the Cabinet:-~~

- ~~1. To obtain detailed information of timber framed homes as a credible and financial solution for the urgent need to provide affordable housing for desperate Medway people.-~~
- ~~2. To urgently hold and further extend discussions with community groups under the Local Plan to promote and discuss the building of local communities of timber framed homes on brownfield sites.-~~
- ~~3. Following the Government decision on 3 October to substantially increase housing investment, to formulate a credible action plan to go forward to government and the The Rt Hon Sajid Javid MP Secretary of State for Communities and Local Government requesting that Medway Council be given urgent funding or be allowed to borrow money against Medway assets to buy brownfield sites and complete appropriate infrastructure building costs. This will allow Medway residents and housing associations to go forward in partnership with the Council with their own investments for the building of thousands of timber framed homes.-~~

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

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

### **Decision:**

The Council's position regarding the provision of affordable housing was recognised as part of the cross-party Housing (Demand, Supply and Affordability) Task Group. Council notes that all recommendations from the cross-party Task Group were accepted in full by the Cabinet. Council will ensure that communities and key stakeholders are fully consulted on all aspects of housing as part of the Local Plan process.

### **C) Councillor Khan, supported by Councillor Maple, proposed the following:**

Council regrets the deaths of two homeless people in Medway over the festive period.



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Those deaths draw into question the Council's existing policy which sees SWEP (Severe Weather Emergency Protocol) being triggered after three consecutive days of sub-zero temperature forecast. Council takes the view that three days is far too long for homeless people to possibly be subjected to sub-zero temperatures without SWEP being triggered.

Council notes that SWEP was triggered as a result of just one forecast day of sub-zero temperatures on the 29th December 2016 owing to 'low confidence in the forecast'. If the Council deems it appropriate to trigger SWEP as a result of just one forecast day of sub-zero temperatures then it is only right that this becomes Council policy.

Given that housing and homelessness are matters for Cabinet, the Council is asked to agree, in principle, and recommend the Cabinet to amend its current policy to trigger SWEP as a result of one forecast day of sub-zero temperatures.

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

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

Against – Councillors Aldous, Bhutia, Brake, Carr, Mrs Diane Chambers, Rodney Chambers OBE, Chitty, Clarke, Doe, Etheridge, Fearn, Filmer, Franklin, Griffin, Gulvin, Hall, Hicks, Howard, Mrs Josie Iles, Steve Iles, Jarrett, Joy, Kemp, Mackness, Opara, Potter, Purdy, Tejan, Tranter, Turpin, Wicks and Williams (32).

The motion was lost.

**D) Councillor Johnson, supported by Councillor Cooper, proposed the following:**

This council notes:

1. That the Bus Services Bill currently passing through Parliament includes Clause 21 that will effectively "prohibit a local authority from forming a company for the purposes of providing a local bus service".
2. That the Localism Act (2011) provides general powers of competence to local authorities.
3. That municipal bus companies like Reading and Nottingham provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services.
4. That polling by We Own It found that a majority of the public (57%) oppose Clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.

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This council believes:

1. Clause 21 contradicts the general powers of competence and the spirit of the Localism Act 2011.
2. If there is a need and a demand from their public, then Councils should be able to provide their own bus services.
3. Consequently Clause 21 should be omitted from the Bus Services Bill.

This council resolves:

1. To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation.
2. To write to Rehman Chishti MP, Tracey Crouch MP and Kelly Tolhurst MP to ask them to oppose clause 21 when the Bus Services Bill reaches the House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21.

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

**Mayor**

**Date:**

**Julie Keith, Head of Democratic Services**

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