

**Medway Council**  
**Meeting of Regeneration, Culture and Environment**  
**Overview And Scrutiny Committee**

**Wednesday, 28 March 2018**

**6.30pm to 9.20pm**

**Record of the meeting**

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

- Present:** Councillors: Bhutia (Vice-Chairman), Etheridge, Gilry, Griffin, Hicks, Mrs Josie Iles, Kemp, Khan, Osborne, Saroy, Stamp and Tejan
- Substitutes:** Councillors:  
Purdy (Substitute for Carr)
- In Attendance:** Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive  
Laura Caiels, Legal Advisor  
Michael Edwards, Acting Head of Integrated Transport  
Tomasz Kozlowski, Assistant Director, Physical and Cultural Regeneration  
Anna Marie Lawrence, Head of Performance and Intelligence  
Councillor Alex Paterson  
Sarah Valdus, Head of Waste Services  
Ellen Wright, Democratic Services Officer
- Ms Hufton – Lead Petitioner  
Kim Savil – Contracts Manager Medway – Veolia  
Andy Mann – Operating Director – Medway NORSE

**878 Appointment of Chairman**

**Decision:**

Councillor Kemp was elected Chairman for this meeting.

**879 Apologies for absence**

Apologies for absence were received from Councillor Carr and Ruth Du-lieu, Assistant Director Front Line Services.

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**880 Records of Meeting held on 23 January 2018 and Special Meeting held on  
12 March 2018**

The records of the Ordinary Meeting on 23 January 2018 and the Special Meeting held on 12 March 2018 were signed by the Chairman as correct records.

**881 Urgent matters by reason of special circumstances**

There were none.

**882 Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

Disclosable pecuniary interests

There were none.

Other Significant Interests

There were none.

Other Interests

Councillor Stamp referred to Item 8 – Annual Review of Waste Contracts and advised the Committee that he worked for the Environment Agency and that the Agency had a responsibility for regulating the Waste Industry. However, he was not involved in any sites regulated in Medway or by Veolia and therefore he did not consider that this precluded him from taking part in the debate on this item.

**883 Petitions**

**Discussion:**

The Committee received a report setting out a summary of petitions received by the Council which fell within the remit of this Committee.

Paragraph 3.1 of the report set out a summary of the responses to petitions that had been accepted by the petition organisers.

In accordance with the Council's petitions scheme, one petition had been referred for discussion by the Committee and the lead petitioner was in attendance and invited to address the Committee.

The Committee welcomed Ms Hufton to the meeting and she set out her reasons for requesting a review and the concerns of petitioners. She advised the Committee that parking at the bottom of Ordnance Street, Chatham was inconsiderate and anti-social and in some cases broke the law. It was also having a negative impact on local businesses. Whilst she accepted that the outcome advised by the Director Regeneration, Culture, Environment and

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Transformation and Deputy Chief Executive was adequate to address the problems, the timescales were not considered acceptable and she felt that there should be sufficient funding in the budget for the works to proceed immediately.

The Acting Head of Integrated Transport confirmed that the Council understood residents concerns and explained that works were in hand to place an order for bollards in the first few weeks of the new financial year. Arrangements would then be made for their installation as soon as possible.

A Member suggested that the mobile traffic enforcement vehicle visit the area to assist with alleviating the problem of anti-social and illegal parking until the bollards were in place.

### **Decision:**

The Committee:

- a) thanked the lead petitioner for attending the meeting to address the Committee on her petition.
- b) noted the petition response and appropriate officer action set out in the report, including that for the referred petition.
- c) noted that the Acting Head of Integrated Transport will liaise with the Parking Manager for the mobile enforcement vehicle to visit Ordnance Street in Chatham to assist with alleviating the problem of anti-social and illegal parking until the bollards are in place.

### **884 Attendance by the Portfolio Holder for Business Management**

#### **Discussion:**

Members received an overview of progress on the areas within the terms of reference of this Committee covered by Councillor Turpin, Portfolio Holder for Business Management as set out below:

- Community Officers
- Emergency Planning
- Registration
- Bereavement.

Councillor Turpin responded to Members' questions as follows:

- **Issue of Community Protection Warnings (CPWs)** – A Member referred to the issue of Community Protection Warnings and in particular the intention to specifically target the subject of refuse being placed out early in Hartington Street, Chatham and Gardiner Street, Gillingham. He sought an assurance that the scheme whereby CPWs were issued would be implemented proportionately and fairly.

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In response, the Portfolio Holder confirmed that the two roads named within the report were not the only roads in Medway where this issue was a problem. He explained the process of CPWs and reassured the Committee that the initial stage involved a warning letter, which in most cases resolved the problem. However, if the problem persisted a fine would be implemented. He advised that this scheme was not intended to affect those individuals who put their refuse out the evening before the collection day but those who missed the collection and left their refuse on the street until the next weekly collection. To leave refuse on the street could subsequently result in litter if the refuse bags became split or torn.

- **Visitor Parking Permits** – Whilst recognising that Visitor Parking Permits did not fall within Councillor Turpin's Portfolio, a Member asked whether the Portfolio Holder had a role in overseeing the impact on local residents following the recent change to Visitor Parking Permits.

In response, the Portfolio Holder confirmed that he had previously worked with the Portfolio Holder for Front Line Services on parking issues but that he was not overseeing this particular issue.

- **The Mayfair Project** – A Member referred to the Mayfair Project completed in August 2017 and commended the Community Warden for the work she had undertaken within the community on this project. She added that the Mayfair Project had been funded by Ward Improvement Funds, in addition to funding from the Street Cops Trust.
- **Dog Chipping** – A Member commended the Community Wardens on the work undertaken on microchipping dogs.
- **Emergency Planning** – A Member sought information as to action being undertaken to reduce the level of homelessness and begging in Chatham High Street.

In response, the Portfolio Holder advised that homelessness was not within his Portfolio. However, he advised that this was a complex issue and involved a multi-agency approach including Housing, Police, PCSOs and the Community Wardens. Members of the public were being encouraged to channel financial assistance to agencies and charities helping homeless individuals rather than provide money to individuals on the street.

- **Community Wardens Facebook Page** – A Member sought further information as to the teething problems experienced with the launch of the Community Wardens Facebook page.

The Portfolio Holder advised that there had been an initial issue with posting before and after photographs as part of the Facebook pages.

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However, once the Facebook pages were up and running, this would be very useful in individual Wards.

Whilst discussing the Facebook initiative, it was suggested that consideration also be given to other social media platforms such as Twitter, Instagram and Snapchat and the Portfolio Holder commented that many of the social media platforms had links to each other so this was an area that could be investigated.

- **Bereavement Services** – A Member referred to the requirement to appoint another contractor to undertake works to the cremators at Medway Crematorium and requested that the Portfolio Holder provide information as to the total cost to the Council arising from this contract process.

In response, the Portfolio Holder provided a reassurance that the company undertaking works at Medway Crematorium was the same company that was involved in 2017. He confirmed that there were now two brand new cremators at the Crematorium and this would soon be increased to three. The finances for this project were the same as that reported in 2017 and the contract remained within budget.

- **Community Wardens** – A Member praised the Community Wardens for the work that they undertake and sought information as to the number of Community Wardens employed by the Council.

The Portfolio Holder confirmed that there had been no reduction in the number of Community Wardens and therefore the budget remained the same as last year. He agreed to advise the Member direct of the number of Community Wardens employed by the Council.

- **Cost recovery for returning stray dogs** – A Member asked for further information on the new system that would be introduced to recover payments when returning stray dogs to their owners.

The Portfolio Holder advised that currently when stray dogs are returned to their owners they are sent an invoice and such income helped to offset the cost of running the service. However, from April, the stray dog would not be released until payment had been received. He confirmed that there were allowances for those individuals in receipt of Benefits.

### **Decision:**

The Committee:

- a) thanked the Portfolio Holder for attending the meeting and answering Members' questions.
- b) noted that the Portfolio Holder agreed to provide the following information to the individual Members concerned:

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- The number of Community Wardens employed by the Council
  - The updated costs associated with the Medway Crematorium contract.
- c) noted that the Portfolio Holder will be investigating alternative web notification platforms for use by the Community Wardens.

### 885 Annual Review of Waste Contracts - Contract Year: October 2016 - September 2017

#### Discussion:

The Committee received a comprehensive report and presentations providing an update on the activities carried out by Veolia Environmental Services on the provision of waste and recycling collection, waste disposal and street cleansing services and FCC (formerly Waste Recycling Group) providing management of the three household waste recycling centres.

It was noted that the FCC contract for the management of the Household Waste Recycling Centres ended on 26 September 2017. Therefore, the report placed before the Committee reviewed performance from the last 7 years (October 2010 – September 2017). From September 2017, management of the household waste recycling centres had been taken over by Medway NORSE.

Kim Savil, Contracts Manager Medway – Veolia was in attendance at the meeting to answer questions and Andy Mann, Operations Director from Medway NORSE was also in attendance.

The Committee discussed the following issues:

- The possibility of providing Dementia Awareness Training for Veolia staff.
- The potential need to re-assess whether it was practicable for weekly recycling collections to be fulfilled over the Christmas/New Year period when there was an increased level of general refuse. In response, Kim Savill confirmed that in 2018, the collection of green waste would be suspended for one week over the Christmas/New Year period so as to ease pressure on general waste collections.
- The need to consider additional methods of informing the public of suspended refuse collections when there was snow taking into account that some people do not have online access.
- Whether lessons had been learnt from the incident involving an individual who was sleeping in a trade refuse bin in Rochester High Street. In response, Kim Savil advised that all Veolia staff undergo extensive training to raise awareness of the potential issue of rough sleepers using trade refuse bins for shelter. She gave an assurance that all necessary procedures had been followed by staff on the day of the incident. The matter was currently being investigated by the Health and Safety Executive (HSE). The Head of Waste Services also confirmed

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that officers had been in contact with landlords advising upon the HSE's best practice on bin storage.

- The restrictions put in place by China on plastics and low grade paper and whether this had impacted on the contract price for recycling. In response, the Head of Waste confirmed that the changes in market costs had not affected Medway and officers continued to work closely with the Southwark MRF (Materials Recycling Facility) on this matter.
- The introduction of charges for the disposal of tyres at Household Waste Recycling Centres and how this will be implemented. The Head of Waste Services advised that officers were currently considering the implementation of this scheme including where and how payments would be taken.
- Whether the new Refuse Collection Contract would result in a reduction in weekly collections of household waste. In response, the Head of Waste confirmed that the new contract had been let on the same basis as the existing contract.
- A request that future reports include more detailed information on recycling to underpin the figures included within the report.
- A request that future reports include a detailed breakdown of the type of flytipping in Medway e.g. whether it was household waste, bulky refuse or commercial waste.
- Issues concerning recycling of mattresses. The Head of Waste confirmed that few mattresses were able to be recycled but if any Member knew of hostels or sites willing to accept recycled mattresses, this information would be useful.
- The national trend for a fall in recycling tonnage and work being undertaken by the national organisation WRAP with the Government to identify possible causes for this reduction.
- Work undertaken by the Environmental Enforcement Team where metal theft was identified.
- The advertisement of Easter opening times of the Household Waste Recycling Centres in the press and on social media.
- Whether there was any correlation between the level of flytipping and the introduction of the charge for the collection of bulky waste. In response the Head of Waste drew attention to a recent briefing note circulated to Members of the Committee on this subject and a response to a question at Council. She confirmed that there had been a reduction in the collection of bulky waste but an increase in the disposal of bulky waste items at the Household Waste Recycling Centres. She confirmed that flytipping had increased across the Country and that the majority of flytipping in Medway related to commercial waste. She advised that the Environmental Enforcement Team thoroughly investigated incidents of flytipping and officers also worked with neighbouring authorities to share information.

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**Decision:**

The Committee thanked the representatives from Veolia and Medway NORSE for attending the meeting and:

- a) noted that arrangements will be made by Veolia for staff to undergo Dementia Awareness training.
- b) requested that officers discuss with Communications, appropriate methods of communicating the suspension of refuse collections when there is snow taking into account that not all individuals have access to social media.
- c) requested that officers supply further information on the level of reduced landfill tonnage as a result of changes to the shift patterns of staff at the Transfer Station to ensure that they are available to sort materials and thus increase recycling.
- d) requested that Customer Contact be provided with information as to the types of vehicles permitted to enter the Council's Household Waste Recycling Centres so that this may be relayed this when receiving customer enquiries.
- e) requested that future reports include information on the calculation of recycling to underpin the figures contained within the report.
- f) requested that in 2019, the annual report include a more detailed breakdown of the type of flytipping in Medway e.g. household, bulky or commercial waste and information on prosecutions.

**886 Member's Item: Ban on Alcohol being brought into the Rochester Castle Concerts**

**Discussion:**

With the agreement of the Committee, Councillor Paterson outlined the reason for his Member's item concerning the decision to ban alcohol being brought into the Rochester Castle Concerts in 2018, with the exception of the Proms Concert.

He stated that his concern was not about individuals' right to consume alcohol, but the lack of rationale for the different treatment of concert goers attending the Castle Concerts and why the ban had been introduced in 2018. In his view, the ban on alcohol being brought into the concerts, with the exception of the Proms Concert, was inconsistent and the only difference appeared to be that the public were admitted to the Proms at an earlier time of day.

He expressed concern that the decision was being made for financial reasons, as opposed to health and safety and that those individuals attending the 'pop' concerts were being treated differently.

He expressed concern that paragraph 5.5 of the report recognised potential discrimination from the inconsistency in the treatment of prom goers and pop music fans and he questioned why pop concerts could not also be classified as 'picnic concerts'.



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The Assistant Director Physical and Cultural Regeneration informed the Committee that the difference in classification of the type of concert held at Rochester Castle was from the Safety Advisory Group which comprised of the Police, Health and Safety representatives and Security Companies involved in the event. Such classification was considered necessary having regard to incidents at the pop concerts held at Rochester Castle over the past few years, whereas the Proms event had proceeded without cause for concern.

The terms and conditions of the sale of tickets to the Castle Concerts had been strengthened over the past two years to restrict the type of items that could be brought into the concerts and in 2017 no glass was permitted to be brought into the concerts other than in pressurised bottles.

The restriction imposed in 2018 was also in line with policies imposed at other pop concerts held at similar locations outside of Medway.

The Assistant Director Physical and Cultural Regeneration drew attention to paragraph 5.3 of the report, which set out the potential risks of allowing members of the public to attend concerts with their own alcoholic beverages, including the risk of terror related injury through the concealment of liquid explosives or other dangerous substances in non-transparent beverage containers.

The Committee discussed the report and the points raised by Councillor Paterson and the Assistant Director Physical and Cultural Regeneration.

A Member stated that treating the Proms event differently to the other Castle Concerts was inconsistent and it was clear from the views expressed by local residents and on social media that there was a perception of class distinction, despite this not being the Council's intention.

He expressed concern that the decision to impose a restriction on alcohol being brought into the Castle Concerts, other than the Proms Concert, was alienating residents and could result in a decline in ticket sales and it could make the event unaffordable for some residents. There was also no guarantee that the restriction would address anti-social behaviour at the concerts, as people could consume alcohol before attending the event.

In response, the Assistant Director Physical and Cultural Regeneration provided an assurance that management had the right to refuse entry to the Castle Concerts should an individual arrive at the gates inebriated.

In response to a question as to the anticipated financial income from the sale of alcohol at the Castle Concerts, the Assistant Director Physical and Cultural Regeneration advised that he did not have to hand the anticipated income from bar concessions. The Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive advised that the Rochester Castle Concerts operated on a 'break even' basis. He added that the Castle Concerts were prestige events in Medway's Cultural Calendar and the decision to ban

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alcohol from being brought into the Pop Concerts had not been taken lightly. However, this had been considered necessary in the light of the professional advice received.

In response to a question as to legal liability, the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive confirmed that the Council would be legally liable should it decide to ignore the advice of the Safety Advisory Group in the staging of the Castle Concerts.

A Member stated that if the Council was to ban alcohol being brought into the Castle Concerts, then such ban should also be extended to cover the Proms event, so as to ensure a consistent approach.

The Assistant Director Physical and Cultural Regeneration reiterated that the Police had advised that they had no objection to alcohol being brought into the Proms Concert, as this event was regarded as a 'picnic' concert, did not provide a crowd issue and no previous incidents had been recorded at these particular concerts.

A Member suggested that a copy of the professional advice be circulated to all Members of the Committee via a Briefing Note.

The Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive informed the Committee that this particular Member's item had been included on the agenda at short notice so as to ensure consideration in advance of the Castle Concerts and that the report had provided a response to the issues raised. He noted Members' requests to have sight of the information received by officers that had underpinned the decision to ban individuals from bringing alcohol into the Castle Concerts and he gave an undertaking to provide a copy of this information. He reiterated that the decision to ban alcohol being brought into the Castle Concerts, with the exception of the Proms Concert, had been based on the professional advice received from the Safety Advisory Group, taking into account previous incidents at the 'pop' concerts and he reassured the Committee that had such advice been given in previous years, the ban would have been implemented earlier.

Following discussion, a Member proposed that officers be requested to reconsider the decision to ban alcohol being brought into the 2018 Castle Concerts, with the exception of the Proms Concert, and consider the Health and Safety implications of the professional advice received and look at other possible measures to manage risks and find a way to proactively continue the policy that has existed in previous years, so as to ensure consistency.

On being put to the vote, this did not receive the support of the Committee.

### **Decision:**

The Committee:

- a) thanked Councillor Paterson for his Member's item.

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- b) noted that the position for the 2018 Castle Concerts remain unchanged.
- c) noted that the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive will provide a copy of the Safety Advisory Group's advice to all Members of the Committee.
- d) noted that information will be supplied direct to the Member concerned on the anticipated income levels received from the bar concessions, subject to such information not being commercially sensitive.

**887 Council Plan Performance Monitoring Report Quarter 3 2017/18**

**Discussion:**

The Committee received a report setting out performance in Quarter 3 for 2017/18 for the key measures of success and projects relevant to this Committee.

The following was discussed:

- **NI 154 Net additional homes provided** - A Member sought information on the number of affordable homes delivered in the past year. The Head of Performance and Intelligence advised that this data would be included within the report to the Business Support Overview and Scrutiny Committee. However, she undertook to obtain this information and respond to the Member direct.
- **NI 167A Wainscott Bypass (part A289)** – A Member referred to performance indicator NI167A and expressed concern about the delays experienced by motorists leaving Medway City Estate during peak hours of 4.30pm – 6pm. He felt that the data, as presented, did not accurately reflect motorists' experiences.
- **NI 167 – Average journey time along 5 routes across Medway** – A Member thanked officers for the additional information supplied on the breakdown of the 5 routes and referring to comments made under NI 167A above, expressed the importance of taking into account motorists' experiences and how this matched the data collected. This would assist the Council to ensure that the data collected was appropriate and sufficient.

He referred in particular to the Wainscott Bypass and the exit route from the Medway City Estate and expressed concern that the traffic lights at Medway Tunnel had not been operational for a while. This had resulted in an increase in journey times for this route. In addition, the parking of HGVs in St Anthony's Way was increasing the difficulties experienced by motorists.

He also expressed concern as to traffic congestion around Medway Hospital and the effect that this had on ambulances getting to the Hospital, particularly when roadworks were taking place.

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In response, the Head of Performance and Intelligence advised that officers were only able to report on the measures approved within the Council Plan signed off for 2017/18. She explained that the overall measure related to the average journey time across all 5 routes and that the 5 routes had been selected based on bids for funds.

It was confirmed that funding was available from the Local Enterprise Partnership and the Local Growth Fund for works to be undertaken at the Four Elms Hill Roundabout and Medway City Estate and this was currently the subject of consultation with businesses located on the Estate, with a closing date of 10 April 2018.

- **Green Flag Parks** – A Member referred to the achievement of Green Flag status for 7 parks and open spaces and in particular the award for Gillingham Park, a significant Edwardian Park.
- **Jackson's Recreation Ground** – A Member asked for information on the landscape masterplan for Jackson's Recreation Ground. It was agreed that this would be supplied direct to the Member concerned.
- **Funding opportunities to develop innovative public service solutions** - A Member thanked officers for the work undertaken in securing £150,000 from One Public Estate to fund feasibility works at a number of sites in Medway.

### Decision:

The Committee:

- a) noted the report and key measures of success used to monitor progress against the Council Plan 2017/18.
- b) noted that the Head of Performance and Intelligence will report direct to the Member concerned on the level of affordable housing delivered in the past year.
- c) noted that officers would supply information on the landscape masterplan for Jackson's Recreation Ground to the Member direct.

### 888 Work programme

#### Discussion:

The Committee received a copy of its current work programme and was advised that at the agenda planning meeting on 15 March 2018 it had been agreed that the report on the information on the levels of finance needed to be invested in the highways network in order to maintain current levels of technical performance be rescheduled from March 2018 to August 2018.

In addition, it was suggested that the report back on the Member's item concerning Parking in Gillingham North and South Wards be rescheduled from June to August 2018 to permit more time for the Working Group to complete its

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work. A Member advised that as this Working Group had yet to meet, it would be more appropriate to leave the date for a report back flexible.

A Member also requested an update on the Motion approved by Council on 25 January 2018 asking Cabinet to:

- become a 'single-use plastic-free' Council by phasing out the use of unnecessary 'single use plastic' (SUP) products such as bottles, cups, cutlery and drinking straws in all Council buildings and at all Council events as soon as is reasonably practical;
- to encourage our facilities' users, local businesses, stakeholders and other local public agencies to do the same, by championing alternatives.

It was confirmed that this issue was in the process of being investigated and if referred to an Overview and Scrutiny Committee, would be more appropriate for the Business Support Overview and Scrutiny Committee as it was a procurement issue. However, this issue also had implications for the Regeneration, Culture, Environment and Transformation Directorate and therefore may also be relevant to the work of this Committee.

### **Decision:**

The Committee:

- a) noted the current work programme;
- b) noted that the report on the information on the levels of finance needed to be invested in the highways network in order to maintain current levels of technical performance had been rescheduled to August 2018.
- c) agreed that the report back on the Member's item concerning Parking in Gillingham North and South Wards be placed in the 'dates to be determined' section of the work programme on the basis that the Working Group has yet to meet.
- d) noted the information on the phasing out the use of unnecessary 'single use plastic' (SUP) products, and that this be referred to Business Support Overview and Scrutiny Committee.

**Chairman**

**Date:**

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