

REGENERATION, CULTURE AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

28 MARCH 2019

PETITIONS

Report from: Richard Hicks, Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive

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Summary

To advise the Committee of any petitions received by the Council which fall within the remit of this Committee including a summary of the response sent to the petition organisers by officers.

The Committee is also requested to consider the petition referral request.

1. Budget and policy framework

1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the petition organiser, usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committees are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determine that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.

1.2 The petition scheme is set out in full in the Council's Constitution at:

<https://www.medway.gov.uk/downloads/file/2657/401 - council rules>

1.3 Any budget or policy framework implications will be set out in the specific petition response.

2. Background

2.1 The Council's Constitution provides that petitions received by the Council relating to matters within the remit of an Overview and Scrutiny Committee will

be referred immediately to the relevant Director for consideration at officer level.

- 2.2 Where the Director is able to fully meet the request of the petitioners a response is sent setting out the proposed action and timescales for implementation.
- 2.3 For petitions where the petition organiser is not satisfied with the response provided by the Director there is provision for the petition organiser to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken, or is proposing to take, in response to the petition.

3 Completed petitions

- 3.1 A summary of the response to petitions relevant to this Committee that have been accepted by the petition organisers are set out below.

Subject of petition	Summary of response
<p>Petition the Council to compel Councillor Adrian Gulvin to resign over his ineptitude regarding the broken CCTV cameras across Medway</p> <p>5 signatures (e-petition)</p>	<p>Appointments to the Cabinet and the allocation of responsibilities to these positions is a matter for the Leader of the Council. He has stated that he has full confidence in Councillor Gulvin who has been open and honest about the situation regarding CCTV cameras and has stated that he will be working with officers and Medway Commercial Group to ensure action is taken to resolve the situation.</p>
<p>Petition the Council to reject all applications for any large scale development in and around the important green lung of the Lower Rainham and Lower Twydall farmland and greenfields.</p> <p>410 and 108 signatures (paper petitions)</p> <p>523 signatures (e-petition)</p>	<p>The Council is currently preparing a Local Plan, which will provide direction on the future growth of the area, identifying land for the homes, jobs, infrastructure and services that the people of Medway need, whilst protecting and enhancing the qualities of the area's environment and heritage. The Council has consulted at various stages in the Local Plan development process and is currently considering responses to the most recent consultation before producing a draft Local Plan for consideration later this year.</p> <p>In relation to planning applications in advance of the Local Plan, legislation requires all applications to be determined on their merits, based on the documentation and information submitted with the application, national and local policies and all other material planning considerations which include planning related comments from residents and other comments from statutory and other consultees. The Council, as the Local Planning Authority cannot consider objections in advance of such applications, because they would not have been based on consideration of the details</p>

Subject of petition	Summary of response
	of the application when submitted. Residents are able to petition and comment directly on individual applications once they are submitted, and this can then be taken into consideration.
<p>Petition calling on Medway Council to fix the appalling state of the Brook car park and to clarify an end date for the improvements and how they plan to stop anti-social behaviour.</p> <p>32 signatories (paper petition)</p>	<p>A programme of refurbishment of the stairwells at the Brook commenced with work on the red stairwell, completed last October. Further phases of refurbishment will focus on the stairwell access points.</p> <p>Through partnership working with the Chatham Town Centre Forum and the Pentagon Centre, the Council has commenced a locking policy for those stairwells where there is no requirement for constant access, and a security patrol service has been provided. The Anti-Social Behaviour (ASB) team works closely with Kent Police and other agencies. Operation Synergy, which is led by the ASB team, seeks to address anti-social behaviour in all Medway's retail areas. Joint working has been carried out to tackle aggressive begging and street drinking in Chatham and similar action has seen a reduction in anti-social behaviour across Medway. A dedicated Community Safety Officer for Chatham will be recruited shortly and their role will be to tackle anti-social behaviour in the city centre by proactive patrolling and close liaison with retailers, the community and other stakeholders including car park providers.</p>

4. Petition not yet concluded:

- 4.1 A response has been sent to the petition organiser for the following petition. If a request is received to refer the petition to this Committee for review, it may be referred to the next meeting.

Subject of petition	Summary of response
<p>Petition the Council to introduce a safe crossing on Ordnance Street, Chatham recognising particularly the number of schools on and around this busy road.</p> <p>42 signatures (e-petition)</p>	<p>In March, the Council's Road Safety Team will be carrying out observations, including pedestrian/ vehicle counts on Ordnance Street, to coincide with school drop-off and collection times. Consideration will then be given to suitable options and feedback will be given to the lead petitioner in late March/ early April.</p>

5. Petition referred to this Committee

- 5.1 The following petition has been referred to this Committee because the petition organiser has indicated that they were dissatisfied with the response received from the Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive.

5.2 Make Albany Road “One-Way”

- 5.3 This petition, containing 123 signatures, was received by the Council on 19 February 2019. The petition states:

“We the undersigned call upon Medway Council to take long overdue action to address concerns of local residents and make Albany Road, Gillingham a one-way street.”

- 5.4 The Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive responded to the petitioner organiser on 4 March 2019 as follows:

“I of course understand the desire for measures to control traffic at Albany Road, and I understand the concerns to relate to incidents of congestion with related access difficulties.

When looking at where alterations to Medway’s road network should be made, we must consider Medway as a whole. Ensuring value for money for the people of Medway is also a key consideration of the alterations that we make. This inevitably means that very important local issues such as this request, must be evaluated alongside wider issues that are perhaps more far-reaching in scale. Highway priorities such as reducing and preventing road casualties must also be taken into account.

Investigative work has been undertaken in relation to Albany Road, to consider the cost and associated benefits of altering the road to one-way operation. Whilst I do not dismiss the concerns that you have raised, unfortunately there is no funding available to make such change. As I have said, we must direct our available resources to those projects which are in line with objectives and priorities for transport within Medway. With regret, we are therefore unable to take forward your request.”

- 5.5 On 13 March 2019, the petition organiser requested that the matter be reviewed by the relevant Overview and Scrutiny Committee. The email stated:

“The Director’s response states that there is no budget to make the road one-way. However, this is a low cost proposal that would make a significant difference to the quality of life to the residents in Albany Road, and represents good value for money.

It is a simple, practical solution that would only require installation of some signage and road markings. It would therefore take very little staff time to implement.

Although a Traffic Regulation Order (TRO) may be required for this, I understand that the Council applies for these all of the time. Therefore the Albany Road Traffic Regulation Order could be submitted at the same time as

other schemes which are already being taken forward, so the costs of a TRO would be minimal.

On a daily basis, cars are coming head to head and refusing to move and being aggressive towards each other. Children who live in the street are witnessing this aggression. Already this year the police have been called as one incident turned physical.

If the street was one way it would also have saved police resources which there is a shortage of.

Furthermore, the road bends round which makes it very difficult and dangerous to reverse. It is an accident waiting to happen.

I can see no practical or financial reason why this could not be implemented.”

5.6 The Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive has further commented as follows:

“The Council’s Highway Designers have produced a scheme design as part of previous investigative work to assist assessing the costs and benefits of altering the current road layout to One-Way operation.

When undertaking designs for road alterations it is important that consideration is given to safety, along with the facilities provided for all user groups. A suitable design has been produced, following due design and safety consideration. The cost estimate for the project was £31,860 (at 2018/19 prices).

This includes: Kerb works at each junction to ensure appropriate One Way operation; signing and lining changes (it should be noted that some of the One Way signs require illumination and therefore energy supplies to be provided); drainage works associated with kerb line amendments; traffic management and temporary diversion to safely carryout the work; site supervision; contingency; and post construction safety review.

Whilst the project would formalise one direction of travel and remove the potential for conflicts, it cannot be ruled out that traffic speeds may increase, as road users would now know they will not meet any opposing traffic in the road ahead. The above cost estimate does not include any provision for future traffic calming measures, should they be deemed necessary.

No personal injury collisions have been recorded at Albany Road during the last five years of available police records. The project would therefore not address a known road casualty problem, and could not be considered a priority for investment on casualty reduction grounds. Albany Road does not form part of the local distributor road network and is not considered strategic in nature. The road serves for access to the addresses at Albany Road.

For the above reasons the proposal has not been prioritised for available funding streams in terms of reducing road casualties or improving journey times.

There may be alternative non-physical options available, such as creating passing places through the introduction of parking restrictions. There are in year funding streams to consider such requests. This approach would however likely reduce on street parking availability.”

6. Risk Management

- 6.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

7. Financial and Legal Implications

- 7.1 Any financial implications arising from the issues raised by the petitions will be taken into account as part of the review of these matters.
- 7.2 Overview and Scrutiny Rule 21.1 (xiv) in the Council’s Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council’s petition scheme.

8. Recommendations

- 8.1 The Committee is requested to note the petition responses and appropriate officer action in paragraphs 3 and 4 of the report.
- 8.2 The Committee is requested to consider the petition referral request and the Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive’s comments at paragraph 5 of the report.

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Appendices:

None

Background papers:

None