

Medway Council
Meeting of Medway Council
Thursday, 25 April 2019
7.00pm to 1.02am

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 Steve Iles)
The Deputy Mayor (Councillor Tejan)
Councillors Aldous, Avey, Bhutia, Bowler, Brake,
Mrs Diane Chambers, Rodney Chambers, OBE, Chishti, Chitty,
Clarke, Cooper, Doe, Etheridge, Fearn, Filmer, Freshwater,
Gilry, Godwin, Griffin, Griffiths, Gulvin, Howard, Mrs Josie Iles,
Jarrett, Johnson, Joy, Kemp, Khan, Mackness, Maple,
McDonald, Murray, Opara, Osborne, Paterson, Pendergast,
Potter, Price, Purdy, Royle, Saroy, Shaw, Stamp, Tranter,
Turpin, Wicks, Wildey and Williams

In Attendance: Neil Davies, Chief Executive
Jan Guyler, Head of Legal Services, Local Land Charges and
Licensing/Deputy Monitoring Officer
Wayne Hemingway, Principal Democratic Services Officer
Richard Hicks, Director Regeneration, Culture, Environment and
Transformation and Deputy Chief Executive
Perry Holmes, Chief Legal Officer/Monitoring Officer
Julie Keith, Head of Democratic Services
Ian Sutherland, Director of People - Children and Adults
Services
Phil Watts, Chief Finance Officer
James Williams, Director of Public Health

1025 Apologies for absence

An apology for absence were received from Councillor Hall.

1026 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

Councillor Griffiths declared a disclosable pecuniary interest in any reference to Medway Community Healthcare (MCH) because he is Deputy Chairman of MCH. He stated that he would leave the meeting should there be any specific discussion on MCH.

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Other significant interests (OSIs)

Councillor Chishti declared an OSI in agenda item 14B (Motion) because he has family members who are taxi drivers. He left the meeting during consideration of this item.

Councillor Doe declared an OSI in any reference to Medway Development Company Ltd and Medway Commercial Group Ltd. He had a dispensation to speak and vote on matters relating to this OSI.

Councillor Gulvin declared an OSI in any reference to Medway Development Company Ltd. He had a dispensation to speak and vote on matters relating to this OSI.

Councillor Steve Iles declared an OSI in agenda item 14E (Motion) because he is a Trustee of the Rochester Grammar School for Girls Charity. He left the meeting during consideration of this item.

Councillor Kemp declared an OSI in agenda item 14E (Motion) because he is a Governor of Rainham Mark Grammar School. He left the meeting during consideration of this item.

Councillor Khan declared an OSI in agenda item 14E (Motion) because she is a Director of the Williamson Academy Trust. She left the meeting during consideration of this item.

Councillor McDonald declared an OSI in agenda item 14E (Motion) because he is the Chair of the Howard Academy Trust. He left the meeting during consideration of this item.

Councillor Murray declared an OSI in agenda item 14E (Motion) because she is a Trustee of the Rochester Grammar School for Girls Charity. She left the meeting during consideration of this item.

Councillor Saroy declared an OSI in agenda item 14B (Motion) because she has family and friends who are taxi drivers. She left the meeting during consideration of this item.

Councillor Wildey declared an OSI in agenda item 7S (Public Question) because he is a member of the Youth Management Centre Committee – Woodies. He stated that having taken advice from the Monitoring Officer there was no need for him to leave the meeting.

Other interests

There were none.

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1027 Record of meeting

A Member referred to discussion at the last meeting regarding the possibility of two bids (Chatham and Gillingham) being submitted to Government for future high streets funding given that, subsequently, Members had been informed that only one bid (Chatham) would be made. The Chief Legal Officer advised that this matter did not relate to the accuracy of the record of the meeting given the reference to events after the meeting.

The record of the meeting held on 21 February 2019 was agreed and signed by the Worshipful The Mayor of Medway as a correct record.

1028 Mayor's announcements

The Worshipful The Mayor of Medway, on behalf of all Members, placed on record the Council's condolences to the family of Peter Rodberg who had passed away earlier in the month. Peter had served as a Councillor on Kent County Council, Rochester City Council and latterly Medway Council.

The Mayor, on behalf of all Members, also placed on record the Council's condolences to the family of Sucha Singh Gill who had passed away earlier in the month. Sucha was the recipient of a Pride in Medway Award in 2010 for his work in combatting discrimination with Medway Love Music Hate Racism. He worked tirelessly to promote community cohesion and raise awareness of problems faced by minority groups and would be greatly missed.

The Mayor placed on record the thoughts of all Members in relation to those affected by the tragic series of bombings that killed more than 300 people at churches and hotels in Sri Lanka over the previous weekend.

As this was the last Council meeting before the local elections on 2 May 2019, the Mayor thanked all serving Councillors who were standing down, many of whom had been elected Members of the Council since 1998.

Following discussion, it was agreed, in accordance with Council Rule 16.1, to vary the order of business on the agenda to enable agenda item 14D (Motion) to be considered after agenda item 7 (Public Questions) and for agenda item 14B (Motion) to be considered after agenda item 10 (Members' Questions).

The Mayor asked Members to speak clearly into the microphones to ensure people in the public gallery could hear and he reminded those present that the meeting was being audio recorded and the recording would be made available on the Council's website. In addition, he asked Members to provide written copies of any amendments to the top table first.

1029 Leader's announcements

The Leader of the Council, Councillor Jarrett, referred to discussion at the last Council meeting on 21 February 2019 about Councillor Franklin's retweets which were hostile to Islam and contained offensive language. The Leader of

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the Council stated that he had been accused of lying by the Leader of the Opposition and he wished to clarify matters.

He explained that on 6 February 2019 he had been contacted by the MP for Chatham and Aylesford who, in turn, had been contacted by Baroness Warsi's office in the Conservative Party regarding what had been described as recent retweets from Councillor Franklin, as outlined above. The Leader of the Council further explained that he was unaware of any recent retweets from Councillor Franklin, that he had dealt with retweets in the past (2016) and that Councillor Franklin had given an assurance that there would be no reoccurrence of this. Therefore, he had been disappointed to be notified of further retweets.

The Leader of the Council had consulted the Chairman of the Chatham and Aylesford Conservative Party and issued a joint statement on the morning of 6 February 2019 which highlighted Councillor Franklin's suspension from the Conservative Party and the Medway Conservative Group pending a full investigation.

The Leader of the Council stated that, subsequently, it had transpired that a member of the opposition had sent retweets from 2016 to the Conservative Party Central Office. He had been aware of these retweets, he had dealt with the matter as outlined above, and there had been no reoccurrence of any retweets from Councillor Franklin. Therefore, the Leader of the Council stated that he had not lied and had acted in good faith as he had understood the retweets in question to have taken place on 5/6 February 2019, whereas these retweets had dated back to 2016. He understood that his explanation of events had been borne out by the MP for Chatham and Aylesford who had written to the Monitoring Officer on this matter.

He concluded by stating that he hoped that this would bring matters to a close although the Leader of the Opposition could pursue the matter if he chose to do so.

1030 Petitions

Public

Mike Smith, Chairman of the Medway Licensed Taxi Drivers Association, submitted a petition containing 973 signatures which called on the Council to take immediate action against those "out of town" taxi companies such as Uber.

A member of the public submitted a petition containing 17 signatures which called on the Council to improve road safety around Lambourn Way, Knole Road and the surrounding roads.

Joanne Howcroft-Scott submitted a petition containing 294 signatures which called on MHS to retain sheltered accommodation at Russell House.

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Tony Scudder submitted a petition containing 20 signatures which called on the Council to review the parking restrictions in and around Middle Street, Brompton.

Members

Councillor Murray submitted a petition containing 205 signatures which called on the Council to implement a range of traffic volume and vehicle speeds studies, due to a substantial increase in through traffic between Maidstone Road and Delce Road, which had made Rochester Avenue a 'rat run'.

Councillor Griffiths submitted a petition containing 193 signatures which called on the Council to take immediate action to secure Beechings Playing fields to prevent access to unauthorised vehicles.

Councillor Wildey submitted a petition containing 65 signatures which opposed any development on the area known as Capstone Valley, in this case along North Dane Way, bordering Capstone Country Park and the previous landfill area in the region of Shawstead Road.

1031 Public questions

A) Natalie Jarvis of Hempstead asked the Portfolio Holder for Resources, Councillor Gulvin, the following:

“Residents in Twydall Ward have some concerns about youth anti-social behaviour, as well as anti-social parking, taking place around the Centenary Garden area.

Can the Portfolio Holder please explain what actions are being taken to ensure this area, as well as the whole of Medway, remains a safe place for residents and visitors to enjoy?”

Councillor Gulvin thanked Ms Jarvis for her question. He stated that the Housing and Community Safety Officers were currently working with local residents and partnership agencies to tackle anti-social behaviour in the area of Centenary Gardens.

A recent site visit had been carried out which had highlighted possible design solutions to some of the issues and these were currently being explored. The Council had also been in contact with the local youth service providers who were keen to work with the Council and local residents. He stated that they had already put robust measures in place to tackle any anti-social behaviour associated with identified individuals and would continue to respond to allegations from local residents.

He stated that a specific connection within Centenary Gardens had been identified, and that tenancy action may be taken to deal with this.

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He also stated that the Council's teams would continue to work with partners to address the concerns of local residents and would encourage all those affected by anti-social behaviour or crime to report it to Kent Police.

He concluded by stating, in relation to anti-social parking, Centenary Gardens was in a part of the Twydall estate where the roads had not been adopted by the Council and as such no enforcement action could be undertaken by the Council. Furthermore, Beatty Avenue that surrounded Centenary Gardens, was not within a Controlled Parking Zone (CPZ), which meant there were no restrictions to enforce the anti-social parking. Disabled bays and dropped kerbs in Beatty Avenue, were of course enforced by the Mobile Patrol Unit and on resident request.

B) Alex McDermott of Lordswood asked the Portfolio Holder for Resources, Councillor Gulvin, the following:

"Following significant investment in repairs over recent months, would the Portfolio Holder please update us on the status of Medway's CCTV network, to prevent any scaremongering or incorrect reporting of figures moving forwards?"

Councillor Gulvin thanked Mr McDermott for his question. He stated that following consultation with colleagues in Kent Police and the Safer Medway Partnership, three main priorities had been identified for appropriate surveillance coverage, these were: high streets; major transport hubs and; areas of busy night-time economy.

He reported that the initial phase of the project was now complete in the town centres of Gillingham and Rochester. All cameras were 100% operational and any cameras that did not meet the Information Commissioner's code of conduct had been removed. He stated that although the camera head had been removed in these instances, the infrastructure remained in place should any increase in activity warrant reinstatement.

He also stated that works in Chatham were 85% complete and were expected to be completed in the very near future. The works in Chatham would have been completed sooner but there were technical issues with the cable network. Medway Commercial Group (MCG) staff had worked very hard to solve these issues. He placed on record his thanks to those staff at MCG who had worked hard over the last few weeks to get Medway's CCTV network working properly.

C) Dave Wyatt, Chairman of Medway Allotments Federation, asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

"Medway Allotments Federation was set up fifteen years ago with encouragement and financial help from the Council. Our aims were to bring back into use plots that had become overgrown and neglected, to upgrade existing sites especially in the Gillingham area and to create new plots when demand was high. Over this period the waiting list for allotments has increased from very few to over 1,500 but not stands at approximately 500.

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Firstly I would like to congratulate the Council on reaching their target of 15 plots per 1,000 households set by the Medway Wildlife Countryside and Open Space Strategy by 2016. However, with 500 families on the waiting list, the expected increase of 30,000 households by 2035, and now the new initiative by the NHS to prescribe gardening as an alternative to drugs what plans do the Council have to increase the allotment provision required?"

Councillor Doe thanked Mr Wyett for his question and paid tribute to the work of the Medway Allotments Federation (MAF) who worked very well with the Council. He stated that the MAF had done a great job helping to administer the allotments and also prompting renewed interest in them.

He stated that Medway's future growth would be concentrated in specific areas and these would be the focus for additional allotment provision. However, where this was not possible, then the current target allowed provision within a 20 minute drive so there was some latitude there.

He stated that he recognised the need to expand facilities such as allotments in response to predicted growth and this would be addressed through the draft Local Plan and informed by an Infrastructure Development Plan (IDP). This would ensure that the Federation would be consulted on the development of this Plan as the Federation's engagement would ensure an appropriate and deliverable response to increased demand. He concluded by stating that the Council would continue to work with the federation.

D) Vivienne Parker of Chatham asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

"What is the Council doing to tackle dog fouling on Hook Meadow and Pattens Gardens?"

Councillor Chitty thanked Ms Parker for her question. She stated that dog fouling was an issue that was taken very seriously, although it was difficult in enforcement terms. She stated that in order to issue a fixed penalty notice currently set at £150, an authorised officer of the Council would need to witness the offence. She stated that most dog walkers would pick up after their dog. However, if any member of the public witnessed an offence and was able to identify the offender, she would encourage them to come forward with the information and the Council would do everything in its power to enforce it.

She stated that whilst enforcement was one new route to deal with this issue, education was also key. The Council's team of Community Wardens regularly visited these areas and engaged with dog walkers and, for example, warning or educational messages would be stencilled on the footpaths. The Community Wardens also held dog surgeries on greenspaces across Medway and visited local schools where the message of responsible dog ownership was reinforced. She concluded by stating that she had also asked officers to pay particular attention to the two areas Ms Parker had to enable the Council to act directly, if possible.

E) Joanne Howcroft-Scott of Strood asked the Portfolio Holder for Resources, Councillor Gulvin, the following:

“MHS plans to “decant” senior residents of Russell House in order to build a foyer for vulnerable young people. The local residents are opposed to this decision, and are concerned about vulnerable young people being placed in an area of Luton and Wayfield where there is some of the highest levels of crime, anti-social behaviour, and drug activity.

What, if any, action will the Council take to make this area more safe for these vulnerable young people and the wider community?”

Councillor Gulvin thanked Ms Howcroft-Scott for her question. He stated that the change of use of Russell House was still in the early stages and the Council was working with MHS to ensure that all measures would be taken to ensure the safety of future residents and the local community.

He stated that residents could be assured that whatever the future for Russell House, the Council’s Community Safety Team would work with partners, including Kent Police, to address any anti-social behaviour or crime that occurred. They would forge close links with the management and staff and closely monitor the centre. Any concerns in relation to vulnerable young people, including young residents, would be highlighted through the formal safeguarding procedure.

He concluded by stating that the Community Safety Team had already successfully targeted anti-social behaviour and crime in other areas of Chatham and Luton, and by working closely with Kent Police and other partners, would continue to do so.

F) Siju Adeoye of Gillingham asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

“There are over 700 licensed drivers in Medway, does the Portfolio Holder agree with me that having out of town drivers from Tonbridge and Malling and London is unfair and disrespectful to hardworking Medway taxi drivers who play by the rules?”

Councillor Chitty thanked Ms Adeoye for her question. She stated that she appreciated Ms Adeoye’s frustration, and that of the local taxi and private hire trade. However, the current legal situation made clear provision:

- a) for Hackney Carriage drivers and vehicles licenced by other authorities, such as Tonbridge and Malling Borough Council, to carry out pre-booked Private Hire work for Operators in another district,
- b) for Private Hire drivers and vehicles licenced by other authorities, such as Transport for London, to carry out pre-booked journeys made through a Private Hire Operator licenced by the same authority anywhere in the

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country without the need for the journey to start, end or pass through area of the authority that issued the licences; commonly referred to as the 'right to roam.'

She stated that recent case law had also confirmed that it was lawful for Uber drivers to sit and wait for custom through the App, and that use of the App did not amount to plying for hire.

She referred to Stephen Walsh QC who had stated, in his opinion on the legality of Uber's activities in Medway in connection with its businesses as a private hire vehicle operator dated 15 March 2019, that he accepted "the High Court's approach to Uber and the app in the case of Ali necessarily impacts on the chances of a successful prosecution of Uber in Medway", and that only litigation which overturned or clarified the current case law will change the current position.

She stated that consequently, it therefore remained the case that, whilst frustrating, it was not unlawful for Tonbridge and Malling, or TfL licenced Uber drivers and vehicles, to carry out such private hire work within Medway and there was very little that the Council's officers could do to intervene under the current regime. The Council would, of course, keep this situation under review.

She concluded by stating that later in the meeting Members would be discussing a Motion on the operation of Uber in Medway and she was looking forward to hearing what Council had to say. She encouraged Ms Adeoye to stay and listen to the debate on the motion being put forward.

G) Simon Curry of Rochester asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

"Does the Portfolio Holder agree with me that for a city to have a bus monopoly with one of the most expensive bus companies in the country is flawed and our community would be better served by introducing a publicly-run, not-for-profit bus operator in Medway that meets the needs of passengers?"

Councillor Filmer thanked Mr Curry for his question. He stated that there would be many issues to consider before the Council would introduce a publicly run, not-for-profit bus operator in Medway. The on-going costs for all bus operators were significant, and a large capital outlay would be required to set up a company. A 'not-for-profit' operator would still have to generate a surplus of income over costs in order to invest in the business. Without on-going investment, the buses would become less reliable and unable to provide the comfort and facilities passengers expect.

He stated that here in Medway, there had been regular investment in new buses by the private companies: a number of routes had new modern buses with WiFi, charging points and comfortable seats. The Council worked in partnership with bus operators to reduce the impact of roadworks on bus routes and provide good facilities for passengers. He also stated that the Council supported the cost of travel for young people with the Medway Youth Pass and

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invested over £700,000 per year to subsidise bus routes that could not run on a commercial basis, but met a social need.

H) Lia Mandaracas of Twydall asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

“Could the Portfolio Holder tell me why the Council spends so much money on items that are not fit for purpose when the "dynamic" stands in the waterfront bus station don't ever seem to be turned on in the evenings and are often faulty during the day?”

Councillor Filmer thanked Ms Mandaracas for her question. He stated that the totem screens at each bus stand were always on. However, services naturally reduced in the evenings and the screens would not show as much information as they did during the day.

He stated that problems with the network were rare, screens were monitored on a daily basis and passengers could report problems to the Council which would act on them as soon as it could. He concluded by stating that if Ms Mandaracas encountered any difficulties in future, that she could contact him.

I) James Braithwaite of Rochester asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

“Since the turn of the year it has become very noticeable that our Medway streets are littered far more than they were in the recent past. In central Strood it is a rarity now to see a street cleaner regularly out in roads. Residents in Bryant Road have to wade down the hill through rubbish to get the underside of the railway bridge where they can slide on piles of pigeon droppings while at the risk of additional droppings showering them from above.

Can the Portfolio Holder please outline the level of monitoring the Council is undertaking to ensure that the street cleaning contractor is cleansing to the levels expected by its contract with Medway Council?”

Councillor Filmer thanked Mr Braithwaite for his question. He stated that he could reassure Mr Braithwaite that the level of monitoring by the waste team had not been reduced and that the High Streets were regularly inspected. The street cleaning schedules had not changed and the same service was being delivered by the contractor.

He also stated that central Strood, including Bryant Road, was cleansed daily by a mechanical sweeper between 6:00 - 8:00 am and there was also a street cleaner who covered the High Street and immediate surrounding area.

J) Zoe Van Dyke of Strood asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

“This Council successfully bid for regeneration funds to improve Strood's infrastructure. Improvements that will really make a change to Strood's

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infrastructure remain outstanding. It can take an hour or more to get out of the Medway City Estate at the end of the working day. If there were to be a serious incident (such as the recent fire on the estate) hundreds of people would be placed at risk. This is compounded by vehicles parked on the pavement on both sides of Sir Thomas Longley Road and numbers of pedestrians walking in the road to pass them – again at serious risk of harm.

Can the Portfolio Holder explain what has happened to the promised highway improvements to manage traffic leaving the Medway City Estate, particularly during rush hour?"

Councillor Filmer thanked Ms Van Dyke for her question. He stated that there was a fully-designed proposal for a slip road from Anthony's Way on to Berwick Way, which would bypass the roundabout and make it easier to leave Medway City Estate. This represented a significant improvement to the Highways infrastructure, and the Council was currently going through the process of making sure the proposal satisfied the requirements of the funding body. The Council also needed to make sure that this tied in with wider improvements planned for the A289 between the Sans Pareil Roundabout and the Four Elms Roundabout.

He also stated that the Council had installed loading restrictions on Anthony's Way to help improve traffic flow. The Council operated the traffic lights at the Medway Tunnel during the evening rush hour, which created gaps in the traffic flow for vehicles trying to leave Medway City Estate. He stated that the Council would look into the issue of pavement parking on Thomas Longley Road as it could be possible to implement waiting restrictions in order keep the pavement clear for pedestrians.

K) Alexa Chatfield of Rainham submitted the following to the Portfolio Holder for Children's Services (Lead Member), Councillor Mackness:

"Can the Portfolio Holder please explain why Bligh Children's Centre was closed without notice or consultation?"

Note: As Ms Chatfield was not present at the meeting, she would receive a written response to her question in accordance with Council rule 8.6.

L) Elaine Thomas of Rochester asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

"Rochester is marketed as a tourist destination, but its High Street is pitted with empty retail units and there is no bank. What steps is the Council taking to persuade retailers that there is the chance of a long-term and profitable future for them if they open a business in Rochester?"

Councillor Chitty thanked Ms Thomas for her question. She stated that the nature and face of high streets, and retail in particular, was changing. In terms of empty retail units, the Town Centre Manager monitored this on a regular basis and in February this year there were 16 vacant units out of a total of 238

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in Rochester, none of which were in the Council's ownership. This represented a vacancy rate of 6.72% compared to a national average of 9.9%. This lower than average vacancy rate was representative of the diversity of independent retailers in this unique location.

She stated that Rochester had been a high priority for the Council, working with stakeholders and partners to develop projects including the new £26m railway station and residential developments in Corporation Street. The flagship regeneration site, Rochester Riverside was coming forward at a pace, with Countryside bringing forward 1,400 new homes and community facilities at Rochester Riverside. The Council had also seen significant investment secured for the Corn Exchange and the Conservancy Building, and Eastgate House had recently benefitted from a £2m renovation.

She stated that the Council worked actively and with the Rochester Forum, a group representing retailers, local businesses and residents to promote Rochester through activities such as this year's hanging basket display being funded from private sponsorship. In addition to the comprehensive schedule of Rochester-based festivals and events, the British Cycling National Championship race would be held on 21 July 2019.

She stated that for new businesses wishing to set up, the Council provided free business planning workshops, ongoing one-to-one advice and a potential start-up grant of £1,000 for those taking commercial premises.

She also referred to tourism which was booming in Medway. Medway received 4.9m visits each year, with a value of £333m. She stated that for Medway's economy, employing around 6,500 people, Medway was undoubtedly a great place to live, work, learn and visit.

M) Anthony Hill of Strood asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

"Data from October 2018 showed that across Medway 3,393 properties were vacant – of which a third were 'long-term' (empty for 6 months or more) vacant properties.

In Strood there are a number of houses on the relatively recent Medway Gate estate awaiting serious repairs from the National House Building Council whilst the homeless are on the streets in cold weather and even dying on our high streets.

Some councils are making use of a range of measures including Compulsory Purchase Orders to ensure that vacant houses can be rented to residents by the council. Others apply a premium council tax rate to long-term vacant properties.

Recognising Medway Council has taken some of these measures, what more will the Council do to tackle the housing crisis?"

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Councillor Doe thanked Mr Hill for his question. He stated that the Council continued to undertake a great amount of effective and successful work to alleviate housing needs in Medway, which was set out in various Council strategic documents, in particular, the Council plan.

He stated that the Council aimed to deliver newly-built affordable homes through the Council's direct delivery as well as working with Housing Associations in Medway.

The Council offered a range of support from the teams based at Kingsley House, commissioned providers and work with volunteers and partners.

The Council worked with landlords to ensure that properties were well maintained and offered training, accreditation and support to ensure as many tenancies as possible were successful.

In relation to homelessness, he stated that the Council worked hard to ensure that, where possible, households were supported to remain in Medway and access permanent accommodation. The Council had managed to secure a significant amount of funding to provide services for rough sleepers in Medway, and all of these services were up and running and the Council was recognised as being one of the best performing Councils in the country in terms of delivery.

He also stated that the Council's Derelict Buildings Officer was specifically tasked with dealing with issues around untidy buildings and bringing them back into a condition both appropriate for occupation and one that enhances the area. This post had recently been expanded to cover both derelict buildings and empty homes with the specific intention of taking appropriate action to bring empty homes back into use. The Council's track record over the past few years had been very positive, but he appreciated there was always more that could be done subject to reasonable access to finance.

N) Sean Carter of Gillingham submitted the following to the Portfolio Holder for Business Management, Councillor Turpin:

"You state you take allegations of fraud seriously but have done nothing. Why is this?"

Note: As Mr Carter was not present at the meeting, he would receive a written response to his question in accordance with Council Rule 8.6.

O) Robbie Lammas of Lordswood asked the Leader of the Council, Councillor Jarrett, the following:

"What plans does the Council have to improve the Luton area, including: to hold private sector landlords to account for dilapidated properties; the planting of trees and plants, street cleansing and railing removal to improve the street scene; the reinstatement of bins to combat littering and; a place-making project in conjunction with the local community for the Luton Arches, including the return of the Driver Fountain?"

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Councillor Jarrett thanked Mr Lammas for his question. He stated that he had met with Mr Lammas alongside Council officers and representatives of Arches Local on 15 March 2019. He stated that he was pleased that the Council was able to develop some really positive action points as a result of that meeting.

He stated that within the finances available, he and officers had agreed to explore plans which included, but were not limited to, the aforementioned various street cleansing work, new bins and other initiatives to improve the street cleaning in the Luton area.

He stated that as the Leader of the Conservative Administration he was proud to continue to work towards the realisation of improvements associated with the Conservative Group's growth for all agenda. The Group was determined to deliver growth and prosperity across the whole of Medway and was proud of the work that had been done to date including the growth in Medway's economy from £4.8 billion to £5.2 billion in the last year alone.

P) Andrew Lawrence of Hempstead submitted the following to the Portfolio Holder for Educational Attainment and Improvement, Councillor Potter:

"I trust that the Portfolio Holder will join me in congratulating schools in Medway on their excellent results across all Key Stages, particularly Key Stage 2 where Medway has improved by 54 places in national league tables in just 3 years.

How is the Council, working in Partnership in Schools and other education partners, going to sustain this improvement and continue to raise standards?"

Q) James Chespy of Gillingham submitted the following to the Leader of the Council, Councillor Jarrett:

"In a statement issued in February 2019, the Leader of the Council indicated that he was not aware of something that took place in a meeting it was believed he was at in February 2016.

Could the Leader of the Council confirm whether or not he was at the budget meeting at which Councillor Maple outlined the troubling tweets of Councillor Franklin?"

R) Harinder Mahil of Chatham submitted the following to the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty:

"Attached is a map used by Uber to arbitrarily demarcate an area they believe to be London.

Does the Portfolio Holder reject the boundary of Greater London on the attached map and in doing so, agree that Medway should not be included?"

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S) Mark Jones of Rochester submitted the following to the Portfolio Holder for Children's Services (Lead Member), Councillor Mackness:

“For over thirty years, until it was closed by Medway Council in 2018, Woodies Youth Centre in Arethusa Road, Rochester, provided activities for hundreds of young people that came through its doors in this period and had a main hall and cafe area with the capacity to accommodate large numbers at one time, with diverse needs.

The centre was closed to enable a new school/unit for SEN children on the Thomas Aveling school site, to be established.

Please can the Portfolio Holder advise how many students are currently enrolled at the unit and in doing so confirm whether it has ever reached its anticipated admission numbers?”

T) Jordan Hartley of Gillingham submitted the following to the Portfolio Holder for Resources, Councillor Gulvin:

“Since MCG took control of CCTV services in 2016, at some points more than half of Medway’s CCTV cameras have not been working. The Council has stated that CCTV replacement will happen in ‘key locations’ – what are those key locations, including the criteria used to designate them as ‘key’?”

Note: Jordan Hartley withdrew this question ahead of the Council meeting.

U) Ravinder Jassal of Chatham submitted the following to the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe:

“I’m concerned about the living conditions of many of our social housing tenants, some of whom are living in properties hazardous to their health.

I have spoken to hundreds of Princes Park residents over the last year, many of whom have serious complaints about the main social housing provider in the area. These complaints range from untreated asbestos to condemned mains electric which has been left exposed since 2013.

Residents have complained to the housing provider and then later the Council, but have been unable to secure vital repairs within a reasonable time frame.

What can Medway Council do to ensure that its leading social housing provider in Princes Park deals with their tenants in a responsible and compassionate manner?”

V) Oluseyi Obadare of Chatham submitted the following to the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe:

“Grass verges around Medway now have unsightly yellow dead grass around trees and street furniture.

Can the Portfolio Holder tell me why he has allowed Medway Norse to start using herbicide instead of strimming, confirming whether or not the chemicals used are safe for wildlife, domestic pets and people who use the verges?”

Note: The Mayor stated that since the time allocation for public questions had been exhausted, written responses would be provided to questions P-S and U-V.

1032 Leader's Report

Discussion:

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

- Value for money
- Education
- Regeneration projects
- Investment in Medway
- Council Tax
- Medway Tunnel
- Capital Programme
- Schools attainment
- Election manifestoes
- Councillors retiring at the local elections
- Estuary Airport
- Condition of roads
- Flytipping
- Local Plan
- Night time economy
- Medway City Estate
- Sure Start Centres
- Appointment of Chief Executive to the Medway NHS Foundation Trust
- Ofsted inspection of Local Authority Children's Services.

1033 Report on Overview and Scrutiny Activity

Discussion:

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

- Becoming a single use plastic free Council
- Annual report on School performance 2017-18
- Draft Medway Children and Young People's Plan 2019-24
- Draft Medway Joint Carers' Strategy
- Update on CCTV Review
- Transformation update
- Kent and Medway Wheelchair Service
- Outcome of NHS consultation on Acute and Hyper-Acute Stroke Services in Kent and Medway
- The proposed appointment of Geoffrey Matthews to the position for a non-voting Teacher on the Children and Young People Overview and Scrutiny Committee for a two year term
- Medway Youth Council – Annual Conference findings
- Portfolio Holders for Children's Services (Lead Member) and Educational Attainment and Improvement being held to account
- Overview and Scrutiny Committee members who were retiring at the local elections.

Decision:

The Council agreed to appoint Geoffrey Matthews to the position for a non-voting Teacher on the Children and Young People Overview and Scrutiny Committee for a two year term.

1034 Members' questions

A) Councillor Johnson asked the Portfolio Holder for Children's Services (Lead Member), Councillor Mackness, the following:

"In view of the disappointing decision not to fund the SEN free school and the absence of a Plan B from the Conservative administration, what are his plans for accommodating the numbers of children in Year 6 at Abbey Court Special School in Year 7 from September, given that there is insufficient accommodation for them?"

Councillor Mackness thanked Councillor Johnson for his question. He stated that he shared Councillor Johnson's disappointment at the outcome, especially considering that government inspectors in the Special Educational Needs and Disabilities (SEND) inspection referred to Medway having too many pupils placed in out of area provision.

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He stated that the SEND free school would have provided the opportunity for a more coordinated and cohesive approach to resolving capacity issues. The Council had taken up the offer of receiving feedback on the bid but the Department for Education (DfE) had not yet been forthcoming with a date to discuss it.

He stated that the Administration had been working on a number of plans in the event of the bid being unsuccessful. This had set out a clear plan to meet the needs across all of Medway for pupils with additional needs and not just those at Abbey Court.

He stated that officers had been tasked with engaging and working very closely with Abbey Court for this very occurrence. The Head of Abbey Court, working with and with additional funding provided by the Council, had made a number of changes in order to accommodate the increased demand for September and to ensure the transition period would be a success for pupils.

He stated that he wanted to reiterate that there was no gap in provision for the start of the academic year. Time had been provided for the Council to receive the feedback from the Department of Education and by working with its partners, the Council would take the plans in place forward to the next detailed stage for the provision of special needs places, based upon the recent exceptional work done by officers for a needs analysis. He concluded by stating that his would be presented at the appropriate time.

B) Councillor Murray asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

“I recently filmed Volker Highways workers attempting to repair potholes opposite my home in City Way. Five potholes were dealt with in ten minutes. The method used was to pour soft tarmac from small sacks into the potholes then stamp the material in with the workers' feet.

Can the Portfolio Holder tell me whether he thinks this method of repair is both likely to last and be good value for money?”

Councillor Filmer thanked Councillor Murray for her question. He stated that the works in question were emergency repairs to potholes that had been identified and deemed a danger to road users by the Highways Team.

The material used was a product called Viafix which was designed to be a fast repair solution for emergency situations such as this and no mechanical plant is required for its installation. Instead, the material was compacted by traffic, being a cost-effective repair solution that is used across the Highway network.

He stated that he would ask the Highway team to revisit the site to check the condition of these emergency repairs.

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He concluded by stating that as part of the Annual Highway Investment Programme for this year, the Council would be undertaking planned resurfacing works along City Way between house numbers 324 and 412 and patching works between house numbers 280 to 286.

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

“A February 2019 audit report regarding the use of Corporate (Council) Credit cards has stated that under Tory stewardship:

'Testing has shown that cardholders do not routinely collect and sign for the credit cards, and cards are collected by individuals who have no authority to have access to them, increasing the potential for misuse'.

In addition:

'The cards are not kept by the cardholder in compliance with both the NatWest T&C's and Medway's own guidance, and while kept in secure locations; are accessible to officers who have no authority to use them.'

What confidence should the public have in the use of Council credit cards when individuals with no authority to access them are doing so, especially as this is the second report to indicate problems with the process of managing council finances in regards to corporate credit cards since 2014-15 under your watch, indicating systemic weakness?”

Councillor Jarrett thanked Councillor Osborne for his question. He stated that he believed this question referred to an internal audit review completed in February which would be reported to the Audit Committee in June of this year.

He stated that he wanted to assure Councillor Osborne and the public that they could have full confidence in the Council's use of corporate credit cards; the Council took the results of the work of internal audit very seriously and was already making good progress implementing their recommendations.

However, to provide context to Members, of the Council's 2,000 strong workforce, only 29 members of staff had corporate credit cards at present, with a combined total spend during 2017/18 and 2018/19 of £325,000, representing just 0.06% of the council's gross expenditure of around £500million.

He stated that the audit did not find any evidence that the Council's corporate credit cards were being misused by staff making purchases that were not legitimate council expenditure. Rather, the report referred to instances where a Personal or Executive Assistant was holding and using the corporate credit card of the member of the corporate management team they supported, as per legitimate instructions from that manager. The audit identified no instances of inappropriate use arising from the current practice, despite the risk. One practical outcome might be simply that credit cards would be issued to those Personal/Executive assistants for that purpose.

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The 2014/15 review recommended that the Council reviewed who the cards were issued to. He had been assured this was done at the time. However, staffing changes in the five year period had resulted in a need to do this again and this review was already underway.

The report also noted that the majority of items purchased using the credit cards related to travel and equipment, for which the Council had other preferred methods of payment. However, the report also noted that there could be financial advantages and discounts available to justify the use of cards to make purchases online, and that the credit card guidance issued to staff could simply be changed.

He concluded by stating that officers were working to review this guidance now. He hoped the Audit Committee, when it considered this report forward later in the year, would find that satisfactory.

D) Councillor Bhutia asked the Leader of the Council, Councillor Jarrett, the following:

“As finance Portfolio Holder, does the Leader of the Council believe that Labour’s manifesto commitments are financially viable and therefore deliverable by Medway Council?”

Councillor Jarrett thanked Councillor Bhutia for his question. He stated that this issue would be discussed in more detail later in the meeting but of the manifesto commitments set out by the Labour group that did have sums of money attached to them, and those were few and far between, there was no indication of where the money might come from.

He stated that in response to the question, that the commitments were not financially viable, as written, and therefore they were certainly not deliverable at this time by the Council.

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

“As finance Portfolio Holder, would the Leader please explain how and where the £5million of income from car parking charges across Medway has been used?”

Councillor Jarrett thanked Councillor Joy for his question. He stated that this matter had caused quite a bit of interest in the press given it was the largest such income in Kent. He stated that this was not really surprising as Medway was a unitary authority and as such was substantially larger than other Councils. As such, it followed that the income was always likely to be larger.

He stated that approximately £10million had been spent on roads and car parks.

F) Councillor Aldous asked the Portfolio Holder for Adults' Services, Councillor Brake, the following:

“What impact has the Medway Council Public Health Smoke Free Advice Centre in Chatham had on the health of Medway residents?”

Councillor Brake thanked Councillor Aldous for her question. He stated that the Medway Public Health Smokefree Advice Centre had been open for over 4 years and was proving to be a major asset to the Council's drive to improve the health of local residents.

He stated that over 5,000 local people had successfully quit smoking after accessing support at the centre. Medway continued to be one of the best performing Stop Smoking Services in the South East. Thanks to the stop smoking advice centre, Medway now had its lowest recorded adult smoking prevalence at 17.6%, down from 22.3% in 2015, which was a 4.7% reduction. To put this in perspective, the reduction in England during the same period was only 2.9%.

He stated that there was much more to this centre than supporting people to quit smoking. Other services were provided including weight management services, training for healthcare professionals, deliver talking therapies, offer specialist dietetic advice, health service, and much more.

He reported that Medway had achieved its target of completing 7,500 NHS health checks this year. This success was due to the additional outreach appointments offered at the centre. NHS Health checks played a crucial role in improving the health of the Medway population.

He also stated that it was very important to note the public health offer was not exclusively conducted from this facility. For example, children and families where every new Medway parent was supported by a health visitor.

The Council provided 1,000 free health walks every year, enabling local people to improve their physical and emotional wellbeing, walking through some of the best kept open spaces in the South East of England. Medway's local Supporting Healthy Weight network was nationally recognised as a best practice model to address the challenges posed by rising levels of obesity.

He stated that following through the commitment to tackle social isolation in Medway, the Council had been successful in securing significant external Intereg funding to support its ambitions for the next 3 years. The international collaboration would see Medway work alongside other local authorities, not only in England, but also France, and this would help to improve outcomes for Medway's population.

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He also referred to extremely strong local partnerships. The Council worked closely with health sector partners within Medway Hospital. For example, the Council helped them keep a fantastic smokefree site. The schools programme created healthy environments to give every child the best start in life and the workplace programmes supported businesses to improve employee health which enhanced Medway's economic productivity.

G) Councillor Kemp asked the Portfolio Holder for Children's Services (Lead Member), Councillor Mackness, the following:

“Earlier this year, Medway Council underwent a focused Ofsted inspection where inspectors looked at children's services safeguarding arrangements, as well as visited one of our Children and Family Hubs.

Will the Portfolio Holder share with us the outcome of this inspection, and the feedback that the team gave to our Children and Family Hubs, which were opened last year?”

Councillor Mackness thanked Councillor Kemp for his question. He stated that Ofsted had carried out a focused inspection visit on Medway Children's Services on 5 February 2019. As part of the inspection, a range of evidence had been considered including discussions with social workers, managers, partner agencies based within the Multi Agency Safeguarding Hub (MASH) and early help practitioners in one of the excellent Children and Family Hubs.

He stated that the inspectors found that Medway had made significant improvements since the Joint Targeted Area Inspection in June 2018 with considerable progress in a range of areas within the Children's Service Front Door. They also commented favourably on the Local Authority Designated Officer (LADO) service, which managed the investigation of allegations made against professionals and carers who work with children.

He stated that the inspectors found that the formation of Children and Family Hubs had provided a sound base for the provision of early help services in Medway. There was a firm commitment to the provision of services tailored to children and their families, and the local authority and partners in the statutory and voluntary sector were working well together to achieve this and would continue to do so. Thresholds for cases moving between early help and statutory services were well understood and appropriate in cases seen by inspectors.

He stated that overall, Medway's approach was proving to be effective in securing positive changes in practice. Inspectors heard staff were experiencing high support and high expectations within a learning culture. They reported staff were positive about working for Medway.

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The visibility and approachability of senior managers and their engagement with staff was positively highlighted by inspectors as an enabler of further progress. He concluded by stating that this represented good progress and the Council would continue to make progress and this was a reflection of the exceptional work of this Administration.

H) **Councillor McDonald asked the Portfolio Holder for Adults' Services, Councillor Brake, the following:**

"Following the Government's recognition that Period Poverty exists in schools, would Councillor Brake like to finally admit Period Poverty exists in Medway and apologise to all those young women and girls who he has let down?"

Councillor Brake thanked Councillor McDonald for his question. He stated that the Public Health team had undertaken a significant piece of research on this subject in 2018 as a result of Member concerns. The findings from this research had been presented twice to the Medway Health and Wellbeing Board. Key points to note were a very small number of young people in Medway were potentially suffering from period poverty, but this issue was not widespread. Most local schools and a number of local organisations were already providing sanitary products for free.

He stated that the research did highlight areas for improvement. One specific objective was to make the free products already provided more accessible. The other was to ensure the context of menstrual health was addressed and improve the education of those working with young people and young people themselves both male and female about menstrual health. As a result the Health and Wellbeing Board collectively agreed a number of actions which had now been taken forward.

He concluded by stating that the Council would welcome any additional support central government could provide to young people locally. The Council would continue to work closely with schools, through Public Health and youth services on this agenda.

I) **Councillor Stamp asked the Leader of the Council, Councillor Jarrett, the following:**

"The environment charity Hubbub, alongside Starbucks, have recently launched 'The Cup Fund', the UK's largest grant fund to support ambitious projects that boost paper cup recycling in the UK.

Would the Leader of the Council consider applying for funding so that Medway can benefit from even better recycling facilities and cleaner streets?"

Councillor Jarrett thanked Councillor Stamp for his question. He stated that the £1 million "Cup fund" was managed by environmental charity Hubbub for projects valued at £50,000 to £100,000. Hubbub was a well-known within the waste management field and Medway Council successfully used some of their ideas last year at Chatham bus station.

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He stated that the cup fund was very specific in its aims, targeting just the collection of paper cups. Medway had a wide variety of fast food and coffee outlets, but these were not located in one distinct area. The fund is specifically targeting 10-20 'ambitious, large-scale projects that would transform cup recycling in high footfall areas'.

He stated that as the Council already had in place tetra pack 'bring sites' at a number of locations across Medway, the Council had decided not to submit a bid at this time. Officers would closely monitor the results of the trials in other areas, as these may provide insight into the Council's future position.

On a wider note, Environmental Services staff continually looked for alternative and new recycling markets, benefitting the environment and the Council's finances. An example of this would be mattress recycling. The Council was working closely with Veolia to reintroduce mattress recycling, a high tonnage, high volume material that currently went to landfill, and he expected to have a new scheme up and running within the next few months.

He concluded by stating that he had recently taken part in a debate on Climate Change, which he had enjoyed enormously, and was able to point to the specific actions that the Council was taking to play its part in addressing this global issue.

J) Councillor Khan asked the Leader of the Council, Councillor Jarrett, the following:

"Medway Council made £5m from parking fines last year, the highest percentage increase of any council in the country.

Is the Leader of the Council prepared to publish details of how this money was spent in the interest of transparency for Medway council tax payers?"

Councillor Jarrett thanked Councillor Khan for her question. He referred Councillor Khan to the answer he had given earlier on this subject (question 10E). He stated that with regards to income, the Council was spending in the order of £10million, not £5million, on Medway's roads and car parks.

He stated that in terms of the second part of the question, those details were presented in the budget which had been presented to this Council in February. He concluded by stating that Councillor Khan would be familiar with those details because she had been one of the Labour members who had voted against the budget.

K) Councillor Maple asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

“Do you agree with me that it is unfair Medway taxi drivers who play by the rules are being dramatically disadvantaged by Uber claiming that Medway is part of Greater London?”

Councillor Chitty thanked Councillor Maple for his question. She stated everyone who lived in Medway would fight like mad to be associated with Medway rather than Greater London. She stated that she assumed that this question relates to Uber’s ‘geofencing’ of areas. To provide some context in March 2018, Uber had created 9 ‘geo-fenced’ or virtual regions covering most of the country.

She stated that her understanding of the effect of this was that licenced drivers using the Uber app were still free to choose where they wanted to drive, but they were only be able to receive requests from the Uber app in the virtual ‘geo-fenced’ region and this showed how far virtual reality had taken everybody away from what should be focussed on.

She stated that one of the 9 areas referred to by Uber as Greater London included Medway. Consequently, drivers licenced by Transport for London were able to receive work via the Uber app anywhere within this virtual area.

Whilst the geographic area of Greater London clearly did not include Medway, it was important to remember that the geo-fenced area was nothing more than a virtual area that could be given any name. For example, it could be called ‘The South East’, and it need not be the same as, or accurately reflect, an established geographical area.

She concluded by stating that the Mayor of London could be quite helpful by clarifying that situation and making it clear how he felt about those so called sites.

1035 Addition to the Capital Programme - Acquisition of Depot Site for use in connection with the Waste Collection and Cleansing Service

Discussion:

This report provided details of Cabinet’s decisions on 9 April 2019 in relation to acquiring a depot site for use in connection with the Waste Collection and Cleansing Services, given that the existing contractor had advised that they wished to retain their own depot facilities (Pier Road) for their own commercial use and would not be letting the Council or its contractors use the facilities.

The report stated that the Council was recommended to add this scheme to the Capital Programme. In addition, there was a constitutional requirement that Cabinet decisions relating to land and property transactions over £500,000 must be reported to the next Council meeting for information.

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An exempt appendix provided detailed costs of acquisition and the enabling works needed.

The Portfolio Holder for Resources, Councillor Gulvin, supported by the Leader of the Council, Councillor Jarrett, proposed the recommendation set out in the report.

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

For – Councillors Aldous, Avey, Bhutia, Bowler, Brake, Mrs Diane Chambers, Rodney Chambers OBE, Chishti, Chitty, Clarke, Cooper, Doe, Etheridge, Fearn, Filmer, Gilry, Griffin, Griffiths, Gulvin, Mrs Josie Iles, Steve Iles, Jarrett, Johnson, Joy, Kemp, Khan, Mackness, Maple, McDonald, Murray, Opara, Osborne, Paterson, Potter, Price, Purdy, Royle, Saroy, Shaw, Stamp, Tejan, Tranter, Turpin, Wicks, Wildey and Williams (46)

Against – Councillor Freshwater (1)

Note: Councillors Godwin, Howard and Pendergast were not present for the recorded vote.

On being put to the vote, the proposal was carried.

Decision:

The Council agreed to add up to £9M to the capital programme to acquire a suitable site for a depot, including relevant professional fees, obtain any necessary consents and carry out works.

1036 Strood Waterfront - Former Civic Centre Site

Discussion:

This report provided details of Cabinet's decisions on 9 April 2019 in relation to the disposal of the land at the former Civic Centre site, access road and adjacent land at Jane's Creek in Strood in accordance with the constitutional requirement that Cabinet decisions relating to land and property transactions over £500,000 must be reported to the next Council meeting for information.

The Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers OBE, supported by the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, proposed the recommendation in the report.

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Councillor Khan proposed the following amendment:

“Add 9.2

Medway Council will conduct meaningful consultation with residents of Kingswear Gardens and Moat and Orbit Housing Association, and ensure they are properly informed, before future plans for Kingswear Gardens are finalised.”

In response to questions from Members relating to the validity of the amendment, the Mayor ruled it out following advice from the Chief Legal Officer that the amendment was not relevant to the business contained in the report, as required by Council Rule 11.3.1.

Decision:

The Council noted the content of the report.

1037 Criteria for the Appointment of Honorary Aldermen and Alderwomen

Discussion:

This report provided details of proposals for the establishment of criteria for the appointment of Aldermen and Alderwomen. Such appointments were permitted under section 249 of the Local Government Act 1972 as amended by the Local Democracy, Economic Development and Construction Act 2009, where former Councillors, in the opinion of the Council, had rendered “eminent service” to the Council as a past member of the authority or predecessor authority.

The report set out proposals for the criteria as set out in section 3 of the report. A Diversity Impact Assessment was set out in Appendix 1 to the report.

Councillor Kemp, supported by Councillor Bowler, proposed the recommendations set out in the report.

Decision:

- a) The Council approved the criteria and process for the appointment of Honorary Alderwomen/men as set out in section 3 of the report.
- b) The Council agreed to delegate authority to the Chief Executive to process the nominations received as set out in paragraph 3.4 of the report.
- c) The Council agreed to delegate authority to the Chief Legal Officer to deal with the withdrawal of the Honorary title as set out in paragraph 3.7 of the report.
- d) The Council agreed to delegate authority to the Chief Legal Officer to deal with a resignation from the office of Honorary Alderwoman/man as described in paragraph 3.9 of the report.

1038 Motions

A) Councillor Chishti, supported by Councillor Aldous, proposed the following:

Need for adequate provision of Faith Places of Worship in Medway

Faith communities in Medway make a considerable contribution to community life and enrich our lives in so many different ways. However, faith places of worship do face challenges with adequate parking provision on their main day of worship, major religious events, and funerals.

Medway Council has a strong reputation for working with faith communities and respecting religious freedom.

Council calls on the Cabinet to do the following:

1. Carry out a full consultation with all faith communities across Medway on this specific issue.
2. Look at the specific challenges in terms of the specific location of each faith place of worship to find a solution, rather than a generic faith permit solution and consider the option of temporarily lifting parking restrictions on the specific day of the necessary period of a faith community's main day of worship/major religious events/funerals.
3. Where there are historic long-term challenges facing a specific faith community in Medway, Medway Council should provide interim support measures until a full review/consultation with faith communities, Councillors and MPs has taken place across Medway.

Decision:

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

B) Councillor McDonald, supported by Councillor Murray, proposed the following:

"Enforcement of Local Government (Miscellaneous Provisions) Act 1976, Section 46 (1) (d)

Council acknowledges the document recently submitted by the Medway Licensed Taxi Driver Association (MLTDA) to Council officers.

The 15 page report contains legal opinion on the operation of Uber within Medway.

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Council instructs officers to:

- Seek their own independent legal opinion on the operation of Uber in Medway;
- Meet with the MLTDA to discuss these legal opinions in a constructive manner;
- In the event of broad similarity in legal opinion, to take the appropriate action to cease and desist operations which are not in accordance with Local Government (Miscellaneous Provisions) Act 1976, Section 46 (1) (d).”

Decision:

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

C) Councillor Paterson, supported by Councillor Price, submitted the following:

“Food Justice

Council notes:

- There are 8 million people in the UK who have trouble putting food on the table according to the United Nations.
- Over 500,000 people used food banks in the UK last year; The Trussell Trust alone distributed over 1.3m three-day emergency food supplies to people in crisis in the financial year 2017-2018.
- 3m children are at risk of hunger during the school holidays.
- Around 10% of the NHS budget goes on treating diabetes and up to 1 million people live in food deserts in the UK.
- The Government’s commitment to the UN’s 17 Sustainable Development Goals (Global Goals), which commits governments to ending hunger, nationally and internationally, by 2030.

This Council therefore commits to food justice in Medway by:

- Nominating a Cabinet member the responsibility of delivering food justice;
- Asking Cabinet to discuss setting up a food partnership in Medway;
- Asking that the relevant Overview and Scrutiny Committee receives a report on the extent of food poverty in Medway, and to make recommendations to Cabinet on actions that should be taken to ensure food justice in Medway.”

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The Portfolio Holder for Adults' Services, Councillor Brake, supported by the Portfolio Holder for Educational Attainment and Improvement, Councillor Potter, proposed the following amendment:

"Delete everything after '...nationally and internationally, by 2030' and replace with 'In light of the above, this Council requests a detailed report from Public Health assessing the extent of this issue within Medway specifically, to be brought before the Medway Health and Wellbeing Board, as the most appropriate forum for any action as appropriate, for considering and recommending any further in depth discussion at the earliest opportunity."

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

For – Councillors Aldous, Bhutia, Brake, Mrs Diane Chambers, Rodney Chambers OBE, Chishti, Chitty, Clarke, Doe, Etheridge, Fearn, Filmer, Griffin, Gulvin, Mrs Josie Iles, Steve Iles, Jarrett, Joy, Kemp, Mackness, Opara, Potter, Purdy, Royle, Tejan, Tranter, Turpin, Wicks, Wildey and Williams (30)

Against – Councillors Avey, Bowler, Cooper, Freshwater, Gilry, Griffiths, Johnson, Khan, Maple, McDonald, Murray, Osborne, Paterson, Price, Shaw and Stamp (16)

Note: Councillors Godwin, Howard, Pendergast and Saroy were not present for the recorded vote.

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

Decision:

On being put to the vote, the substantive motion was carried:

Council notes:

- There are 8 million people in the UK who have trouble putting food on the table according to the United Nations.
- Over 500,000 people used food banks in the UK last year; The Trussell Trust alone distributed over 1.3m three-day emergency food supplies to people in crisis in the financial year 2017-2018.
- 3m children are at risk of hunger during the school holidays.
- Around 10% of the NHS budget goes on treating diabetes and up to 1 million people live in food deserts in the UK.
- The Government's commitment to the UN's 17 Sustainable Development Goals (Global Goals), which commits governments to ending hunger, nationally and internationally, by 2030.

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In light of the above, this Council requests a detailed report from Public Health assessing the extent of this issue within Medway specifically, to be brought before the Medway Health and Wellbeing Board, as the most appropriate forum for any action as appropriate, for considering and recommending any further in depth discussion at the earliest opportunity.

D) Councillor Maple, supported by Councillor Joy, proposed the following:

“Declaring a Climate Emergency

Full Council notes that:

The United Nations Intergovernmental Panel on Climate Change have warned that we have 12 years to make the necessary changes to limit a rise in global temperatures to 1.5c. Failure to act will see a marked increase in sea levels and flooding, extreme and abrupt changes to weather patterns, crop failures, extinctions of plant, insect and animal species and global economic disruption and crisis.

At the Global Climate Talks in Poland last December the UK along with over 200 nations agreed action on climate change.

Air pollution is associated with a number of adverse health impacts, particularly for the most vulnerable in society, including children and older people and those with heart and lung conditions.

There is often a strong correlation with equality; areas with poor air quality tend to be less affluent.

Medway Council is currently working to tackle four Air Quality Management Areas (AQMA) [1]:

- Central Medway (encompassing Frindsbury Road, Cuxton Road, Strood Centre, Rochester Centre, Chatham Centre, Luton Road, Chatham, High Street, Chatham and Rainham Road, Chatham.);
- Rainham (encompassing the High Street);
- Gillingham (Pier Road);
- Four Elms Hill (part of Four Elms, Chattenden).

Medway Council is demonstrably committed to preserving the environment, evidenced by the partial implementation of Labour’s 2018 motion to become a Single Use Plastics Free Authority.

^[1] https://www.medway.gov.uk/downloads/file/3052/air_quality_annual_status_report_2018

Council, 25 April 2019

Declaring a climate emergency can be a powerful catalyst for community-wide action if paired with a clear action plan.

Declaring a climate emergency will help to address challenges that Medway Council have already identified and more.

Neighbouring Maidstone Council passed a similar motion on 10th April 2019.

This Council therefore:

- Declares a climate emergency;
- Notes that current targets are inadequate to respond to the challenge of keeping global temperature rises below 1.5c.

This Council requests that:

- Cabinet establish a Medway Climate Change Working Group to respond to this challenge, which meets in public and includes representation from all party groups, in order to create a clear action plan for Medway;
- Cabinet set more ambitious targets for Medway to become carbon neutral;
- The Chief Executive to write to the Chancellor of the Exchequer stating the concern of the Council with respect to the above, the likely national impact on the economy and on the wellbeing of citizens, and requesting government funding be made available to implement swift appropriate actions in response”.

Decision:

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

E) The Portfolio Holder for Educational Attainment and Improvement, Councillor Potter, supported by the Portfolio Holder for Children's Services (Lead Member), Councillor Mackness, proposed the following:

“Medway has a track record of excellent and ever improving educational delivery in schools across all phases, and this Council recognises the excellent role our grammar schools play in raising aspirations for our most academically gifted children regardless of income or background.

Furthermore, the highly academic environment and enriching ethos of Medway’s grammar schools provide an excellent quality of education, transforming the life chances of their students whilst narrowing the attainment gap. National research shows that pupils from disadvantaged backgrounds achieve better results in selective schools, and 98% of these schools are rated Good or Outstanding by Ofsted.

Council, 25 April 2019

Medway is fortunate to be home to six superb grammar schools, all rated as Good or Outstanding by Ofsted, and the Council has a policy of maintaining a 25% proportion of secondary school places as selective provision.

However, the popularity of Medway's grammar schools (over 3000 pupils took last year's Medway Test), combined with an increasing school age population means there has been a significant rise in the number of selective applications.

This Council acknowledges that work has already been undertaken in order to address this increase through the expansion of existing grammar schools - creating 650 additional grammar school places in recent years. However, this Council also acknowledges that there are concerns amongst grammar school heads that existing schools are now reaching, or are close to, ideal capacity.

The Council has also worked with our grammar schools to change admission policies so their oversubscription criteria prioritises applicants on distance over their Medway Test score (provided they have met the selective score). The admissions policy changes means Medway grammar schools will best allocate their school places for local children within the rules of the Admissions Code and in accordance with the Greenwich ruling. The Council notes that 5 out of 6 Medway grammar schools have made this change already with the last remaining school due to implement the change for the 2020 intake.

This Council further notes that, unlike other education provision, there is currently no formal means to fund a new grammar school because they are prohibited and options for satellite schools are extremely limited. In addition, both the means to fund further expansion, and the potential to add further capacity at some of Medway's existing grammar schools is very limited.

In light of the above this Council commits to:

- Working with our grammar schools in Medway to make the case to the Department for Education for a new grammar school or satellite school to be located in Medway.
- Writing to all three Medway MPs requesting they back this proposal and continue to support the Council in its efforts to meet the local demand for school places across all phases, abilities and needs."

Note: In the absence of the Mayor, Councillor Steve Iles, who withdrew from the meeting for consideration of this item because he had declared an Other Significant Interest (OSI), the Deputy Mayor, Councillor Tejan, chaired the meeting during consideration of this item.

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Councillor Johnson, supported by Councillor Gilry, proposed the following amendment:

“...In light of the above this Council commits to:

- **Add:** A full review of secondary education provision in Medway that considers in detail the impact of budget cuts imposed by central government, the position of students with special needs in the light of increasing pressures and reducing funding and the need to ensure our young people achieve their potential across all areas of learning, including the academic, the practical, the creative and the vocational, and recognises the outcomes which are valuable for them, including university admission, progress to college, high quality apprenticeship and high quality employment.
- **Add:** Using the outcomes of this review to plan in detail a secondary education provision in Medway that meets the needs of all our young people.
- **Delete:** Working with our grammar schools in Medway to make the case to the Department for Education for a new grammar school or satellite school to be located in Medway.

Writing to all three Medway MPs requesting they (**Delete:** back this proposal and) continue to support the Council in its efforts to meet the local demand for school places across all phases, abilities and needs”.

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

For – Councillors Bowler, Cooper, Gilry, Griffiths, Johnson, Maple, Osborne, Paterson, Price, Shaw and Stamp (11)

Against – Councillors Aldous, Avey, Bhutia, Brake, Mrs Diane Chambers, Rodney Chambers OBE, Chishti, Chitty, Clarke, Doe, Etheridge, Fearn, Filmer, Griffin, Gulvin, Mrs Josie Iles, Jarrett, Joy, Mackness, Opara, Potter, Purdy, Royle, Tejan, Tranter, Turpin, Wicks, Wildey and Williams (29)

Abstain – Councillor Freshwater (1)

Note: Councillors Godwin, Howard, Steve Iles, Kemp, Khan, McDonald, Murray, Pendergast and Saroy were not present for the recorded vote.

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

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

For – Councillors Aldous, Avey, Bhutia, Brake, Mrs Diane Chambers, Rodney Chambers OBE, Chishti, Chitty, Clarke, Doe, Etheridge, Fearn, Filmer, Freshwater, Griffin, Gulvin, Mrs Josie Iles, Jarrett, Joy, Mackness, Opara, Potter, Purdy, Royle, Tejan, Tranter, Turpin, Wicks, Wildey and Williams (30)

Against – (0)

Abstain – Councillors Bowler, Cooper, Gilry, Griffiths, Johnson, Maple, Osborne, Paterson, Price, Shaw and Stamp (11)

Note: Councillors Godwin, Howard, Steve Iles, Kemp, Khan, McDonald, Murray, Pendergast and Saroy were not present for the recorded vote.

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

Decision:

Medway has a track record of excellent and ever improving educational delivery in schools across all phases, and this Council recognises the excellent role our grammar schools play in raising aspirations for our most academically gifted children regardless of income or background.

Furthermore, the highly academic environment and enriching ethos of Medway's grammar schools provide an excellent quality of education, transforming the life chances of their students whilst narrowing the attainment gap. National research shows that pupils from disadvantaged backgrounds achieve better results in selective schools, and 98% of these schools are rated Good or Outstanding by Ofsted.

Medway is fortunate to be home to six superb grammar schools, all rated as Good or Outstanding by Ofsted, and the Council has a policy of maintaining a 25% proportion of secondary school places as selective provision.

However, the popularity of Medway's grammar schools (over 3000 pupils took last year's Medway Test), combined with an increasing school age population means there has been a significant rise in the number of selective applications.

This Council acknowledges that work has already been undertaken in order to address this increase through the expansion of existing grammar schools - creating 650 additional grammar school places in recent years. However, this Council also acknowledges that there are concerns amongst grammar school heads that existing schools are now reaching, or are close to, ideal capacity.

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The Council has also worked with our grammar schools to change admission policies so their oversubscription criteria prioritises applicants on distance over their Medway Test score (provided they have met the selective score). The admissions policy changes means Medway grammar schools will best allocate their school places for local children within the rules of the Admissions Code and in accordance with the Greenwich ruling. The Council notes that 5 out of 6 Medway grammar schools have made this change already with the last remaining school due to implement the change for the 2020 intake.

This Council further notes that, unlike other education provision, there is currently no formal means to fund a new grammar school because they are prohibited and options for satellite schools are extremely limited. In addition, both the means to fund further expansion, and the potential to add further capacity at some of Medway's existing grammar schools is very limited.

In light of the above this Council commits to:

- Working with our grammar schools in Medway to make the case to the Department for Education for a new grammar school or satellite school to be located in Medway.
- Writing to all three Medway MPs requesting they back this proposal and continue to support the Council in its efforts to meet the local demand for school places across all phases, abilities and needs.

F) The Leader of the Council, Councillor Jarrett, supported by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, proposed the following:

"Given the excellent stewardship of the Council by Medway Conservative Group over the past 20 years, this Council resolves to place on record its very serious concern that the opposition group are fighting this year's local election on the basis of a broad range of proposals, many of which appear to fall outside the scope of the Council and which would also have a seriously detrimental impact on the Council's finances."

Councillor Freshwater proposed the following amendment:

"Lines 1-2: Delete "the excellent stewardship of the Council by Medway Conservative Group over the past 20 years," and replace with "Medway residents are greatly frustrated and annoyed over the current Brexit fiasco and betrayal of the British people and democracy by Parliament as it raises great doubt on any promises made by Conservative group and Labour, to tell the truth, and provide proper and essential infrastructure funding for the 37,000 new houses in the Local Plan, that will turn Medway into one massive building site,".

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Lines 3-7 Delete “very serious concern that the opposition group are fighting this year’s local election on the basis of a broad range of proposals, many of which appear to fall outside the scope of the Council and which would also have a seriously detrimental impact on the Council’s finances.” and replace with “support for the following UKIP manifesto pledges:

- UKIP Councillors are not ‘whipped,’ and our Local Manifesto will ensure all Council policies and decisions, are made in the best interests of local Medway families and communities - not just to satisfy government policy behind closed Medway Cabinet doors.
- UKIP would spend the current £170 Million government bid on crumbling local infrastructure, services, and the local housing crisis. We would programme the building of 4,000 new genuinely affordable local homes to rent or buy by local people on brownfield sites, to respond to the housing crisis set out in the recent SHELTER report.
- We would take action against rogue landlords providing substandard housing to the most vulnerable in our society, and stop the persecution of motorists and commercial businesses, and find solutions to promote local business and free parking.
- We would require the new Local Plan to list the Ward funding necessary for crumbling existing and new schools, roads, local transport, new additional hospital beds and GP’s services. We need additional mental health, family, and children’s services, and adult social care fit for an ageing population. We need additional police on our streets, youth, and homeless services, local leisure and sports facilities.
- We would require yearly action plans for the dangerous pollution generated from 250,000 car movements each day, from 37,000 proposed new houses.

Our crumbling communities, with no affordable local housing to rent or buy, deserve much better and Councillors who respect democracy and this is why the reins of Council control should be handed over to a more capable and fair UKIP on the 2nd May.”

In response to questions from Members relating to the validity of the amendment, the Mayor ruled this out following advice from the Chief Legal Officer that the amendment was not valid as it required a seconder, as required by Council Rule 11.1.1.

Councillor Maple, supported by Councillor Murray, proposed the following amendment:

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~~“Delete: Given the excellent stewardship of the Council by Medway Conservative Group over the past 20 years, this Council resolves to place on record its very serious concern that the opposition group are fighting this year’s local election on the basis of a broad range of proposals, many of which appear to fall outside the scope of the Council and which would also have a seriously detrimental impact on the Council’s finances.~~

Add: have:

- Spent more than £125,000 on a Japanese Memorial Roundabout
- Wasted thousands on a giant E as part of a failed Hollywood style sign project
- Failed twice to obtain City Status
- Failed to secure Channel 4 locating to Medway
- Scrapped the Annual Visitors Parking Permit
- Paid tens of thousands of pounds to Arriva to get them to move out of the existing bus station
- Removed the Sir John Hawkins flyover increasing traffic problems in Chatham Town Centre
- Seen an increase in overflowing bins in Gillingham High Street
- Introduced Bulky charges resulting in increased fly tipping
- Failed to establish if £45 million is the correct value for the Pentagon
- Failed to secure Beechings playing fields from repeated incursions
- Failed to provide commercially viable Castle concerts
- Failed to rejuvenate local markets
- Failed to realize a waste site would require £9m investment so now forced to increase borrowing
- Relocated Strood Library
- Failed to tackle the never ending congestion around Strood
- Singled out Medway’s most used library in Gillingham to close an hour early every evening
- Wasted money on concrete balls in front of Gillingham Railway station, taking away the facility to drop off and pick up passengers/ visitors
- Scrapped the Annual visitor parking ticket in controlled parking zones - at the same time doubling the cost of a daily visitor ticket to £2.
- imposed parking charges at the Strand whilst keeping free parking at Rainham Riverside and Capstone Park in Hempstead

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- Failed to get another retail offer at Britton Farm mall after the closure of the Coop and Budgens
- Failed to produce a Local Plan, having had it rejected twice.
- Failed to meet any housing targets but especially affordable housing
- Not spending s106 money effectively
- Ended up with planning permission for building on Capstone Valley
- Failed to change the SWEP protocol for 3 days
- Overseen the death of several homeless individuals on our high streets
- Threatened the continued viability of the Sunlight Centre by trying to dramatically increase the rent
- Cut footfall at the Sunlight Centre by making it too expensive to park in the area
- Opposed measures to keep people in school who would otherwise have to stay home regularly due to period poverty
- Closed or sold all council nursing and residential homes leaving residents exposed to private sector failure
- Cut social workers then use agency workers
- Outsourced community mental health then forced to take it back in again as service to vulnerable residents was so poor
- Been investigated by the Advertising Standards Authority with an upheld complaint that Medway Council attempted to rebrand itself as city
- Failed to take meaningful action to tackle out of town taxis operating in Medway
- Allowed a known anti-Muslim, racist councillor to remain in their party for years
- Paid out £38k to a local resident for failure to inform members about noise risks from the Rochester airport planning proposals
- Closed Deangate Ridge with a failure to adequately consult with community, allowed losses to build up with no action with a large ongoing cost to the maintenance of the empty site
- Sold wild area (ex-allotment site) Copperfields having promised not to as a manifesto pledge in 2011
- Cut back the valued community wardens service
- Refused to set up formal community consultation forums after Rochester Town Council consultation

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- Cut supplementary questions reducing the opportunity for residents to hold its council to account
- Failed to review the flawed Medpay Scheme, despite previously agreeing to do so, whilst the gender pay gap increased.
- A lack of diversity in Cabinet
- Had a portfolio holder who had no idea he had responsibility for CCTV whilst more than half of CCTV Cameras were not working across Medway
- Attempted to charge a mum £300 for holding a charity walk for toddlers
- Had the lowest Key Stage Two results in the country in 2012
- Continues to have slow progress to improve those results with Medway only at 96th in the country and still below the national percentage achieving the expected standard
- Oversaw the closure of children's centres resulting in 100,000 fewer visits despite promises that none would close
- Seen high levels of social worker vacancies leading to poorer support for vulnerable children
- Received the 2013 inspection results in 'Inadequate' grading and 2015 inspection results in 'Requires Improvement'
- Received the 2017 inspection of Special Needs results in 'significant areas of weakness' identified, including the quality of Education and Health Care Plans
- Continued high levels of pupil exclusions
- Created chaos in notifying Medway Test results in 2016 and 2017
- Introduced chaotic revised SEN transport arrangements
- Been below target for reducing obesity in children starting school
- Fewer children succeeding in Early Years Foundation Stage
- Below target for the number of good or better secondary schools
- Attempted to shut schools in Chatham & Rochester (stopped only by the tenacity of parents, pupils and professionals)
- Reduced youth services resulting in increased anti-social behaviour
- Called Sure Start 'childcare on the cheap'
- Wasted on Fireworks to celebrate Dutch victory v British Navy in the River Medway from money which was meant for Sure start
- Created the failed experiment Medway Commercial Group which has failed a number of responsibilities it was given.

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This Council further recognises the positive cross party working on the campaign to oppose the ludicrous proposal by Boris Johnson and reaffirms its commitment to opposing any proposals for an estuary airport”.

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

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

Decision:

Given the excellent stewardship of the Council by Medway Conservative Group over the past 20 years, this Council resolves to place on record its very serious concern that the opposition group are fighting this year’s local election on the basis of a broad range of proposals, many of which appear to fall outside the scope of the Council and which would also have a seriously detrimental impact on the Council’s finances.

Mayor

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