

Medway Council
MEETING OF REGENERATION, COMMUNITY AND
CULTURE OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 18 March 2010

6.35pm to 9.40pm

RECORD OF THE MEETING

PRESENT: Councillors: Andrews, Bhutia, Bright (Vice-Chairman, in the Chair), Crack, Godwin, Hewett, Hicks, Hubbard, Maisey and Stamp

Substitutes: Councillor John Avey (Substitute for Councillor Sylvia Griffin)
Councillor Diane Chambers (Substitute for Councillor Roy Hunter)

In Attendance:

Sarah Beck	Project Manager
Councillor Rodney Chambers	Leader of the Council
Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
Robin Cooper	Director of Regeneration, Community and Culture
Sarah Dagwell	Acting Head of Waste Services
Angela Drum	Head of Legal
Stephen Gaimster	Assistant Director Development, Economy and Transport
Teri Hemmings	Overview and Scrutiny Co-ordinator
Richard Hicks	Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Annamarie Lawrence-Lovell	Performance Manager
Elizabeth Marsall	Consultant, Eversheds
Andy McGrath	Assistant Director, Front Line Services
Phil Moore	Head of Highways and Parking Services
Mike Mousdale	Consultant, Eversheds
Brian Weddell	Assistant Director, Medway Renaissance
Ian Wilson	Head of Capital Projects, Road Safety and Networks
Kevin Woolmer	Corporate Accountant

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The record of the meeting of 16 February 2010 was agreed and signed by the Chairman as correct.

676 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors Griffin, Tony Goulden and Hunter.

677 DECLARATIONS OF INTEREST

Councillor Stamp declared a personal interest in item 5(E) Gateway 3 contract award – waste disposal and collection service as his work with the Environment Agency related to some of the areas referred to within the report.

678 ATTENDANCE OF THE LEADER OF THE COUNCIL

Discussion:

The Leader of the Council addressed the Committee on various developments within his regeneration portfolio, which included:

- the Dynamic Bus Station for Chatham;
- road improvements and developments to Union Street, the Brook and the Pentagon Shopping Centre;
- the draft masterplan for Gun Wharf and for High Street/Best Street;
- developments at Gillingham Waterfront including new student accommodation;
- Medway Park, which would officially open in April 2010;
- developments to Gillingham Station;
- Rochester Riverside and the exclusivity agreement with Crest Nicholson to build the first new homes on the site;
- redevelopment of Temple Waterfront;
- developments at Strood, an area which had benefited from retail investment.

Members then asked the Leader questions on the following:

- timescales and funding for the bus station;
- partnership working with the Pentagon Shopping Centre;
- the Strood Regeneration Board and when it would meet;
- use of the Section 106 Agreement funding from the development of Tesco's in Gillingham;
- Parking facilities for students at the new student accommodation, Liberty Quays, at Gillingham Waterfront;

Officers undertook to look into the Strood Regeneration Board meeting date and would investigate parking arrangements for students at the new accommodation, Liberty Quays.

The Leader was thanked for his attendance.

**679 ATTENDANCE OF THE PORTFOLIO HOLDER FOR STRATEGIC
DEVELOPMENT AND ECONOMIC GROWTH**

Discussion:

The Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, addressed the Committee on various topics within her portfolio, including:

- The South Thames Gateway (STG) Building Control Partnership;
- masterplans for Strood, Gun Wharf and High Street/Best Street, Chatham;
- The Conservation Area Review for Rochester, which had received positive responses from stakeholders;
- Tourism – there was an increase in visits to Medway attractions but a drop in business tourism, although indications were that this was now rising;
- New hotels at Medway Park and Gillingham Waterfront;
- Performance of the Development Management Service exceeded national and local targets;
- Restructure of Planning Enforcement;
- “Seeds for Business Growth” - assisting businesses to combat the recession;
- secured EU funding to assist businesses in relation to climate change;
- Medway Ambassadors Scheme for Retail had been launched;
- Levels of Medway’s workforce with Level 1 qualification exceeded the South East average;

Members of the Committee then asked the Portfolio Holder a number of questions, which included:

- The STG Building Control Partnership’s management of shortfalls;
- Utilisation of the opportunity provided by hosting the modern pentathlon to raise the profile of Medway;
- The size of the proposed hotels.

Councillor Chitty was thanked for her attendance.

680 PETITIONS

Discussion:

The Head of Capital Projects introduced the report and explained to Members that a feasibility study was underway in relation to Station Road, Rainham.

A Member asked for the number of fatalities that had occurred at Station Road, Rainham and the number of uncontrolled crossings that were less than 45 metres from a bend. In response officers explained they did not know the number of fatalities without checking but were aware that the road had a poor accident record and added that the road had no significant bends. Engineering solutions were being considered along with the feasibility study.

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Officers were then asked for confirmation relating to distances refuges should be from significant bends as concern was raised that the refuge at Station Road, Strood was less than 45 metres from the bend. Officers referred to the letter from Kent Police's Traffic Management Unit, attached to the report, in relation to accident statistics at the road and added that guidance was that uncontrolled crossings should be 45 metres from a bend but emphasised that this was guidance only and many urban roads would not reach this. The other option for that stretch of road was to have no refuge at all, which officers felt would be a detrimental decision and would create a greater safety risk. Members asked if other options could be considered, such as vehicle activated flashing warning signs or a speed camera.

Decision:

- (a) The Committee noted the petition response, officer action and updated information within the report.
- (b) The Committee requested officers to consider the provision of adequate flashing vehicle activated warning signs at Station Road, Strood and referring the same site to the Kent and Medway Safety Camera Partnership for a possible speed camera.

681 THIRD QUARTER PERFORMANCE REPORT 2009/2010

Discussion:

The Performance Manager introduced the report to Members, highlighting the key areas from quarter 3 (October to December 2009) performance monitoring.

Members then asked officers about the School Travel Plan and how its implementation is monitored. Officers explained that there was a limited amount of monitoring carried out by the Council but schools themselves carried out a lot of the monitoring. However, officers were currently investigating how they might be able to improve the monitoring of this.

Decision:

The Committee noted the performance for the third quarter 2009-10 and the comments raised by Members.

682 GATEWAY 3 CONTRACT AWARD - WASTE DISPOSAL AND COLLECTION SERVICE

Discussion:

The Assistant Director for Frontline Services, along with a representative from Eversheds consultants, gave a presentation to Members on the process of renewing the contracts for waste collection and disposal services and

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information on how the bidders were scored and who had been the most economically advantageous tender (MEAT).

Members were then invited to make comments and ask officers questions, which included:

- Concern, from some Members, that the papers for this report were sent out late, as a matter of urgency, and had not given Members sufficient time to fully digest the report and associated paperwork.
- wheeled bins being provided to inappropriate households and assurance that suitable, alternative receptacles would be provided to properties that could not accommodate wheeled bins;
- Concern that the blue boxes (for dry recyclables other than paper and card which would be collected into a plastic sack) would not be large enough;
- The collection MEAT bidder had stated they would use an existing depot for the first 18 months and then work from its own site within Medway – concern was raised over licensing and planning permission for the new site;
- Procurement costs to the Council;
- Litter clearing of alleyways and whether those with the biggest litter problems and highest footfall could be added to the contract.

In response officers confirmed that wheeled bins would be issued to suitable properties 12 months from start of contract, allowing time for policies on their distribution to be developed and agreed by the Council. Ward Members would be involved in deciding which roads received wheeled bins. In relation to alternative receptacles households would still be able to supplement the containers issued with their own containers in the form of carrier bags, cardboard boxes and the Council would still have the option to issue additional blue sacks. In relation to the new site, confirmation was given that this was an existing facility. Officers also undertook to look at alleyway cleansing with Members.

Decision:

The Committee recommended the following to Cabinet on 30 March 2010:

- (a) Disposal of residual waste
The award of the contract for disposal of residual waste to Company B as the most economically advantageous tender (MEAT)
- (b) Collection of residual waste and recycling and street cleansing service
The award of the contract for the collection/cleansing service to Bidder 1 Variant as the most economically advantageous tender (MEAT).

683 REGENERATION FRAMEWORK 2009 SIX MONTH PROGRESS REPORT

Discussion:

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The Assistant Director, Medway Renaissance introduced the report, explaining that the projects were in the second year of a three year programme, with 12 months remaining to deliver the rest of the developments.

Members then asked officers a number of questions, which included:

- How many, what size and what type of trees were being used to replace those that were being removed;
- Use and development of the White House building;
- The Pentagon Shopping Centre and the development of the ramps once the bus stations was relocated;
- Work with Southern Water to redesign or disguise the unattractive pumping station;
- Development of the bus station and risks associated with not completing within the time frame.

In response Officers confirmed that work was being done with the Tree Officer to ensure the correct type of tree would be used for replacements. There would be a net gain in the number of trees once replacements were planted and larger trees would be used for an immediate visual effect, however it was advised that being larger trees, they would take longer to embed and grow. The leaseholders of the Pentagon Shopping Centre were engaging well with officers in relation to developments, as were Southern Water in relation to the Pumping Station. Officers added that in relation to the new bus station, they believed they had minimised risks as best they can and were confident of completion to timescale.

Decision:

The Committee noted the good progress of projects in Chatham and Gillingham.

684 ROCHESTER RIVERSIDE MANAGEMENT COMPANY

Discussion:

The Principal Regeneration Manager introduced the report to Members, which had also been debated at the Rochester Riverside Board. She explained that the proposal comprised two bodies, with the Rochester Riverside Trust (a charitable company limited by guarantee) and a separate but wholly owned subsidiary Community Interest Company.

A Member raised concern regarding the representation of Medway Council on both bodies. There was little advantage of the Council to be represented and there had been difficulties in the past relating to conflicts of interest for Members of the Council who had also been Members of another charitable trust in Medway. It was therefore suggested that it might be better for the Council to have no representation on the bodies and instead allow both bodies to develop and be run by independent people.

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The Head of Legal confirmed that where there is an issue for consideration relating to both the Council and a Trust, Members who represent both would have a conflict of interest.

Decision:

The Committee recommended the Cabinet on 30 March 2010, to then be considered and agreed at Full Council on 15 April 2010, to:

- (a) approve the proposed two tier structure for the Rochester Riverside Management Company and the funding arrangements for the Rochester Riverside Trust;
- (b) agree that the level of local authority control in the Rochester Riverside Trust is less than 20% so that it can more easily achieve its charitable status and that the level of control in the Community Interest Company is less than 20%;
- (c) note the programme of Council approvals required prior to establishing the Management Company;
- (d) note the timescale for establishing and endowing the Rochester Riverside Trust and Community Interest Company;
- (e) that the Director of Regeneration, Community and Culture, in consultation with the Leader of the Council, is delegated the power to:
 - (i) finalise the articles of incorporation based on the principles set out in the draft articles attached to the report and to do anything necessary in order to establish and register the Rochester Riverside Trust and the Community Interest Company (including registration of the Trust as a charity).
 - (ii) recruit and appoint the external trustees.

685 MEMBER'S ITEM: WINTER SERVICE

Discussion:

Councillor Godwin explained that he had requested this item in light of the number of calls Members received in relation to gritting and the winter service, during the periods of heavy snow in the winter and suggested that a task group be established to consider the issue in more depth.

Another Member also explained that during the snow he had come across street cleaners who were unable to carry out their duties, but equally, were unable to clear snow/ice or lay grit because they did not have access to the necessary equipment.

Officers supported the suggestion of a task group and explained that the Council's contractors were instructed to hold 3,400 tonnes of salt at the start of

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the winter season. The contractors had exceeded this but due to the cold spell being so long and nationwide, there were difficulties in replenishing stocks as salt was prioritised to areas with the highest need.

Decision:

The Committee agreed to set up a winter service task group to consider the issue in more depth.

686 WORK PROGRAMME

Discussion:

The Overview and Scrutiny Co-ordinator introduced the report and added that the Committee may wish to consider the Local Development Framework (pre-publication version) as pre-decision scrutiny and if so, would need to add this to the 1 June 2010 meeting of the Committee.

Decision:

The Committee agreed:

- (a) to note that a report on the Air Quality Management Action Plan (outcome of consultation) would be submitted to the June meeting;
- (b) that the Waste Strategy Review is referred to the Waste Contracts Task Group for consideration prior to a decision by Cabinet;
- (c) that a report on the Local Development Framework (pre-publication version) would be brought to the June meeting.

Chairman

Date:

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