

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

**Thursday, 13 June 2019**

**7.00pm to 10.18pm**

**Record of the meeting**

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

- Present:** Councillors: Bhutia (Vice-Chairman), Carr, Curry, Etheridge (Chairman), Fearn, Steve Iles, Osborne, Paterson, Andy Stamp, Thompson and Williams
- Substitutes:** Councillors:  
Murray (Substitute for Browne)  
Mrs Elizabeth Turpin (Substitute for Tranter)
- In Attendance:** Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive  
James Brown, Head of Regulatory Services  
Laura Caiels, Legal Advisor  
Councillor Pat Cooper  
Ruth Du-Lieu, Assistant Director, Front Line Services  
Michael Edwards, Head of Integrated Transport  
Sunny Ee, Head of Regeneration Delivery  
Councillor Adrian Gulvin, Portfolio Holder for Resources  
Dave Harris, Head of Planning  
Councillor Stephen Hubbard  
Dawn Hudd, Assistant Director, Physical and Cultural Regeneration  
Sarah Valdus, Head of Environmental Services  
Ellen Wright, Democratic Services Officer

**62 Apologies for absence**

Apologies for absence were received from Councillors Browne and Tranter.

**63 Record of Meeting and Joint Meeting of Committees**

The record of the meeting held on 28 March 2019 and the record of the Joint Meeting of Committees held on 22 May 2019 were agreed and signed by the Chairman as correct.

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

There were none.

**65 Disclosable Pecuniary Interests or Other Significant Interests and Whipping**

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

Councillor Stamp referred to item 6 – Household Waste Recycling Centres: Response to Kent County Council Policy Change and informed the Committee that whilst he worked for the Environment Agency, he had not had any involvement in this issue and therefore he would remain in the meeting.

Councillor Williams referred to item 5 – Member's Item on Strood Development Works and informed the Committee that whilst he knew the member of the public who was in attendance to address the Committee on behalf of residents, he had not made his views known on the issue and would therefore remain in the meeting.

**66 Member's item: Strood Development Works**

**Discussion:**

The Committee considered a Member's item placed on the agenda at the request of Councillor Hubbard concerning the impact of various regeneration projects in Strood.

Mr Haywood, a resident of Commissioners Road, Strood was present at the meeting and was invited to address the Committee on residents' concerns regarding works at Commissioner's Pit.

Mr Haywood informed the Committee that he was representing residents in Commissioner's Road, Wingrove Drive, Cranmere Court and Kingswear Gardens who were affected by the development works in Strood. He also referred to the impact of the works on local businesses.

He stated that having two major redevelopment works carried out simultaneously had exacerbated the adverse impact on local residents, affecting their daily lives and reducing their quality of life and their health and wellbeing. A copy of his statement to the Committee had been circulated at the meeting.

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The most common issues related to noise, vibration and dust and he outlined the problems being experienced by residents, supported by photographs and video footage.

The Head of Planning informed the Committee that prior to the commencement of the meeting, he had agreed to meet with Mr Haywood to discuss matters of concern raised by residents.

In response to questions, Mr Haywood stated that as a way forward, he would like to see a meaningful plan for the future of the development sites so that they were not left as dust bowls, more rigorous enforcement of the planning conditions at the Commissioner's Pit site requiring damping down and the introduction of an effective complaints procedure.

He advised that residents had previously submitted complaints to the Council on a range of issues at the development sites, including working hours and vibration but overall, residents were not satisfied with the Council's response.

Residents had also contacted the contractors direct where possible but the Commissioner's Pit site was too dangerous for residents to enter.

Councillor Hubbard then addressed the Committee on his Member's item and in particular referred to the impact of the recent works in Strood Town Centre and the development brief for Strood Waterfront and its impact upon the residents of Kingswear Gardens. He submitted a number of proposals for consideration by the Committee.

The Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive thanked both Mr Haywood and Councillor Hubbard for attending the meeting and speaking on behalf of local residents.

He stated that the development works in Strood were a critical part of the regeneration of Medway and, given the scale of the works, it was inevitable that there would be an element of disruption and congestion, and he apologised for this.

Referring to the works in Strood Town Centre, he advised that prior to these works, an extensive communications programme had been undertaken to ensure that individuals were fully aware of the road closures. The works were now almost complete and there would be no further daytime or weekend closures of the High Street. In addition, he advised that discussions concerning mitigation had been undertaken with the Riverside Tavern as far back as 2016.

The Committee discussed the concerns raised by both Mr Haywood and Councillor Hubbard and sought information as to how the Council had addressed issues affecting local residents concerning air quality, noise, vibration and dust.

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The Committee was informed that planning conditions required the submission of a Contractor's Environmental Management Plan (EMP) which set out how dust would be controlled during construction works to protect air quality and how noise and vibration levels would be minimised to avoid impact on residents and wildlife. EMP's were public documents.

The Head of Planning confirmed that the Council had received complaints from residents which had been investigated by either officers from within the Planning Section or from Environmental Health. Where there had been problems, action had been taken to minimise disturbance to residents.

A Member expressed concern that despite officers stating that they had responded to complaints, residents were clearly unhappy with the responses received and had therefore considered it necessary to attend this meeting to outline the problems that they were experiencing. Whilst he welcomed the offer of the Head of Planning to meet with Mr Haywood, he considered there was a lack of clear communication and suggested that there should be a single point of contact for residents concerning the regeneration works in Strood. He also expressed concern about how residents' complaints had been processed and asked how they had been investigated and how often officers had visited the sites.

In response, the Head of Planning reiterated that a number of complaints had been received by both his Planning Team and Environmental Health and all had been investigated and a response provided. In some instances, the complaints had been substantiated and the contractors had been requested to change delivery times or take action to damp down the area so as to reduce dust. However, he pointed out that just because residents were unhappy with the response that they had received, it did not mean that their complaints had not been investigated.

The Head of Planning agreed that it would be beneficial for the residents to have one point of contact for their complaints, one at the Council and one at each of the development sites.

The Chairman requested that both he and Councillor Stamp be invited to attend the meeting between officers and Mr Haywood and subsequently Councillor Steve Iles also asked to be included in this meeting as Ward Councillor.

The Chairman requested that copies of noise and vibration level recordings be provided at the meeting between officers and Mr Haywood.

The Head of Planning also agreed to invite the Site Managers of both developments to the meeting and to provide a briefing note to the Committee on the outcome of the meeting.

The Head of Regeneration Delivery reported upon the monitoring of noise and vibration levels at the Strood Waterfront development and suggested that the Site Manager of Commissioner's Pit be requested to address how noise and

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vibration levels are monitored at that site when attending the meeting with Mr Haywood and officers.

A Member sought information as to whether the Council had any legal obligations to those residents that claimed that the vibration of the development works had caused damage to their properties, whether the Council had been proactive in offering hardship relief to the Riverside Tavern and whether it was possible to provide the residents of Kingswear Gardens with a timescale for the potential development of this area.

In response, the Legal Advisor informed the Committee that the development works had the benefit of planning permission and were therefore not unlawful. She was unable to provide advice to individuals on the potential for taking legal action and advised that residents would be required to seek their own legal advice.

The Head of Regeneration Delivery outlined the action that had been taken by the Council to ensure that vehicular traffic was signposted to the Riverside Tavern and confirmed that throughout the development, temporary parking provision had been put in place for those visiting the public house. He also confirmed that once the redevelopment works were complete, the Riverside Tavern would have its own dedicated permanent car park. The possibility of Business Rate Relief for the Riverside Tavern was currently being considered.

The Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive referred to the development brief for Kingswear Gardens and informed the Committee that the development of this site was an aspiration for the future but no firm proposals had yet been developed. He confirmed that the Council had been in discussions with both Orbit and Moat Housing Associations concerning this site, and this had been communicated with residents at that time. However, there were no plans to progress development of this site at the current time and he provided an assurance that the Council and both Housing Associations would fully engage with residents in the development of any proposals for the site.

At the conclusion of the debate the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive provided a summary of the issues raised and those that could be taken forward.

The Committee considered a request that the Development Brief for Strood Waterfront be updated so that it showed Kingswear Gardens Estate as being excluded from the development but on being put to the vote, this was not supported.

In addition, the Committee considered a request for there to be a temporary suspension of work at the Strood Waterfront development so that policies could be put in place that would address the health and wellbeing of local residents but on being put to the vote, this was not supported.

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**Decision:**

The Committee:

- a) thanked both Councillor Hubbard and Mr Haywood for attending the meeting and representing residents' concerns as to the Strood development works.
- b) noted that the Head of Planning will be organising a meeting with Mr Haywood and relevant officers of the Council to discuss residents' concerns and that invitations will also be sent to the Chairman and Opposition Spokesperson of this Committee, Councillor Steve Iles as Ward Councillor and both Site Managers. The outcome of the meeting be conveyed to Members of the Committee by way of a briefing note.
- c) noted that information concerning noise and vibration recordings will be made available at the meeting referred to at b) above.
- d) noted that the Head of Planning has agreed to identify a single point of contact at the Council for residents concerning the Strood development works and that he will also progress a single point of contact for residents at both development sites.
- e) noted that officers will facilitate a meeting between Moat and Orbit Housing Association and residents concerning any future plans for Kingswear Gardens and the outcome of such meeting be reported to the Committee.
- f) noted that the expenditure of Local Growth Fund grants from the Local Enterprise Partnership, along with outcomes and objectives are monitored by the Kent and Medway Economic Partnership and agreed that monitoring reports for the Strood development works will be shared informally with the Committee.
- g) agreed that a briefing note be supplied to the Chairman and Opposition Spokesperson on the action points arising from this meeting in advance of the meeting with Mr Haywood.

**67 Household Waste Recycling Centres: Response to Kent County Council Policy Change**

**Discussion:**

The Committee received a report providing an update on Medway's response to the introduction of charges for DIY waste at the Kent County Council (KCC) Household Waste Recycling Centres (HWRCs) which came into effect from 3 June 2019.

As there were no charges or restrictions imposed on waste materials disposed through Medway's HWRC network, in the light of KCC's change of policy, it had

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been necessary for officers to consider the potential impact of KCC's decision on usage of Medway's HWRCs.

Following discussions with KCC, a new cross-boundary payment had been agreed for 2019/20 which meant that KCC residents could continue to use Medway's sites free of charge, with all costs for KCC waste being paid to Medway Council by KCC.

It was confirmed that usage by KCC residents would be closely monitored through the new on-site ID checks and should usage or tonnages increase above the 28% throughput threshold or the impact on the sites becomes unsustainable, then the cross-boundary agreement permitted the level of fee payable to be re-negotiated with KCC. In addition, negotiations would commence with KCC in November 2019 for any extension of the cross-border agreement for 2020/21.

The Committee noted that a comprehensive communications campaign had been put in place to inform Medway residents that usage of Medway's HWRCs would remain free of charge but that from 3 June 2019, residents would be required to bring proof of ID. The Head of Environmental Services confirmed that since the new ID checks had been put in place, only a small percentage of users of the facilities had not been aware of the requirement to provide ID.

In response to a question as to the current ID checks, the Head of Environmental Services advised that the requirement for Medway residents to provide ID at HWRCs was necessary to enable officers to maintain an accurate record of usage by Kent residents. This information would be used to support any further negotiations which may be required with KCC.

The Head of Environmental Services also informed the Committee that KCC was in the process of providing a new HWRC and that once this site was operational, the cross-boundary agreement for KCC residents to use Medway's sites would likely cease. For this reason, Medway was continuing to undertake works at its HWRCs in preparation for this eventuality, and to safeguard the future use of its HWRCs without the implementation of charges for Medway residents. Discussions were also taking place with officers in Transformation with a view to the possible future introduction of a pre-registration scheme for Medway residents at a future date, so that they would have quicker access to HWRC sites without the need for ID checks.

The Committee discussed the report and in response to questions, the Head of Environmental Services confirmed that Medway had been able to re-coup the additional costs incurred by Medway following the temporary closure of the Pepperhill site by KCC in 2018.

The Committee expressed its appreciation to the Head of Environmental Services and the Waste Disposal Officer for the work that they had undertaken in responding to the policy change by KCC.

**Decision:**

The Committee noted that no charges will be made to Medway residents for using Medway's HWRCs and that Medway's sites will continue to be accessible to Kent residents from 3 June 2019 as set out in option 4 in the report until such time that KCC has built a new facility, which is likely to be within a period of 12 – 18 months. All costs incurred by Kent residents will be fully recouped from KCC.

**68 Update on CCTV Audit**

**Discussion:**

The Committee received a report setting out information on the progress of the CCTV improvement programme being carried out by the Council.

The Committee discussed the report and in response to questions, the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive agreed that subject to the agreement of the Portfolio Holder, a list of all CCTV camera locations on a Ward by Ward basis would be circulated. However, he stressed that this information was required to be treated as confidential and should not be shared or circulated for crime prevention purposes.

The Head of Regulatory Services informed the Committee that when determining the removal or replacement of individual CCTV cameras, officers were required to have regard to the Information Commissioner's Guidance on the location of CCTV cameras, the activity and functionality of each camera and whether they breached privacy regulations by virtue of their location. He advised that some cameras had been in place for many years and their location meant that they now breached privacy regulations as a result of recent nearby developments and, as such, were required to be removed.

He informed the Committee that both the Police and the Community Safety Partnership had worked with officers in reviewing the need for each CCTV camera, based on individual merits. He stated that even if a CCTV camera had been removed, the infrastructure had been left in place so that a rapid deployment camera could be provided if there was a spike in anti-social behaviour or criminal activity. The priority areas for the use of CCTV cameras were the High Streets, those areas with a night-time economy and transport hubs.

Any cameras that were not functioning were required to be removed in accordance with the Information Commissioner's Guidance.

The Head of Regulatory Services gave an assurance that the CCTV improvement programme had been completed within budget.



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A Member referred to Minute 593 of the meeting of the Committee on 6 December 2018 and asked whether Medway Commercial Group (MCG) had provided copies of the information that it claimed to have supplied to the Council in 2017 on the condition of the CCTV camera stock.

In response, the Assistant Director Frontline Services informed the Committee that whilst correspondence had been provided by MCG, this did not include the information referred to by MCG in December 2018. Officers had therefore submitted a further request to MCG for the information but owing to the review currently taking place this information had not yet been provided.

A Member referred to discussions at the meeting of the Committee on 28 March 2019 and confirmed that those issues concerning the cost of the CCTV improvement programme, the lack of information from MCG and the scope of the project had now been addressed and he thanked officers for the work undertaken to resolve these issues. However, he expressed concern that there was currently insufficient information to enable the Committee to scrutinise Priority 4 of the improvement programme covering Rainham, Strood, Luton, Parkwood and the Peninsula and he requested that a briefing note be provided setting out information on this element of the CCTV Improvement Programme along with information as to the future maintenance of the CCTV stock.

The Head of Regulatory Services informed the Committee that officers were in the process of re-negotiating the core contract concerning future maintenance of CCTV stock and therefore he was unable to comment upon the contract at this meeting. However, he reported that officers were notified of any issues with CCTV cameras within 30 minutes of any issues arising and he praised MCG for its response to a recent problem with a particular camera.

It was appreciated that officers were unable to comment upon current contractual negotiations concerning future repairs and maintenance of the CCTV camera stock and it was suggested that a briefing note be provided at a future date when these negotiations had been concluded.

The Committee expressed its appreciation to the Head of Regulatory Services and his team for the work undertaken on the CCTV Improvement Programme and the new business relationship with MCG.

### **Decision:**

The Committee:

- a) noted the positive progress made on the CCTV improvement programme as it draws to a close.
- b) agreed that the Committee receive a briefing note setting out information as to the re-negotiated contract with MCG once this had been finalised.
- c) agreed that subject to the agreement of the Portfolio Holder, Members be provided with a Briefing Note setting out information as to CCTV

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cameras in their Wards, it being noted that this information must be treated as confidential and therefore not shared or circulated.

- d) agreed that further information on Priority 4 of the CCTV Improvement Programme be provided to the Committee by way of a briefing note.

**69 Petitions**

**Discussion:**

The Committee received a report advising of petitions received by the Council which fell within the remit of this Committee, including a summary of the response sent to petition organisers by officers.

**Decision:**

The Committee noted the petition responses and appropriate officer action in paragraphs 3 and 4 of the report.

**70 Work programme**

**Discussion:**

The Committee received a report setting out the Committee's work programme for 2019/20.

The Democratic Services Officer advised that the latest Forward Plan had been published on 10 June 2019 and she provided an update on items relevant to the work of this Committee.

**Decision:**

The Committee noted the report.

**Chairman**

**Date:**

**Ellen Wright, Democratic Services Officer**

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