

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

Thursday, 15 August 2019

6.30pm to 9.26pm

Record of the meeting

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

Present: Councillors: Browne, Carr, Curry, Etheridge (Chairman), Fearn, Sylvia Griffin, Paterson, Andy Stamp, Thompson, Tranter and Williams

Substitutes: Councillors:
Maple (Substitute for Osborne)
Purdy (Substitute for Bhutia)

In Attendance: Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive
Ruth Du-Lieu, Assistant Director, Front Line Services
Michael Edwards, Head of Integrated Transport
Dave Harris, Head of Planning
Anna Marie Lawrence, Head of Business Intelligence
Colinda Le Gall, Operations Manager - Grounds - Medway Norse
Rochelle Roberts, Environmental Protection Technician
Kyle Rogers, Solicitor
Sarah Valdus, Head of Environmental Services
Ellen Wright, Democratic Services Officer

205 Apologies for absence

Apologies for absence were received from the Vice Chairman, Councillor Bhutia and Councillor Osborne.

206 Record of Meeting

The record of the meeting held on 13 June 2019 was agreed and signed by the Chairman as correct.

A Member questioned the wording of recommendation e) of Minute 66 and it was agreed that this would be discussed under item 6 on the agenda.

207 Urgent matters by reason of special circumstances

There were none.

208 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

209 Member's item: Use of Herbicides

Discussion:

The Committee considered a Member's item placed on the agenda at the request of Councillor Curry requesting the cessation of the use of herbicides to clear vegetation.

Councillor Curry thanked officers for processing the report quickly to enable it to be included on the agenda for this meeting.

Councillor Curry outlined the reasons why he was asking for the spraying of herbicides to cease along path edges, pavements and around posts and trees and referred to a legal case in the USA involving the use of glyphosate. He also outlined possible alternative solutions such as strimming, hand weeding and taking no action to eradicate weeds and advised that the Kent Wildlife Trust, RSPB and Kew Gardens no longer used herbicides to control weed growth.

With the agreement of the Committee, Mrs Rachael Noxon addressed the Committee in support of Councillor Curry's Member's item and expressed concern as to the potential harm resulting from the use of glyphosate to the public and, in particular, young children, animals and wildlife.

She advised the Committee that a number of local authorities including Bromley, Croydon and Brighton and Hove had ceased the use of glyphosate and she suggested that Medway Council approach these local authorities for further information as to how they control weeds.

The Committee discussed this issue having regard to the Director's response and noted that officers regularly reviewed chemical spraying in line with

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regulations and safety guidelines and monitored any other techniques available to ensure that the Council was working safely, compliant with regulations and ensuring best practice.

It was noted that a glyphosate based weedkiller, approved for use in public spaces, was currently used across Medway and was absorbed through green leaves, killing only the plant upon which it was sprayed and was neutralised on contact with the soil. When applied in a diluted form as used by the Council, the chemical had an extremely low toxicity to animals and posed minimal risk to humans or pets who may accidentally come into contact with the substance.

A number of Members confirmed that they had been approached by residents who were concerned about the spraying of chemicals but noted that it was necessary for the Council to consider all the evidence available, and undertake necessary risk assessments before making a decision on the way forward.

The Operations Manager – Grounds – Medway Norse advised the Committee that spraying was carried out in early Spring (March/April) but she stated that the chemical did not stay in the soil as weed growth returned by the Summer. She confirmed that prior to spraying, a risk assessment would be carried out. However, spraying activity was not actively publicised but this could be introduced.

The Head of Environmental Services informed the Committee that the Council had a legal duty to prevent the spread of some weeds. She advised that in the light of the limited time available to provide a response to Councillor Curry's Member's item, the costings set out in the financial implications had been produced on a like for like basis. To undertake a more in depth financial assessment would involve more time and research.

The Chairman thanked Councillor Curry for his Member's item and thanked Mrs Noxon for her presentation to the Committee and he invited Mrs Noxon to respond to the comments put forward by Members of the Committee.

The Head of Environmental Services advised that there would be no further spraying until Spring 2020 and therefore it was possible for a more detailed report to be submitted to a future meeting outlining a response to the points raised including the Council's legal obligations, financial implications and the outcome of consultations with other Local Authorities who had ceased the spraying of herbicides.

Decision:

The Committee thanked Councillor Curry for his Member's item and Mrs Noxon for attending the meeting and agreed that:

- a) it be recommended that an alternative to spraying in parks, play area fence lines and other features and tree bases not be taken forward at this time.

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- b) it be recommended that support be given to the mini meadows project and other similar ideas proposed for the highway verges and in parks, where the Council will be working with Plant Life and Kent Wildlife Trust to continue to increase and enhance biodiversity of plants and wildlife around Medway.
- c) a further report be submitted to this Committee in December 2019 setting out:
- the experiences of other local authorities that have ceased using herbicides for weed control;
 - documentary evidence as to the potential harm of continued use of herbicides for weed control;
 - details of any policy changes which may be required should the Council decide to cease using herbicides to control weed growth;
 - full information on the financial and legal implications of any decision by the Council to cease use of herbicides for weed control to enable the Committee to make an informed recommendation to Cabinet for consideration before the spraying season commences in March/April 2020.

210 Member's Item: Strood Development Works Update

Discussion:

The Committee considered a further Member's item from Councillor Hubbard concerning Strood development works.

Councillor Hubbard addressed the Committee on his Member's item and welcomed the work that had been undertaken since the meeting on 13 June 2019. He stated that whilst residents had signed up to the Council's goal to regenerate Strood this had not been at the cost of the health and property of residents and he referred to the problems concerning dust experienced by residents in Canal Road. He stated that officers did not regularly visit the site and too few staff were available to monitor the activities of the contractors.

Councillor Hubbard also expressed concern as to comments made by Senior Members of the Council on this issue at the Council meeting on 18 July 2019.

He then referred to the residents at Kingswear Gardens and expressed a view that it was insufficient for officers to say that the residents would be consulted upon development plans at such time as a planning application was being considered and he requested that senior officers hold a meeting with Moat and Orbit Housing Associations and residents of Kingswear Gardens.

The Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive thanked Councillor Hubbard for acknowledging the work undertaken since 13 June 2019. He advised that the Head of Planning had met with both Councillor Hubbard and Mr Haywood and that this had

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proved a useful discussion. The larger meeting requested by the Committee at recommendation b) on 13 June 2019 had been arranged for Friday 16 August 2019. Other actions requested by the Committee on 13 June 2019 were being progressed.

Concerning Kingswear Gardens, the Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive advised that whilst there had been discussions at a strategic level, no specific proposals had been progressed by either Moat or Orbit Housing Associations for the site. He advised that both Housing Associations had undertaken initial consultations, and there had not been any further movement since then.

The Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive confirmed that whilst the Development Brief and Draft Medway Local Plan identified broad aspirations there were no development proposals which could be discussed with residents affecting properties in Kingswear Gardens.

The Committee discussed the report and a Member expressed concern that residents at Kingswear Gardens considered that they were not being involved in the future of their properties and that this was causing anxiety and affecting their health and wellbeing. It was considered that the Council should take a more proactive approach and, with both Housing Associations, meet residents. It was suggested that even if there was no information as to plans directly affecting their properties, it would be helpful to inform residents of the wider development proposals for Strood.

In the light of the discussion, the Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive agreed that even though there were no planned development proposals affecting Kingswear Gardens, relevant officers would engage with Moat and Orbit Housing Associations with a view to holding a consultation meeting with residents of Kingswear Gardens so that there could be dialogue concerning the wider proposals for Strood as suggested during the debate and as a means of providing some level of reassurance. He also agreed to invite Ward Councillors to the meeting.

Another Member commented that residents in a number of residential properties in Canal Road were also affected and he suggested that invitations to attend the meeting be expanded to include residents in Canal Road.

Decision:

The Committee:

- a) noted the responses to the items raised in the Member's item.
- b) noted that officers will set up a meeting to discuss issues with appropriate Members, including Ward Councillors, residents and both Housing Associations in order to fully understand residents' concerns

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and to take appropriate action and/or provide assurances concerning the impact of the Strood development works on the health and lives of residents in Kingswear Gardens and Canal Road and if appropriate to take forward any lessons learnt to other future development works.

211 Attendance by the Portfolio Holder for Front Line Services

Discussion:

Members received an overview of progress on the areas within the terms of reference of this Committee and covered by the Portfolio Holder for Front Line Services as set out below:

- Highways
- Street Lighting
- Parking
- Public Transport
- Waste Collection/Recycling/Waste Disposal and Street Cleaning
- Traffic Management
- Transport Strategy
- Travel Safety.

The Portfolio Holder for Front Line Services, Councillor Filmer, responded to Members' questions and comments as follows:

- **Provision of clear recycling bags** – In response to a concern that there appeared to be a shortage of clear recycling sacks and the number of sacks provided in rolls to residents had been reduced in number, the Portfolio Holder for Front Line Services advised that there had been a shortage of recycling bags and therefore the quantity of bags supplied in rolls may have been reduced as a result.
- **Deep cleanse of Chatham High Street** – The Portfolio Holder for Front Line Services confirmed that the deep cleanse of Chatham High Street had been undertaken in 2018/19 to remove any residue that could not be removed through normal street cleansing operations. He noted the possible need for a further deep cleanse.
- **Scrutiny of Volker Highways** – A Member referred to the 5 year Highway contract and suggested that this Committee be provided with an opportunity to scrutinise Volker's fulfilment of this contract along similar lines to scrutiny of the Waste Contract. In response, the Portfolio Holder for Front Line Services confirmed that Volker Highways were already scrutinised as part of their contract with the Council and that this process was open and transparent.
- **Gully Cleansing** – A Member expressed concern about the level of gully cleansing, in particular, in Gillingham. In response, the Portfolio Holder for Front Line Services confirmed that gully cleansing had been

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increased in the area of Luton in recognition that this area had been susceptible to flash floods and he suggested that the Member concerned provide him with information as to those Gillingham streets that he considered required additional gully cleansing and he would arrange for this to be carried out.

The Chairman advised that the issue of gully clearance in Gillingham had arisen during discussions concerning car parking in this area and it was suggested that any Councillor having concerns regarding gully clearance in their Ward should contact either the Portfolio Holder for Front Line Services or the Assistant Director Front Line Services to request additional gully cleansing.

- **Provision of electric vehicle charging points via street lighting columns** – In response to a request as to why Medway was not progressing the provision of electric car charging points in street lighting columns, the Portfolio Holder for Front Line Services advised that the Council was in the process of investigating the provision of LED street lighting and it was at this time that the provision of electric charging points in street lamp columns could be considered.
- **Carriageway and footway resurfacing** - The Portfolio Holder for Front Line Services confirmed that carriageway and footway resurfacing schemes were selected based on condition survey data and prioritised according to the Local Transport Plan allocation for Highway Maintenance from the Department of Transport.
- **Shortfall in parking income** – A Member expressed concern that the Portfolio Holder's report did not make reference to the £1.8 million shortfall in parking income. In response, the Portfolio Holder for Front Line Services advised that there had been a number of reasons why this predicted income target had not been achieved. There had not been an increase in parking charges in Medway for some time and, after introducing an uplift in parking charges, unfortunately the predicted increase in income had not materialised. In addition, the level of income from parking fines had decreased in 2018/19 and, additional security had been provided which had been funded from parking income. He assured the Committee that there was no loss of funds but that the income received had not achieved the levels targeted.
- **Use of smartphones to pay for parking charges** – A Member sought clarification that the Council would continue to offer alternative methods of paying for car parking charges in recognition that not everyone had a smartphone. The Portfolio Holder for Front Line Services advised upon the statistics of those using the Ringo app for parking both at commuter car parks and at other sites throughout Medway and he confirmed that the Council was investigating the provision of dual car parking machines which accepted cash, credit cards and Ringo payments. He also advised

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that signs at car parks should now clearly state a telephone number to ring if the parking machine was not operational.

- **Recycling rates** – A Member asked why the Council's recycling rates had been at 42 – 43% for several years without showing an increase despite the weekly recycling collection service. In response, the Portfolio Holder for Front Line Services advised that the recycling figures reflected national statistics. He advised that in 2010, 50% of household refuse had gone into landfill but that this had now reduced to 10%.
- **VE Day celebrations** – The Portfolio Holder for Front Line Services confirmed that the Council had sufficient staffing to process applications for VE Day celebration street parties.
- **Graffiti in urban areas** – The Portfolio Holder for Front Line Services advised that the Council had recently acquired a new graffiti removal machine.
- **Staff transferring to Medway Norse and TUPE protection** – The Portfolio Holder for Front Line Services confirmed that staff transferring from Veolia to Medway Norse would have full protection of their rights under TUPE.
- **Provision of cycle routes in Medway** – The Portfolio Holder for Front Line Services confirmed that the Head of Integrated Transport had been actively involved in increasing provision of cycle routes in Medway. He advised that the provision of cycling routes and cycle facilities were now considered as part of the planning application process. In addition, there would be new provision for cycling at Chatham Station.
- **Recycling of furniture** – The Portfolio Holder for Front Line Services advised that the Medway Norse had established arrangements with a company to recycle furniture but if other companies were willing to provide this service, Medway Norse would welcome contact information.
- **Transport Strategy – Provision of commuter rail service** – A Member referred to the need to engage with the Department for Transport for improved provision of rail services for commuters, many of whom had to stand on trains for the full 50 minute journey to London. The Portfolio Holder for Front Line Services confirmed that in the next month, along with officers, he was hoping to meet with the Secretary of State for Transport to discuss funding for the Medway Tunnel and the issue of rail services would be included in discussions.

Decision:

The Committee thanked the Portfolio Holder for attending the meeting and answering questions and noted that:

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- a) a gully cleansing schedule will be circulated to all Members of the Committee.
- b) in the light of the delayed announcement of the rail franchise in the South East, the Portfolio Holder for Front Line Services and officers will make representations to the Secretary of State for Transport concerning the rolling stock and the capacity of rail services from Medway to London.

212 Council Plan Performance Monitoring Report Quarter 4 and End of Year 2018/19

Discussion:

The Committee received a report setting out performance in Quarter 4 and end of year for 2018/19 for the key measures of success and projects relevant to this Committee.

A Member referred to LRCC4a (Number of jobs created and safeguarded) and sought clarification as to whether the 200 jobs created but awaiting confirmation at Amazon had been included in the 535 jobs created/protected against the annual target of 300. It was confirmed that these had not been included as the final number of jobs created had yet to be confirmed.

The Committee acknowledged the £25,000 secured by Greenspaces Development to deliver a Pocket Park at Chatham Town Hall Gardens, and stated that this was a good example of partnership working. The Committee asked that its appreciation be extended to the Head of Greenspaces and his staff both within Greenspaces and at the Country Parks for their work.

A Member referred to the Dickens 150 celebration in 2020 and suggested that the Council may also wish to work in partnership with others to mark the celebration of the life of William Cuffay which would be of international interest. The Director for Regeneration, Culture, Environment and Transformation and Deputy Chief Executive agreed to pursue this further and to discuss with the Member direct.

A Member referred to the loss of a number of trees in Chatham Town Centre and requested that a briefing note be provided setting out the rationale for the loss of these trees. The Director for Regeneration, Culture, Environment and Transformation and Deputy Chief Executive advised that as part of the Chatham Placemaking works, some trees required removal but confirmed that a tree planting programme was proposed and he agreed to provide a briefing note on this issue.

A Member referred to the improvement works at Chatham Railway Station, a project being undertaken by the Council in partnership with Network Rail. He expressed the importance of communication to residents, businesses and commuters as to the progress of regeneration works and drew attention to the detailed communication panels at the Command of the Heights regeneration

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site. He stated that ideally this level of communication should be consistent across Medway regeneration sites. The Director for Regeneration, Culture, Environment and Transformation and Deputy Chief Executive noted the comments and acknowledged the importance of effective communication and engagement at regeneration sites.

In response to a question, the Director for Regeneration, Culture, Environment and Transformation and Deputy Chief Executive outlined in detail the extensive level of engagement at both Member and officer levels on the skills and employability plan.

A Member referring to transport and public realm improvements in Strood, and in particular the planters and tree pits that had been installed and, in the light of the discussion on an earlier item concerning the use of herbicides, he requested that appropriate root protection and weed suppression measures be put in place. The Director for Regeneration, Culture, Environment and Transformation and Deputy Chief Executive agreed to take this on board.

Decision:

The Committee noted the Quarter 4 and end of year performance of measures used to monitor progress against the Council's priorities and noted that:

- a) The Director for Regeneration, Culture, Environment and Transformation and Deputy Chief Executive will consider the potential of marking the life of William Cuffay in 2020.
- b) A briefing note will be circulated on the removal of a number of trees in Chatham Town Centre and information on the proposed tree planting programme.

213 Petitions

Discussion:

The Committee received a report setting out information as to petitions received which fell within the remit of this Committee.

A Member referred to a petition which had yet to be concluded requesting that the Council address speeding traffic issues in First Avenue and she stated that residents would like a 20mph speed restriction across the whole of Watling Ward as complaints of speeding traffic from residents were not restricted to First Avenue. The Committee noted that the Assistant Director Front Line Services would discuss this with the Member direct.

Decision:

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

214 Work programme

Discussion:

The Committee received a report setting out its current work programme.

A Member suggested that two further items be added to the Work Programme as follows:

- An annual review of Volker Highways Contract
- A report on the review of the Castle Concerts.

In addition, it was noted that a report would also be submitted to the Committee in December 2019 in the light of the earlier decision on the Member's item relating to the use of herbicides.

The Committee also discussed the wider issue of the provision of CCTV but noted that information relating to the provision of CCTV and the CCTV improvement programme was covered sufficiently by the production of briefing notes and the report due to be considered by the Committee in October 2019.

Decision:

The Committee:

- a) noted the current work programme;
- b) agreed the suggestions of the pre-agenda meeting set out at paragraph 3.3 in the report as follows:
 - The Four Elms Hill AQMA report be rescheduled for 26 March 2020.
 - The Annual Review of Waste Contracts report be re-scheduled from 26 March 2020 to the first meeting (June 2020) post Annual Council which will allow the report to give a fuller account of Norse's take-over of the contract. In the interim, the Assistant Director Front Line Services will produce a briefing note in March 2020 providing Members with some initial information on the new contract.
 - The CCTV Improvement Programme item be a briefing note rather than a report.
- c) requested that the following additional items be included on the work programme:
 - An annual review of Volker's Highways Contract – date to be determined
 - A report on the review of the Castle Concerts – December 2019
 - A report back on the Use of Herbicides – December 2019

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- d) noted that the next Task Group will be on Physical Activity and that this Committee had been invited to put forward two Members to serve on the Task Group (one x Conservative and one x Labour and Co-Operative) with nominations to be processed through Group Whips in consultation with the Chairman and Opposition Spokesperson of this Committee.

Chairman

Date:

Ellen Wright, Democratic Services Officer

Telephone: 01634 332012

Email: democratic.services@medway.gov.uk