

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

Thursday, 5 December 2019

6.30pm to 10.00pm

Record of the meeting

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

- Present:** Councillors: Bhutia (Vice-Chairman, in the Chair), Carr, Curry, Fearn, Sylvia Griffin, Osborne and Tranter
- Substitutes:** Councillors:
Adeoye (Substitute for Browne)
Mrs Diane Chambers (Substitute for Etheridge)
Hubbard (Substitute for Andy Stamp)
Khan (Substitute for Paterson)
Thorne (Substitute for Williams)
- In Attendance:** Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive
Laura Caiels, Legal Advisor
Paul Cowell, Head of Culture
Ruth Du-Lieu, Assistant Director, Front Line Services
Councillor Adrian Gulvin, Portfolio Holder for Resources
Anna Marie Lawrence, Head of Business Intelligence
Colinda Le Gall, Operations Manager - Grounds - Medway Norse
Andrew Mann, Partnership Director, Medway Norse
Councillor Rupert Turpin, Portfolio Holder for Business Management
Sarah Valdus, Head of Environmental Services
Phil Watts, Chief Finance Officer
Ellen Wright, Democratic Services Officer
- Representatives of the Community Safety Partnership** Councillor Adrian Gulvin – Chairman
Chief Inspector Ian Dyball – Kent Police
Mick Jackson – Kent and Medway Fire and Rescue Service
Paula Wilkins – Chief Nurse, NHS Medway Clinical Commissioning Group
Aeilish Geldenhuys – Representing the Director of Public Health
Cynthia Allen – Kent, Surrey and Sussex Community Rehabilitation Company
Neil Howlett – Community Safety Partnership Manager

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483 Apologies for absence

Apologies for absence were received from the Chairman, Councillor Etheridge and Councillors Browne, Paterson, Andy Stamp, Thompson and Williams.

484 Record of Meeting

The record of the meeting held on 17 October 2019 was agreed and signed by the Chairman as a correct record.

The following correction was noted:

Minute 374 – the date of the minutes signed required correction to 15 August 2019.

The following addition was agreed:

Minute 378 – Attendance of the Portfolio Holder for Planning, Economic Growth and Regulation sub heading Heritage Action Zone Programme – The following words were added to paragraph 2 “and is dependent on matched funding” after the words “bidding process”.

485 Urgent matters by reason of special circumstances

There were none.

486 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 Tranter referred to the annual scrutiny of the Community Safety Partnership and informed the Committee that as a Council appointed representative on and Vice Chairman of the Kent and Medway Fire and Rescue Authority, whilst he would participate in the debate on this item, he would not take part in any scrutiny of the performance of the Fire Authority.

Councillor Thorne referred to the annual scrutiny of the Community Safety Partnership and informed the Committee that as a Council appointed representative on the Kent and Medway Fire and Rescue Authority whilst he would participate in the debate on this item, he would not take part in any scrutiny of the performance of the Fire Authority.

487 Annual Scrutiny of the Community Safety Partnership, Including an Update on the Community Safety Plan 2016 to 2020

Discussion:

The Chairman welcomed the partners of the Community Safety Partnership (CSP) to the meeting.

The Chairman of the CSP drew attention to a correction on page 22 of the Strategic Assessment (page 48 of the agenda) in that under the column 'reducing vulnerability' the topic of 'domestic abuse' had been omitted.

The Committee discussed the following topics:

- **Police and Crime Commissioner links to the CSP** – In response to a question, the Chairman of the CSP explained that the aims and objectives of the Community Safety Plan were aligned with priorities identified by the Police and Crime Commissioner. He further confirmed that the Police and Crime Commissioner provided the CSP with funding each year to tackle crime, disorder, drugs and re-offending.
- **Rough sleepers** – A Member praised the CSP on the work undertaken to reduce the number of rough sleepers in Medway but acknowledged that a small number of rough sleepers were causing anti-social harm to traders and the public through aggressive begging. He also referred to the potential fire risk of unattended bedding.

In response, Chief Inspector Dyball reported upon the partnership approach to dealing with rough sleepers and the work of the Blue Light Project. He confirmed that the Police were able to use powers through Community Protection Orders or Civil Orders to remove rough sleepers where it was appropriate to do so. He advised that through funding received from the Police and Crime Commissioner, 10 dedicated Town Centre Officers had been designated and 8 were already in post and another 2 were soon to take up post.

The Chairman of the CSP informed the Committee that the Council's Anti-Social Behaviour Team worked closely with the Police and that in the past year 100 rough sleepers had been re-housed off the street. However, he acknowledged that there remained a challenging cohort of individual rough sleepers with alcohol and drug addictions.

He praised the work of the Council's Housing Team for the work that they had undertaken to help re-house rough sleepers and he referred to the Housing First Initiative which was available to provide wrap-around support and provide a programme to give rough sleepers the help and assistance that they required.

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Concerning the issue of unattended bedding, Chief Inspector Dyball advised upon the powers of both the Police and the Local Authority to remove bedding but reminded the Committee that what appeared to some people to be an unsightly pile of bedding was often the sole possessions belonging to an individual.

- **Achievements** – In response to a Member's request for information as to the greatest achievements of the CSP in the past year and those which had not been successful in the past year, the Chairman of the CSP outlined a number of initiatives which he considered had been very successful, ranging from the re-housing of rough sleepers, the taskforce, work on the CCTV programme, dealing with traveller incursions and work with young people. He considered that there was more work to be undertaken in engagement with young people but commented that the Medway Task Force was actively working to reduce violent crime by reducing vulnerability and building community resilience. Then work of the Medway Task Force would be focused in key geographic areas across Medway and was currently working in Luton and Wayfield Ward.
- **Re-nationalisation of the Rehabilitation Service** - The Director of the Community Rehabilitation Company outlined those elements of the Rehabilitation Service that were being re-nationalised. She advised that Kent's Service had received recognition that it was operating successfully and had been requested by the Ministry of Justice to take over the management of less successful Rehabilitation Services elsewhere in the country.
- **The provision of GP services** - In response to concerns about the level of GPs in Medway, the Chief Nurse from the North Kent Clinical Commissioning Group confirmed that Medway was not unique in having insufficient numbers of GPs. Once the Kent and Medway Medical School was established it was hoped that if trained locally, students would remain local.

She also advised that the CCG was actively trying to release pressure on the Emergency Department via use of Primary Care Networks and encouraging access to out of hospital care.

- **Police Statistics** – In response to a question about Police statistics and levels of support staff, Chief Inspector Dyball reported upon the way in which Police statistics were compiled and confirmed that Kent Police had been rated as outstanding for its accuracy rate of crime recording.

He confirmed that there had been a significant increase in the recruitment of police officers along with support staff to support these officers.

- **Medway Task force** – In response to a question concerning the locations where the Medway Task Force were operating, the Chairman

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of the CSP confirmed that the Task Force was currently working in the area of Luton Arches. He advised that the Task Force would consider areas of greatest need and had already undertaken work in Gillingham and planned to undertake work in Strood. He suggested that any Councillors wishing to suggest areas for the Medway Task Force undertaken work do so via the monthly Police Surgeries held at Gun Wharf.

- **Gang Culture** – A Member sought information on the work being undertaken and its effectiveness in discouraging gang culture in Medway.

In response, Chief Inspector Dyball advised that a Multi-agency Board had responsibility for investigating organised crime groups and gangs. Operation Raptor was a county-wide initiative to tackle, disrupt and prevent violent crime and had dedicated resource to address 'county lines'. Also through the CSP, there was an opportunity to explore all safeguarding options for young people and officers would be working with partner agencies to identify young people at risk of being drawn into crime to try and help them find a better path through education and training.

He confirmed that to date, 5 groups had been investigated and 2 gangs had been successfully disrupted in Medway leading to custodial sentences.

The Chairman of the CSP drew attention to the Kent and Medway Gang Action Plan attached to the report at Appendix 4.

- **Night time economy** – In response to a question, Chief Inspector Dyball confirmed that the night time economy was not considered to be a significant contributory factor affecting crime levels in Medway. He advised that the Police Licensing Team ensured that licensed premises were appropriately licensed.
- **Secure by design** – In response to a question concerning Fire Authority involvement in applications for development, Mick Jackson from the Kent and Medway Fire and Rescue Service advised that the Authority had a Business Safety Team which liaised and commented upon all new developments and plans.
- **Engagement events** - A Member questioned whether there was merit in increased promotion of the work undertaken by the CSP. In response, the Chairman of the CSP and Chief Inspect Dyball referred to a variety of events that publicise the work of the CSP and the various agencies involved but both agreed that more work could be undertaken in promoting Medway as a safe place.

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- **The impact of an increase in population** – A Member asked whether the CSP priorities and objectives would change in the future having regard to the predicted increase in population of Medway. In response, the Chairman of the CSP advised that the new 4 year plan for the CSP was due to be considered in early 2020 and the basic themes would remain the same but would be adapted as years progress. He welcomed the Committee's input when the Plan was submitted for scrutiny.
- **Flooding in Luton** – In response to concerns as to recent flooding in Luton, Mick Jackson from the Kent and Medway Fire and Rescue Service reported upon the work undertaken by the Authority in collecting data on flooding and he confirmed that the Fire Authority had 5 strategically placed boat stations. All staff were trained to deal with water incidents.
- **Drug use** – A Member queried whether drug use was a public health or criminal issue. In response, Public Health advised that substance abuse was a public health issue and she confirmed that a multi-agency group investigated all drug related deaths. She advised that the number of drug related deaths appeared high because there was an ageing population that used drugs in Medway. She advised upon the assistance provided to drug users including health and mental wellbeing checks and ongoing support.

Decision:

The Committee:

- a) noted the findings of the strategic assessment,
- b) supported that the Community Safety Plan priorities be refreshed in the light of the strategic assessment findings.

488 Attendance of the Portfolio Holder for Resources

Discussion:

Members received an overview of progress made on the areas within the scope of the Portfolio Holder for Resources which fell within the remit of this Committee.

The Portfolio Holder responded to Members' questions and comments as follows:

- **Greenspaces** – A Member referred to community engagement and in particular, the growth of Friends Groups for greenspaces across Medway and suggested that reference be made to this in future reports.

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The Portfolio Holder referred to community engagement events and advised that the last few events had been specifically aimed at young people. However, there was a desire to invite a wide range of individuals to these events and in particular those that undertake voluntary work.

- **Blue Light Project** – In response to a question, the Portfolio Holder confirmed that the 13 individuals on the Blue Light Project list were those who faced severe and multiple disadvantages with substance misuse, homelessness or involvement with the criminal justice system. However, this number had fallen considerably in the past 12 months in part due to the Rough Sleepers Initiative Project having outreach workers identifying individuals and providing earlier solutions to complex issues.
- **Community clean-ups** - A Member commended the work of the Community Wardens in organising 35 Community Clean-ups across Medway.

The Portfolio Holder advised that police cadets were due to undertake a clean-up in Luton to which Ward Councillors would receive an invitation.

Another Member commended the work of McDonalds' management and staff in helping with litter picking.

- **Public Space Protection Orders** – In response to a question, the Portfolio Holder confirmed that PSPOs in Chatham, Gillingham, Rochester and Strood would remain in place and would be reviewed and if necessary extended prior to their current expiry date of 20 October 2020.

He advised that any Member who wished to identify an area for consideration for a PSPO, should refer this either via the monthly Police Surgery or via the Community Safety Partnership Manager.

- **Community Payback Project charge** – A Member questioned why his Parish Council had been charged £300 for a Community Payback Project undertaken in his Parish.

The Portfolio Holder advised that he was unaware that there was a fee for this service and he agreed to ask officers to investigate and report back to Members via a Briefing Note.

- **CCTV** – A Member referred to the positive work that had been undertaken in the past 12 months on the provision of CCTV across Medway.

In response, the Portfolio Holder referred to the recent acquisition of rapid deployment cameras and the introduction of 4 additional cameras with thermal imaging to specifically cover the waterfront.

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- **Environmental enforcement** – In response to a question about environmental enforcement prosecutions, the Portfolio Holder confirmed that the environmental enforcement team undertook detailed examination of flytipped rubbish with a view to establishing, where possible, where it originated and successful prosecutions were actively publicised.

A Member also sought information as to the number of seized vehicles that had been crushed as a result of environmental enforcement.

The Portfolio Holder agreed to ask officers to provide a Briefing Note on up to date environmental enforcement statistics and the number of vehicles crushed as a result of environmental enforcement.

Another Member asked for an update on the environmental litter enforcement since this had been transferred to a private company. The Assistant Director Front Line Services confirmed that the contract had commenced on 2 December 2019.

- **Flytipping** – In response to a request as to whether the decision by KCC to introduce a charge at their waste recycling centres had impacted upon the level of flytipping in Medway, the Portfolio Holder agreed to ask officers to provide this information to Members via a Briefing Note.
- **Tobacco control** – A Member referred to prosecutions for the sale of illegal tobacco and asked whether the process of prosecutions could be undertaken more speedily. In response, the Portfolio Holder advised upon the methods by which such prosecutions were achieved.
- **Unauthorised traveller encampments** – A Member commended the work undertaken in cleaning up after unauthorised traveller encampments on Beechings Green and other sites in Medway. The Portfolio Holder requested that the Assistant Director Front Line Services convey appreciation to the team at Medway Norse and he suggested that consideration be given to the Team being nominated for a Make a Difference Award in 2020.

Decision:

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

- a) the Committee receive Briefing Notes on the following:
 - The outcome of investigations into the Community Payback Project fee.
 - Environmental Enforcement Statistics and an update on the number of vehicles crushed as a result of environmental enforcement.

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- Information as to whether it is considered that the decision by KCC to introduce charges for waste recycling has affected flytipping in Medway.
- b) the Assistant Director Front Line Services express the Committee's appreciation to staff at Medway Norse for work undertaken in cleaning up after unauthorised traveller encampments on Beechings Green and other sites in Medway.

489 Member's Item - Use of Herbicides on Green Space Assets

Discussion:

The Committee received a report reviewing the use of herbicides on green space assets and alternatives that were available, in response to consideration of a Member's Item on 15 August 2019.

With the agreement of the Committee, Ms Rachael Noxon, who had previously spoken at the Committee in August, addressed the Committee again in support of the cessation of the use of glyphosate. She referred to the fact that the Council had recently declared a climate emergency and stated that should the Council cease the use of glyphosate to control weed growth this would go some way towards helping climate and biodiversity concerns.

The Operations Manager – Grounds – Medway Norse referred to the report and drew attention to the various options set out in paragraph 3, along with the costs set out in paragraph 6. These had been drawn up in line with the request of the Committee following discussions on 15 August.

In response to questions, she provided an assurance that only small quantities of glyphosate were used in a diluted form for weed control and that all liquids were mixed before employees left site to undertake spraying. All staff were fully trained in the use of the chemicals and were required to obtain the National Proficiency Test Council's PA1 and PA6a licence before they were permitted to spray chemicals. Protective clothing, gloves and masks were required to be worn.

Since this issue had originally been raised on 15 August 2019, officers had undertaken indepth research into the use of glyphosate, had discussed concerns with industry professionals and had investigated outcomes at other local authorities where spraying had either ceased or partially ceased. Full information on this research was appended to the report on pages 101 – 114 of the agenda.

Although considered a safe method of chemical weed control, the Operations Manager – Grounds – Medway Norse suggested that if the Council wished to provide a level of reassurance to the public, subject to Cabinet approval, it was possible to cease the use of glyphosate in children's play areas at an estimated cost of £3,800 per annum.

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The Committee discussed the report and acknowledged the work that had been undertaken through liaison between officers and Councillor Curry who had originally raised this issue as a Member's item in August 2019. However, concern was expressed that the proposed recommendations were not sufficient and did not fully take account of the Council's declared climate emergency, current data, and the impact upon wild flowers, insects and wildlife, including amphibians. In addition, it was reported that at least 40 other local authorities across the country had stopped using glyphosate to control weed growth.

Additional action was proposed to supplement the proposal to cease the use of glyphosate in children's play areas, including the cessation of use of herbicides in all greenspaces with the methods for control of vegetation being kept under review year by year or that the use of herbicides cease for one year in all greenspaces and be reviewed in December 2020. However, neither proposal was supported on being put to the vote.

A Member then suggested that, in addition to the recommendations set out in the report, it also be recommended to Cabinet that for a period of one year, an uncut area of approximately 3ft be left untreated around the base of trees in public parks, with one cut during the season. It was noted that if supported by this Committee, this additional option would need to be costed before submission to Cabinet for consideration.

Decision:

The Committee agreed that it be recommended to Cabinet that:

- a) due to conflicting opinion, glyphosate no longer be used in children's play areas.
- b) as the current product has been deemed safe to use by independent scientific experts working for the EU and UK Government, the service continue the adopted practice on all other green space assets.
- c) the service continue to review usage of glyphosate herbicides in greenspace/public areas within legislation guidelines.
- d) that for a period of one year, an uncut area of approximately 3ft be left untreated around the base of trees in public parks, with one cut during the season.

490 Castle Concerts Analysis and Future Options

Discussion:

The Committee received a comprehensive report providing an insight into the recent financial challenges of providing the Castle Concerts and suggesting a viable option to ensure that the Council removes the financial risks associated with the delivery of a commercial music concert series.

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The Committee discussed the report noting the history of the Castle Concerts and the way in which they had been adapted over years to respond to the changing commercial music environment.

The Committee acknowledged the importance of the Castle Concerts in supporting the Council's cultural offer and in particular referred to the introduction of 'Under Siege' in 2009 providing a celebration of young musicians and helping to raise the ambitions of young people by giving them an opportunity to perform on a large scale festival stage.

The report set out a full financial analysis of providing the Castle Concerts over the past 11 years having regard to the number of tickets sold, ticket prices, cost of performances and total expenditure, including marketing of the event.

Whilst the ability for the public to bring alcohol into the concerts had been stopped in 2018 following advice for most of the events after issues of anti-social behaviour both inside and outside of the castle grounds, and this decision had not proved popular with some local people, this had not proved a deterrent to ticket sales for big named artists in 2019.

The Committee was advised that there were now an increasing number of similar festivals in direct competition with the Castle Concerts at other venues in Kent but that a number both in Kent and across the UK were struggling and had been cancelled in 2019 due to poor ticket sales.

It was also noted that the limited capacity of 4,500 in the Castle Gardens and ticket price ceiling limited the income that the Council could generate via ticket sales.

The Committee noted the various options set out in paragraph 4 of the report and noted that soft market testing had proven that there was scope for new commercial music concerts in Rochester Castle Gardens and Great Lines Heritage Park. For this reason, Option 3 was being recommended as a way forward which would result in the Council withdrawing from the direct delivery of the Rochester Castle Concerts and working with a third party to deliver a commercial music concert series in Medway thus removing the Council from future financial risk.

In response to questions, the Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive reminded the Committee that any recommendation from this Committee would need to be referred to Cabinet for consideration and he informed the Committee that as the Castle Concerts currently had a £50,000 income target in the budget, should Option 3 be selected as the way forward, this £50,000 would need to be addressed through the 2020/2021 budget process.

Referring to the potential of a future music festival on the Great Lines Heritage Park, a Member drew attention to the need for an event at this venue to be carefully considered on safety grounds and control due to the size of the site and access into and out of the site.

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During the debate, Members expressed their appreciation to the Council's events team who were involved in the organisation of the Council's events programme.

Decision:

The Committee agreed that it be recommended to Cabinet that the Council withdraw from the direct delivery of the Rochester Castle Concerts and officers work with a third-party (option 3) to deliver a commercial music concert series in Medway removing the Council from future financial risk.

491 Council Plan Performance Monitoring Report and Risk Register Review Quarter 2 2019/2020

Discussion:

The Committee received a report setting out performance for the second quarter against the Council's three priorities insofar as they fell within the remit of this Committee. The report also included the Council's Risk Management Strategy for Quarter 2, reviewing the strategic risks pertaining to this Committee.

Decision:

The Committee:

- a) noted the Quarter 2 2019/20 performance against the measures used to monitor progress against the Council's priorities.
- b) noted the amended Strategic Risk Register as set out at Appendix 3.

492 Draft Capital and Revenue Budget 2020/21

Discussion:

The Committee received a report providing an update on progress towards setting the Council's draft capital and revenue budgets for 2020/21.

The report set out the process by which the budget would progress through to Cabinet and Council in February 2020.

Decision:

The Committee noted that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2020/21 and beyond.

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493 Petitions

Discussion:

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

The Committee noted that at the agenda planning meeting held on 5 November 2019, so as to ensure the effective management of the Committee's workload, one referred petition would be considered at the meeting scheduled on 21 January 2020.

Decision:

The Committee noted the petition response set out in paragraph 3 and 4.2 of the report.

494 Work Programme

Discussion:

The Committee received a copy of its work programme.

Decision:

The Committee:

- a) noted the current work programme;
- b) agreed the suggestion of the pre-agenda meeting set out at paragraph 3.3 in the report.

Chairman

Date:

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