

Medway Council
Meeting of Medway Council
Thursday, 18 February 2021
7.05pm to 10.50pm

Record of the meeting

Subject to approval as an accurate record at the next Full Council meeting

Present: The Worshipful The Mayor of Medway (Councillor Tejan)
The Deputy Mayor (Councillor Aldous)
Councillors Brake, Browne, Buckwell, Rodney Chambers, OBE,
Chitty, Cooper, Doe, Etheridge, Filmer, Gulvin, Hubbard,
Mrs Josie Iles, Steve Iles, Jarrett, Johnson, Kemp, Khan, Maple,
Murray, Osborne, Pendergast, Potter, Prenter, Sands,
Andy Stamp, Rupert Turpin and Wildey

In Attendance: Neil Davies, Chief Executive
Wayne Hemingway, Interim Head of Democratic Services
Perry Holmes, Chief Legal Officer/Monitoring Officer
Jon Pitt, Democratic Services Officer
Phil Watts, Chief Finance Officer

741 Apologies for absence

During this period, it was informally agreed between the two political groups, due the Coronavirus pandemic, to run Medway Council meetings with a reduced number of participants. This was to reduce risk, comply with Government guidance and enable more efficient meetings. Therefore, the apologies given reflect that informal agreement of reduced participants.

Apologies for absence were received from Councillors Adeoye, Ahmed, Barrett, Bhutia, Bowler, Carr, Curry, Mrs Diane Chambers, Clarke, Fearn, Griffin, Hackwell, Howcroft-Scott, Lloyd, Mahil, McDonald, Opara, Paterson, Price, Purdy, Chrissy Stamp, Thompson, Thorne, Tranter, Mrs Elizabeth Turpin and Williams.

742 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

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Other significant interests (OSIs)

Councillor Doe declared an OSI in any references to Kyndi Ltd (formerly Medway Commercial Group) and Medway Development Company Ltd (MDC) because he is the Chairman of both companies. He relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any discussions and votes thereon.

Councillor Gulvin declared an OSI in any reference to Medway Development Company Ltd (MDC) because he is a Board Member of MDC. He relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any discussions and votes thereon.

Councillor Turpin declared an OSI in any reference to Kyndi Ltd (formerly Medway Commercial Group) and Medway Norse Ltd because he is a Board Member of Kyndi Ltd and is the Chairman of Medway Norse. He relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any discussions and votes thereon.

Other interests

Councillor Johnson declared an other interest in any reference to the Citizen's Advice Bureau during the meeting because he is an employee of the organisation.

743 Record of meeting

The record of the meeting held on 21 January 2021 was agreed by the Council and signed by The Worshipful The Mayor of Medway as correct.

744 Mayor's announcements

The Worshipful The Mayor of Medway announced that Council officers Ian Sutherland, the Director of People, and Perry Holmes, Chief Legal Officer would shortly be leaving Medway Council.

Mr Sutherland would be retiring after 38 years in public service and, having joined Medway in 2014 as Deputy Director for Children and Adults, he had been appointed as the Director in 2017. He had worked to improve services for both children and adults in Medway and on behalf of all Councillors, the Mayor wished Mr Sutherland a happy retirement.

Mr Holmes had joined Medway in 2012 as the Council's Assistant Director for Legal and Corporate Services and had run a number of key services since then. He would be leaving the Council in April 2021 to join Wiltshire Council as their Director of Legal and Governance. On behalf of Councillors, the Mayor thanked Mr Holmes for the support he had provided and wished him well for his new role.

A number of other Members paid tribute to Mr Sutherland and Mr Holmes.

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The Mayor proposed to suspend Council Rule 11.1.1 in respect of time limits on speeches in relation to agenda item 9 (Revenue and Capital Budgets 2020/21) to allow one Member from each Group to speak for an unlimited time. The normal time limits would then apply. This was agreed.

745 Leader's announcements

There were none.

746 Council Strategy and Council Plan Refresh 2021/22

Background:

This report set out the refreshed Council Strategy and Council Plan. The report advised that the Council Strategy set out the Council's key priorities, the outcomes that the Council expected to achieve and the programmes that would deliver this.

The report further stated that the Council Plan was the delivery plan which set out the measures that would be used to track performance against the Council's key priorities.

The report asked the Council to adopt the refreshed Council Strategy and Council Plan, as set out in appendices 1 and 2 to the report.

The report had been considered by the Business Support Overview and Scrutiny Committee on 28 January 2021 and by the Cabinet on 2 February 2021, comments of which were set out in sections 3 and 4 of the report.

A Diversity Impact Assessment (DIA) had been completed in relation to the updated Council Plan and Strategy, as set out in Appendix 3 to the report.

The Portfolio Holder for Resources, Councillor Gulvin, supported by the Portfolio Holder for Business Management, Councillor Rupert Turpin, proposed the recommendations set out in the report.

Decision:

- a) The Council noted the comments of the Business Support Overview and Scrutiny Committee and the Cabinet, as set out in sections 3 and 4 of the report.
- b) The Council adopted the refreshed Council Strategy and Council Plan, as set out in Appendices 1 and 2 to the report.

Councillors Browne, Cooper, Hubbard, Johnson, Khan, Maple, Murray, Osborne, Prenter and Andy Stamp requested that their votes against the decision be recorded in accordance with Council Rule 12.6.

747 Treasury Management Strategy 2021/22

Background:

This report provided details of the Council's Treasury Management Strategy for 2021-2022. The Strategy had been prepared in line with CIPFA's Local Authority Treasury Management Code and set out the Council's borrowing requirement and strategy in respect of investments. It also provided details of the Council's current portfolio position and set out the prudential and treasury indicators that would be used to monitor and measure treasury performance.

The report had been considered by the Audit Committee (5 January 2021) and by the Cabinet (2 February 2021), comments of which were set out in sections 4 and 5 of the report.

A Diversity Impact Assessment had been undertaken on the Treasury Management Strategy, as set out in Appendix B to the report.

The Leader of the Council, Councillor Jarrett, supported by the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers OBE, proposed the recommendations set out in the report.

Decision:

- a) The Council noted the comments of the Audit Committee and the Cabinet, as set out in sections 4 and 5 of the report.
- b) The Council approved the Treasury Management Strategy 2021/22, as set out in Appendix A to the report.

Councillors Browne, Cooper, Hubbard, Johnson, Khan, Maple, Murray, Osborne, Prenter and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

748 Council Tax Reduction Scheme

Background:

This report provided details of the Council Tax Reduction Scheme (CTRS) 2021 to 2022.

The report stated that the April 2021 allowances had been due to be announced in January 2021 and had been due to be reported to Council in January 2021. However, the Government had not published the prescribed requirements in time. This had affected all local authorities, including Medway. As a result, consideration of the report had been deferred until the February 2021 meeting of full Council.

The report stated that other than the annual uprating, there were no proposed changes to the CTRS for 2021/22.

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The Cabinet had considered this report on 12 January 2021, details of which were set out in section 4 of the report.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 3 to the report.

The Council Tax Reduction Scheme, as set out in Appendix 4 to the report, was included in Supplementary Agenda No.1.

The Portfolio Holder for Business Management, Councillor Turpin, supported by the Portfolio Holder for Resources, Councillor Gulvin, proposed the recommendation set out in the report.

Decision:

The Council approved the revised Council Tax Reduction Scheme, as set out in Appendix 4 to the report.

Councillors Browne, Cooper, Hubbard, Johnson, Khan, Maple, Murray, Osborne, Prenter and Andy Stamp requested that their votes against the decision be recorded in accordance with Council Rule 12.6.

749 Capital and Revenue Budgets 2021/22

Background:

This report provided details of the revenue and capital budget proposals for 2021/22.

The Cabinet had considered initial budget proposals on 17 November 2020, which had been developed in accordance with the principles set out in the Medium Term Financial Strategy (MTFS) 2021-2023.

In accordance with the budget and policy framework rules within the Constitution, the Overview and Scrutiny Committees had then considered the Cabinet's proposals prior to Cabinet's consideration of the draft budget on 2 February 2021.

It was noted that an overarching Diversity Impact Assessment, as set out in Appendix 8 to the report, summarised the results of Diversity Impact Assessments. These had been completed for each of the services affected by the proposed budget changes.

The Leader of the Council, Councillor Jarrett, supported by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, proposed the following recommendations, as amended from those set out in section 24 of the report:

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“Council are recommended to:

- a) Approve the recommendations of Employment Matters Committee on 26 January 2021 that £903,914 is allocated for pay awards. In addition, a one-off sum of £450,000 be approved to be funded from reserves, and that the authority to agree how the 2021/22 pay award for colleagues is allocated will be delegated to the Head of Paid Service.
- b) Approve the general fund gross, income and net revenue estimates as summarised in Appendix 1 to the report in the sum of £350.009million, with the £3.155million deficit being met from revenue reserves. In addition, add the following sums:
 - 1) £1,002,990 for the Holiday Activities and Food Programme, to be met from specific Government grant;
 - 2) £400,000 for the Modern Medway Fund to be met on a non-recurring basis from revenue reserves;
 - 3) A one-off additional £450,000 for the staff pay award to be met from revenue reserves.
- c) Approve the additions to the capital programme set out in Table 9 of the report, subject to the addition of £582,000, using the capital receipts flexibility, to continue work on the Children’s Improvement Programme.
- d) Note the Kent Police and Crime Commissioner’s precept requirement, as set out in paragraph 15.2 of the report.
- e) Note the proposed Kent Fire and Rescue Service precept requirement, as set out in paragraph 15.3 of the report.
- f) Note the parish council precept requirements of £523,658 as detailed in paragraph 15.4 of the report and at Appendix 4 to the report.
- g) Approve the basic rate of Council Tax at band D for 2021/22, before adding the police, fire and parish precepts, at £1,545.47, an increase of 4.994% as set out in paragraph 16.1 of the report.
- h) As part of the budget proposals, approve fees and charges, as recommended by Cabinet and set out in the booklet 'Medway Council - Fees and Charges April 2021' as set out in Appendix 6 to the report and subject to the following changes, which have a negligible impact on the budget:
 - 1) No uplift on vehicle licence fees;
 - 2) No uplift on drivers licence fees.
- i) Approve the Flexible Use of Capital Receipts Strategy set out at Appendix 7 to the report;

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- j) Agree the recommendations set out at 14.3 to 14.11 of the report with regard to the Housing Revenue Account and detailed in the following appendices:
- 1) The proposed increase in rents as set out at Appendix 3a;
 - 2) The proposed service charges as set out at Appendix 3b;
 - 3) The budget proposed as summarised at Appendix 3c;
 - 4) The 30 year business plan projections at Appendix 3d.
- k) Adopt the formal resolution for the Council Tax requirement and schedule of Council Tax charges for 2021/22 as set out in Appendix 5 to the report, to incorporate any amendments arising from this meeting and from the meeting of the KFRS on 23 February to agree their precept as set out in paragraph 15.3 of this report.
- l) Note the findings of the Diversity Impact Assessment as set out in Appendix 8 to the report, and the proposal to continue, where necessary, to report through quarterly monitoring any further unidentified or unintentional impact.

In accordance with Rule 12.5 of the Council Rules, a recorded vote on the proposal was taken.

For – Councillors Aldous, Brake, Buckwell, Rodney Chambers OBE, Chitty, Doe, Etheridge, Filmer, Gulvin, Mrs Josie Iles, Steve Iles, Jarrett, Kemp, Pendergast, Potter, Tejan, Rupert Turpin, and Wildey (18)

Against – Councillors Browne, Cooper, Hubbard, Johnson, Khan, Maple, Murray, Osborne, Prenter, Sands and Andy Stamp (11)

There were no abstentions.

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

Decision:

The Council:

- a) Approved the recommendations of Employment Matters Committee on 26 January 2021 that £903,914 be allocated for pay awards. In addition, a one-off sum of £450,000 was approved to be funded from reserves, and the authority to agree how the 2021/22 pay award for colleagues is allocated was delegated to the Head of Paid Service.
- b) Approved the general fund gross, income and net revenue estimates as summarised in Appendix 1 to the report in the sum of £350.009million, with the £3.155million deficit being met from revenue reserves. The addition of the following sums was agreed:
 - 1) £1,002,990 for the Holiday Activities and Food Programme, to be met from specific Government grant;

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- 2) £400,000 for the Modern Medway Fund to be met on a non-recurring basis from revenue reserves;
- 3) A one-off additional £450,000 for the staff pay award to be met from revenue reserves.
- c) Approved the additions to the capital programme set out in Table 9 of the report, subject to the addition of £582,000, using the capital receipts flexibility, to continue work on the Children's Improvement Programme.
- d) Noted the Kent Police and Crime Commissioner's precept requirement, as set out in paragraph 15.2 of the report.
- e) Noted the proposed Kent Fire and Rescue Service precept requirement, as set out in paragraph 15.3 of the report.
- f) Noted the parish council precept requirements of £523,658 as detailed in paragraph 15.4 of the report and at Appendix 4 to the report.
- g) Approved the basic rate of Council Tax at band D for 2021/22, before adding the police, fire and parish precepts, at £1,545.47, an increase of 4.994% as set out in paragraph 16.1 of the report.
- h) As part of the budget proposals, approved fees and charges, as recommended by Cabinet and set out in the booklet 'Medway Council - Fees and Charges April 2021' as set out in Appendix 6 to the report and subject to the following changes, which have a negligible impact on the budget:
 - 1) No uplift on vehicle licence fees;
 - 2) No uplift on drivers licence fees.
- i) Approved the Flexible Use of Capital Receipts Strategy set out at Appendix 7 to the report.
- j) Agreed the recommendations set out at 14.3 to 14.11 of the report with regard to the Housing Revenue Account and detailed in the following appendices:
 - 1) The proposed increase in rents as set out at Appendix 3a;
 - 2) The proposed service charges as set out at Appendix 3b;
 - 3) The budget proposed as summarised at Appendix 3c;
 - 4) The 30 year business plan projections at Appendix 3d.
- k) Adopted the formal resolution for the Council Tax requirement and schedule of Council Tax charges for 2021/22 as set out in Appendix 5 to the report, to incorporate the following amendments arising from this meeting, [as set out in paragraphs 1 to 4 below] and from the meeting of the KFRS on 23 February to agree their precept as set out in paragraph 15.3 of this report.

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Amendments to Appendix 5:

- 1) Amount in paragraph 2, Appendix 5 becomes £134,577,565. Full paragraph to read:

‘Calculate that the Council Tax requirement for the Council’s own purposes for 2021/22 (excluding Parish precepts) is £134,577,565.’

- 2) Amount in paragraph 3(a), Appendix 5 becomes £556,804,143. Full paragraph to read:

‘£556,804,143 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.’

- 3) Amount in paragraph 3(b), Appendix 5 becomes £421,702,920. Full paragraph to read:

‘£421,702,920 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;’

- 4) Amount in paragraph 3(c), Appendix 5 becomes £135,101,223. Full paragraph to read:

‘£135,101,223 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);’

- l) Noted the findings of the Diversity Impact Assessment as set out in Appendix 8 to the report, and the proposal to continue, where necessary, to report through quarterly monitoring any further unidentified or unintentional impact.

750 Medway-Wide Public Space Protection Orders

Background:

This report provided the background to Public Space Protection Orders (PSPOs) and the status of two lapsed PSPOs in Medway relating to dog fouling and dogs on leads.

A four-week public consultation had taken place which had received 100 responses, the majority of which were in support of the renewal of the lapsed PSPOs.

The report had been considered by the Regeneration, Culture and Environment Overview and Scrutiny Committee on 14 January 2021 and by the Cabinet on 2 February 2021, comments of which were set out in sections 5 and 6 of the report.

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The Portfolio Holder for Resources, Councillor Gulvin, supported by the Portfolio Holder for Adults' Services, Councillor Brake, proposed the recommendations set out in the report.

Decision:

- a) The Council noted the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee and of the Cabinet, as set out at sections 5 and 6 of the report.
- b) The Council approved the Medway wide dog-fouling and dogs on leads (by direction) PSPOs for a period of 3 years.

Councillors Browne, Cooper, Hubbard, Johnson, Khan, Maple, Murray, Osborne, Prenter and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

751 Pay Policy Statement 2021/22

Background

This report provided details of the Pay Policy Statement (PPS) for the financial year 2021/22 in accordance with the Localism Act 2011. It was noted that the PPS must be approved by a resolution of Full Council before it came into force and had to be prepared and approved before 31 March 2021 for the following financial year.

The report had been considered by the Employment Matters Committee on 26 January 2021, details of which were set out in section 6 of the report.

A Diversity Impact Assessment had been carried out on the PPS, as set out in Appendix 2 to the report.

The Portfolio Holder for Resources, Councillor Gulvin, supported by the Portfolio Holder for Business Management, Councillor Rupert Turpin, proposed the recommendation set out in the report.

Decision

The Council approved the Pay Policy Statement 2021/2022, as set out in Appendix 1 to the report.

Councillors Browne, Cooper, Hubbard, Johnson, Khan, Maple, Murray, Osborne, Prenter and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

752 Use of Urgency Provisions

Background:

This report provided details of recent usage of urgency provisions contained within the Constitution.

The Leader of the Council, Councillor Jarrett, supported by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, proposed the recommendations set out in the report.

Decision

The Council noted the report.

Councillors Browne, Cooper, Hubbard, Johnson, Khan, Maple, Murray, Osborne, Prenter and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

Mayor

Date:

Jon Pitt, Democratic Services Officer

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