

Medway Council
Meeting of Medway Council
Thursday, 22 April 2021
7.00pm to 11.45pm

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 Adeoye, Bowler, Brake, Buckwell,
Rodney Chambers, OBE, Chitty, Curry, Doe, Etheridge, Filmer,
Gulvin, Howcroft-Scott, Mrs Josie Iles, Steve Iles, Jarrett,
Johnson, Kemp, Khan, Maple, Murray, Pendergast, Potter,
Price, Sands, Andy Stamp, Rupert Turpin and Wildey

In Attendance: Neil Davies, Chief Executive
Jan Guyler, Head of Legal Services, Local Land Charges and
Licensing/Deputy Monitoring Officer
Wayne Hemingway, Head of Democratic Services
Perry Holmes, Chief Legal Officer/Monitoring Officer
Jon Pitt, Democratic Services Officer

889 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 Ahmed, Barrett, Bhutia, Browne, Carr, Mrs Diane Chambers, Clarke, Cooper, Fearn, Griffin, Hackwell, Hubbard, Lloyd, Mahil, McDonald, Opara, Osborne, Paterson, Prenter, Purdy, Chrissy Stamp, Thompson, Thorne, Tranter, Mrs Elizabeth Turpin and Williams.

890 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Council, 22 April 2021

Other significant interests (OSIs)

Councillor Gulvin declared an OSI in any discussion relating to Medway Development Company (MDC) Ltd as he is a Director of MDC. Councillor Gulvin relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any related discussion and voting.

Councillor Doe declared an OSI in any discussion relating to Kyndi Ltd (formerly Medway Commercial Group (MCG) Ltd) or Medway Development Company (MDC) Ltd as he is the Chairman of both companies. Councillor Doe relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any related discussion and voting.

Councillor Maple declared an OSI in any reference to the Pentagon Centre and potential developments there as he had interests in some organisations who were currently tenants of the Centre. Councillor Maple advised that he would leave the meeting during any discussion relating to the Pentagon Centre.

Councillor Pendergast declared an OSI in agenda item number 13 (Licensing Act 2003 – Proposed Amendment to the Cumulative Impact Policy) as he is a licence holder. Councillor Pendergast did not take part in discussion or voting on the agenda item.

Councillor Rupert Turpin declared an OSI in any discussion relating to Medway Norse or Kyndi Ltd (formerly Medway Commercial Group (MCG) Ltd) as he is the Chairman of Medway Norse and a Director of Kyndi. Councillor Turpin relied on a dispensation granted by the Councillor Conduct Committee to enable him to take part in any related discussion and voting.

Other interests

Councillor Johnson declared an other interest in agenda item number 9 (Report on Overview and Scrutiny Activity) in relation to any discussion relating to the Blue Suite at the Rainham Healthy Living Centre as Councillor Johnson is a patient of that practice. He remained in the meeting but did not take part in the related discussion during the agenda item.

891 Record of meeting

The record of the meeting held on 18 February 2021 was agreed by the Council and signed by The Worshipful The Mayor of Medway as correct.

Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

892 Mayor's announcements

The Worshipful The Mayor of Medway said how deeply saddened Medway Council was by the recent passing of His Royal Highness, The Prince Philip,

Council, 22 April 2021

Duke of Edinburgh. The Mayor extended the Council's deepest sympathies to Her Majesty The Queen and to the Royal family.

The Mayor confirmed that the Council had flown the flags at Gun Wharf and Rochester Castle at half-mast, until Sunday 18 April, as a mark of respect. Local residents had been encouraged to sign the online book of condolence. In addition, a book of condolence had been made available at the Corn Exchange.

Paying tribute, the Leader of the Council said that the funeral had been moving, particularly in view of the circumstances. He considered that His Royal Highness had been a remarkable character who had a special place in the nation's psyche and noted his championing of conservation and the Duke of Edinburgh Awards.

The Leader of the Opposition said the funeral of His Royal Highness had been unique, but in view of Covid-19 restrictions, regrettably, also like so many others. He noted that the Duke had served in the Royal Navy for 14 years, including during the Second World War and had visited Medway, including the Historic Dockyard, many times.

A minute's silence was held in honour of His Royal Highness.

The Mayor reminded Members that tributes had been made at the last Full Council meeting to the Chief Legal Officer, Perry Holmes, who would shortly be leaving Medway Council to join Wiltshire Council. As the current meeting would be his last, the Mayor and other Members thanked Mr Holmes once again for the support he had provided and wished him well for his new role.

The Leader of the Opposition requested that the Council consider suspending Chapter 4 Rule 16.1 for the duration of the Council meeting to enable two motions to be considered that had not been included in the Council agenda. The Leader of the Opposition said that the two motions had been submitted in good faith, in line with published constitution of the Council, but had not been published in the agenda. The two motions related to the NHS and to Violence Against Women and Girls and it was considered important that the Council be given the opportunity to debate these motions.

The Chief Legal Officer advised that a fundamental rule of local authority proceedings was that the primary consideration was the law and that the law was used to interpret the Constitution.

The two motions had not been published on the agenda as, following a decision made by Council in January 2021, Council Rule 10.2 specified that a maximum of one motion would be permitted for each political group and that where multiple motions were received from a political group, only the first motion received would be accepted. In this case, the motion submitted by Councillor Andy Stamp had been received before the other motions, which had been submitted by Councillors Khan and Murray. Therefore, Councillor Stamp's motion had been published in the agenda.

Council, 22 April 2021

He advised that the Local Government Act 1972 set out the fundamental principle that a local authority must give notice of its Council meetings and publish an agenda so that the public could see what would be discussed. There was no provision for urgent business that had not been included on the agenda to be considered at the Council meeting. Therefore, the Chief Legal Officer advised that there should not be a vote on whether to suspend Council rules to allow the additional motions to be considered by the Council.

893 Leader's announcements

The Leader Congratulated the Council's Public Health and Communications teams on winning the UK Public Health Register award for collaborative working. This was in relation to their COVID-19 communications campaigns with young people in Medway.

894 Petitions

Public:

There were none.

Member:

Councillor Sands referred to a petition on behalf of members of the public. The petition, which had been signed by 2,798 residents, opposed plans to build a relief road at the site of the former Deangate Golf Course and Sports complex and also called on Medway Council to retain the land for a community benefit use, such as a country park.

895 Public questions

Discussion:

Councillor Maple, supported by Councillor Murray, proposed that Rule 2 of Chapter 4 of the Constitution be suspended for the duration of the meeting to remove the 30 minute time for the taking and answering of public questions.

In accordance with Rule 12.4 of the Council Rules, a recorded vote on the motion was taken.

For – Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price, Sands and Andy Stamp (11)

Against – 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)

Decision:

Upon being put to the vote, the motion was lost.

A) Thelma West of Rochester asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

“In spite of efforts made by Medway Council to deal with air quality, such as testing air pollution and investigating electric vehicles, Medway residents suffer a particularly poor quality of air. The World Health Organisation designated Gillingham, Kent as 6th worst town in UK in 2018. The Centre for Cities think tank reported in 2020 that one in 16 deaths in Chatham were due in part to exposure to particulates in the air.

The recent inquest of Ella Adoo Kissi Debra at Southwark Coroner’s Court (December 2020) pointed out the responsibility of poor air quality for her death, and Lewisham council, while it had begun to create policies to deal with air quality, was accused of a “glacial” pace in the actions taken (or not taken). Medway residents suffer similarly.

Meanwhile, huge numbers of new houses being built in Medway are causing higher domestic emissions and bringing increased traffic.

Will Medway Council commit to seriously improving air quality by insisting that all new houses are built ready to cause zero carbon emissions and zero carbon footprint, and that increased traffic will be prevented from causing a rise in the numbers of Medway residents whose deaths are attributed to poor air?”

Councillor Chitty thanked Ms West for her question. She said that Medway Council was committed to improving air quality and that this was reinforced by the declaration of a Climate Change Emergency Motion made by Full Council in April 2019.

The current Air Quality Action Plan contained a range of measures that were aimed at improving air quality. Progress on implementing the action plan was reported to Defra annually and was detailed in the Annual Status Report. Feedback from Defra stated that Medway had a “*proactive and dedicated approach to improving air quality*” and suggested that they “*continue their good and thorough work*”.

Councillor Chitty said that until recently, Medway had been the only local authority in Kent to measure air quality. She advised that the Council operated two air quality monitoring stations as part of Defra’s rural network that informed the national picture for air quality. There would be many more towns and cities across the UK, and possibly in Kent, that would be above guideline levels, but because they did not monitor air quality, they would not be highlighted. The World Health Organisation had stated that it was misleading to compare monitored places with other areas of the UK where monitoring was not being carried out.

In 2016, Medway had introduced new air quality planning guidance with the aim of tackling road transport emissions from new developments. These measures included the installation of electric vehicle charging points, low emission gas-fired boilers, encouraging sustainable transport and providing green

Council, 22 April 2021

infrastructure. Applications for new development now had to be supported by a statement demonstrating the actions being taken to address climate change and energy efficiency. In addition, the Government was introducing changes to upgrade Building Regulations to dramatically improve energy efficiency in new residential developments.

B) Nigel Pargetor of Chatham asked the Portfolio Holder for Business Management, Councillor Rupert Turpin, the following:

“In the report you gave to the Cabinet on 2 March 2021 called Norse Update there is no amount of money showing for how much Medway Norse will have to pay out when all the workers sacked for their PPE Protests win their Unfair Dismissal Cases.

Can you explain why not and how much the potential liability to Medway taxpayers is going to be?”

Councillor Turpin thanked Mr Pargetor for his question. He advised that Medway Council was a shareholder in Medway Norse and responsible for appointing Councillors and Council officers to the main board and to the operational board. The Council did not take part in managerial processes such as disciplinary matters, which were matters for senior staff within the Company, or within the wider Norse Group to manage, in line with company policies and employment law.

In view of this and because there were on-going employment matters, Councillor Turpin did not consider it appropriate to comment on this specific issue, but he thanked Mr Pargetor for bringing the matter to his attention.

C) Betty Logan of Rochester asked the Portfolio Holder for Business Management, Councillor Rupert Turpin, the following:

“Of the 270 workers who transferred over under TUPE, when the waste collection service transferred to Norse, I would like to know how many of those 270 are still employed by Norse?”

Councillor Turpin thanked Ms Logan for her question. He said that of the 270 staff who transferred to Medway Norse in 2019 via TUPE, 223 remained as employees working within the Joint Venture company.

Over the same period, Medway Norse had stabilised the overall headcount of permanent staff working on the company’s waste contracts. There were currently 256 staff in post, with a further 25 permanent positions currently vacant. This demonstrated an increase on the original staffing numbers within these waste services to around 280.

In addition to the permanent employees, Medway Norse made efficient use of between 30 to 40 agency staff each month as part of its flexible and responsive service requirements.

Council, 22 April 2021

Agency staff could be used, for example, to cover annual leave, absence due to sickness or training, and for any unplanned issues. Suitable agency staff were often subsequently employed on a permanent contract.

D) Christopher Barnard of Chatham asked the Portfolio Holder for Business Management, Councillor Rupert Turpin, the following:

“There was a recording made of the disciplinary hearing regarding the COVID-19 PPE protest and Norse told everybody they could have a copy. On that recording Norse Director Andrew Mann admits he could have stopped the protest which automatically makes the dismissals unfair. Despite lots of requests no copies have been provided. Why is Medway Norse not providing copies of that recording?”

Councillor Turpin thanked Mr Barnard for his question. He advised that Medway Council was a shareholder in Medway Norse and responsible for appointing Councillors and Council officers to the main board and to the operational board. The Council did not take part in managerial processes such as disciplinary matters, which were matters for senior staff within the Company, or within the wider Norse Group to manage, in line with company policies and employment law.

In view of this and because there were on-going employment matters, Councillor Turpin did not consider it appropriate to comment on this specific issue, but he thanked Mr Barnard for bringing the matter to his attention.

E) Kristian Middleton of Chatham asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

“My question relates to a new planning application (reference MC/22/0564) for 24 flats to be built on Upper Mount Car Park.

When this application - which is for a three storey building with a series of balconies overlooking the back of New Road houses, and which will also overlook the backs and gardens of properties on Old Road and Westmount Avenue - has received a series of objections from local residents on the basis of impact upon privacy and light, how can the Planning Officers of Medway Council possibly consider residents' objections with proper, detached objectivity, given the Council's relationship with the Medway Development Company?”

Councillor Chitty thanked Mr Middleton for his question. She said that as the Planning Authority, Medway had a duty to consider all planning applications based on a careful assessment of all material planning considerations, irrespective of the identity of the applicant. All decisions on planning applications were open to challenge, whether through the appeal process for refusals or judicial review for approvals, and therefore the Council needed to demonstrate consistency in decision-making. Councillor Chitty advised that in this respect, Planning officers and the Planning Committee acted separately

Council, 22 April 2021

and independently from the rest of the Council. There had been occasions where planning applications submitted by the Council had been refused.

Councillor Chitty said that the planning application for Old Road was still being processed and would be determined by the Planning Committee, at which time the officers' report and debate would be publicly available.

F) Brian Franklin of Strood asked the Leader of the Council, Councillor Jarrett, the following:

"How will Medway Council respond to the moral approach to housing suggested by the Archbishops of Canterbury and York in their Coming Home Report 2021?"

Councillor Jarrett thanked Mr Franklin for his question. He said that Medway Councillors maintained a commitment to provide sustainable housing and even to prioritise applications based upon their sustainability.

Ensuring the availability of affordable housing was a priority for Medway, as evidenced by the recent completion of the White Road Project.

Affordable housing projects aimed to give people easier access to owning a home of their own. Medway aimed to provide 200 affordable homes each year with a proviso that 25% of new development must be affordable housing.

Councillor Jarrett said that the Archbishop's had made solid points in their report and everyone could empathise with the need for people to have homes that were sustainable, safe, stable, sociable and satisfying as it would enable a better quality of life and the Council was committed to delivering that. He also welcomed the Archbishop's being open to working with local authorities and to looking at development opportunities on church land.

G) Chris Ricketts of Rochester asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

"I would like to request controlled parking in Sir Evelyn Road as during the daytime the employees at the three prisons in Rochester park in the road, even though they have been provided their own parking, which is not available to residents.

The residents only have a short section to park and during weekdays, this is overrun with prison employees who will not park in their own car parks as it is a longer walk. It would also generate a small income for the council in permits and fines."

Councillor Filmer thanked Mr Ricketts for his question. He said that he would ask Council officers to visit the Sir Evelyn Road area and to engage with local residents, so that the parking problems being experienced and the impact they were having were fully understood.

Council, 22 April 2021

It would be important for the Prison Service to be part of this discussion and there may be a possibility of the Council working with them to encourage their employees to use their on-site parking facilities, or at least understand the barriers preventing them from doing so. This collaborative approach might be the best way forward in the first instance, and by working together, the need for a Controlled Parking Zone in this area could be avoided.

H) Tracey Wilson of Gillingham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

“What is Medway Council going to do with Lower Lines Park? I believed it to be a Heritage Park and protected as such. Whatever the plans, it is being kept very quiet as nothing is evident on the website, this should be a publicly visible plan.”

Councillor Doe thanked Mrs Wilson for her question. He highlighted the importance of the Park, both historically and as a recreational facility, and advised that the Lower Lines Trust had approached the Council regarding a possible transfer of the Park and its assets to Medway Council. Councillor Doe had considered that this was a good opportunity for the Council.

The Trustees were subsequently concerned that the Charity Commission might not look favourably on this as the Council was not a charity. The Trust had since made the decision to transfer the Park to Fort Amherst Heritage Trust. As the Council did not own the park, it was not able to make plans for its future.

I) Roy Panting of Brompton asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

“I have been in correspondence with the Council for four years requesting yellow lines on Middle Street. There were yellow lines there which were removed when works were completed previously. I would like confirmation when in 2021/22 they will finally be reinstated?”

Councillor Filmer thanked Mr Panting for his question. He said that the only part of Middle Street not covered by yellow lines or parking bays was on the southern side of the junction with Dock Road. Councillor Filmer said he would ask officers to make sure that the parking restrictions marked out on this road reflected the Traffic Regulation Order currently in place. Should any discrepancies be identified, these would be addressed as soon as possible.

J) Peter Bonney of Strood asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

“Could we have a 20-mph speed limit in the area of Weston Road in Strood?”

Councillor Filmer thanked Mr Bonney for his question. He said that the Council’s approach was to apply the right speed limit in the right place. This

Council, 22 April 2021

was done on an evidence-based, case by case approach, which took into account local transport objectives and national speed limit guidance.

Councillor Filmer confirmed that officers were continuing investigations in relation to the Weston Road area as this location had previously been brought to the Council's attention. This work would help inform any future changes.

K) Stuart Bourne of Rainham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

"I'm glad to hear that the Council will never close Splashes leisure centre permanently and are going to rebuild it into something even better than before.

I have a two year old daughter and I wish for her to start to learn to swim as soon as possible, but I understand that swimming classes are already full at the Medway Park. Therefore, what is the new estimated opening date for Splashes, and in the meantime what is the extra swimming class provision the Council will provide for the myself and other Rainham residents?"

Councillor Doe thanked Mr Bourne for his question. He recognised the desire of parents for their children to learn the essential life skill of being able to swim and was pleased that officers had informed Mr Bourne that swimming lessons for his daughter's age group were available at both Medway Park and Strood Sports Centre.

Councillor Doe said that his team was continually looking at ways to meet customer demand with particular emphasis being placed on maximising swimming lesson opportunities, while ensuring national Covid-compliant guidelines were followed. He looked forward to the development of a new fun, family-friendly Splashes and would be able to provide an update for customers and residents as the plans developed.

L) Daniel Burgin of Wainscott asked the Portfolio Holder for Adults' Services and the Chairman of the Health and Wellbeing Board, Councillor Brake, the following:

"As the Health and Wellbeing Board seeks to 'provide collective leadership to improve health and well-being across the local authority area' and understanding that 'Medway Council has a statutory duty to protect the health of its residents, the Council is obliged to work towards achieving the national air quality standards.' (Medway Air Quality Communication Strategy December 2017).

I assume the Portfolio Holder is satisfied that the Council's Housing Infrastructure Fund proposals won't actively damage the health of the residents of Wainscott. The HIF proposals will create elevated slip roads on the A289, bringing thousands of vehicles a day in close proximity to homes and residents in Wainscott, who are already suffering from low air quality, with PM2.5 levels in excess of WHO limits (source: Imperial College) and living in close proximity to an existing Air Quality Management Area at Four Elms Hill.

Council, 22 April 2021

Knowing that in December 2020, for the first time a Coroner found that air pollution was a significant contributory factor in the tragic death of a 9 year old girl (source: DEFRA), would the Portfolio Holder agree with that the HIF team should wait for the Coroners upcoming Prevention of Future Deaths Report, and implement its recommendations into their proposals?"

Councillor Brake thanked Mr Burgin for his question. He said that all local authorities had a duty to review and assess air quality to identify all areas where Air Quality Objectives might be exceeded. Through the review and assessment process, it had been determined that Medway was only at risk of exceeding the Objectives for nitrogen dioxide, out of the seven major airborne pollutants. As a result, Medway had declared four Air Quality Management areas in relation to nitrogen dioxide at Four Elms Hill, Pier Road, Gillingham, Central Medway and High Street, Rainham.

The planning application for the HIF scheme would be accompanied by an air quality assessment. This would consider the impacts of the proposals, including any potential benefits for air quality.

M) Sal Bragg of Rochester asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

"Is there any chance the Council could be persuaded to provide collection points for single use masks at the local mini-collection sites, such as off the Rochester Maidstone Road, perhaps on lamp posts and recycling them if that is possible?"

Obviously, it's better to use cloth but if it were made easier for those who don't dispose of single-use variety perhaps so many wouldn't end up on the paths, common land etc."

Councillor Filmer thanked Mrs Bragg for her question. He said that the Government had issued clear guidance advising people to safely dispose of used face coverings in their black sacks or in a litter bin. Used face coverings should not be recycled.

N) Kayleigh Ward of Gillingham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

"Please can you let me know if working with community groups that are focussed on the environment are going to form part of your plan on climate change?"

Councillor Doe thanked Mrs Ward for her question. He said that climate change was a global issue and not one that Medway Council could tackle alone. A partnership approach was needed across Medway and beyond. The Council would work with community groups as part of its Climate Change Action Plan work.

Council, 22 April 2021

Councillor Doe advised that the first draft of the Council's comprehensive Action Plan had just been unveiled. It was anticipated that this would be considered by the Cabinet in June ahead of public engagement starting. The Action Plan would help focus this engagement. The engagement work would be very important as everyone had a part to play in ensuring that necessary changes were delivered given that only 1.4% of total emissions in Medway were due to Council activity.

O) Jodie Buckton of Chatham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

"Is engaging with community groups going to be/form part of your plan on climate change?"

Councillor Doe thanked Mrs Buckton for her question. He reiterated his response to the previous question that climate change was a global issue and not one that Medway Council could tackle alone. Public engagement and bringing forward the Climate Change Action Plan would be important.

Councillor Doe anticipated that there would be some good suggestions and changes arising from this work and that the Plan would be strengthened through community engagement.

P) Susan Deaves of Gillingham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

"Are you going to engage with community groups as part of your plan on climate change?"

Councillor Doe thanked Ms Deaves for her question. He reiterated his response to the previous question that climate change was a global issue and not one that Medway Council could tackle alone. A partnership approach was needed across Medway and beyond. The Council would work with community groups as part of its Climate Change Action Plan work.

Q) Richard Smith of Rochester asked the Leader of the Council, Councillor Jarrett, the following:

"I would like to understand the whereabouts of the feasibility study as regards the road and rail proposals in the HIF and why this feasibility study was not included as it should have been as part of the consultation process?"

Councillor Jarrett thanked Mr Smith for his question. He said that there were a large number of documents that tested and demonstrated the feasibility of the Council's HIF proposals.

In relation to rail, the main feasibility studies were the GRIP documents. GRIP 1 had been completed, GRIP 2 was awaiting sign-off by Network Rail and GRIP 3 was being worked on by the HIF rail team. It was due to be completed in late summer 2021.

Council, 22 April 2021

In relation to road, the HIF team had undertaken modelling of traffic flows to inform the road proposals. A key document was the Road Business Case, as developed by Project Centre. This had already been shared with stakeholders, and the HIF Team could be contacted at futurehoo@medway.gov.uk for copies.

In terms of including feasibility studies in the consultation brochure, Councillor Jarrett said that a balance was always needed between providing sufficient information and not overloading. Much of the feasibility information was technical in nature and whilst such information was shared when appropriate, the aim had been to not overload the HIF consultation. Some feedback received by the Council indicated that parts of the brochure were already too technical, which reinforced the view that a balance was needed.

R) Rob Auger of Gillingham asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

“Does the Council fully understand the reason for so many objections to the explosion of planning applications for new housing in the Medway area and do they actually want to stand up to this assault on our green spaces?”

Councillor Chitty thanked Mr Auger for his question. She said that the Government had set Medway a target of 1662 homes a year. This was Medway’s housing need, based on a formula which considered factors such as population growth as well as applying an affordability criteria.

It was therefore necessary for Medway Council to grant enough planning permissions each year to enable sufficient housing to be built to meet this housing need. Should this not be done, penalties could and would be brought against the Council. This was against a backdrop of the Government having increased housing targets by 20%, as well as residential applications being allowed on appeal. When that happened, the proposals were often on sites that the Council did not consider suitable for development, such as on greenfield sites, and would not deliver the infrastructure considered necessary to support the development.

Councillor Chitty concluded that although the Council tried to secure development predominantly on brown field sites, in order to meet the housing requirement, some green field sites did need to be approved.

S) James Chespy of Gillingham asked the Leader of the Council, Councillor Jarrett, the following:

“I ask this question not only as a resident of the Medway Towns but as a former wearer of the Uniform of the Crown. I want to ask the Leader of the Council the following:

What if anything is the authority doing to support our armed forces community and our veteran community and their families, particularly?”

Council, 22 April 2021

Councillor Jarrett thanked Mr Chespy for his question. He gave assurance Medway was committed to supporting the armed forces and veteran communities within Medway. The Council regularly engaged with the military, both regionally and locally to discuss priorities and to offer support.

Councillor Jarrett emphasised that in August 2020, Medway Council had received the Defence Employer Recognition Scheme Gold award. This illustrated the commitment to providing equal opportunities to the armed forces and veteran communities as an employer. The Council recognised that the transition from the armed forces to civilian life could be a difficult one, therefore support would be offered where appropriate.

The Council was also a member of the Kent and Medway Civilian Military Partnership. This worked closely with the military and other key partners across a range of priority areas including skills and employment, forces children and families and recognising and remembering our military and veterans.

Medway was in the process of setting up an Armed Forces veterans' hub. This would be a place for veterans and their families to socialise and receive support, where required.

The Council was determined to ensure that armed forces and veteran communities got the support they needed for themselves and their families.

T) Stephen Dyke of Strood asked the Leader of the Council, Councillor Jarrett, the following:

“In April 2019, Medway Council declared a climate emergency. Like many others, I looked forward to positive steps being taken by the Council urgently to reduce emissions and to adapt to the changes that we can already see happening.

However, in the two years since, very little seems to have been achieved. I appreciate there have been studies, reports and an ‘action plan’, but it is not clear what has actually been done. The strong words of the Climate Emergency Declaration have been superseded by an ‘advisory group’ which meets occasionally and has no power. You cannot find any reference to the Emergency on the Council’s website without using the ‘search’ function.

In October 2018 the UN warned we had 12 years to avert catastrophe. Two and a half years on, why is your administration still not taking the climate crisis seriously?”

Councillor Jarrett thanked Mr Dyke for his question. He said that the Business Support Overview and Scrutiny Committee had considered, on 28 January 2021, a detailed report of action taken to date in support of the climate emergency. This report was available on the Council website.

The Kent and Medway Energy and Low Emission Strategy had been approved by Medway’s Cabinet on 12 January 2021 and committed to a net zero carbon

Council, 22 April 2021

target by 2050. Medway's ambitious street lighting LED replacement programme had continued.

A new online form for residents and businesses to support tree planting across Medway, by donating an amount of their choice, had recently gone live and a successful bid had been made to the Forestry Commission's Urban Tree Challenge Fund. This had resulted in the planting of nearly 14,000 small trees across ten sites in Medway during February and March 2021.

30 miles of wildflower verges had been created during 2020 allowing a wider diversity of wildflowers and grasses to thrive. Work was underway to develop and implement Re:fit, a programme to improve energy performance across the Council's estate, which would result in both environmental and financial savings. Electric vehicle charging points were being installed to support the trial of six electric vehicles for staff business use.

In summer 2020, Medway had been awarded £242,000 by the Department for Transport to deliver measures to create an environment that would be safer for walking and cycling.

Councillor Jarrett said that the Council had supported Medway residents and small businesses to apply for rooftop solar panels via the collective buying scheme, Solar Together Kent.

On 20 April 2021, a draft Climate Change Action Plan was presented to the Climate Change Advisory Board. The Plan set out a wider range of actions that would be required over the coming years to achieve net zero carbon emissions by 2050. This document would be reviewed annually, with the Action Plan being due to be presented to Cabinet on 8 June 2021 for approval.

A cross party climate change Member Advisory Board had been instrumental in steering the development of the Action Plan and would continue to receive quarterly updates on progress in delivering the Action Plan.

A climate change webpage had been added to Medway's website to highlight projects that supported the climate emergency and a new social media presence, Medway Climate Change, was on Facebook, Twitter and Instagram. These had been established to further promote the Council's work and to support others to make changes.

U) Vivienne Parker of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

"As I was out driving recently during rush hour, I noted a cyclist weaving in and out of the busy traffic, even though there was an overgrown and poorly signposted cycle path right next door. What is the Council going to do to ensure these off-road cycle routes are more usable and more visible?"

The particular path runs along the western side of the Bridgewoods Roundabout to the top of Chatham Maidstone Road. Much of the path has

Council, 22 April 2021

been cleared of undergrowth but is still poorly marked as are most of the cycle routes running down the Chatham and Rochester Maidstone Roads. There are few signs anywhere in Medway instructing cyclists to give way to pedestrians and the blue signs on the lampposts road have a diameter of only two inches and are barely visible.”

Councillor Filmer thanked Ms Parker for her question. He said that the path referred to was just outside Medway’s boundary but that the comments made would be passed to Kent County Council.

Councillor Filmer said that cycle route signage and white lines were designed and installed in accordance with Government guidance but that the cycle infrastructure along Chatham and Rochester Maidstone Roads would be reviewed to ensure compliance. There were over 80 miles of cycle routes in Medway and during 2020 usage had increased more than 20%, which was something that Medway could be proud of.

V) Julian Quinton of Chatham asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

“Why is Medway Council accepting planning applications for flats in Old Road, Chatham, some of which are below the minimum space standards specified in the Medway Housing Standards 2011?”

Councillor Chitty thanked Mr Quinton for his question. She said that Medway had adopted its own space standards in 2011 with the Government having produced national space standards in 2015.

Planning applications were assessed against the national standards and the flats at 1 Old Road all complied with these standards.

W) Bryan Fowler of Chatham asked the Leader of the Council, Councillor Jarrett, the following:

“What does the Leader of Medway Council think of planning applications which state that affordable residential units, related to the Mountbatten House development, should be built over half a mile away in a car park owned by Medway Council?”

Councillor Jarrett thanked Mr Fowler for his question. He said that the Council was taking an active role in regeneration in Medway, particularly the centre of Chatham. Town centres were struggling across the country and with retail changing, town centres needed to adapt. Medway Council recognised this and that local authorities needed to take a lead role to ensure that centres remained vibrant. Increasing town centre residential usage would also create demand for facilities and lead to increased spending.

The Council had purchased the Pentagon Centre and was developing plans to revitalise it. Planning permission had also recently been granted for residential led development at Chatham Waterfront and at Whiffen’s Avenue, now known

Council, 22 April 2021

as Garrison Point. The Chatham Waterfront proposals included non-residential uses at ground floor level. This would increase the vibrancy of the local area and link to revitalised public realm around the Pumping Station, which in turn linked to the Waterfront and to the Command of the Heights at Fort Amherst.

Planning permission had recently been resolved to be granted for the redevelopment of Queen Street car park and the adjacent land. This would include affordable housing provision.

In relation to Mountbatten House, the Council planned for the conversion of the site to be for predominately residential use. Had this been a development led by the private sector there would likely either have been no or limited affordable housing provision. In common with most brown field sites the provision of affordable on site would have significantly impacted upon the site and the provision would have been limited. The Council recognised the importance of delivering affordable housing and would be providing for the required amount off site but in relatively close proximity. This was standard practice for developments across the country.

Councillor Jarrett concluded that it was important to secure high quality development for Chatham town centre, which would build upon the Council's wider regeneration agenda and also deliver much needed affordable housing in close proximity.

X) Alan Collins Rosell of Gillingham asked the Portfolio Holder for Business Management, Councillor Rupert Turpin, the following:

“Given the COVID-19 pandemic has not yet passed and a large proportion of people have not yet been vaccinated, I am sure the Portfolio Holder will share my concern that statutory provision for virtual council meetings is not being renewed.

One of the positives to have come out of a challenging year is the increased accessibility of council meetings, allowing people to follow proceedings online. Even before the pandemic, many local authorities allowed remote access to council meetings for residents, ensuring people who, for whatever reason, could not attend meetings in person could still see their elected representatives working for them.

Will the Portfolio Holder, therefore, commit to ensuring live streaming of meetings continues, even beyond 21 June, so that the increased accessibility and transparency of Council meetings continues when the Council returns to physical meetings?”

Y) Paul O'Neill of Chatham asked the Leader of the Council, Councillor Jarrett, the following:

“The HIF consultation, New Routes to Growth, does not contain a Higham curve, enabling a service covering all of Medway. This option was present on

Council, 22 April 2021

early designs by consultants. I have sought the GRIP 2 and 3 reports, but these are unavailable.

This also misses an opportunity for a station at Cooling to serve the surrounding residents.

Does the Council agree that an integrated train service covering all Medway Towns is a key ingredient for an integrated transport system in Medway?"

Z) Chris Spalding of Gillingham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

"It is understood plans are in advanced stages to carry out the long awaited repairs to the road surfaces on Grain Bridge and by Grain Fire Station.

Following another fire locally, can the Portfolio Holder confirm the road resurfacing plan includes all of Chapel Road into the Village to ensure the Fire and Rescue Service, whether locally or coming from elsewhere, does not lose vital life saving time due to the extremely poor road surface?"

AA) John Castle of Chatham asked the Leader of the Council, Councillor Jarrett, the following:

"The HIF consultation, New Routes to Growth is in danger of being rushed and as a consequence may not be fit for purpose.

The idea of putting infrastructure in place before housing is built is a good one, adopted by many countries using good design principles for house building. Consulting on the infrastructure without knowing where the housing is going to be built, undermines this principle and leads to poor outcomes.

Does the Council agree that the consultation is being rushed ahead of the Local Plan in order to ensure that money allocated is spent, rather than taking measures to ensure sustainable development?"

BB) John Castle, on behalf of Medway Liberal Democrats, asked the Leader of the Council, Councillor Jarrett, the following:

"Currently the HIF consultation, new Routes for Growth, contains a road running through Deangate. The environment section fails to use most of the money allocated, only committing to Cockham Community Parkland.

Medway Liberal Democrats believe the SSSI sites North of Hoo, with the addition of Deangate, should be protected from housing and available for the increased local population to use as vital greenspace.

Does the Council agree that the Great Wood at Chattenden, Lodge Hill and Deangate should be designated as a country park?"

CC) Andrew Millsom of Rochester asked the Leader of the Council, Councillor Alan Jarrett, the following:

“The highways section of the Hoo - Routes to Good Growth document contains proposals that many who live locally, with particular reference to groups like Stop the Wainscott Flyover, consider to be weak and ineffectual. I have been informed that the consultant for the highways portion is Project Centre, part of Marston Holdings. It is a company that doesn't have significant highways case studies on its website and therefore may not have good highway experience.

In light of the poor design quality, the ineffectual proposals and the high number of responses to consultation, will the Council commit to a further round of consultation when there are better prepared highway proposals for review?”

Note: The Mayor stated that since the time allocation for public questions had been exhausted, a written response would be provided to questions 7X to 7CC.

DD) Brian Warner, Chairman of Hempstead Residents Association, asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

“In the Autumn of 2020, we became aware of a proposal submitted to Maidstone Borough Council as part of the review of its Local Plan for a Garden Village which includes some 2000 plus houses to be built at Lidsing. This proposal would have significant consequences for Hempstead and the greater Medway area.

What is Medway Council's view of this proposal and what action are they able to take in response to this outrageous proposal?”

Councillor Chitty thanked Mr Warner for his question. She said that Medway had responded to Maidstone Council to strongly object to the Lidsing Garden Village proposal. It had been made clear that, should the proposal be taken forward, Medway Council representatives would attend any future Examination in Public to object to the proposals.

896 Leader's report

Discussion:

Members received the Leader's Report and raised the following issues during debate:

- Covid-19, the impact on Medway and the importance of following Government guidance and for the public to be regularly tested and vaccinated, when called.
- Recognition of Council officers, NHS staff and volunteers involved in dealing with the challenges arising from Covid.
- The need for a vaccination specific workforce to ease the pressure on primary care.

Council, 22 April 2021

- The Director of Public Health's Annual Report and its focus on health inequalities in the context of Covid and health inequalities in the UK having led to its relatively high Covid death rate.
- Opportunities arising post Covid, such as making effective use of green spaces, increased partnership working and an emphasis on the importance of preventive health measures.
- Concerns relating to Medway Norse and excess litter.
- School capacity on the Peninsula and concerns in relation to new development.
- The Housing Infrastructure Fund and consultation responses and the need to ensure that development was sustainable in relation to economic, community, social, environmental and transport factors.
- The emerging Local Plan.
- Child Protection and the Signs of Safety approach and the recognised improvements to Children's Services.
- Support for Care Leavers.
- Council committee meetings and the ability to hold these remotely.
- The importance of Early Help.

897 Report on Overview and Scrutiny Activity

Discussion:

Members received a report on overview and scrutiny activity and raised the following issues during debate:

- Role of the Voluntary Sector in tackling Covid-19 and the recognition by the Voluntary Sector Task Group of the need to work collaboratively.
- GP provision in Rainham and welcoming of the CCG commitment to consult the relevant committee and to meet with local Councillors ahead of any proposed changes. Concern was also expressed about lack of public engagement in relation to other proposed health service changes.
- Concerns in relation to NHS plans to close a ward at Medway Hospital, that looked after dementia patients, and relocate provision to Maidstone.
- Council staff were thanked for their role in ensuring that Council business was able to continue during Covid.
- Pentagon Centre revitalisation and support for businesses.
- The loss of the proposed train curve that would have brought train services to the Peninsula, the impact on the Housing Infrastructure Fund and the need to provide other sustainable forms of transport
- The role of schools in the rate of Covid-19 infections and the need to ensure that young people were supported to overcome challenges arising from Covid.
- Concern about a fall in the number of Pupil Premium number pupils being deemed selective by the Medway Test.

Decision:

The Council agreed to note the report on overview and scrutiny activity.

Council, 22 April 2021

Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

898 Nominations of Mayor and Deputy Mayor 2021/22

Councillor Kemp, supported by the current Mayor of Medway, Councillor Tejan, proposed that Councillor Aldous be nominated as the Mayor of Medway for the 2021/2022 municipal year.

On being put to the vote, the nomination of Councillor Aldous was agreed.

Councillors Bowler, Johnson, Maple, Murray, Price and Andy Stamp requested that their abstentions be recorded in accordance with Council Rule 12.6.

The Portfolio Holder for Children's Services – Lead Member (statutory responsibility), Councillor Mrs Josie Iles, supported by the Portfolio Holder for Education and Schools, Councillor Potter, proposed that Councillor Carr be nominated as the Deputy Mayor of Medway for the 2021/2022 municipal year.

On being put to the vote the nomination of Councillor Carr was agreed.

Councillors Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their abstentions be recorded in accordance with Council Rule 12.6.

899 Members' questions

A) Councillor Paterson asked the Leader of the Council, Councillor Jarrett, the following:

“With its proud Royal Navy roots, Medway's thoughts are with all those mourning the loss of HRH Prince Philip, The Duke of Edinburgh. Medway is grateful for his distinguished Naval service during the Second World War and we recognise his enduring commitment and public service to Her Majesty The Queen.

Will the Leader of the Council commit to work on a cross party basis and with other key community stakeholders to ensure suitable recognition for HRH Prince Philip, The Duke of Edinburgh, in Medway?”

Councillor Jarrett thanked Councillor Paterson for his question. He said that Members had already heard his comments about Prince Philip earlier in the meeting. He considered that there was support for the Royal Family across the political spectrum and support for the union of the United Kingdom.

The Council's administration had started to consider how to appropriately recognise His Royal Highness. Councillor Jarrett undertook to involve the opposition and other representatives across Medway and this would be welcome.

B) Councillor Andy Stamp asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

“Following the recent Budget announcement that the £5 million refurbishment of Splashes leisure pool *‘was not expected to proceed at the current time’*, can the Portfolio Holder advise us when the public can expect the new Splashes leisure facility to re-open?”

Councillor Doe thanked Councillor Andy Stamp for his question. He said that the Council had committed to developing Splashes into a fun, family-friendly sports centre, complementing the offer at Medway’s other sports centres.

In 2020, the Council added £5million to the capital budget to proceed with this development. This would allow modernisation and development within the existing framework of the 30-year-old centre.

Before starting works, Medway had commissioned a range of surveys, including a full structural survey of the centre. This survey had highlighted a number of problems which could not be resolved within the £5m agreed capital funding and it was not economical to undertake repairs.

Council Doe said that Council officers were now looking in detail at a range of potential options for development of a new sports centre on the Splashes site. Once the surveys had been completed, there would be a clearer understanding of the capital and revenue implications for the Council, allowing Councillors to make an informed decision on the best way to proceed.

Once this stage had been completed and reviewed, Councillor Doe would be able to provide a timeline for the development of Splashes but he was already able to confirm that the scheme would go ahead.

C) Councillor Howcroft-Scott asked the Portfolio Holder for Education and Schools, Councillor Potter, the following:

“In October 2020’s Medway Test, only 6% of the total cohort of Pupil Premium pupils were assessed for grammar school. This figure is lower than the 9% of the Pupil Premium cohort in 2019 that was assessed as grammar and is well below the proportion of 23% assessed as grammar for the cohort of all pupils in 2020. Further, only 23% of the total Pupil Premium cohort took the Medway Test in 2020 compared to 51% of the total cohort. In view of the additional pressures which result from the Covid-19 pandemic, what is the Portfolio Holder doing to address this issue?”

Councillor Potter thanked Councillor Howcroft-Scott for her question. He said that the Council communicated directly with parents and families to inform them about the admissions process, including how to register for the Medway Test. The list of all current registrations for the Test was submitted to schools twice during the registration process so that they could encourage parents and families to register.

Council, 22 April 2021

The low number of disadvantaged children taking the Medway Test was concerning. Councillor Potter had asked Council officers to look at what more could be done to encourage registrations from disadvantaged families.

The proportion of Pupil Premium children taking the Test and being deemed selective in 2020 had increased, but this was due to the lower numbers of children taking the test in this cohort.

Councillor Potter was confident that increasing the number of disadvantaged children taking the Test would lead to more of them being assessed as being of selective ability.

D) Councillor Price asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

“The level of anticipation for the safe reopening of the Strand Lido is high having been closed for the 2020 season. Will the Deputy Leader commit to working with the Friends of the Strand Lido and ward Councillors to ensure that, if COVID safe, extended opening hours are implemented for the 2021 season?”

Councillor Doe thanked Councillor Price for his question. He was hopeful that the Strand swimming pool would be open during the coming summer with preparations being undertaken for opening on 29 May. No final decision would be taken until nearer the scheduled opening date, taking into account relevant national and local guidance at that time.

As with all Council facilities, the Strand pool needed to operate within budget. Councillor Doe recognised the desire of some pool users for evening sessions and he had discussed with Council officers how this could be achieved, without increasing expenditure. It was anticipated that some extended opening would be provided.

E) Councillor Bowler asked the Portfolio Holder for Business Management, Councillor Rupert Turpin, the following:

“Does the Portfolio Holder agree with me that Medway Council staff in the Democratic Services, Members’ Services and IT departments have done a fantastic job this past year in facilitating virtual meetings ensuring democracy can continue during the ongoing global pandemic and it is incredibly short sighted by Government to have not found parliamentary time to have extended that provision whilst a call for evidence on the future use of virtual meetings is ongoing?”

Councillor Turpin thanked Councillor Bowler for his question. He agreed that Council officers had done a fantastic job during the pandemic and commended Councillors for how they had adapted to the new way of working. This had allowed democracy to continue to function during what had been an extremely difficult time for everyone.

Council, 22 April 2021

The outcome of the High Court hearing on 21 April 2021 was not yet known. This had sought to allow remote meetings to continue to take place beyond 6 May 2021. However, Robert Jenrick MP, the Secretary of State for Housing, Communities and Local Government, had supported this court action. The Council awaited the outcome of this with much interest.

F) Councillor Johnson asked the Portfolio Holder for Education and Schools, Councillor Potter, the following:

“In view of the Leigh Academy Trust’s renewed proposal to merge Stoke and Allhallows schools, what is the Portfolio Holder doing to protect local educational provision for rural communities?”

Councillor Potter thanked Councillor Johnson for his question. He said that Medway Council was committed to keeping rural village schools open for the benefit of local communities, as far as its powers permitted and the preference would be for Stoke Primary Academy to remain open. The Council had liaised closely with the Regional Schools Commissioner’s (RSC) office in relation to the merger and the matters that led to it.

Councillor Potter had met with the Leigh Academy Trust to challenge the merger proposals, with the Trust having agreed to arrange transport for pupils between the villages should the merger be approved. The RSC was responsible for making the decision and the Council had submitted a full response to the consultation, which was also sent to the RSC.

It was considered unlikely that a similar situation would arise again on the Peninsula as due to new housing provision, it was likely that schools would be expanded and that new schools would be required. However, this development would not be in the Stoke area, where a combination of low pupil numbers, no plans for significant development in the village and parents and families taking their children off the roll at Stoke Primary and onto the roll at Allhallows had led to a unique situation. He stated that the transfer of pupils from Stoke to Allhallows had been actively encouraged and facilitated by the Trust despite the school having received a good Ofsted report in 2020.

G) Councillor Adeoye asked the Portfolio Holder for Education and Schools, Councillor Potter, the following:

“How much will Medway schools lose on average as a result of the change to how the government calculates Pupil Premium?”

Councillor Potter thanked Councillor Adeoye for her question. He said that Pupil Premium funding for the financial year starting 1 April 2021 was based upon the October 2020 census pupil data rather than January 2021 census pupil data.

This change brought the Pupil Premium funding calculation into line with how most other school grants and core funding was calculated and was expected to give schools greater certainty around funding levels at an earlier point in the

Council, 22 April 2021

year, with schools knowing their Pupil Premium budget allocation in April rather than waiting until June or July.

The effect on individual schools or academies would not be known until publication of the pupil census by the Government.

H) Councillor Murray asked the Portfolio Holder for Portfolio Holder for Children's Services (Lead Member), Councillor Mrs Josie Iles, the following:

“The Cooperative Party is currently campaigning on the vital issue of Healthy Start Vouchers for those who are pregnant or have children under the age of four.

Does the Portfolio Holder share my concern that research shows that in Medway only 47% of vouchers are claimed and that £7,488.50 worth of healthy food goes unclaimed and will you undertake to take immediate action to promote the scheme, encourage take-up among eligible families and aim for 100% of vouchers to be claimed to ensure that hungry Medway children receive the food they are entitled to?”

Councillor Mrs Josie Iles thanked Councillor Murray for her question. She said that giving every child a good start was a priority for Medway Council and the Healthy Start programme was an ideal way to improve children’s nutritional input and support low income families. Increasing healthy start uptake had been identified as a core objective of the Infant Feeding Strategy Group. This was a multi-stakeholder partnership group focussed on improving outcomes for those most in need. In common with work to increase breast feeding and other infant feeding priorities, increasing uptake of vouchers in the Healthy Start programme relied on multiple organisations working in partnership to achieve success.

The Council worked hard to engage and support the community and was committed to enabling all those eligible to take up the offer of the programme. It was recognised nationally that achieving a significant uptake required continued effort from all partners who had regular contact with children and families.

Medway was building on existing positive partnership working and learning from the COVID-19 engagement work. 2020 had seen the launch of the Medway Food Partnership. Amongst other priorities, it aimed to reduce the burden of food poverty on residents.

Working through the Infant Feeding Strategy group and Medway Food Partnership, the Council would continue to make efforts to increase uptake for healthy start vouchers and Councillor Iles would request regular updates going forward.

Council, 22 April 2021

I) Councillor Maple asked the Leader of the Council, Councillor Jarrett, the following:

“The Government has announced there will be 12 regional hubs to welcome Hong Kong British National Overseas residents. Will Medway be seeking to host the South East regional hub?”

Councillor Jarrett thanked Councillor Maple for his question. He said that Medway would follow the Government’s lead on this issue as it had to be determined at a central level. Councillor Jarrett said he was open to future discussions on the matter and would do what he could to support the Government decision, when announced.

J) Councillor Khan asked the Portfolio Holder for Adults' Services, Councillor Brake, the following:

“Many people who have been infected with Covid-19 are suffering long term and debilitating symptoms known as Long-Covid.

The Health and Adult Social Care Overview and Scrutiny Committee has agreed that this should be an item for their committee. So can the Portfolio Holder tell me what he is doing to support Long Covid sufferers in Medway and will he ensure resources are made available to work in partnership with the NHS to ensure those affected receive the treatment and support they need?”

Councillor Brake thanked Councillor Khan for her question. He said that more insight was being gained from research into the long-term health implications of COVID-19. Although the majority of people infected recovered reasonably quickly, some individuals went on to experience symptoms associated with COVID infection long after 12 weeks from first showing symptoms. This was termed Post COVID or Long COVID syndrome.

Medway Council was working closely with NHS colleagues to signpost individuals affected by Long COVID, their families and other interested parties to local services which could offer support. A specialist NHS Kent and Medway post-COVID assessment service was due to open in the coming weeks. This service would assess, support and refer local Long COVID patients to appropriate specialist services for treatment or intervention.

Elements of this post-COVID service were being co-created by residents themselves. Three online Long-COVID Patient Engagement Workshops and findings from a dedicated survey were being used to inform how this service would function in practice. Medway Council would also use the findings from this engagement process to inform the deployment of any additional resources that were required for this patient sub-group. Medway had already made appropriate connections with the emerging national support networks for those living with Long-COVID.

Council, 22 April 2021

The Council's Public Health Department would continue to work with NHS colleagues to raise awareness of Long-COVID and signpost those affected to the networks and services they needed to make a full recovery.

K) Councillor Pendergast asked the Leader of the Council, Councillor Jarrett, the following:

"In July 2019 with a merger of two local schools being proposed Council carried my motion as follows:

"Following events concerning Stoke Primary School, this Council requests the Cabinet to commit to keeping rural and village schools open for the benefit of the local communities in so far as its powers allow".

At the time, the merger was refused but it is now back on the table. Leigh Academies Trust 'listening exercise' for 'all relevant stakeholders' closed at midnight on 31 March 2021. It appears Medway Council had not submitted a response to the Trust by that time.

Councillor Potter, the schools' Portfolio Holder, in an email dated 6 April 2021 stated a copy of the Council response "...will be copied to the MP and Ward Councillors this week." Nothing was received by myself.

Does the Leader of the Council and the Cabinet intend to commit to keeping all rural schools open and if so what is actually being done to ensure this?

The view was taken that in order to once again defeat the proposal a combined joint effort was required and to that end I have sought a meeting with Councillors Filmer and Potter, at which at least one of the campaign committee would be present. There has been no meeting. In fact nothing has been heard from Councillor Potter at all.

Councillor Filmer advised in a phone conversation last week that he and Kelly Tolhurst would "put something together", but again nothing has been forthcoming.

I appreciate that to many of you this is just a small village school. I realise that Academies are Conservative Party policy which allows a select few to benefit from unjustified eye watering six figure salary packages at the expense of each child's education.

However, having seen numerous disagreements with national government and policy I considered Medway Council to be different but clearly I was mistaken.

It is disappointing that once again those in charge choose to forget about a certain part of Medway."

Note: The Mayor stated that since the time allocation for Member questions had been exhausted, a written response would be provided to question 11K.

900 Hackney Carriage and Private Hire Policy 2021-2026

Discussion:

This report requested Council approval of the Hackney Carriage and Private Hire Policy 2021-2026.

The report included the consultation responses received in respect of the draft revised Policy as well as an evaluation of each response.

The report set out that an in-depth, critical review of the existing Policy had been carried out by the Licensing Manager and Regulatory Services Manager to highlight areas of policy in need of revision or removal.

This report had been considered by the Licensing and Safety Committee on 8 April 2021 and its comments and recommendations to Council were set out at section 5 of the report.

The report advised that some changes had been made to the draft Policy to incorporate the changes requested by the Committee. The revised Policy was set out at Appendix A to the report.

The Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, supported by the Portfolio Holder for Resources, Councillor Gulvin, proposed the recommendations set out in the report.

Decision:

The Council:

- a) Noted the comments of the Licensing and Safety Committee set out in section 5 of the report.
- b) Approved the Hackney Carriage and Private Hire Policy 2021-2026, as set out at Appendix A to the report.
- c) Agreed to delegate authority to the Chief Legal Officer to in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, make further necessary minor administrative amendments to the relevant sections of the Policy, as set out in paragraph 3.4 of the report.

Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

901 Licensing Act 2003 - Proposed Amendment to the Cumulative Impact Policy

Discussion:

This report requested Council approval of an amendment to the Council's licensing Cumulative Impact Policy.

The report advised that where the Cumulative Impact Policy was applied, and there were relevant representations, there was rebuttable presumption of refusal by the Authority in all but exceptional circumstances, unless the applicant could demonstrate that the premises would not adversely affect the licensing objectives.

The Licensing and Safety Committee had considered the Policy on 8 April 2021, with the Committee having agreed that the evidence presented continued to support the retention of a Cumulative Impact Policy for the promotion of the licensing objectives.

The Committee had agreed with the conclusion of Kent Police that the Cumulative Impact Policy should no longer apply to premises licence applications for the sale of alcohol for consumption on the premises. As this would require an amendment to the Cumulative Impact Policy, contained within the Statement of Licensing Policy, the Committee recommended these changes to full Council.

The Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, supported by Portfolio Holder for Resources, Councillor Gulvin, proposed the recommendations set out in the report.

Decision:

The Council:

- a) Approved an amendment to Policy 17 of the Statement of Licensing Policy, Cumulative Impact Policy, the amended policy statement to read:

This policy applies to applications for new premises licences, substantial variations and provisional statements, **for the sale of alcohol for consumption off the premises.**

It is the Authority's policy to refuse applications for the sale of alcohol **for consumption off the premises** for premises licenses which fall within the Cumulative Impact Policy areas, dependent on the specific policies in these areas.'

- b) Approved an amendment to Policy 18 of the Statement of Licensing Policy, Stress Area Policy, the amended policy statement to read:

Council, 22 April 2021

'This policy applies to applications for new premises licences, substantial variations and provisional statements **for the sale of alcohol for consumption off the premises.**

It is the Authority's policy to expect applications for the sale of alcohol **for consumption off the premises** for premises licences in Stress Areas to demonstrate they will promote the licensing objectives so as not to add to the alcohol harms in these areas, dependent on the specific policies in these areas.

When its discretion is engaged it is the policy of the Authority that applications **for the sale of alcohol for consumption off the premises** which fail to demonstrate this are likely to be refused, or have conditions placed on the licence consistent with the promotion of the licensing objectives.'

- c) Agreed to delegate authority to the Chief Legal Officer to, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, make any related amendments to the Statement of Licensing Policy to ensure consistency with these amended policy statements.

Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

902 Counter Fraud and Corruption Strategy - Review

Discussion:

This report requested that Council adopt the proposed new Counter Fraud and Corruption Strategy.

The report advised that while the Council had already had an Anti-Fraud and Corruption Strategy in place for a number of years, it had not been updated for a significant period and did not reflect current best practice. In view of this, a full review had been undertaken.

The proposed new Strategy had been designed to incorporate the five pillars of activity outlined in the new best practice guidance as well as reflecting the Council's approach to combatting fraud and corruption.

The new draft Counter Fraud and Corruption Strategy had been considered by the Audit Committee on 18 March 2021 and its comments and recommendations to Council were set out at section 4 of the report. Comments of the Chief Finance Officer, which had been included in the report in response to discussion at the Audit Committee, were set out in section 5 of the report.

A Member asked whether there could be assurance that the Council would be in a position to support the process in relation to an ongoing police investigation associated with Kyndi Ltd (formerly Medway Commercial Group Ltd). The Chief

Council, 22 April 2021

Legal Officer said it was anticipated that an update would be shared with Members in the coming weeks and that the Head of Audit would be picking up the related work.

The Portfolio Holder for Business Management, Councillor Rupert Turpin, supported by the Portfolio Holder for Education and Schools, Councillor Potter, proposed the recommendations set out in the report.

Decision:

The Council:

- a) Noted the comments of the Audit Committee set out in section 4 of the report.
- b) Agreed to delegate authority to the Chief Finance Officer to in consultation with the Portfolio Holder for Business Management, make the following amendments to the draft Counter Fraud and Corruption Strategy:
 - i) Update the introduction section of the strategy document to include Medway Subsidiary Companies in the list of individuals and bodies that the strategy is relevant to.
 - ii) Replace references to the 'Whistleblowing Policy' or 'whistleblowing', within the strategy to instead reference the 'Speak Up Policy' and 'speaking up', in order to ensure consistency.
- c) Subject to the amendments set out in recommendation b) being made to the Strategy, adopted the proposed new Counter Fraud and Corruption Strategy, as set out at Appendix 1 to the report.

Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

903 Establishment of Committees, Appointments and Schedule of Meetings 2021/2022 and Constitutional Updates

Discussion:

This report asked the Council to make a number of recommendations to the Annual meeting of the Council on 5 May 2021 regarding the committees and other bodies to be appointed for 2021/2022 and a programme of meetings. It also provided an update on a number of related matters. This included the legislation that had permitted the Council to hold remote meetings which would expire on 6 May 2021 and details of a High Court challenge heard on 21 April 2021 that sought declaratory judgement as to whether remote Council meetings could continue to be held within existing legislation.

Council, 22 April 2021

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

Decision:

- a) The Council agreed to recommend to Annual Council on 5 May 2021:
- (i) The establishment of committees, sub committees and task groups, their size and the allocation of seats to political groups as set out in Appendices A and B to this report, together with terms of reference as set out in the Council's constitution;
 - (ii) that appointments should be made to Joint Committees, outside bodies and other bodies as set out in Appendix C (with nominees to be reported at the Annual Council meeting);
 - (iii) the timetable of meetings for the 2021/2022 municipal year as set out in Appendix D and;
 - (iv) to delegate authority to the Chief Executive to vary the timetable of meetings during 2021/2022 including the cancellation or re-arrangement of meetings in consultation with the Leader of the Council, the relevant Committee Chairman and the Leader of the Labour and Co-operative Group, as necessary, in response to the impact of the Coronavirus pandemic.
- b) The Council approved the changes to the terms of reference of the Business Support and Regeneration, Culture and Environment Overview and Scrutiny Committees, as set out in Appendix E to the report and noted that any other consequential changes to the Constitution would be made by the Monitoring Officer under existing delegated authority.

Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

904 Use of Urgency Provisions

Discussion:

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 Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp requested that their votes in favour of the decision be recorded in accordance with Council Rule 12.6.

905 Motions

A) Councillor Andy Stamp has submitted the following:

Councillor Andy Stamp proposed an alteration to his previously submitted motion. In accordance with Council Rule 11.4.1, the meeting's consent was signified without discussion, therefore, the altered motion was considered as follows:

“Chatham Docks is under threat of development from landlords *Peel Land and Property*, who continue to claim that the site is no longer financially viable, despite having used their ownership of the land to demonstrate their commitment to employment when applying for residential planning permission on the adjacent Chatham Waters site.

The Docks has a 400-year history but has been designated for *'mixed use – housing & employment'* in the current version of the Medway Local Plan. This Council notes that:

- Chatham Docks is a thriving commercial port which directly provides over 800 skilled local jobs and 16 apprenticeships. The Docks indirectly supports an additional 1,440 jobs through the supply chain.
- The businesses located at Chatham Docks make a significant positive contribution to Medway's economy, with £150 million of annual investment into Medway. The Docks use environmentally sustainable methods to transport goods, which would otherwise be exported by road.
- The Covid-19 pandemic has devastated Medway's economy. Unemployment in Medway has more than doubled since the start of the pandemic, with 12,110 residents currently out of work. The loss of jobs at the Docks would cause further, irreversible harm to Medway's economy at a time when we should be protecting skilled local jobs.
- The closure of Chatham Docks would have a disastrous impact on the employees and their families because they would either lose their jobs or have to relocate; and some of the businesses at Chatham Docks are physically unable to relocate due to the nature of their operation.

Council, 22 April 2021

- Medway's Local Plan has not yet been approved, and previous iterations have been criticised for failing to designate sufficient levels of employment land

This council resolves to ask the relevant officers to consider to:

- Remove the '*mixed use – housing & employment*' designation for Chatham Docks from the emerging Local Plan to safeguard employment, skills and the local economy and re-designate Chatham Docks as solely for employment use before the Local Plan is submitted for approval."

A Member expressed concern that agreement of the motion amounted to pre-determination of the Local Plan consultation process. The Chief Legal Officer considered that all the sites forming part of the Local Plan would be available for consultation. Members were entitled to argue their views but he did not consider that either supporting or not supporting the motion amounted to pre-determination.

In response to further Member questions about the risk of pre-determination, the Chief Legal Officer said that Members were entitled to debate the motion without risk of pre-determining themselves. Members would need to be careful once the Local Plan was under consideration that they did not give the impression that they had a closed mind when making decisions. Decision making in relation to Local Plan was anticipated to take place in October 2021.

In accordance with Rule 12.4 of the Council Rules, a recorded vote on the motion was taken.

For – Councillors Adeoye, Bowler, Curry, Howcroft-Scott, Johnson, Khan, Maple, Murray, Price and Andy Stamp (10)

Against – Councillors Aldous, Brake, Buckwell, Rodney Chambers OBE, Chitty, Doe, Etheridge, Filmer, Gulvin, Mrs Josie Iles, Steve Iles, Jarrett, Kemp, Potter, Rupert Turpin and Wildey (16)

Abstain – Pendergast, Sands and Tejan (3)

Decision:

Upon being put to the vote, the motion was lost.

Mayor

Date:

Council, 22 April 2021

Wayne Hemingway, Head of Democratic Services

Telephone: 01634 332509

Email: democratic.services@medway.gov.uk

This page is intentionally left blank