

REGENERATION, CULTURE AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

14 OCTOBER 2021

ATTENDANCE OF THE PORTFOLIO HOLDER FOR PLANNING, ECONOMIC GROWTH AND REGULATION

Report from: Portfolio Holder for Planning, Economic Growth and Regulation,
Councillor Jane Chitty

Summary

This report sets out progress made within the areas covered by the Portfolio Holder for Planning, Economic Growth and Regulation which fall within the remit of this Committee.

1. Background

1.1 The areas within the terms of reference of this Overview and Scrutiny Committee covered by the Portfolio Holder for Planning, Economic Growth and Regulation are:

- Economic Development
- Employment
- High Streets
- Planning Policy - Local Plan
- Markets
- Planning - Development Management, including Planning Enforcement and applications for works to protected trees
- Regulation – Environmental Health, Trading Standards, Enforcement and Licensing (Executive Functions only)
- Social Regeneration
- South Thames Gateway Building Control Partnership

Note: The Leader and Full Council have delegated the Council's building control functions to the South Thames Gateway Building Control Joint Committee. The terms of Reference of the South Thames Gateway Building Control Joint Committee are set out within the Council's Constitution and include executive and non-executive functions. Councillor

Chitty is appointed to sit on the South Thames Gateway Building Control Joint Committee.

1.2 Achievements for 2021 up to the end of Q1 are detailed by service area below

2 Economic Development

2.1 Employment

2.1.1 Medway Council has been involved in the creation and running of the Kent & Medway Employment Taskforce. The Taskforce was designed to tackle growing unemployment across Kent & Medway, through cooperation of key stakeholders. Medway Council has contributed ideas and solutions, whilst helping with all actions. The Taskforce has helped to coordinate Kickstart across Kent & Medway, hosted an apprenticeship levy sharing event and lobbying to government on issues such as lack of flexibility in the Adult Education Budget.

2.1.2 The Taskforce has also looked at sector specific issues, such as in horticulture and logistics and is supporting employer led responses. Medway has also engaged consistently with the Taskforce reference group.

2.1.3 Medway Council has also utilised over £1m Additional Restrictions Grant money to create a new Skills & Employment Grants Scheme, funding businesses to access employment initiatives. The initiatives will benefit both businesses and those with barriers to the workplace. The incentives will provide businesses with the chance to increase their workforce and boost productivity at minimal initial cost. This will enable businesses who have lost income to offer quality opportunities where currently they cannot afford to. It will be most useful to businesses who have had their cashflow affected by COVID-19.

2.1.4 The initiatives include, apprenticeships, supported employment, supported internships, kickstart retention, care leaver support and a flexible training fund. The fund is for businesses based in Medway, with less than 250 employees, recruiting a Medway resident.

2.2 Apprenticeships

2.2.1 On 1 September 2020, Medway Council commissioned the National Skills Academy for Rail to deliver the Medway Apprenticeship Advice Service for a minimum of 1 year. The service was designed to engage Medway businesses with high quality information and support, delivering a range of impartial advice and guidance around apprenticeships, marketing and comms to reach businesses, in depth support around the complexities of apprenticeships and end to end recruitment support.

Measure	Performance	Notes
Engage at least 30 Medway businesses that may offer apprenticeships.	22 businesses have engaged in significant conversations. 16 have proceeded to identify suitable standards.	Engagement was classed as holding a significant conversation(s) around apprenticeship recruitment.
Support Medway employers interviewing for apprenticeships for 20 Medway residents	6 employers have interviewed apprentices and 11 are in the final stages of selecting standards or going out to recruitment.	5 new apprentices have started work.

2.2.2 The project was made harder by the COVID-19 pandemic, as many businesses were seeking to survive, however, when businesses were engaged it led to meaningful interaction, including vacancies and starts. It has been agreed to continue the contract for a further year.

2.3 Business Support and Inward Investment

2.3.1 The Council delivers and promotes a range of initiatives to support business and investment in Medway. These include start-up and business growth advice and workshops; an ongoing contract with the inward investment agency, Locate in Kent; a small loans and grants scheme (Partners for Growth); presence and promotion of business support and inward investment opportunities including at events such as Kent Construct Expo and providing response to business enquiries and signposting other external business advice and support initiatives.

2.3.2 As of Q4 2020/20201 and Q1 2021/2022, there were five successful inward investments creating 68 jobs and retaining 152 jobs. Despite the adverse effects of the ongoing global pandemic and businesses' reluctance to invest in a period of uncertainty, the Economic Development Team has exceeded the quarterly target for jobs created and safeguarded and is expected to achieve the annual target of 300 jobs created and safeguarded. Also, during this period, 3 new businesses were created with support from Medway Council's start up grant scheme Partners for Growth, creating 3 jobs.

2.3.3 Throughout the period a key priority for the Economic Development Team continues to be the development and administration of Medway Council's Additional Restrictions Grant (ARG) scheme. Through the ARG scheme, Central Government allocated Medway Council £8,045,547 to support businesses through future national lockdowns from December 2020 to March 2022. As of 30 June 2021, 436 businesses have been supported through this scheme, totalling £2,219,300.81. This scheme has been essential in supporting business resilience during an unprecedented time of adversity

2.3.4 Medway Council's quantified business support intensive assists fall into two categories, business start-ups attending business planning workshops and established businesses receiving 2 hours of confidential support. During the reporting period, there was a total of 65 business planning workshops and 27

one-to-one appointments. The impact of Covid-19 resulted in the business planning workshops, and one to one advice service being suspended for most of this period to allow informed decisions to be taken on how to best utilise available resources to support the business landscape through this period of uncertainty during the Covid-19 pandemic. The workshops have now however resumed in a virtual format in the latter part of this reporting period and are delivered via an SLA with the Kent Invicta Chamber of Commerce. Although the uptake has increased since the inception of the virtual workshops, it is not expected to reach pre-Covid numbers this financial year as the economy is still recovering.

- 2.3.5 In addition, as a response to the pandemic, the Kent Invicta Chamber of Commerce introduced a Business Advice line, which was supported by Medway and other Kent local Authorities. As of 30 June 2021, a total of 8785 advice line support calls have been received from Medway Businesses, and these figures are not reflected in the number intensive assists recorded.
- 2.3.6 The Economic Development Team has started to update and prepare new business support marketing collateral that will be utilised at events to promote our business support services including the forthcoming Kent Construction Expo event in October 2021.
- 2.3.7 The 36th Medway Business Awards were due to be held in November 2020. Due to the current external environment, the steering group for the business awards met during this period and agreed to postpone the event. The next Awards will be planned for the Autumn of 2022.

2.4 Innovation Centre Medway (ICM)

- 2.4.1 The ICM is 97% occupied with two recent vacancies for My desks in the same My desk office against a target of 90% occupancy. The pandemic has continued to drive tenants reshaping business requirements and tenancy needs. In 2021 so far 10 tenants have left, 7 new ones have joined, 3 have expanded and taken extra office space and there have been 5 changes to office size. It is hoped that this level of change may slow down slightly next year.

2.5 Innovation Studios Medway (ISM)

- 2.5.1 The ISM offices are 100% occupied versus a target of 90%. In 2021 so far 3 tenants have left, two new ones have joined, and one existing tenant has taken an extra office. There has been a lot of extra activity on the containers with 5 new joiners, one taking an extra container and only 1 leaving so far this year. This means we have now got 16 of the 17 containers available to let in occupation.

2.6 Town Centre Management

- 2.6.1 Vacancy rates have risen throughout the pandemic with Rainham at 5.6%, Gillingham, 12.1%, Rochester, 9.3% and Chatham 14.3%. Strood currently

has the highest vacancy rate at 16.5%. The UK average is 11.8% (Springboard, July 2021).

- 2.6.2 The Town Centre team continue to support Medway's Town Centre Forums as they develop and work with local businesses and communities in partnership on the regeneration and management of the town centres. Rochester, Chatham, and Gillingham have now returned to physical meetings. Newsletters are currently being developed for Strood and Rainham with businesses to be kept informed on developments on town centre issues.
- 2.6.3 Medway Council has been allocated £246,396 from the Welcome Back Fund (WBF). This £56m national programme of European Regional Development Funding is administered by the Ministry of Housing, Communities and Local Government's (MHCLG). WBF aims to assist councils across England to support the return to High Streets safely and build back better from the pandemic. This funding builds upon the existing Reopening High Street Safely Fund (RHSS) announced in March 2020.
- 2.6.4 The fund is supporting the delivery of the workstreams necessary to create and promote a safe environment for local trade and tourism, particularly in High Streets as their economies reopen following the Covid-19 pandemic.
- 2.6.5 On 28 May 2021, a Delivery Plan was submitted to the Ministry of Housing, Communities, and Local Government, to propose the projects to be included in the scheme. The Delivery Plan has recently been approved and the Grant Funding Agreement issued. Officers are now working with other colleagues across the Council to mobilise the agreed initiatives within the plan.

2.7 Markets

- 2.7.1 All markets closed from 31 March 2020 to 5 July 2020 due to the first national lockdown. All markets reopened from July 2020 to November 2020 at full capacity with the income being £15,750 and a total number of 40 markets. From November 2020 to December 2020, Gillingham Market operated with essential food stalls only with an income of £3,900, and a total number of 12 markets. From January 2021 to June 2021 the markets went back to full capacity, showing an income of £19,553 and a total number of 58 markets. Rochester Farmers Market is one of the longest-running farmers markets in Kent. This year marks the 21st birthday of the market since it launched in 2000 (with an official opening by the Mayor of Medway). Celebrations are being held on Sunday 19 September with a children's craft workshop, celebratory cake with environmentally friendly bags marking this occasion.

2.8 Heritage Action Zone Programme

- 2.8.1 As part of the High Street Heritage Action Zone (HSHAZ) Programme for regeneration of the Sun Pier to Star Hill area, community consultation has been continued with various engagement opportunities taking place and more scheduled throughout the remainder of the programme. A strong cultural consortia partnership has been established and supported. Preparation for

capital works has continued collaboratively with stakeholders, focussing on bringing vacant buildings back into use and improving shop front appearances.

2.8.2 In April/May 2021, the HSHAZ project team collaborated with the Ebb & Flow Festival to provide a weekend of COVID-safe activities for the public to discover the heritage of the area including a pop-up museum, walking tours and numerous art trails. Further heritage education activities are currently being planned for Heritage Open Days in September and the October half term alongside youth engagement and skills development opportunities.

2.8.3 Through Spring and Summer 2021, the enabling and scoping phase for the creation of a development framework for the HSHAZ area continued in partnership with Historic England, HTA Design LLP and the University of Kent's School of Architecture & Planning. The next phase of developing the vision for the Development Framework will start in September 2021 as part of the new academic year with university students working collaboratively with the project team. A highway accessibility and safety study to help improve safety and accessibility for pedestrians and cyclists has also commenced.

2.8.4 During May 2021, it was confirmed that a funding bid for an £80k Cultural Programme Grant was successful and the community led Cultural Consortium formed as part of the HSHAZ programme will deliver a three-year collaborative cultural programme complementing the wider scheme.

2.9 Economy and Infrastructure Recovery Cell

2.9.1 An economy and infrastructure recovery cell was established during the first phase of recovery in 2020. This place-based group included representatives from multiple Council departments, and the following external stakeholder groups:

- Voluntary and Community Sector
- HE (University of Kent and University of Greenwich)
- FE (Mid-Kent College)
- Local business (Medway for Business and town centre fora)
- Kent Invicta Chamber of Commerce
- Thames Gateway Kent Partnership (now Greater North Kent Partnership)

2.9.2 The cell produced and oversaw the implementation of an impact assessment and action plan, identifying 24 areas of likely and potential impacts from Covid-19 on local economy and infrastructure, and setting out actions to mitigate risks and seize opportunities.

2.9.3 Throughout 2021, these impact areas have been discharged to individual business-as-usual groups and organisations. Following a period of monitoring, the cell formally stood down from its emergency recovery function in June 2021 following agreement with the Council's lead officer for recovery. It will continue to meet informally, and transition to a new future post-recovery stand

down, to capitalise on the potential of the cell's outstanding knowledge and commitment to local economic growth.

3. Planning Policy

3.1 Local Plan

3.1.1 The Regulation 19 Draft Local Plan will be presented to Cabinet on 28 September and Full Council on 7 October for agreement to go out to consultation. The plan sets out the vision and spatial strategy for Medway's growth up to 2037. The strategy has been developed in the context of the global pandemic, structural changes in retail and the economy, increased pressure for housing, speculative planning applications, major changes in Government policies, wider recognition of the requirements to address climate change, health inequalities and raised awareness of the value of local places. The Local Plan provides the framework to shape future growth.

3.1.2 The Local Plan is a statutory requirement on the Council. The plan contains strategic level policies and development allocations. A Sustainability Appraisal and Habitat Regulations Assessment has been carried out to review and inform the policies and allocations. The Plan is supported by a comprehensive range of evidence base documents, including a Strategic Transport Assessment, Local Housing Needs Assessment and Strategic Flood Risk Assessment as well as a viability assessment and Infrastructure Delivery Plan. Town Centre Masterplans have been prepared to support the urban regeneration strategy and the Hoo Development Framework provides additional guidance to support a strategic growth allocation on the Hoo peninsula.

3.1.3 The Council will also publish information on how it has met the duty to co-operate on cross border strategic matters. There is ongoing engagement with neighbouring local authorities and statutory consultees. These include development proposals on Medway's borders and strategic transport discussions with Highways England and KCC Highways. The planning service has produced a template for a Statement of Common Ground to record issues of strategic significance and there will be statements with each key party, the documents will be published and updated up to the submission of the Plan for independent examination

3.1.4 Annual development monitoring has been carried out to inform the Annual Monitoring Report in December 2021. Work is underway to support the preparation of the Infrastructure Funding Statement 2021. The Annual Green Belt return has been submitted to Government.

3.2 Wider Planning Policy Work

3.2.1 There is ongoing engagement with Neighbourhood Planning groups, including input to consultation on Cliffe and Cliffe Woods and Arches (Chatham) draft plans as well as working with High Halstow Hoo St Werburgh on their emerging Neighbourhood Plans. In addition, there is liaison with Arches

(Chatham) neighbourhood forum on development work on proposed Neighbourhood Development Order.

3.2.2 Officers are represented on the Council's Climate Change Working Group. Climate Change and Energy Efficiency is an identified consideration on all reports for new buildings on all delegated and committee reports.

4. Development Management

4.1 Planning applications – Performance for Quarter 1 2021

4.1.1 During the period 1 April to 30 June 2021 the authority received 413 planning applications; this is compared to 354 for the same period in 2020. For the year 20/21 the authority received 1,489 applications, this compares to 1461 in 2019/20 and 1456 in 2018/19.

4.1.2 Performance for major applications during quarter 1 is 93% against a target of 60%.

4.1.3 Performance for minor applications during quarter 1 is 93% against a target of 70%.

4.1.4 Performance of other applications during quarter 1 is 97% against a target of 70%.

4.1.5 The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 were laid before Parliament on 24 June 2020 and have passed into Law. In summary, the Regulations contain temporary provisions to facilitate the extension of the duration of certain planning permissions and listed building consents. This ensures that relevant permissions and consents will remain extant, enabling development to commence following delays caused by COVID-19. There have been a number of other changes to the Order to deal with extension to some of the temporary relaxations in planning due to the pandemic.

4.1.6 The Annual forum with major developers has been scheduled for 21 October 2021.

4.1.7 Work has commenced on the Design and Regeneration Awards 2022, which are scheduled to take place on 22 September 2022.

4.2 Appeals Performance

4.2.1 The percentage of appeals allowed during the period 1 April to 30 June 2021 was 36%. A total of 14 appeal decisions were received. 5 of these were allowed, one with partial costs. 1 was a delegated decision and 4 related to committee decisions, 3 of which were decisions overturned by the committee. 9 appeals were dismissed.

4.3 Enforcement

- 4.3.1 One enforcement notice has been served during the period 1 April to 30 June 2021. Authority has been given for direct action to be taken in relation to one site and that is being programmed for action. Specialist Enforcement consultants have been appointed to investigate and recommend appropriate action in relation to 2 key sites where significant but sensitive work is required.

4.4 Trees

- 4.4.1 14 TPO applications were determined during the period 1 April to 30 June 2021. One TPO application was determined within a Conservation Area.

5. South Thames Gateway Building Control Partnership (STG)

5.1 Building Regulation Applications – Performance

- 5.1.1 The number of building regulation applications are 59% higher than the same period last year, which was during the first lockdown of the pandemic, and 22% higher compared to the first quarter of 2019/2020. Whilst this is good news in respect of recovery of income, the increased number of applications requires a high demand for resources to service the processing, plan checking and inspection of such a large increase in numbers.
- 5.1.2 As reported over the years, there is a shortage of experienced qualified building control surveyors. The scarcity of surveyors also now extends to the appointment of temporary contract surveyors.
- 5.1.3 In 2015, the partnership began a strategy of recruiting from other areas of the construction industry, together with in-house training to develop our own building control surveyors. This initiative has been highly successful but is reliant on sufficient numbers of experienced/qualified surveyors to provide the training/mentorship.
- 5.1.4 The partnerships three Assistant Building Control Surveyors are progressing well on their structured training plan and are anticipated to reach the required level for re-grading to Building Control Surveyors by the end of the year.

5.2 Building Control Safety Bill

- 5.2.1 Significant changes are being brought into the building control environment as a consequence of the Grenfell enquiry and the subsequent Building Safety Bill. The professional registration of building control surveyors is a mandatory requirement in order to demonstrate proven competence to work on specific categories of developments.
- 5.2.2 The partnership surveyors will be required to undertake training and assessments to evidence these competencies which will have an impact on service delivery and partner authority resources. The extent of the impact and

cost of this mandatory training will become clearer once the final Building Safety Bill is passed.

5.2.3 Part of the changes to the Building Act 1984 currently being considered by Government is the enacting of Section 38 Civil Liability. This had never been enacted and authorities had been protected against negligence by the Murphy v Brentwood District Council (1991) case concerning negligence and duty of care where it was argued that allowing the claimant in this case to recover compensation would result in an unacceptable wide liability and open the floodgates.

5.2.4 The Local Authority Building Control (LABC) body are seeking legal advice as to whether the Murphy v Brentwood case will still apply and the potential liability to local authorities if enacted.

6. Regulation – Environmental Health/Trading Standards/Enforcement and Licensing (executive functions only)

6.1. Trading Standards

6.1.1 Much of last year for the Trading Standards team was spent enforcing the various requirements of the Covid 19 controls placed upon businesses. The team undertook the following interactions:

Quarter	Actions	Key Legislation
Q1 2020-21	<ul style="list-style-type: none"> • Issued 14 Formal prohibition notices • Voluntarily closed 110 non-compliant premises • Engaged and visited 4201 commercial premises • Issued 9 Internet take down notices for prohibited businesses 	The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020
2	<ul style="list-style-type: none"> • Issued 4 Formal prohibition notices • Voluntarily closed 49 non-compliant premises • Engaged and visited 2410 commercial premises • Issued 2 Internet take down notices for prohibited businesses 	The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 & The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020

3	<ul style="list-style-type: none"> • Issued 0 Formal prohibition notices • Voluntarily closed 89 non-compliant premises • Engaged and visited 2238 commercial premises • Issued 3 Internet take down notices for prohibited businesses 	The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020
4	<ul style="list-style-type: none"> • Issued 11 Formal prohibition notices • Voluntarily closed 74 non-compliant premises • Engaged and visited 5779 commercial premises • Issued 3 Internet take down notices for prohibited businesses • Issue two fixed penalty notices 	The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020, The Health Protection (Coronavirus, Restrictions (All Tiers) (England) Regulations 2020 & The Health Protection (Coronavirus, Restrictions (Steps) (England) Regulations 2021
Q1 2021-22	<ul style="list-style-type: none"> • Issued 0 Formal prohibition notices • Voluntarily closed 15 non-compliant premises • Engaged and visited 3412 commercial premises • Issued 0 Internet take down notices for prohibited businesses 	The Health Protection (Coronavirus, Restrictions (All Tiers) (England) Regulations 2020 & The Health Protection (Coronavirus, Restrictions (Steps) (England) Regulations 2021

6.1.2 As a consequence of the pandemic many of the team's normal statutory duties were suspended causing a backlog of work. Where Central Government guidance has been issued on catching up on this work this has been adopted and in its absence the team are managing issues on a risk and harm basis. It is hoped that the team will catch up on the displaced work over the next eighteen-months.

- 6.1.3 The team are also dealing with a wide variety of new businesses opening, an increase in businesses selling by distance means and those selling historic stock which has been in storage through the Covid crisis.
- 6.1.4 The team has refreshed their very popular *No Cold Calling Homes* scheme to reflect best practice and has expanded it to include a 'nominated neighbour' element, where residents can nominate a trusted local neighbour to be contacted if someone cold calls at their home.
- 6.1.5 The Trading Standards' team are supporting local businesses in addressing issues caused by the exit from the EU, this ranges from technical advice on revised regulations to allow goods to be sold across the UK, NI and EU to addressing the safety of goods imported through Thamesport and the local Enhanced Remote Transit Sheds (ERTS).
- 6.1.6 Officers are ensuring that the goods and services for sale in Medway are safe and correctly described with recent and ongoing projects covering E-Scooters, second-hand cars, Sunbeds, Cosmetics, E-Liquids and Sunglasses.
- 6.1.7 The service has continued to deliver the Medway Council Fair Trading Scheme and despite the pressures of the pandemic it has maintained 178 members. To support them the scheme members were given a free year for the pandemic period.
- 6.1.8 The team has also overseen two revisions to the safety of sports grounds certificates for Gillingham Football Club which were required by the Sports Grounds Safety Authority (SGSA) and has worked with the club to ensure Covid security at the grounds.
- 6.1.9 To address the overall state of the High Streets the team are carrying out ancillary projects addressing low level counterfeits and general legal compliance. This project is preparatory to a more detailed piece of working supporting the Authority's City of Culture bid.
- 6.1.10 The Trading Standards service has recently launched its own Facebook page where important consumer protection alerts and information can be circulated to the community, it is available at:
<https://www.facebook.com/MedwayTradingStandards/>

6.2 Environmental Health Food and Safety Team

- 6.2.1 The Food and Safety Team in Environmental Health delivers a broad range of statutory duties and functions. These include food safety and food standards; health and safety at work; infectious disease control (including Covid-19) and port health. The team works closely with Trading Standards and Public Health.

6.2.2 Service delivery was severely impacted by the Covid-19 pandemic due to the following reasons:

- Instructions from central government to cease routine food inspections for much of the year unless an imminent risk to health
- Being unable to inspect those businesses closed during the national lockdowns
- An increase in the number of new food business registrations being received as residents sought alternative employment
- An increase in the number of complaints received
- Focussing team resources on tackling complaints concerning Covid-19 and business non-compliance, and supporting colleagues in Trading Standards and Public Health

6.2.3 As a consequence, many of the team's normal statutory duties were suspended for much of last year. This has led to a backlog of work. Where Central Government guidance has been issued to local authorities on priorities, this has been adopted. In its absence, the team are managing issues on a risk basis. It is hoped that the team will catch up on the displaced work over the next eighteen-months.

6.2.4 This led to fewer routine inspections being carried out, especially in low-risk premises. This led to an increase in the number of new and existing food businesses awaiting inspection.

6.2.5 Food Hygiene key facts and figures for 2020/21:

- On 31 March 2021, those food businesses in the highest-risk categories (A & B) represented just **0.4%** total (9/2058) premises)
- **79.6%** (1639/2058) of food businesses operating had been risk-rated (i.e., inspected and risk-rated) by 31 March 2021
- The number of new food businesses awaiting their initial food hygiene inspection increased to **419**
- The number of existing food businesses awaiting their next routine food hygiene inspection increased to **773**

6.2.6 Unfortunately, the percentage of Medway food businesses deemed to be broadly compliant with food law decreased to **79.1%**. This was largely due to the increase in the number of new food businesses awaiting inspection (uninspected food businesses are deemed to be non-broadly compliant).

6.2.7 The team responded to **262** requests for food advice or enquiries from food businesses and the public, and a further **293** food service requests.

6.2.8 The team also responded to **440** health and safety service requests (including Covid-19) and **112** reports of work-related accidents.

6.2.9 The team did not participate in any national or regional food sampling programmes, as these were suspended due to the Covid-19 pandemic. The

team took **26** food samples for microbiological examination. Unsatisfactory results were taken up with the premises concerned.

6.2.10 The team received **150** notifications of cases of infectious disease in Medway residents (excluding Covid-19). These included 109 cases of *Campylobacter*, 18 *Salmonella*, 6 Hepatitis A, 3 Hepatitis E and single cases of dysentery, paratyphoid fever, *Legionnaire's disease*, and *E. coli*. Each case was dealt with in accordance with agreed protocols with Public Health England (PHE).

6.2.11 The team completed **12** ship sanitation inspections under our remit as a port health authority.

6.3 Strategic Environmental Protection Team

6.3.1 The Environmental Protection team delivers a broad range of statutory duties in respect to land contamination, local air quality management, private water supplies and distribution systems, environmental permitting, licensing and planning.

6.3.2 Air Quality Communications Strategy:

- During 2020/21 a new contractor was appointed to run the Kent and Medway air quality monitoring network (led by Tunbridge Wells Borough Council) for a period of 3 years (from April 2021). The new contract included the provision of a brand-new public facing website (KentAir) which will be critically important to ongoing work the team carry out on awareness raising of air pollution. The website redesign is being led by a member of the Environmental Protection team on behalf of all the partner authorities. The new website will contain near real time information on current air pollution levels, continuation of the free air pollution forecast service, a range of tools, reports, additional information and a refreshed and rebranded educational tool kit (Care for Air). The new website went live on 1 April 2021 and additional enhancements will be brought forward during the duration of the contract.
- An anti-idling poster competition was run for schools within close proximity to air quality management areas and for schools participating in the KM Green School Awards. As part of Clean Air Day on 8 October the schools (winning and runners up) were presented with the poster made into metal signs which could be displayed outside of the schools to raise awareness.
- To ensure that we can still engage with the schools within Medway during these unusual times, an animated air quality video has been produced which all schools can access.
- Medway has supported a bid with other local authorities in Kent for funding from DEFRA's Air Quality Fund which has been successful. The project is to develop a digital resource for primary schools across Kent which educates children aged 5 to 11 years and their parents about air pollution. The resource will include animated learning with an interactive storybook

adventure including gaming elements to earn rewards and unlock further information.

6.3.3 Air Quality Management Areas:

- During 2020/21 the Action Plan for Four Elms Hill Air Quality Management Area was put on hold. For the Action Plan to be developed, we require data from the Local Plan transport assessment. This piece of work has been significantly delayed due to concerns raised by Highways England. The Action Plan will be progressed during 2021/22.
- The Annual Status Report has been submitted to DEFRA and we are currently awaiting approval.
- The Taxi and Private Hire ULEV feasibility study (which was started in 2020/21) was undertaken by the Energy Savings Trust and has now been completed. The engagement survey was very successful with a 10% response rate across Medway and Gravesham with 74% of the response coming from Medway drivers. The final report and recommendations have been shared with the relevant departments.
- Completed 100% of Environmental Permitting inspections which were due. Following guidance from DEFRA, 6 of these were site inspections and the remaining inspections were desk based due to the pandemic.
- Provided comments on 992 planning consultations and discharge of conditions applications (this is a slight decrease compared to 2020/21).
- Commented on 111 licensing consultations (this is comparable to 2020/21).
- Provided information and advice in respect to 334, 227 environmental enquires/searches (this is a 49% increase compared to 2020/21).
- Maintained the two air quality stations within Medway, this work was a priority during the pandemic. The two continuous Air Quality Monitoring Stations (AQMS) at Chatham Grammar School (urban roadside) and Rochester Stoke site (rural - on the Hoo Peninsula) form part of the Department for Environment, Food and Rural Affairs (DEFRA) National Automatic Urban Rural Network (AURN), which provides a national picture of air quality.

6.3.4 The service continues to support the Council with its regeneration programme for Medway and provided guidance to the planning team on proposed major developments within Medway, and areas that may affect the environment of Medway, including:

- Land South of Lower Rainham Road, Rainham
- Land West of Station Road, Gillingham
- Land at Town Road, Cliffe Woods
- Land East of Formby Road, Halling
- Land at Westmoor Farm, North Street, Rainham

6.3.5 The team also issued 3 consents under section 61 of the Control of Pollution Act 1974 to control noise, dust and air pollution from construction sites (this is comparable to 2020/21).

Environmental Enforcement

6.4.1 This section is split into two teams, which work very closely together to take action against those that blight our environment so as to create a cleaner and safer Medway. This section covers the reporting period from January 2021 to June 2021.

6.4.2 The Environmental Enforcement Team consists of 4.6 full time equivalent and deals with the investigation of fly tipping and other waste related crime such as untidy private land, trade waste and illegal waste carriers. The team currently has a Team Leader and 3 officers in post.

6.4.3 The Street Scene Enforcement Team consists of 9.6 full time equivalent (FTE) and deals with on street enforcement of littering and trade waste offences, abandoned vehicles as well as the investigation and removal of fly tipping, most importantly – the secure recovery of evidence. One officer provides administrative support.

6.4.4 During this period, the Street Scene Team dealt with 2724 cases and 98 fly tipping cases, most of which were resolved without the need for formal action. However, it was necessary to raise prosecution files in 44 cases.

6.4.5 14 cases were heard at the magistrates' court. Fines and costs totalled £16,840.25. A further 32 cases are with Legal pending prosecution and a further 33 under investigation ready to report to the Magistrates Court. Some cases have been delayed due to the Covid pandemic.

6.4.6 Five warrants were issued by Magistrates where defendants had failed to attend Court, one was arrested with a date to be set for trial.

6.4.7 Environmental Enforcement conducted 4 operations in partnership with Kent Police, targeting illegal waste streams. These operations resulted in 18 vehicles being stopped and searched.

6.4.8 1 vehicle were seized by Environmental Enforcement as they were suspected of being involved in fly tipping.

6.4.9 792 reported fly tips were attended and searched by Street Scene Officers; all were cleared within one working day with a further 100 being on private land.

6.4.10 A further 602 fly tips were dealt with proactively, meaning that they were removed before a complaint was received from a member of the public.

6.4.11 The Street Scene Team has entered into a Service Level Agreement (SLA) for the removal of fly tipping from the HRA (Housing Revenue Account)

estate. The team dealt with 294 requests for service all of which were completed within one working day. This arrangement provides an annual income of £26,000.

6.4.12 The total amount of waste removed from the public realm is 100.6 tonnes.

6.4.13 164 notices were served on businesses, by Street Scene Officers, requiring the businesses to account for the disposal of their trade waste.

6.4.14 Environmental Enforcement did not serve any notices to individuals requiring works to be undertaken to remedy untidy land. This is due to Legal Services providing updated guidance on the criteria that must be met for the threshold for formal action. The land must be clearly seen and affect the amenity of the area and impact on more than one neighbour. Officers are now dealing with untidy land in an informal manner and investigated 403 complaints.

6.4.15 Environmental Enforcement issued 37 notices requiring individuals / businesses to provide information relating to fly tipping offences.

6.4.16 190 Community Protection Warnings were served relating to issues such as refuse out early, storage of waste, fly posting and untidy land.

6.4.17 96% of these cases were resolved at the warning stage, with only 8 cases progressing to notice.

6.4.18 73 fixed penalty notices have been issued by Environmental Enforcement relating to waste offences.

6.4.19 Environmental Enforcement also manage a contract for Litter Enforcement. Our chosen supplier District issued 3,104 Fixed Penalty Notices.

6.4.20 The team worked throughout the pandemic, targeting waste enforcement work in Gillingham North as part of the Safer Streets Project in partnership with the Medway Task Force – funded by the Kent Police Crime Commissioner.

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Appendices

None

Background papers

None