

Medway Council
Meeting of Medway Council
Thursday, 24 February 2022
7.00pm to 9.28pm

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 Aldous)

Councillors Ahmed, Barrett, Brake, Browne, Buckwell, Mrs Diane Chambers, Rodney Chambers, OBE, Chitty, Clarke, Cooper, Curry, Doe, Etheridge, Edwards, Fearn, Filmer, Sylvia Griffin, Gulvin, Hackwell, Howcroft-Scott, Hubbard, Mrs Josie Iles, Jarrett, Johnson, Kemp, Khan, Lammas, Lloyd, Maple, Murray, Opara, Osborne, Paterson, Pendergast, Potter, Prenter, Price, Purdy, Sands, Andy Stamp, Chrissy Stamp, Tejan, Thorne, Tranter, Mrs Elizabeth Turpin, Rupert Turpin, Van Dyke, Wildey and Williams

In Attendance: Neil Davies, Chief Executive
Wayne Hemingway, Head of Democratic Services
Vicky Nutley, Assistant Head of Legal Services
Jon Pitt, Democratic Services Officer
Phil Watts, Chief Operating Officer

699 Apologies for absence

Apologies for absence were received from Councillors Adeoye, Carr, Mahil, McDonald and Thompson.

700 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

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

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

Other interests

Councillor Hackwell declared an interest in agenda item 9 (Capital and Revenue Budgets 2022/23) because his wife is a part time tutor for Medway Adult Education, however, having considered the advice of the Monitoring Officer, he stated that he would take part in any discussions thereon.

The Worshipful the Mayor of Medway stated that she had been advised by the Monitoring Officer that with regards to agenda item 9 (Capital and Revenue Budgets 2022/23), a personal and potentially financial interest regarding pay for some officers should be recorded in the minutes on behalf of any officers present affected by the proposals.

701 Record of meeting

The record of the meeting held on 20 January 2022 was agreed by the Council and signed by The Worshipful The Mayor of Medway as correct.

702 Mayor's announcements

The Worshipful The Mayor of Medway announced that Alderman Baker had recently suffered a heart attack and was currently in hospital. On behalf of all Members, the Mayor wished him a speedy recovery.

The Mayor proposed to suspend Council Rule 11.1.1 in respect of time limits on speeches in relation to agenda item 9 (Capital and Revenue Budgets 2022/23) to allow one Member from each Group to speak for an unlimited time. The normal time limits would then apply. This was agreed.

703 Leader's announcements

There were none.

704 Council Strategy and Council Plan Refresh 2022/23

Background:

This report provided details of the Council Plan refresh, which was the delivery plan which set out the measures that would be used to track performance against the Council's key priorities, as set out in the Council Strategy.

The report had initially been considered by the Business Support Overview and Scrutiny Committee on 25 January 2022, the comments of which were set out at section 5 of the report. An officer response to these comments was set out at

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section 6 of the report. The report had subsequently been considered by the Cabinet on 8 February 2022, the outcome of which was set out at section 7.

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

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

Decision:

- a) The Council noted the comments of the Business Support Overview and Scrutiny Committee, set out in section 5 of the report, the officer responses, set out at section 6 to the report and the decisions of the Cabinet, set out in section 7 of the report.
- b) The Council agreed to adopt the refreshed Council Strategy and Council Plan measures as set out in Appendices 1 and 2 to the report respectively, noting that the Council Plan included the revised measures set out at paragraphs 8.1 and 8.2 to the report.

705 Council Tax Reduction Scheme 2022-23

Background:

This report provided details of the Council Tax Reduction Scheme (CTRS) 2022 to 2023 and asked the Council to adopt the revised scheme.

The report stated that the cost of the CTRS in 2022/23 based upon the current caseload was estimated to be £12.555m and that there were 12 proposed changes to the scheme. The report also set out the results of the public consultation that had been undertaken in relation to the proposed changes. The majority of respondents had been in favour of each of the proposed changes.

The report had been considered by the Business Support Overview and Scrutiny Committee on 25 January 2022 and by the Cabinet on 8 February 2022, details of which were set out in sections 4 and 5 of the report respectively.

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

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

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

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Decision:

- a) The Council noted the comments of the Business Support Overview and Scrutiny Committee, as set out in section 4 of the report and the decisions of the Cabinet, as set out at section 5 of the report.
- b) The Council agreed to adopt the Council Tax Reduction Scheme 2022/23, as set out in Appendix 5 to the report, based on the twelve proposed changes to the existing scheme.
- c) The Council agreed the cessation of the risk-based verification policy, as set out in paragraph 3.1.8 to the report.

706 Treasury Management Strategy 2022/23

Background:

This report provided details of the Council's Treasury Management Strategy for the 2022/23 financial year. The Strategy had been prepared in line with CIPFA's Local Authority Treasury Management Code, and set out the Council's borrowing requirement and strategy, its strategy in respect of investments and details of the Council's current portfolio position. It also provided details of the prudential and treasury indicators that would be used to monitor and measure treasury performance.

The report had been considered by the Audit Committee (4 January 2022) and Cabinet (8 February 2022), comments of which were set out in paragraphs 4 and 5 of the report.

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

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:

- a) The Council noted the comments from the Audit Committee, as set out at section 4 of the report and the decisions of the Cabinet, as set out at section 5 of the report.
- b) The Council approved the Treasury Management Strategy 2022/23, as set out in Appendix A to the report.

707 Capital and Revenue Budgets 2022/23

Background:

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Ahead of discussion of the agenda item, the Council held a minute's silence in memory of all those in Medway who had lost their lives as a result of Covid-19.

This report provided details of the revenue and capital budget proposals for 2022/23.

The Cabinet had considered initial budget proposals on 16 November 2021. On 15 December 2021 the Government had published the provisional local government settlement, with details of the funding announcements and their impact on Medway Council's budget being set out in a report considered by the Cabinet on 11 January 2022.

In accordance with the budget and policy framework rules within the Constitution, the Overview and Scrutiny Committees had then considered the Cabinet's proposals prior to Cabinet's consideration of the draft budget on 8 February 2022.

An addendum report which provided details of a change to the schedule of Parish Council precepts, and associated changes to the Council Tax resolution and bandings, had been circulated separately to the main agenda.

It was noted that an overarching Diversity Impact Assessment, as set out in Appendix 12 to the report, summarised the results of Diversity Impact Assessments. These had been completed for each of the services affected by the proposed budget changes.

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

The Council is asked to approve the following recommendations with the revisions highlighted in **bold text** as set out below:

- a) Approve the recommendations of Employment Matters Committee on 2 February 2022 as set out in paragraphs 9.4 and 9.5 of the original report and agree:
 - 1) That £1,090,850 is allocated for pay awards;
 - 2) To delegate to the Head of Paid Service the authority to agree the competency-based awards for staff assessed under MedPay at Levels 1A, 1B and 2; and
 - 3) To delegate authority to the Head of Paid Service in consultation with the Leader, to agree a mechanism to distribute the pay award so that lower paid staff receive a higher proportion of the award.

- b) Delegate to the Head of Paid Service in consultation with the Leader the authority to agree how the 2022/23 pay award for colleagues is allocated including determining the proportions of the **2%** pay award to be paid in respect of the Cost of Living increase / MedPay performance related pay as

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set out in paragraphs 9.4 and 24.4 of the original report **and increase the minimum rate for Medway Council staff to £10 per hour.**

- c) Approve the general fund gross, income and net revenue estimates as summarised in Appendix 1, to the report in the sum of £351,025.million plus the following additions and savings:

- 1) **£1,140,683 to fund the additional 1% uplift and the impact of setting the minimum hourly rate at £10 per hour;**
- 2) **£95,000 to celebrate the Queen's Jubilee;**
- 3) **£121,000 for Child Friendly Medway;**
- 4) **£300,000 additional homelessness grant;**
- 5) **£100,000 to reflect existing bulky waste income in the budget.**

Together with the 3.896million deficit reflected in Appendix 1 to the report, these represent a total call on reserves of £4,852,683.

- d) Approve the additions to the capital programme set out in Table 7 of the original report **plus the following additions:**

- 1) **£10.348 million to fund the Pentagon Healthy Living Centre to be met initially from borrowing in advance of NHS grant funding on delivery;**
- 2) **£500,000 addition to the Highways programme to be met from reserves;**
- 3) **£250,000 to continue the Community Hub Programme to be met from reserves;**
- 4) **£60,000 for the replacement of polling booths and other elections equipment to be funded from capital receipts.**

- e) Approve the removal of the balance of the SEN School scheme of £2,467,626 from the capital programme as set out in paragraph 13.5 of the original report;

- f) Approve the removal from the capital programme and addition to the revenue budget for 2021/22 the following schemes funded through the Flexible Use of Capital Receipts, as set out in paragraph 8.2 of the original report:

- 1) 9X576 Children's Improvement Programme – £612,351,
- 2) 9C077 Transformation Flexible Use of Capital Receipts – £2,371,602,
and
- 3) 9C779 Feasibility Studies Flexible Use of Capital Receipts – £500,000.

- g) Note the Kent Police and Crime Commissioner's precept requirement, as set out in paragraph 15.2 of the original report;

- h) Note the proposed Kent Fire and Rescue Service precept requirement, as set out in paragraph 15.3 of the original report;

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- i) Note the parish council precept requirements of **£561,258** as detailed in paragraph 15.4 of the original report and at **Amended Appendix 6** to the report;
- j) Approve the basic rate of Council Tax at band D for 2022/23, before adding the police, fire and parish precepts, at £1,591.74, an increase of 2.994% as set out in paragraph 16.1 of the report;
- k) Approve the adoption of a 300% Council Tax premium for properties that have remained empty and unfurnished for more than two years, in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 as set out in paragraph 3.14 of the original report;
- l) As part of the budget proposals, approve fees and charges, as recommended by Cabinet and set out in the booklet 'Medway Council - Fees and Charges April 2022' as set out in Appendix 8 to the report;
- m) Approve the Flexible Use of Capital Receipts Strategy set out at Appendix 9 to the report;
- n) Agree the recommendations set out at 14.3 to 14.11 of the original report with regard to the Housing Revenue Account and detailed in the following appendices:
 - 1) The proposed increase in rents as set out at Appendices 5A and 5B;
 - 2) The proposed service charges as set out at Appendix 5C;
 - 3) The budget proposed as summarised at Appendix 5D;
 - 4) The 30 year business plan projections at Appendix 5E.
- o) Adopt the formal resolution for the Council Tax requirement and schedule of Council Tax charges for 2022/23 as set out in **Amended Appendix 7A and the Council Tax Bandings at Amended Appendix 7B** to the report **as amended by the changes at paragraph 24.4 above**;
- p) Approve the revised Senior Management Structure set out at Appendix 10.
- q) Approve the creation of a new band within the pay structure as set out in Appendix 11, and to note that Directors will undertake reorganisations for their respective Directorates as set out in paragraph 9.3 of the original report. This range will attract the same special allowance as the current Head of Service.
- r) Note the findings of the Diversity Impact Assessment as set out in Appendix 12 to the report, and the proposal to continue, where necessary, to report through quarterly monitoring any further unidentified or unintentional impact.

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

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For – Councillors Ahmed, Aldous, Barrett, Brake, Buckwell, Mrs Diane Chambers, Rodney Chambers OBE, Chitty, Clarke, Doe, Etheridge, Fearn, Filmer, Griffin, Gulvin, Hackwell, Mrs Josie Iles, Jarrett, Kemp, Lammas, Opara, Potter, Purdy, Tejan, Thorne, Tranter, Elizabeth Turpin, Rupert Turpin, Wildey and Williams. (30)

Against – Councillors Browne, Cooper, Curry, Edwards, Howcroft-Scott, Hubbard, Johnson, Khan, Lloyd, Maple, Murray, Osborne, Paterson, Prenter, Price, Sands, Andy Stamp, Chrissy Stamp and Van Dyke. (19)

Abstain – Councillor Pendergast (1)

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

Decision:

The Council:

- a) Approved the recommendations of Employment Matters Committee on 2 February 2022, as set out in paragraphs 9.4 and 9.5 of the original report and agreed:
 - 1) That £1,090,850 is allocated for pay awards;
 - 2) Agreed to delegate authority to the Head of Paid Service to agree the competency-based awards for staff assessed under MedPay at Levels 1A, 1B and 2; and
 - 3) Agreed to delegate authority to the Head of Paid Service in consultation with the Leader, to agree a mechanism to distribute the pay award so that lower paid staff receive a higher proportion of the award.
- b) Agreed to delegate authority to the Head of Paid Service, in consultation with the Leader, the authority to agree how the 2022/23 pay award for colleagues is allocated, including determining the proportions of the 2% pay award to be paid in respect of the Cost of Living increase / MedPay performance related pay, as set out in paragraphs 9.4 and 24.4 of the original report and increase the minimum rate for Medway Council staff to £10 per hour.
- c) Approved the general fund gross, income and net revenue estimates as summarised in Appendix 1, to the report in the sum of £351,025.million plus the following additions and savings:
 - 1) £1,140,683 to fund the additional 1% uplift and the impact of setting the minimum hourly rate at £10 per hour;
 - 2) £95,000 to celebrate the Queen's Jubilee;
 - 3) £121,000 for Child Friendly Medway
 - 4) £300,000 additional homelessness grant;
 - 5) £100,000 to reflect existing bulky waste income in the budget.

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Together with the 3.896million deficit reflected in Appendix 1 to the report, these represent a total call on reserves of £4,852,683.

- d) Approved the additions to the capital programme set out in Table 7 of the original report plus the following additions:
 - 1) £10.348 million to fund the Pentagon Healthy Living Centre to be met initially from borrowing in advance of NHS grant funding on delivery;
 - 2) £500,000 addition to the Highways programme to be met from reserves;
 - 3) £250,000 to continue the Community Hub Programme to be met from reserves;
 - 4) £60,000 for the replacement of polling booths and other elections equipment to be funded from capital receipts.
- e) Approved the removal of the balance of the SEN School scheme of £2,467,626 from the capital programme as set out in paragraph 13.5 of the original report;
- f) Approved the removal from the capital programme and addition to the revenue budget for 2021/22 the following schemes funded through the Flexible Use of Capital Receipts, as set out in paragraph 8.2 of the original report:
 - 1) 9X576 Children's Improvement Programme – £612,351,
 - 2) 9C077 Transformation Flexible Use of Capital Receipts – £2,371,602, and:
 - 3) 9C779 Feasibility Studies Flexible Use of Capital Receipts – £500,000.
- g) Noted the Kent Police and Crime Commissioner's precept requirement, as set out in paragraph 15.2 of the original report;
- h) Noted the proposed Kent Fire and Rescue Service precept requirement, as set out in paragraph 15.3 of the original report;
- i) Noted the parish council precept requirements of £561,258 as detailed in paragraph 15.4 of the original report and at Amended Appendix 6 to the report;
- j) Approved the basic rate of Council Tax at band D for 2022/23, before adding the police, fire and parish precepts, at £1,591.74, an increase of 2.994% as set out in paragraph 16.1 of the report;
- k) Approved the adoption of a 300% Council Tax premium for properties that have remained empty and unfurnished for more than two years, in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 as set out in paragraph 3.14 of the original report;
- l) As part of the budget proposals, approved fees and charges, as recommended by Cabinet and set out in the booklet 'Medway Council - Fees and Charges April 2022' as set out in Appendix 8 to the report;

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- m) Approved the Flexible Use of Capital Receipts Strategy set out at Appendix 9 to the report;
- n) Agreed the recommendations set out at 14.3 to 14.11 of the original report with regard to the Housing Revenue Account and detailed in the following appendices:
 - 1) The proposed increase in rents as set out at Appendices 5A and 5B;
 - 2) The proposed service charges as set out at Appendix 5C;
 - 3) The budget proposed as summarised at Appendix 5D;
 - 4) The 30 year business plan projections at Appendix 5E.
- o) Adopted the formal resolution for the Council Tax requirement and schedule of Council Tax charges for 2022/23 as set out in Amended Appendix 7A and the Council Tax Bandings at Amended Appendix 7B to the report as amended by the changes at paragraph d above;
- p) Approved the revised Senior Management Structure set out at Appendix 10.
- q) Approved the creation of a new band within the pay structure as set out in Appendix 11, and to note that Directors will undertake reorganisations for their respective Directorates as set out in paragraph 9.3 of the original report. This range will attract the same special allowance as the current Head of Service.
- r) Noted the findings of the Diversity Impact Assessment as set out in Appendix 12 to the report, and the proposal to continue, where necessary, to report through quarterly monitoring any further unidentified or unintentional impact.

708 Pay Policy Statement 2022/2023

Background:

This report provided details of the Pay Policy Statement (PPS) for the financial year 2022/23 in accordance with the Localism Act 2011. It was noted that the PPS must be approved by a resolution of Full Council before it came into force and had to be prepared and approved before 31 March 2022 for the following financial year.

The report had been considered by the Employment Matters Committee on 2 February 2022, details of which were set out in section 6 of the report.

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

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The Chairman of the Employment Matters Committee, Councillor Fearn supported by the Portfolio Holder for Resources, Councillor Gulvin, proposed the recommendations as set out in the report.

Decision:

The Council approved the Pay Policy Statement 2022/2023, as set out in Appendix 1 to the report.

709 Planning Applications - Review of the Deadline for the Receipt of Representations

Background:

The report set out a review of the current arrangements and set out proposals for changing the deadline for the submission of representations in respect of planning applications prior to meetings of the Planning Committee.

This report had initially been considered by the Planning Committee on 12 January 2022 and its comments were set out at section 7 to the report.

The Chairman of the Planning Committee, Councillor Mrs Diane Chambers, supported by the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, proposed the recommendations as set out in the report.

Decision:

The Council approved the changes to the Planning Code of Good Practice, as set out in Appendix 1 to the report, with these changes to take effect starting with the Planning Committee scheduled to take place on 6 April 2022.

Mayor

Date:

Wayne Hemingway, Head of Democratic Services

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