

**Medway Council**  
**Meeting of Regeneration, Community and Culture**  
**Overview and Scrutiny Committee**

**Tuesday, 16 November 2010**

**6.33pm to 8.45pm**

**Record of the meeting**

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

- Present:** Councillors: Bhutia, Bright (Chairman), Tony Goulden, Griffin, Hewett, Hicks (Vice-Chairman), Hubbard, Mackinlay and Maisey
- Substitutes:** Councillor Kenneth Bamber for Councillor Andrews  
Councillor Griffiths for Councillor Godwin  
Councillor Juby for Councillor Ruparel
- In Attendance:** Alan Brier, Senior Tree Officer  
Robin Cooper, Director of Regeneration, Community and Culture  
Angela Drum, Head of Legal  
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance  
Andy McGrath, Assistant Director, Front Line Services  
Phil Moore, Head of Highways and Parking Services  
Caroline Salisbury, Overview and Scrutiny Co-ordinator  
Martin Swann, Senior Planned Maintenance Engineer

**503 Record of meeting**

The record of the meeting held on 29 September 2010 was agreed and signed by the Chairman as correct.

**504 Apologies for absence**

Apologies for absence were received from Councillors Andrews, Crack, Godwin and Ruparel.

**505 Urgent matters by reason of special circumstances**

There were none.

**506 Declarations of interest**

Councillor Griffiths declared a personal interest in any reference to NHS Medway (formerly Medway PCT) on the grounds that he is a non-executive director of the trust.

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Councillor Hubbard declared a personal interest in agenda item 5 (Petitions) as he lived in Jersey Road, Strood.

**507 Petitions**

**Discussion:**

The lead petitioner, Adrian Pycroft, addressed the committee advising that three years ago he had approached the owner of the high hedge in Jersey Road, Strood referred to in the petition but subsequent contact was ignored by the owner and an invitation to use the mediation service was declined. This had then prompted the petition to the council.

Mr Pycroft informed Members that the petitioners accepted that the council had to take account of the legislation that stated that if each petitioner officially complained to the council, each complaint should be dealt with separately and individually but then linked together as they are processed (as set out on page 13 of the agenda). The fee set by Medway Council for each complaint to reduce the height of a hedge was £420 per property which would mean a total fee of over £9,000 if all the property owners who signed the petition submitted separate complaints. This would previously have been £6,000 but there were now a further six properties that had contacted the lead petitioner and wished to join the other complainants.

The petitioners requested that they would like Medway Council to have a policy for multiple complaints with an initial application fee of £420 and a much smaller, nominal fee set for each separate household who officially complained and asked the committee to forward this request to Council for consideration.

Councillor Hubbard, as Ward Member, advised the committee that he had visited the petitioners and had not appreciated the height of the hedge until he had stood in their gardens in Pepys Way. He advised that, in his opinion, although the hedge was growing in an old quarry in the grounds of a property below the petitioners' gardens, it was probably 60 – 70 feet high in total with the top section showing at least 20 foot high in the gardens in Pepys Way and growing higher. He asked the council to re-consider requesting the full fee of £420 per property for each complaint submitted.

The Senior Tree Officer advised that the council had to act as an impartial third party and could not give an indication or opinion until a formal complaint had been received and validated. He explained that there was a separate fee for each property, as each would generate about 10 – 12 hours of officer time to validate each complaint and respond to each in turn. This was on the basis that they would most likely all have different outcomes depending on their situation and location to the hedge. There was also an appeals process and possible future court action and the £420 fee was intended to partly cover these costs.

Some Members thought that this must be a nationwide problem - that many people were affected by one oversized hedge or tree and that common sense

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would prevail in circumstances such as these. They accepted the officer's explanation about the fee for each application and the work it involved but did not think that charging over £9,000 would be providing a good, reasonably priced service for the residents.

The Director of Regeneration, Community and Culture responded that he would be willing to authorise that the first application paid the set fee of £420 and each subsequent application referred to in the report paid an additional fee of £20, due to the special circumstances of this case.

**Decision:**

The committee noted the Director of Regeneration, Community and Culture's intention to reduce the fees for the set of applications referred to in the report under his delegated authority to £420 for the first application and £20 for each subsequent application relating to the hedge, due to the special circumstances of this case.

**508 Attendance of the Portfolio Holder for Front Line Services**

**Discussion:**

The Portfolio Holder for Front Line Services addressed the committee outlining the main achievements within areas of his portfolio:

- he thanked the road safety team for the success of its various campaigns and that the 'Killed and Seriously Injured' (KSI) figures had reduced from last year. He also reported that the number of children's 'walking buses' to and from school was currently 42 across Medway
- the Integrated Transport team was working on the 15 year Local Transport Plan (LTP3) and investigating funding for works in Corporation Street, Rochester and at Strood Riverside. Real-time travel information was due to go live at Christmas and there was now a weekly list published for public transport companies and the public to know where roadworks would be located that week
- the new waste services contract had recently begun and public satisfaction rates with the various waste services were above those recorded last year. Further work was now required on increasing the recycling rates and hopefully the introduction of food waste in with garden waste collection would help reduce the amount of food waste still being sent to landfill sites
- last winter had been the worst for over 30 years but there were now good quantities of salt in stock and placed around various locations in Medway for this winter. Out of 56 planned road resurfacing schemes, 34 had been completed and out of the 29 pavement projects, 16 were completed so far this year

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- the refurbishment work in Medway Tunnel was proceeding as planned
- the parking services team had issued 55,222 fixed penalty notices between 1 September 2009 and 1 September 2010 with 20,000 of these issued by the CCTV Smart cars. Resident's permits would soon be available via the internet and all pay and display machines should be solar powered over the next three years.

Members asked the Portfolio Holder about:

- the amount of salt in stock in readiness for this winter
- future funding for Medway Tunnel
- new waste contract – blue bags, glass recycling and food waste
- resident's parking schemes close to car parks and car park charges and hours of charging
- current regeneration-based planned roadworks
- leaf fall collection
- parking reviews.

**Decision:**

The Committee thanked Councillor Filmer for attending the meeting and the information and answers he had provided.

**509 Highway Winter Service - Task Group review**

**Discussion:**

The Head of Highways and Parking Services introduced the report, draft policy and draft plan proposed by the task group. He advised that the Member task group had concentrated particularly on the following issues: salt stocks; pavements; car parks; salt bins; and roads with one entrance/exit located on steep hills.

Firstly, the task group had reviewed the policy and once that had been agreed looked at the implications of this on the Winter Service Plan and implications for the road network.

The other considerations included:

- whether current salt bins that no longer comply with the criteria set out in Appendix 1 of the Winter Service Policy would remain in place or be removed
- in previous years, one footpath in a town centre would be treated but the feedback from the task group suggested that the council should try to treat both sides in main shopping centres
- one car park per town centre would be treated, as to treat all car parks would be impractical. The task group and officers chose the car parks immediately adjacent to shops

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- a major cause of concern for residents was with regard to being sued (public liability) if others injured themselves whilst using a cleared footpath. The Department of Transport and the legal profession were trying to resolve the mis-understood, inaccurate stories and fears around this 'urban myth'. An article would be published in the December edition of "Medway Matters" about the winter services provided by the council which will include advice to the public on clearing footpaths and driveways.

The committee requested further clarification and assurance that there were sufficient salt stocks to fulfil the services set out in the Winter Service Policy and the Assistant Director for Front Line Services reassured Members that he was confident that the salt in stock would resource the Winter Service Plan in a full way for a lengthy period, as the council now had enough salt in stock to last for approximately 19 days of prolonged snow and ice conditions.

Members asked for the lists of roads and locations of salt bins detailed in the appendices to the plan to be re-categorised into wards as some of the address locations were incorrect.

Officers advised that following a cross-council working party set up in response to the bad weather problems of last winter, a resilience programme had been put in place and guidance had been sent to schools. The committee was advised that some schools had been prioritised over others and gritting routes had been amended to take these into account. Members requested a copy of the guidance sent to schools.

**Decision:**

The committee recommended the Director of Regeneration, Community and Culture to take the following action under his delegated authority:

- (a) to implement the proposed Winter Service Policy 2010-2017 as set out in Appendix 1;
- (b) to implement the proposed Winter Service Plan 2010-2017 as set out in Appendix 2, amending the list to show each ward location;
- (c) to produce an article setting out self-help guidance for the public (in line with the Department of Transport's "Snow Code") together with information about roads and locations the public can expect to be gritted during severe winter weather is published in the next edition of the "Medway Matters" newsletter;
- (d) to produce a leaflet as soon as possible setting out self-help guidance for the public (in line with the Department of Transport's "Snow Code") together with information about the roads and locations the public can expect to be gritted during severe winter weather;

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- (e) to publish the Winter Service Policy and Winter Service Plan on the council's website as soon as possible and that this section of the website is kept as up-to-date as possible with current weather and gritting forecasts, guidance, advice and telephone contact numbers for the public to use throughout the winter period.

**510 The effectiveness and future of Partners and Communities Together (PACTs) in Medway - Task Group review**

**Discussion:**

The Chairman of the Task Group gave a powerpoint presentation setting out the background to the review, the evidence gathered and the conclusions and recommendations reached by the group.

The committee questioned the map and list of PACTs attached at Appendix 1 advising that there were further PACTs in Medway that had not been included. The Chairman of the Task Group responded that this was a finding of the review – that there was no definitive list of PACTs in Medway and because the police, public and councillors all referred to them differently, it had been extremely difficult to try to gather the information.

Members were enthusiastic about asking the Community Safety Partnership to progress the idea of Youth PACTs and thought this was an excellent way forward. Some Members also asked about how to form a PACT, as their ward did not have one. Officers responded that PACTs were formed when a local issue became such that the police and/or council wanted to liaise with the local community and agree ways to deal with it. Each ward would not necessarily have a PACT unless there were issues that required one to be formed.

**Decision:**

The committee agreed the recommendations in the review document as set out below, for referral on to Cabinet on 30 November 2010 and then the Community Safety Partnership (CSP) and the Kent Police Authority:

1. That the CSP should be asked to accelerate action to establish a database of PACTs, the areas they cover and contact details for each should be produced and published ward by ward;
2. A protocol and guidance for PACTs in Medway should be produced by the CSP in consultation with PACT chairmen, to include a clear statement of purpose, basic operational standards and advice on how to access support and resources;
3. A toolkit should be developed by the CSP to assist PACT Chairman and neighbourhood teams to run meetings, record priorities, actions and outcomes;

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4. The protocol for PACTs should include a requirement that Councillors are automatically invited to become members of any PACT within their ward and provided with sufficient notice of meetings;
5. Consideration should be given to facilitating contact between PACT Chairmen by establishing a Medway-wide Forum to enable them to share experience and best practice and to coordinate priorities across wards;
6. As part of its annual scrutiny of the CSP the Regeneration, Community and Culture Overview and Scrutiny Committee should be provided by the CSP with an update on PACTs, including the priorities, actions and outcomes from them on a ward by ward basis with some evaluation of effectiveness;
7. That the CSP should develop some analysis and comparative information to assist in evaluating the impact of PACTs and other forms of public engagement on the incidence of crime and anti social behaviour ward by ward with a view to providing this information in the quarterly news ward profile information provided to Councillors;
8. That the CSP should recommend the Police to continue to fund support for PACTs and extend this to the development of evaluation and analysis of their effectiveness in line with commitment made in the Sustainable Community Strategy and Community Safety Plan;
9. That the Equalities and Cohesion Group should be asked to support the CSP in developing guidance to encourage and achieve participation by the widest cross section of people;
10. In addition to ongoing publication of PACT data there should be an opportunity for local residents to periodically provide feedback on the operation of their local PACT and, in particular, the extent to which they feel able to influence decision-making at meetings;
11. That the CSP should encourage and support each PACT to hold an 'open meeting' (with no issues pre-arranged for discussion) specifically to involve local young people and neighbours of different ages and/or ethnic background in order to gain a real understanding of the issues and priorities for those groups;
12. That the CSP should be asked to progress the idea of Youth PACTs with membership invited from every secondary school, and the Youth Parliament;
13. The CSP is recommended to invite all partners to review their community engagement strategies and the groups and organisations they support to eliminate duplication and maximise the use of, and support for, PACTs where possible and appropriate;

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14. That the CSP should be invited to consider launching a Medway annual PACT recognition award scheme to help raise the public profile of PACTs, particularly in the local press;
15. That the CSP Media Officer should be asked to develop some guidelines and offer practical support to PACTs with production and publication of advertising material for meetings.

**511 Work Programme**

**Discussion:**

The committee was advised that the Cabinet had published an updated Forward Plan earlier that day but there were no new items that had not already been considered or were due to be considered within the committee's remit.

**Decision:**

The committee noted the current work programme.

**Chairman**

**Date:**

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