

**Medway Council**  
**Meeting of Medway Council**  
**Thursday, 10 November 2022**  
**7.00pm to 10.40pm**

**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)  
The Deputy Mayor (Councillor Barrett) Councillors Adeoye, Ahmed, Brake, Browne, Buckwell, Carr, Mrs Diane Chambers, Rodney Chambers, OBE, Chitty, Cooper, Doe, Etheridge, Edwards, Fearn, Hackwell, Howcroft-Scott, Hubbard, Mrs Josie Iles, Jarrett, Kemp, Lammas, Lloyd, Mahil, Maple, McDonald, Murray, Opara, Osborne, Paterson, Potter, Prenter, Price, Purdy, Sands, Andy Stamp, Tejan, Thompson, Thorne, Tranter, Mrs Elizabeth Turpin, Rupert Turpin, Van Dyke, Wildey and Williams

**In Attendance:** Neil Davies, Chief Executive  
Bhupinder Gill, Assistant Director, Legal and Governance  
Wayne Hemingway, Head of Democratic Services  
Jon Pitt, Democratic Services Officer

**340 Apologies for absence**

Apologies for absence were received from Councillors Clarke, Curry, Filmer, Griffin, Gulvin, Johnson, Khan and Chrissy Stamp.

**341 Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Howcroft-Scott declared an OSI in agenda item No.16 (Outcomes of Consultation on Proposals to Change Three Grammar Schools From Single Gender to Co-Educational Provisions) as she is the Vice-Chair of Trustees, Victory Academy. Councillor Howcroft-Scott left the room during discussion and consideration of the item.

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Councillor Price declared an OSI in agenda item No.8 (Leader's Report) as he is Chair of the Trustees at the Sunlight Development Trust. Councillor Price remained in the room during consideration of the item as there was no discussion related to the Sunlight Development Trust.

Councillor Tejan declared an OSI in agenda item No.8 (Leader's Report) as he is the Chairman of Kyndi Ltd. Councillor Tejan remained in the room during consideration of the item as there was no discussion related to Kyndi Ltd.

### Other interests

There were none.

### **342 Record of meeting**

The records of the ordinary and special meetings of Council held on 21 July 2022 and of the special meeting held on 8 September 2022, which had been adjourned and reconvened to 15 September 2022, were approved and signed by The Worshipful Mayor of Medway as correct.

### **343 Mayor's announcements**

The Worshipful The Mayor of Medway announced that Councillor Mick Pendergast had recently passed away. He had served as a Medway councillor for the Peninsula ward since 2015 and had been re-elected in 2019.

Between 2015 and 2019, Councillor Pendergast had served on the Planning Committee and the Licensing and Safety Committee, and from 2019 he had served on the Rural Liaison Committee.

The Leader of the Council, Councillor Jarrett, said that it was particularly sad to lose a Member who was relatively young. He considered that Councillor Pendergast had represented the local electorate to the best of his ability and that his passing was a loss to them.

The Leader of the Opposition, Councillor Maple, said that Councillor Pendergast had stood up for what he believed in and that he had enjoyed being a Councillor representing the Stoke area.

Councillor Sands said that Councillor Pendergast had been plain speaking and honest and that he would be sorely missed by the people of Stoke and the wider Hoo Peninsula community. He had been a good Councillor who had ensured he was available to his constituents.

The Mayor and Councillors Jarrett, Maple and Sands offered their condolences to the family and friends of Councillor Pendergast.

A minute's silence was held in memory of Councillor Pendergast.

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The Mayor advised that on Remembrance Day she would be attending a ceremony at Victory Gardens as well as services at the Great Lines and Rochester Cathedral on Remembrance Sunday.

### **344 Leader's announcements**

There were none.

### **345 Petitions**

#### **Public:**

A petition was submitted that related to dangerous driving and speeding on Gillingham Road, in the area adjacent to the railway level crossing. The petition called on the Council to consider road safety measures along this section of the road.

#### **Member:**

Councillor Brake submitted a petition on behalf of members of the public living in or near Walderslade village. The petition related to a planning proposal to build flats, which were considered to be an overdevelopment of the area.

Councillor Purdy submitted a petition on behalf of members of the public. The petition called on the Council to install road safety measures in Watling Street, Gillingham.

Councillor Edwards submitted a petition on behalf of members of the public living near the new St John Fisher School site on City Way, Rochester. The petition called on the Council to consider developing a controlled parking scheme to mitigate the impact of the school on local residents and for measures to be in place by Spring 2023.

### **346 Public questions**

#### **Question A – Carl Dunks of Rainham submitted the following to the Portfolio Holder for Front Line Services, Councillor Filmer:**

“Can the Portfolio Holder give his view on the use of electric scooters?”

#### **Question B – Ruth Banks of Gillingham submitted the following to the Portfolio Holder for Front Line Services, Councillor Filmer:**

“I am concerned about the lack of parking and the safety of anyone, particularly women, at night or very early hours of the day when their vehicle isn't parked in their own street/road.

This is because there are not enough parking bays to accommodate the indiscriminate giving out of permits to all that apply.

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Can the Portfolio Holder please tell me what he plans to do about this?"

### **Question C – Kevin Fowle of Chatham asked the Portfolio Holder for Business Management, Councillor Hackwell, the following:**

"I am concerned and frustrated about the total lack of any warning about the ward boundary changes. I received nothing in the mail or any contact from the current wards' elected councillors. I have unanswered emails from both, so have no faith in that channel.

The law states that proposed changes should be communicated for feedback. I am not a social media user, it is totally wrong to rely on social media, online web sites and inadequate elected representatives so why was there no direct, to the door communication of those affected?"

Councillor Hackwell thanked Mr Fowle for the question. He said that the review of the electoral arrangements in Medway was undertaken by the Local Government Boundary Commission for England rather than Medway Council. The process was set out in legislation and allowed the Commission to decide how they would consult. Three public consultations had been held as follows:

- 17 December 2019 - 9 March 2020, to seek views on where new ward boundaries should be.
- 30 June – 7 September 2020, on draft recommendations.
- 1 December 2020 – 11 January 2021, on further draft recommendations for Rainham and Twydall.

The Commission had written to over 460 interested parties and stakeholders as well as the local media and the MPs representing the Medway Council area. They also publicised the Review and the various consultation periods on their social media channels and website and Medway signposted people to the Commission website via its own social media channels. Local views were accepted through the Commission website, by e-mail and by post. Everyone who wrote to it as part of the review was notified regarding the start of the next round of consultation.

Councillor Hackwell said that the Electoral Commission had received 143 submissions in response to the initial consultation on ward boundaries, 325 submissions in response to the consultation on the draft recommendations and 133 submissions in response to the limited consultation on further draft recommendations for Rainham and Twydall.

The boundary changes would come into effect for the local elections in May 2023. A short article about the overall impact had been included in the forthcoming edition of Medway Matters.

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**Question D – Liz O’Hanlon of Rainham submitted the following to the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe:**

“Given we are in a climate emergency and tree planting is a key part of tackling poor air quality and climate change, (Please exclude volunteer led activity and ‘friends of groups’ in this figure) via Norse (or directly from the Council), how many replacement trees and additional trees are the council planning on planting in the next 12 months?”

**Question E – Stephen Taylor of Chatham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

“As a local family who has purchased an electric car to help the environment during this climate emergency, could the Portfolio Holder set out how the Council is trying to make it easier for families like ours who want to do the right thing, specifically with regards to charging our vehicles and the options for those who live in houses with no off-street parking?”

Councillor Doe thanked Mr Taylor for the question. He said that the Council was preparing an Electric Vehicle (EV) Strategy, which would identify ways to facilitate the delivery of infrastructure to support a transition to EVs, to help ensure that all residents and businesses could access reasonably priced public charge points.

Over the past year, Medway had installed 34 electric vehicle charging points in some of the town centre car parks, which complemented those provided by the commercial sector. The provision of on-street charging was also being investigated and discussions were taking place with a commercial provider about a potential pilot scheme. As part of the strategy, the demand for electric vehicle charging points across Medway was being explored.

Councillor Doe encouraged residents who owned an electric vehicle, or were thinking about buying one, to visit the Council website, where locations could be suggested for on-street charging points. This would help the Council to plan the provision of charging locations and to demonstrate the local need when applying for funding.

**Question F – Nina Gurung of Gillingham submitted the following to the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty:**

“The Council is investing a considerable amount of funding into the refurbishment of the Paddock in Chatham. What measures are in place to protect the users of this greenspace from the high levels of air pollution, both gaseous and particulate, arising from the adjacent bus station?”

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### **Question G – Alan Wells of Chatham submitted the following to the Portfolio Holder for Front Line Services, Councillor Filmer:**

“As traffic congestion adds to Medway’s emissions each year and reduces local productivity, cycling - especially at peak hours - would help reduce emissions and ease congestion across Medway. At present there are no designated cycle paths or cycling infrastructure going on and off Medway City Estate. The roads affected are Sir Thomas Longley Road (most notably), Neptune Close, Royal Eagle Close, Clipper Close and Whitewall Road, Anthony's Way leading onto the estate from Canal Road and Commissioners Road.

Cycling paths on the estate would benefit workers and people using the estate. As a cyclist myself, the roads around the estate can become treacherous especially during peak times.

Cycling infrastructure would also add as an incentive for people using the estate to cycle as a different and safe mode of transport, as well as added environmental benefit.

Are there any plans for the Council to invest in cycling infrastructure for Medway City Estate in the near future?”

### **Question H – Satinder Shokar of Rochester submitted the following to the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe:**

“With this seemingly never-ending cost of living crisis, our local food banks for some time now have been taking on too much of the burden. An example of this is a local food bank that has seen the number of meals delivered more than double in the space of one year, they provide on average 14,000 meals per month.

If the Council is unable to reduce the number of residents needing to use food banks, are they at least able to provide an emergency injection of financial support to these organisations? As the cost of groceries has increased by over 13% and the number of donations isn't matching this increase.”

### **Question I – Vivienne Parker of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

“At the moment staff at our Healthy Living Centres have to pay to park in Council car parks when they are working. Would it be possible for the Council to give them free parking passes or enable them to reclaim their parking costs?”

Responding on behalf of Councillor Filmer, the Portfolio Holder for Business Management, Councillor Hackwell, thanked Ms Parker for the question. He said that the Council needed to charge for using its car parks to ensure that it had funding to keep them operating efficiently and well maintained. This meant that the Council was unable to offer free parking throughout the year.

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Councillor Hackwell said that Medway's parking charges were very reasonable compared with other areas, and that in long stay car parks, customers could buy season tickets to make parking even cheaper.

**Question J – Alan Stockey of Rainham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

“The prior version of the Climate Change Action Plan included 11.10 – “Ensure the Heatwave Plan and Cold Weather Plan are reviewed and updated annually.”

It is noted that this action has been removed from the latest version of the Climate Action Plan, but it is not clear what has been done to address this given the experiences of 40c heatwave in recent months. It is a given that such temperatures will no longer be extremes and the preserve of emergency plans only and will need particular focus to ensure a coordinated approach to publishing places of refuge and clear communications out to the communities.

I would like to know, given that the Council has felt it appropriate to remove this reference in the latest Action Plan, what policies the Council plans to put in place to address more regular extremes of temperature?”

Councillor Doe thanked Mr Stockey for the question. He said that action 11.10 had been embedded in the Council 's core duties and had therefore been removed from the 2022 Climate Change Action Plan.

In order to prevent the Action Plan from getting too long, certain core duties, as explained in the Plan, had been regarded as being a part of everyday work and work on these duties and delivery of the Action Plan would continue.

**Question K – Bryan Fowler of Chatham asked the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers OBE, the following:**

“How much budget will Medway Council be setting aside annually for maintaining the water feature in the Paddock, Chatham for the 5 financial years commencing 2024? This includes maintenance cleaning, water and electricity charges.”

In response to the question, Councillor Chambers confirmed that a budget allocation had been made to cover water, electricity, cleaning and maintenance of the water feature. As the maintenance contract had not yet been awarded, the budget allocation could not be currently shared. Councillor Chambers said that the maintenance schedule for the water feature would be stringent and would comply with the appropriate regulations.

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**Question L – Chris Spalding of Gillingham asked the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:**

“Tomorrow is the eleventh day of the eleventh month. It is Remembrance Day.

At the Council meeting in January 2019, my very good friend, the late Councillor Mick Pendergast, put forward a motion that some tickets to Medway Council events be donated to the charity, Tickets for Troops.

The motion received cross party support and was carried unanimously.

At the Council meeting on 18 July 2019, I enquired how many tickets had been donated thus far.

Councillor Rupert Turpin, responding on your behalf, gave, in my opinion, a waffling response in an attempt to deflect away from the answer which was no tickets had been donated.

I appreciate we have had Covid and Lockdown, but can you kindly tell me how many tickets have been donated between January 2019 and 31 October 2022?”

Councillor Doe thanked Mr Spalding for the question. He said that 40 tickets had been offered to ‘Tickets for Troops’ for the Rochester Castle Concerts in 2018 and 2019. However, the charity had not taken any of the tickets made available on either occasion.

Rochester Castle Concerts were now delivered by a commercial organisation and a request would be made for a similar offer to be made to ‘Tickets for Troops’ for future years.

Councillor Doe said that through Medway’s theatres, a minimum of 20 tickets were offered to Little Troopers, a charity supporting children of military personnel with at least one parent serving overseas, to a performance of the annual Pantomime. This offer had been fully taken every year since it was first made in 2015.

The Theatres team also offered tickets to the annual Pantomime every year to a number of charities. These were Holding on Letting Go; Wish Upon a Star; Gingerbread and; various local hospice and respite centres.

Councillor Doe said that if further demand was identified then consideration would be given as to how to accommodate this in view of budgetary considerations.



**Question M – Nigel Jackson of Strood asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:**

“Can the Portfolio Holder update Council on the progress made regarding the April 2019 motion on Uber operating in Medway?”

Councillor Chitty thanked Mr Jackson for the question. She said that significant efforts had been made in relation to this issue.

Councillor Chitty assured Mr Jackson that efforts would continue and that any difficulties that arose would be addressed accordingly.

Note: As Mr Dunks, Ms Banks, Ms O’Hanlon, Ms Gurung, Mr Wells and Mr Shokar were not present at the meeting, the Mayor stated that they would receive written responses to their questions, 7A, 7B, 7D, 7F, 7G and 7H respectively, in accordance with Council Rule 8.6.

**347 Leader's report**

**Discussion:**

Members received the Leader’s Report. The following issues were discussed:

- The improvement journey of Children’s Services, recruitment and staffing challenges and the preparations being made for the reinspection of services expected in spring or summer 2023.
- Concern about the increasing cost of living.
- The progression of regeneration schemes in Medway, such as the Housing Infrastructure Fund, Rochester Riverside and Innovation Park Medway (IPM) and the submission of a funding bid to the Levelling up Fund to support IPM delivery.
- Concern about the development of the Medway Local Plan.
- The development of the Integrated Care System in Kent and Medway and the role of the Better Care Fund.
- The support given by Medway Park to wheelchair rugby events and the thriving women and girls’ sections at Medway Rugby Club.
- Acknowledgement of Medway residents who would be representing their country during various forthcoming sporting events.
- Concern at a lack of progress or an update regarding the Pilgrim School site development.
- Whether Cabinet Members serving on the boards of Council companies had amounted to a conflict of interest.
- Concern that some hardship grant funding had been returned to Government due to rules about rolling over unspent allocations having changed.
- The second tranche of £2,262,463.11 of Household Support Grant had been fully allocated, with the exception of 11 pence.

**348 Overview and scrutiny activity**

**Discussion:**

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

- The provision of free school meals and the discussions at the Children and Young People Overview and Scrutiny Committee.
- Concern about the impact of Universal Credit changes on Medway residents.
- Concern about the difficulties new Government voter ID requirements could cause at the Council elections that would take place in May 2023.
- The reforms needed in Adult Social Care, including national vacancies of 165,000, the impact this had on services and the need for more funding and pay for those working in the sector.
- Delayed Transfers of Care for hospital discharges and the difficulties putting care packages in place for those with complex needs.
- The progress of the GP Task Group and the difficulties in meeting local GPs as part of this work.
- Concern about poor late night pharmacy provision on the Hoo Peninsula.
- Concern about falling waste recycling rates and the need for a strategy to increase this.
- The Local Plan and Chatham Docks.
- The excellent work undertaken by the Council's Aspirations Officer in relation to young people not in Education, Employment or Training (NEET) and whether this post should be offered a permanent contract.
- Free School Meals Provision, particularly provision during school holidays.
- The Time to shine Awards – this was considered to have been an excellent event and it was requested that it be held again.
- Innovation Park Medway, including that no businesses had yet signed contracts to locate at the site.
- The Bus Service Improvement Plan and the need to explore opportunities around service frequencies and fares.
- The Government funding that had been made available for community diagnostic services to be provided at Sheppey Community Hospital and Rochester Healthy Living Centre.

**Decision:**

The Council noted the report.

**349 Members' questions**

**Question A – Councillor Van Dyke asked the Portfolio Holder for Adults' Services, Councillor Brake, the following:**

“The Department for Health and Social Care has instructed hospital trusts to reintroduce parking charges for hospital staff after withdrawing the subsidy paid to Trusts during the pandemic when charges for staff were waived. Medway Maritime Hospital faces a recruitment crisis and the threat of industrial action because staff salaries are not keeping up with the cost of living.

Will the Portfolio Holder show his support for our local NHS staff by joining me in writing to the Secretary of State for Health and Social Care demanding that car parking charges for hospital staff are abolished with immediate effect?”

Councillor Brake thanked Councillor Van Dyke for the question. He said that the issue had been raised at the annual meeting of Medway Foundation Trust and had been discussed at length. Councillor Brake understood that the issue was a big concern for NHS staff, hospital patients and visitors, particularly in view of the current train and bus strikes, which left many no alternative option to driving or using taxis, which were both more expensive.

Councillor Brake advised that parking charges had been dropped during the Covid lockdowns to encourage people to use their cars so that they could socially distance and protect themselves by not using public transport. Doing so could have meant potential exposure to Covid which could then be brought to vulnerable hospital patients. As the situation had now eased, previous arrangements had returned.

Parking charges made to Medway hospital staff, patient and visitors were used to help cover the cost of the running and maintenance of these facilities, in turn allowing other NHS resources to be used directly to the benefit of patients and hospital staff.

Given these circumstances, Councillor Brake did not consider it appropriate to raise the matter with the Secretary of State. However, it would be appropriate for hospital staff members to write and raise their concerns with their local Member of Parliament.

**Question B – Councillor Hubbard asked the Portfolio Holder for Children's Services – Lead Member (statutory responsibility), Councillor Mrs Josie Iles, the following:**

“It is the view of many that the new Maritime Academy should have been located on Strood Riverside, a town centre site with great access for those walking, cycling, or using public transport. The Secondary School's proposed site on Frindsbury Hill will just add to the local levels of traffic congestion and pollution.

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Maritime Academy opened its temporary, Twydall Primary School located, doors this September. The bussing arrangements, delivering and collecting students living in Strood and Frindsbury area in place. I am confident that the Academy's staff are doing their very best. However, the Government is continuing its poor record on delivery of new schools in Medway. The other current example is the delayed Rochester Primary School.

There is no sign of any building work on the Academy's Frindsbury site. This is simply not good enough. There are only pre-works that are related to reptile translocation and additional archaeological investigations.

Can the Portfolio Holder give any guarantee to Maritime Academy students, their parents, and staff that the school will finally open its Frindsbury doors by September 2024?"

Councillor Iles thanked Councillor Hubbard for the question. She said that the Department for Education (DfE) was leading on this project as it was part of the Government's Free School Programme. Medway Council officers were in regular contact with the DfE on this matter to keep abreast of progress and developments.

Whilst work was yet to commence on the site, due to continuing additional archaeological investigations, the Council had been advised that a full start on site was anticipated in early 2023, which would enable the completion of the new school provision in readiness for the September 2024 academic year.

In common with any building project, there were circumstances which could cause the delay of a project once started, but the Council would continue to work closely with the Trust and the DfE to assist in mitigating and resolving any issues that may arise.

Councillor Iles thanked the Thinking Schools Trust, The Maritime Academy, its members of staff and pupils, who had settled extremely well into the temporary premises, which provided all the specialist areas a secondary school required. She also thanked Twydall Primary School and the Rainham Mark Education Trust for making the buildings available for this purpose.

### **Question C – Councillor Edwards asked the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:**

"The majority of businesses in Medway are small businesses. They underpin our local economy, serve the community, and provide jobs for local people. But they are facing eye-watering energy price bills from April next year when the Energy Bill Relief Scheme is due to end. The Federation of Small Business's recent report, *Out in the Cold*, found that two thirds of small firms say their energy costs have increased compared to last year, with 96 per cent of small businesses concerned about rising energy bills.

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Will the Council write to the Government to urge it to either extend the Energy Bill Relief Scheme beyond 31 March 2023 or develop a follow-up scheme to continue financial support for small businesses during this energy cost crisis?

All signs point to steep energy prices providing challenging circumstances for small businesses beyond the immediate winter period, and particularly so for energy-intensive businesses like hospitality. Without ongoing support many of Medway's small businesses may struggle to survive so we need Medway Council to be a strong voice urging central government to give them more support."

Councillor Chitty thanked Councillor Edwards for the question. She said that the issue had been discussed with small businesses earlier in the week and that there had been concern in relation to the challenges faced. A decision had been made to make representations to the three local MPs. Although the Energy Prices Guarantee offered some relief, the full facts of the matter would not be known until the Chancellor's Budget and assessments could be better made after this.

### **Question D – Councillor Maple asked the Leader of the Council, Councillor Jarrett, the following:**

"As Medway's population faces the cost-of-living crisis caused by steeply rising energy costs, inflation at over 10%, with food and fuel inflation well above that figure and other financial pressures caused by government mismanagement, would the Leader of the Council update Council on the lessons learnt regarding the incredibly disappointing returning of £350,000 of unspent Household Support Funding earlier this year, while clarifying what measures are in place to ensure this never happens again?"

Councillor Jarrett thanked Councillor Maple for the question. He said that the Government had announced the Household Support Fund on 30 September 2021 and set Medway Council's allocation, for the period 1 October 2021 to 31 March 2022, at £2,262,463.

Using urgency provisions, Councillor Jarrett had agreed, on behalf of the Cabinet, that this allocation would be used as follows:

- Provide vouchers at £15 per week for the then estimated 10,000 Free School Meals eligible children for the school holidays in October and December 2021, and February 2022, at the time estimated to cost £670,000;
- Provide grants to charities providing food of £150,000;
- An allowance to cover reasonable administrative costs at £70,000; and
- For the balance of the fund (estimated at £1,372,463) to be provided to individuals making claims for support via a new online form and officer referral process.

Councillor Jarrett said that Council officers had worked hard to implement the scheme as quickly as possible, while following the proper procurement

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processes to select the company through which vouchers would be provided, to set up the partnership with the Fuel Bank Foundation and to advertise the scheme to residents and partner organisations.

The scheme had been very successful and through it, the Council had provided £1,367,455 of support with food costs, £62,589 to support with energy and water costs and £374,306 to support with wider essentials through more than 73,000 awards.

Later tranches of the scheme had benefitted from the work already done to set up contracts and administrative arrangements. The Council had received the same allocation (£2,262,463) for the period 1 April to 30 September 2022 and Councillor Jarrett was pleased to confirm that the full allocation had been distributed to Medway's residents, with the exception of eleven pence.

### **Question E – Councillor Andy Stamp asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:**

“The large retaining wall on the A289 Pier Road in Gillingham has been structurally unsound for well over a decade and is in desperate need of repair.

Whilst Department for Transport funding has been secured so that permanent repairs can finally be carried out next year, the 'temporary' blue hoardings have been in place since 2009. Residents and Ward Councillors have long complained that the hoardings are not only an eyesore, but they also restrict visibility and cause road safety issues for drivers, cyclists and pedestrians using this busy dual carriageway.

To my dismay, it recently came to light that the Council do not actually own the temporary blue hoardings (including the structural steel propping behind) and Council taxpayers have been paying to hire them for the past 13 years. Can the Portfolio Holder therefore provide a breakdown of the total hire costs for these hoardings (including the structural steel props) since they were installed in 2009?”

Responding on behalf of Councillor Filmer, the Portfolio Holder for Business Management, Councillor Hackwell, thanked Councillor Stamp for the question. He confirmed that the hoarding had been installed in 2009 after the wall had been identified as a serious health and safety risk. This structure had not been originally identified as a Council asset.

The Council had a duty of care to safeguard its residents, even though there was uncertainty as to who the landowner was. While it was acknowledged that the hoarding might have been perceived as unsightly, its installation was necessary and was the safest course of action to safeguard against injury.

Councillor Hackwell said that in similar situations, particularly where there was uncertainty around the land ownership, hiring in hoarding and props was the most prudent option, given potential maintenance costs and liability risks associated with outright ownership. The time taken to carry out the full

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construction works had unfortunately been protracted due to the difficulties in defining the land ownership of the wall. The Council had only very recently received the permission from the landowner of the area above the wall to progress with the works, which it was anticipated would commence in the first quarter of 2023.

The weekly cost for this hoarding was £75, which when considered against the risks of injury, it was felt that the safety benefits of the hoarding far outweighed the costs.

### **Question F – Councillor Cooper asked the Portfolio Holder for Children’s Services – Lead Member (statutory responsibility), Councillor Mrs Josie Iles, the following:**

“Following the administration’s callous decision to refuse to fund support for children eligible for free school meals over the summer break and its subsequent U-Turn, would the Portfolio Holder agree that Auto-Enrolment for free school meals in Medway would support struggling Medway families and would boost school budgets?”

Councillor Mrs Josie Iles thanked Councillor Cooper for the question. She said that all children attending school in reception year, year 1 and year 2 were entitled to a school meal free of charge. The Education Act 1996 required maintained schools and academies (including free schools) to provide free school meals to disadvantaged pupils aged between 5 and 16 years old. The Government set the eligibility criteria for free school meals, which were listed on the gov.uk website and on the Council’s website. This could be summarised as entitlement to means-tested benefits equating to entitlement to free school meals.

Data on which school children were eligible was held by the Government. The current national Free School Meals system had been set up so that local authorities and / or individual schools must administer claims and assess eligibility locally.

Councillor Iles said that schools were primarily funded via the Government allocations of the Dedicated Schools Grant (DSG). This was in addition to the Pupil Premium Grant (PPG), which was paid to schools separately as a grant to improve the attainment of pupils from deprived backgrounds. PPG allocations to schools were made based on the number of pupils eligible for a free school meal, ‘Looked After Children’ (LAC), and children with a parent in the armed forces.

Government estimates of claim rates indicated that automatic enrolment could capture the 11% of eligible school children (estimated 215,000 nationally) who had not yet taken up the offer. If the Government were to facilitate auto-enrolment by providing local authorities and/or schools with information on eligible children and this resulted in more eligible children accessing Free School Meals in Medway, then Medway schools PPG allocations would increase.

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**Question G – Councillor Murray asked the Portfolio Holder for Children’s Services – Lead Member (statutory responsibility), Councillor Mrs Josie Iles, the following:**

“The Local Government Association has determined that 28% of Healthy Start Vouchers remain unclaimed in Medway, constituting over 800 families who are potentially missing out on healthy food. What has the Portfolio Holder done in the past year to increase take-up of Healthy Start Vouchers for families facing the cost-of-living crisis?”

Councillor Mrs Josie Iles thanked Councillor Murray for the question. She said that the Healthy Start Scheme was an NHS scheme rather than one that was led by the Council. Medway had promoted the scheme through several different pathways to build on the 72% uptake rate of March 2022.

The scheme helped eligible pregnant women or those with a child aged under 4 on low incomes to obtain food, milk and vitamins. Vouchers were issued to families directly by the NHS, with local authorities helping to promote uptake.

Through the multi-agency Food Partnership, the voucher scheme had been promoted across a wide range of partners to increase awareness. Council officers shared information with pregnant women and with families through Family Solutions and promoted awareness through a website for the Healthy Early Years Award.

Councillor Iles said that the importance of health professionals signposting to such schemes was recognised. Health visitors across Medway promoted the availability of Healthy Start Vouchers. They worked with the families to assess eligibility and to signpost them to how to apply. This would be followed up during subsequent contact with the family to ensure that they were aware of the scheme benefits and what they were entitled to.

**Question H – Councillor Osborne submitted the following to the Portfolio Holder for Education and Schools, Councillor Potter:**

“Given the steeply rising costs of energy and unfunded pay rises, leading Medway schools to fear running out of money in the next nine months, can the Portfolio Holder clarify the per head funding per student in an annualised table in Medway since 2010/11, until today, while assessing whether these reductions are sustainable for school improvement?”

**Question I – Councillor Browne submitted the following to the Portfolio Holder for Education and Schools, Councillor Potter:**

“Medway’s School Place Planning Strategy describes Medway Council’s presumption in favour of school academisation. When did Cabinet and Council make that decision?”



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### **Question J – Councillor Howcroft-Scott submitted the following to the Portfolio Holder for Resources, Councillor Gulvin:**

“Taking care of the workplace environment improves productivity, helps retain talent, and most important of all: it is good for the Council’s overall mental health. To this end I am troubled and concerned with the working environment our Council employees are subjected to at Gun Wharf, greatly highlighted by the refurbishment taking place in the old mayoral chambers. Please can our Council employees have a working environment they can feel proud of and is fit for the 21st century?”

### **Question K – Councillor Mahil submitted the following to the Portfolio Holder for Children’s Services – Lead Member (statutory responsibility), Councillor Mrs Josie Iles:**

“It is encouraging that four schools in Medway have signed up to the national *Lets Go Zero* campaign, supporting schools reach net carbon zero by 2030. What encouragement is the Council giving to schools across Medway to participate in such schemes and how are they monitoring engagement levels?”

### **Question L – Councillor Johnson submitted the following to the Leader of the Council, Councillor Jarrett:**

“What is the projected total cost of the current Judicial Review of the National Transfer Scheme for Unaccompanied Asylum Seeking Children?”

### **Question M - Councillor Curry submitted the following to the Portfolio Holder for Front Line Services, Councillor Filmer:**

“The Council has recently signed off contracts for subsidised bus routes across Medway and accepted into service operators not capable of meeting the preferred tender requirement for EURO V buses. What assessment was made of the environmental air quality impact of accepting such buses into operation on routes traversing Air Quality Management Areas (AQMAs)?

Our local bus operators are working hard to ensure their fleets minimise impacts on air quality in Medway. All 57 buses within ASD’s fleet are Euro V or VI standard. Of Arriva’s fleet of 109 buses at Gillingham Depot, 72 are Euro V or VI (66%), with plans to retire a number of the older double deck buses in favour of newer Euro VI upgrades over the next few months. Other bus operators in Medway are also upgrading their fleets.

When we procure our subsidised bus contracts, we must carefully balance environmental factors with other considerations, including budget availability and the social need for the service. We will continue to look to our operators for further improvements to fleet emissions over time, whether that be retrofitting to Euro VI standard or using new low or zero-emission vehicles, and we will work with them to pursue any funding opportunities presented by Central Government.”

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### **Question N – Councillor Lloyd submitted the following to the Portfolio Holder for Front Line Services, Councillor Filmer:**

“What is the total cost, including advertising, the traffic order and physical works, of the recently installed 40 mph zone on Deanwood Drive, Rainham?”

### **Question O – Councillor Prenter submitted the following to the Portfolio Holder for Front Line Services, Councillor Filmer:**

“Medway has an ambition to be child friendly. For this to be a reality it needs to have good quality, affordable public transport for our young people. Do you think Medway’s children get a fair deal compared to those either in London or Kent?”

### **Question P – Councillor Mrs Elizabeth Turpin submitted the following to the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe:**

“Following the closure of Deangate Ridge Golf Course, Cabinet in March 2018 instructed officers to begin detailed planning for consultation and development of a new sports centre for the Hoo Peninsula.

In July 2019, Full Council approved the provision of up to £150,000 to complete initial investigation surveys (ecology, topographical, contamination, utilities, UXO and tree) as well as a high-level capacity study to establish approach and quantum of sustainable development.

None of the above work has been completed, or even started.

As these decisions were taken over 3 years ago and would have been very helpful for the Hoo Development Framework consultation (and the draft Local Plan that was proposed last October).

Also considering the work that has been completed to redevelop Splashes during this time, please can you advise why this work has not been carried out?”

### **Question Q – Councillor Etheridge submitted the following to the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty:**

“At the Regeneration Culture and Environment Overview and Scrutiny Committee, held on the 13<sup>th</sup> of October this year, the Committee, requested that you supplied the answer to the following questions, prior to this Full Council meeting.

The questions were as follows:

Since you were last here before this Committee in October 2021, it has been identified that from 2014, you have spent over a million and a quarter on consultants to assist in developing a draft Local Plan.

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1. Who were these consultants and what was their expertise?
2. In what year were they hired, was the work put out to tender and exactly what areas of the local plan they were directed to?
3. From their services, how was the draft local plan enhanced, ensuring compliance, with government regulations?

You have stated on numerous occasions, that consecutive governments have made changes to the local plan process.

4. Can you tell us in which years, those changes were made to the Local Plan process?
5. Can you tell us the overall effect specifically and on what part of our Local Plan process?
6. Finally, considering the amount of time that has passed since 2014 to-date, the number of man hours by both Council staff and consultants, why wasn't the draft Local Plan robust enough to weather a few minor changes in its production?

Councillor Chitty, not a single question has been answered, can you tell us why, considering that by not doing so, you have denied Members the opportunity and the right to seek further information.”

### **Question R – Councillor Rupert Turpin submitted the following to the Leader of the Council, Councillor Jarrett:**

“On page 99 of the Hoo Development Framework consultation pack the very first principle of the indivisible and interlocking framework for the delivery of garden cities is land value capture for the benefit of the community.

With this in mind, will the Council commit to ring fence the land value capture of any Council owned land on the peninsula which may be developed into housing or captured in any land equalisation process with the Hoo consortium or other developers, as a result of the development framework?

If so, then community infrastructure in Hoo and the surrounding villages, such as, for example, the much needed new sports centre and swimming pool, can be funded and provided in a timely manner and to the high quality the area deserves, rather than any land capture being redistributed on projects across the rest of Medway or lost in the general fund and reserves.”

**Question S – Councillor McDonald submitted the following to the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty:**

“Could the Portfolio Holder inform Council when the last time Transport for London carried out compliance checks on TfL licensed vehicles in Medway.”

Note: The Mayor stated that since the time allocation for Member questions had been exhausted, written responses would be provided to questions 10H 10Q.

**350 Council Strategy Refresh 2023/24**

**Background:**

This report set out the Council Strategy, which in turn set out the Council’s key priorities, the outcomes expected to be achieved and the programmes that would be delivered.

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

The report proposed the Council Strategy 2023/24 and stated that the performance measures, key facts and opportunities and challenges would be reviewed as part of the Council Plan refresh in January 2023.

The Portfolio Holder for Business Management, Councillor Hackwell, 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 of the Business Support Overview and Scrutiny Committee set out in section 5 of the report and the decisions of the Cabinet set out at section 7 of the report.
- b) The Council agreed to adopt the refreshed Council Strategy as set out in Appendix 1 to the report.

**351 Splashes Sports Centre**

**Background:**

This report sought Council approval of an addition to the capital budget to fund the development of the new Splashes sports centre.

The report explained that projections from the professional design team had previously indicated that the redevelopment could be delivered within a budget envelope of £17.85m. Based on this projection Cabinet had previously recommended full Council to approve an additional £12.850 million to the

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Splashes Replacement Scheme within the capital programme to meet this budgetary expectation. This addition was approved by full Council at its meeting on 21 July 2022.

Due to economic volatility internationally, there had been a knock-on effect on the construction industry across the UK, leading to challenges across all areas of the supply chain, as well as significant increases in labour costs. This had meant that the completed tenders received in August 2022 were several million pounds higher than those projected earlier in the year.

As result of these highly unusual circumstances, the capital budget approved by full Council in July 2022 was no longer sufficient to award a contract for the development of the new Splashes sports centre. The Council was therefore requested to agree the addition of a further £5.8million to the Capital Programme.

An exempt appendix to the report set out information in relation to the contract tender returns received for the development of Splashes Sports Centre and consequent implications for the capital budget.

A Member asked for legal advice regarding whether the decision that the Council was being asked to make could be considered Wednesbury unreasonable. The Assistant Director, Legal and Governance, advised that to be Wednesbury unreasonable, a decision had to be so unreasonable that no person acting reasonably could have made it. Ultimately, it was for Members of the Council to determine whether they considered this to be the case.

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

Councillor Maple, supported by Councillor Andy Stamp, proposed the following amendment:

Delete the following:

~~“12.1. The Council is recommended to agree the addition of £5.8 million, to the Splashes Redevelopment Scheme in the Capital Programme, to enable development of the new Splashes Sports Centre.”~~

and replace with:

“12.1 ...notes the Cabinet decision made on October the 18<sup>th</sup> 2022.

12.2 Council asks officers to prepare a detailed report on:

- a. What options there are to find the ongoing estimated £1.6 million revenue costs to service borrowing proposed in paragraph 10.3.

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- b. What options there are to find the additional £500,000 per year running costs as laid out in paragraph 10.4.

This report to be received with the substantive Splashes report no later than 19th January Full Council.”

Amended recommendations read:

“12.1 The Council notes the Cabinet decision made on October the 18<sup>th</sup> 2022.

12.2 Council asks officers to prepare a detailed report on:

- a. What options there are to find the ongoing estimated £1.6 million revenue costs to service borrowing proposed in paragraph 10.3.
- b. What options there are to find the additional £500,000 per year running costs as laid out in paragraph 10.4.

This report to be received with the substantive Splashes report no later than 19th January Full Council.”

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

For: Councillors Adeoye, Browne, Cooper, Edwards, Etheridge, Howcroft-Scott, Hubbard, Lloyd, Mahil, Maple, McDonald, Murray, Osborne, Paterson, Prenter, Price, Sands, Andy Stamp, Elizabeth Turpin, Rupert Turpin, Van Dyke and Williams. (22)

Against: Councillors Ahmed, Aldous, Barrett, Brake, Buckwell, Carr, Mrs Diane Chambers, Rodney Chambers OBE, Chitty, Doe, Fearn, Hackwell, Mrs Josie Iles, Jarrett, Kemp, Lammas, Potter, Purdy, Tejan, Thorne, Tranter and Wildey. (22)

Abstain: Councillor Opara (1)

As the vote was tied, the Mayor exercised her casting vote. This vote was against the amendment.

The amendment was lost.

**Note:** In addition to the Councillors named in the minutes of agenda item no. 2, Apologies for Absence, Councillor Thompson was not present for the recorded vote.

### **Decision:**

The Council agreed the addition of £5.8 million, to the Splashes Redevelopment Scheme in the Capital Programme, to enable development of the new Splashes Sports Centre.

### **352 Revenue Budget Additions Report - The Brook Theatre**

#### **Background:**

This report set out that the Brook Theatre had been awarded grant funding from the Future High Street Fund (FHSF) (£300,000) and the Levelling Up Fund (LUF)(£6.5m) to undertake refurbishment works.

The report explained that the Re:Fit works programme was also being undertaken, which focused on upgrading elements relating to the operations of the Brook Theatre. Initial building surveys had been undertaken to facilitate these upgrades and had recommended that further surveys were carried out throughout the building.

The report requested the addition of £250,000 to the Revenue Budget to undertake the Phase 2 surveys.

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

#### **Decision:**

The Council agreed the addition of £250,000 to the Council's Revenue Budget, funded from reserves, to enable the Phase 2 Intrusive Surveys to be carried out at the Brook.

### **353 Mosaic - Children's Urgent Forms Development**

#### **Background:**

This report set out an urgent proposal to rebuild the Children's Services side of the Children and Adults Social Care System, Mosaic, by removing unworkable licenced forms and replacing with bespoke simplified forms that would need to be fully designed with the service and built using codes that mapped data across to all the performance reporting, which would ultimately better embed the Council's practice model framework.

The report asked the Council to agree the addition of £1.7m to the revenue budget to be funded from reserves.

The Portfolio Holder for Children's Services – Lead Member, Councillor Mrs Josie Iles, supported by the Portfolio Holder for Education and Schools, Councillor Potter, proposed the recommendations set out in the report.

**Decision:**

The Council approved the addition of £1.7m to the revenue budget, to be funded from Council reserves, in line with phasing detailed at paragraph 9.1 of the report.

**354 Amendments to the Capital Programme and Rent Setting for Housing Revenue Account New Build and Purchased Properties for Affordable and Social Rent**

**Background:**

This report requested Council approval for a number of amendments to the Capital Programme as recommended by Cabinet on 23 August 2022. The report also requested that Council approve the rents set for Housing Revenue Account (HRA) new build and purchased properties for Affordable and Social Rent.

It was requested that an update be provided to the Business Support Overview and Scrutiny Committee on any occasion that the delegated authority proposed at paragraph 8.3 of the report had been exercised.

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 approved the addition totalling of £150,630 to the capital schemes detailed in sections 3.1 to 3.4 of the report and agreed to remove the unspent budget of £12.957million, as set out in section 3.5 of the report, from the Capital Programme.
- b) The Council approved the rents set for the new build and purchased HRA properties, as set out in section 4 of the report.
- c) The Council agreed to delegate authority to the Director of Place and Deputy Chief Executive to agree weekly rental values presented by the Head of Housing for any in-year completed HRA acquisitions and/or new builds in the future.

**355 Outcomes of Consultation on Proposals to Change Three Grammar Schools from Single Gender to Co-Educational Provisions**

**Background:**

This report outlined the outcomes of the consultation on proposals for three Medway grammar schools to change their admissions arrangements from single sex to co-educational provisions.



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The report requested that the Council agree an addition to the Capital Programme to fund the necessary building modifications to ensure appropriate facilities would be available.

The Portfolio Holder for Education and Schools, Councillor Potter, supported by the Portfolio Holder for Children's Services – Lead Member, Councillor Mrs Josie Iles, proposed the recommendations set out in the report.

### **Decision:**

- a) The Council noted the comments made by the Children and Young People Overview and Scrutiny Committee, as set out in section 9 of the report and the decisions of the Cabinet set out at section 10 of the report.
- b) The Council agreed to add £2.5 million to the Capital Programme to fund the necessary building modifications to ensure appropriate facilities are available (only if the Regional Schools Commissioner's decision was to go ahead with the proposals).

## **356 Scheme of Delegations**

### **Background:**

This report requested Council approval to amend the delegations to officers to provide clarity regarding the decisions that were covered by these delegations.

The delegations related to caravan and mobile home licensing functions.

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

### **Decision:**

The Council agreed to delegate authority to the Director of Place and Deputy Chief Executive to exercise and to delegate to officers at an appropriate grade, the functions set out in the appendix to the report.

## **357 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 with regards to the use of urgency provisions set out in the report.

**358 Motions**

**Motion A – proposed by Councillor Hackwell and supported by Councillor Maple**

Councillor Hackwell 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 [deletions from the published motion are shown as strikethrough and additions are shown in bold]:

Amended motion reads:

“Delivering Cost of Living Support

This Council is concerned about the effect cost of living is having on the residents of Medway and notes that domestic electricity and gas prices are predicted to rise by almost 50% this year. Increased energy costs will impact prices of many other products and services. This Council notes that HM Government has recently announced a ~~bold~~ £15 billion package targeted to the most vulnerable households to alleviate the impact of energy prices. In addition, it continues to deliver the Levelling Up initiative to provide opportunities for all, both locally and nationally.

Within Medway, this Council continues to deliver, **in partnership with the public, private and not for profit partners**, key services and target those most vulnerable and at risk.

This Council resolves to:

1. Write to the Prime Minister to request that he delivers ~~all the Brexit promises, to deliver~~ additional savings to all households ~~and to assist,~~ **assists** in the delivery of the Levelling Up initiative, **and allocates sufficient funding for Medway.**
2. Work closely with HM Government to deliver Medway's share of the £500m Household Support Fund on a timely basis.
3. Continue to develop, support and help those most in need or at greatest risk of hardship to ensure they are fully aware of the help and assistance that is available and to ensure they receive that assistance **working with partners.**”

It was also requested that, subject to the motion being agreed, a copy of it be provided to the three MPs that represented Medway.

**Decision:**

Upon being put to the vote the substantive motion was carried.

**Delivering Cost of Living Support**

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This Council resolves to:

1. Write to the Prime Minister to request that he delivers additional savings to all households, assists in the delivery of the Levelling Up initiative, and allocates sufficient funding for Medway.
2. Work closely with HM Government to deliver Medway's share of the £500m Household Support Fund on a timely basis.
3. Continue to develop, support and help those most in need or at greatest risk of hardship to ensure they are fully aware of the help and assistance that is available and to ensure they receive that assistance working with partners."

**Motion B**

Councillor Maple announced that due to the alteration made to Motion A, he had withdrawn his previously submitted motion, which had been published in the agenda as Motion B. The Motion was, therefore, not discussed by the Council.

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**Mayor**

**Date:**

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