

Medway Council
Meeting of Regeneration, Culture and Environment
Overview And Scrutiny Committee

Tuesday, 17 January 2023

6.35pm to 9.40pm

Record of the meeting

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

Present: Councillors: Etheridge (Chairman), Fearn (Vice-Chairman), Browne, Clarke, Curry, Hubbard, Murray, Andy Stamp, Tranter, Mrs Elizabeth Turpin and Williams

Substitutes: Councillors:
Murray (substitute for Edwards)
Mrs Elizabeth Turpin (substitute for Rupert Turpin)

In Attendance: Richard Hicks, Director of Place and Deputy Chief Executive
Andrew Bull, Strategic Infrastructure Planner
Councillor Howard Doe, Deputy Leader and Portfolio Holder for Housing and Community Services
Alex Constantinides, Strategic Lead Front Line Services
Ruth Du-Lieu, Assistant Director, Front Line Services
Michael Edwards, Head of Transport and Parking
Dave Harris, Head of Planning
Councillor Clive Johnson
Jon Pitt, Democratic Services Officer
Councillor Wendy Purdy
Dee O'Rourke, Assistant Director, Culture & Community
Karen Tamsett, Highway Management Engineer

519 Apologies for absence

Apologies for absence were received from Councillors Carr, Edwards, Lammas and Rupert Turpin.

520 Record of Meeting

The record of the meeting held on 8 December 2022 was agreed and signed by the Chairman as a correct record.

521 Urgent matters by reason of special circumstances

There were none.

522 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

Councillor Curry declared an interest in agenda item No.6 (Attendance of the Deputy Leader and Portfolio Holder for Housing and Community Services) as he is the Chair of Medway Local Access Forum.

523 Petitions

Discussion:

Members considered a report which advised the Committee of petitions received by the Council which fell within the remit of the Committee, including a summary of the responses sent to the petition organisers by officers.

Two petitions had been referred to the Committee for consideration. The first petition referral related to speeding vehicles on the A2 Watling Street between the Star and Ash Tree pubs. It was requested that traffic calming measures be put in place to slow traffic in the area.

Councillor Purdy was invited to speak on behalf of the petitioners. She said that there was a significant problem with speeding in the area and that there had recently been a fatality. It was requested that electronic signage be installed in the area to make drivers aware of the 30mph speed limit.

In discussing the petition, the following responses were made to comments from Members:

Use of Vehicle Activated Signs (VAS) – It was confirmed that installation of this type of sign was a possible outcome of the investigatory work that would be undertaken at the location. The Council also had a mobile Speed Indicator Device which could be deployed there for a temporary period.

Signage and foliage – The signage used across Medway to highlight speed was being looked at and a commitment was given to investigate the section of Watling Street that had been highlighted by the petition. It was accepted that there was sometimes an issue of foliage obstructing signs and it would be ensured that signs were visible.

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Date when action would be taken by – It was confirmed that the issues highlighted by the petition would be investigated during the current financial year and that feedback would be provided by the end of March 2023 to set out proposed action.

The second petition referral requested the establishment of a parking scheme for residents near the new St John Fisher school on City Way. Councillor Murray was invited to speak on behalf of the petitioners. She highlighted the need for a resident parking scheme to be established in the area as the opening of the school would have a significant impact on parking in the area. Her colleague had met with the parking design team in the previous week and work was being progressed. There were plans for a drop-in session with local residents, followed by a formal consultation. Council Murray thanked the Portfolio Holder for Front Line Services, Councillor Filmer for taking this work forward and recognised the work of officers.

Decision:

- a) The Committee noted the petition responses and appropriate officer action in paragraph 3 of the report.
- b) The Committee considered the petition referral requests in paragraph 4 and the Director of Place and Deputy Chief Executive's responses.

524 Attendance of the Deputy Leader and Portfolio Holder for Housing and Community Services

Discussion:

Members received an overview of progress on the areas of work within the terms of reference of this Committee and covered by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, as set out below:

- Archives
- Armed Forces Covenant
- Events and Festivals
- Greenspaces
- Heritage
- Leisure Services
- Sporting Legacy
- Theatres and Arts
- Tourism

The Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe responded to Members' questions and comments as follows:

Splashes Leisure Centre, Hoo leisure provision and greenspaces funding – It was asked what the expected Council subsidy of the new Splashes Leisure

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Centre would be and what leisure provision was planned on the Hoo Peninsula. In relation to greenspaces. It was asked whether some of the income generated by events held on Council owned greenspaces could be used to contribute to the greenspaces budget. In response, the Portfolio Holder said that the exact amount of subsidy that Splashes would require had not been finalised but it was expected that an ongoing commitment would be needed as was the case for all Council run swimming pools. It was considered that the new pool would be well used by the local community. In relation to Hoo, the Portfolio Holder was looking to ensure that it had good leisure provision but that could not be delivered immediately as it was dependent on housing development. The Portfolio Holder did not consider that recharging income generated by events at greenspaces would be worthwhile and this was not something he was considering.

Rochester Post Office – Noting that Rochester Post Office was due to close at its current premises, it was asked whether the Council would support the Post Office to find alternate premises. The Portfolio Holder said it was important for a Post Office to be retained in Rochester and work was taking place to look at other premises, including whether the Post Office could be located at the Rochester Community Hub.

Leisure Provision, College of Art and Public Footways Officer – A Member asked whether there was confidence that the Council's other four leisure centres could be maintained to an acceptable standard as Splashes was developed. It was also questioned how the Council could help to identify premises for the College of Art. The Member also asked why Medway did not have a dedicated Public Footways Officer.

The Portfolio Holder advised that the Council's other leisure facilities would be maintained to the required standard and Members were encouraged to report any issues. He had met with the Head of Mid Kent College and considered that the College of Art would be a viable proposition. The Council would offer assistance where it could. Councillor Doe set out the current financial challenges and how they impacted on having a dedicated Public Footways Officer, but did not consider this to have had an impact on reported issues being addressed.

Twydall play schemes – A Member asked when Twydall would be added to the list of priority play schemes as she had been advised previously that it would be added to the 2022/23 list. The Member said that play equipment at the Beechings Playing Fields was in need of renovation and suggested that greenspaces in Twydall were underused for events. The Portfolio Holder undertook to look at the Twydall play area and the netball courts, to investigate whether any S106 funding could be obtained and to keep the Member updated on progress. In relation to greenspaces, there was no intention to exclude Twydall from hosting events and this could be considered further. £500,000 had been invested in the local Community Hub.

Local Access Forum – Concern was expressed that it was a statutory function to run a Local Access Forum and to manage footpaths and that not having a

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dedicated Footpaths officer appeared to amount to reduced commitment. The Portfolio Holder said that steps had been taken to ensure that greenspaces were run in accordance with the Council's green agenda. He said that he had not heard the case for an additional officer to be provided but that this did not mean that the relevant work was not being done and he did not accept that the standards of greenspaces in Medway had reduced.

Spotlites Theatre Company – Referencing a planning application that had been submitted in relation to the Buzz Bingo site, a Committee Member said access to the car park had been blocked off and that there was a risk that the Company would not be able to remain at the premises. It was asked what the Council could do to support Spotlites. The Portfolio Holder said that it was a planning matter but that he was prepared to engage with Spotlites Theatre regarding the issue.

Hoo leisure facilities – Concern was expressed that development of leisure provision on the Hoo Peninsula appeared to be dependent on increases in future population. It was also asked how often the Future Hoo Delivery Board met and whether minutes of its meetings were available.

The Portfolio Holder said that while the questions raised were outside of his Portfolio responsibilities, he had no doubt that a leisure centre would be provided. The Director of Place and Deputy Portfolio Holder confirmed that the relevant Cabinet Portfolio Holders were the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships and the Leader's Portfolio.

Use of S106 Funding and Splashes charges – A comment was made that S106 funding from areas such as Rainham, the Strood Peninsula and Cuxton were used to support Great Lines Heritage Park when residents in these areas were unlikely to benefit. It was asked whether non-Medway residents would be charged higher fees for using the new Splashes Leisure Centre than Medway residents and whether there would be sufficient parking available. The Portfolio Holder said he was sympathetic to the idea of Medway residents paying less but that pricing was yet to be determined. It was considered unlikely that there would be a significant number of centre users travelling from outside Medway and that parking provision was likely to be adequate.

Shorts Brothers and Temple Manor – Noting that the report set out that 2023 was the 75th anniversary of the Short Brothers aviation firm leaving Medway, it was asked why this part of Medway's heritage had not been celebrated previously. It was suggested that more needed to be done to promote other heritage sites in Medway, such as Temple Manor. The Portfolio Holder said a flying boat landing in the River Medway had previously been planned but that this had been cancelled due to equipment breakdown. He had been in contact with the Shorts family and was keen that the legacy be celebrated and considered that Medway's archives were an appropriate place. In relation to Temple Manor, the Portfolio Holder had requested that work be taken forward to look at developing a better access to the site along with associated parking.

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Decision:

The Committee:

- a) Thanked the Portfolio Holder for his attendance at the Committee.
- b) Noted that the Portfolio Holder would further consider options for relocation of Rochester's Post Office and requested that the Committee be updated on progress.
- c) Noted that the Portfolio Holder would investigate funding options for play equipment and netball courts in Twydall.
- d) Noted that contact would be made with the Spotlites Theatre Company regarding potential support that the Council could offer to them.

525 Member's Item: Road Safety

Discussion:

In accordance with Medway Constitution Overview and Scrutiny rules (Chapter 4, Part 5 Paragraph 9.1) Councillor Johnson had requested that this item be included on the agenda concerning road safety. This related to the effort and expense of the Deanwood Drive speed limit change, which had cost £18,000 to enable vehicles to travel at 40 mph legally for less than half a mile. Councillor Johnson considered that little attention had been given to road safety in Gillingham South.

In introducing his item, Councillor Johnson highlighted concerns of residents and Councillors about road safety in Gillingham South ward. These concerns related to Canterbury Street, Marlborough Road, Nelson Road, Duncan Road, Napier Road, Barnsole Road, Rock Avenue, Sturdey Avenue and Gillingham Road. Residents felt they lived in constant fear due to issues such as speeding traffic, obstructive parking and difficulty crossing roads. Peak traffic time could make these problems worse.

Councillor Johnson welcomed the offer made in the report for officers to meet him but said that he had previously raised many issues over a number of years. A petition had also recently been submitted to the Council in relation to speeding traffic in Gillingham Road. Although officers had responded to previous issues and mobile speed equipment had been deployed, Councillor Johnson considered that little else had changed. Officers had advised that the accident record did not warrant action, funds were limited and that they needed to be used in areas with the highest need. There was concern that a serious accident would be needed before action was taken and that local community intelligence was not being used effectively.

There had been a change in speed limit from 30mph to 40mph for a section of Deanwood Drive that was approximately half a mile long. There were 30mph sections at either end of this section. Councillor Johnson considered that this

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change had been illogical and had not warranted the £18,000 cost. He welcomed the offer that had been made of a meeting between him and officers and requested that the other ward Councillors for Gillingham South be invited to attend. Councillor Johnson hoped that this meeting would focus on the issues that he had raised and support the development an action plan.

In response, the Head of Transport and Parking said that it was anticipated that the speed limit change made on Deanwood Drive would promote wider speed limit compliance along the whole section of road, including the 30mph areas. Speed limits were kept under review and changes would be made where this supported safe road use. The Council had a statutory duty to prevent casualties. Decisions were predominantly data led and also in response to local community concerns. An example of a data driven scheme was a road safety scheme in Luton where significant investment had been made in road safety infrastructure. An example of a community concern scheme could be installation of vehicle activated speed warning signs and road markings.

A Member said that he was surprised that the change to the speed limit had been made on Deanwood Drive. He said responses to traffic issues sometimes lagged behind the data and considered that this could be one such example. Another Member asked for assurance that data would be the primary driver of changes in the area. The Head of Transport and Parking offered this assurance. He highlighted that there were not always clear trends in accident data as they could be caused by a number of factors. Medway had a data analyst who looked at the detail.

A Committee Member said they could not see the justification for increasing the speed limit in Deanwood Drive. He suggested that there was a lack of consistency and transparency in how some of the Council's road safety budget was allocated and asked whether a traffic survey had been undertaken before the limit had been changed. It was also requested that a further survey be carried out to establish whether traffic speeds had increased. The Member asked whether such a survey would be carried out on the whole length of the road to include the 30mph and 40mph zones.

The Head of Transport and Parking said that a traffic survey had been undertaken ahead of the changes being made. This had found that traffic speeds in Deanwood Drive were not consistent with the 30mph speed limit and it was considered that this was having an impact within the residential area of Deanwood Drive. Making the change to the speed limit in a section of the road was considered to have emphasised the importance of the 30mph limit in the residential sections of the road. A further survey would be carried out and this would include the 30mph and 40mph zones.

The Director of Place and Deputy Chief Executive proposed that a Briefing Note be produced for the Committee to set out the rationale and outcome of the traffic survey. A Committee Member expressed concern that any further work would be at a cost and might not fully address the issues raised by Councillor Johnson through his Members' item.

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Decision:

- a) The Committee noted the Director's comments provided in response to the Member's item.
- b) Requested that a meeting take place between Councillor Johnson and officers take place to discuss the issues raised and that the other ward Councillors for Gillingham South be invited to attend.
- c) Requested that a Briefing Note be sent to the Committee to set out the rationale for and outcome of the traffic survey in relation to the speed limit changes in Deanwood Drive.

526 Highway Infrastructure Contract - Annual Review

Discussion:

This report presented the annual review of the Highway Infrastructure Contract between Medway Council and VolkerHighways. This covered the period from August 2021 to July 2022. The contract had commenced in 2017 for an initial period of five years, with the possibility of five single year extensions, depending on performance. VolkerHighways had achieved the level required for a fourth year extension which meant that the contract was currently scheduled to end on 31 July 2025.

The following was discussed:

Pothole fixing, communication, low emission vehicles and contract extension – A Member asked how the fixing of potholes could ensure that further repairs were not needed and whether the methods used could be improved. They were also concerned about communication with residents ahead of road closures and co-ordination between organisations. It was also asked how the rollout of electric vehicles was progressing and whether extension of the contract was good value for the Council.

The Volker Highways representative said that the preferred method of pothole repair varied between local authority areas and that repairs had to be within available budgets. Where a repair was found to be defective this would be rectified at no cost to the Council. The use of electric vehicles was only currently considered viable for smaller vehicles due to the limited range of large vehicles, which decreased further during the winter. Alternative fuels were being investigated but there were challenges related to these. The Strategic Lead, Frontline Services said that there would be a particular effort to fix potholes over the next four to six weeks and that permanent fixes would be made where possible.

The Assistant Director, Frontline Services, acknowledged that communications were not always as good as they could be, particularly when emergency repairs needed to be undertaken. The Traffic Operations and Street Works Teams had been brought together and it was anticipated that this would help to improve

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communication. The existing contract had only been extended due to Key Performance Indicators having been met. Subject to the indicators being met, the existing contract could be extended to 2027 at the latest.

Permanency of repairs – in response to a question that asked what determined whether a repair made would be temporary or permanent, the VolkerHighways representative said that repairs that were undertaken as part of the planned programme of works would be permanent and that temporary repairs tended to be used where unexpected defects were identified.

Road and pavement repairs and gritting – It was suggested that a dedicated programme was needed to ensure that pavements were cleared of snow and gritted and that more attention was needed to pavement repairs. A section of City Way and some other local roads were highlighted as being in a poor state of repair. The amount of permanent repairs being undertaken and frequency at which temporary repairs became permanent was highlighted as being a concern. It was also asked how quickly priority 1 and priority 4 repairs would be carried out.

The Strategic Lead, Frontline Services said that the pavements in main areas were gritted and that grit bins were replenished during cold weather. Where issues were highlighted by residents these would be addressed as best as they could be. A trial was being developed and it was anticipated that this would result in an increased level of permanent repairs being made. The Roads and Highway Consultant said that response times for priority 1 and priority 4 repairs would depend on the safety implications but that typical timescales would be within 24 hours for Priority 1 repairs and within 28 days for Priority 4. These could often be scheduled sooner subject to all Priority 1 repairs having been dealt with. Potholes were more prevalent on roads that had not being resurfaced for a long period of time

Scheduling of works – An example of a newly resurfaced footpath in Park Avenue, Gillingham having been dug up for cable installation was highlighted. It was questioned how works were scheduled and what engagement took place with utility companies to ensure that there were not such occurrences. The Strategic Lead, Frontline Services said that strict criteria governed utility works and that permits were issued for planned work. There should therefore not have been an occurrence of a pavement having been resurfaced immediately prior to planned works being undertaken. The Member was invited to provide further details to enable the issue to be investigated.

Car park gritting – in response to a question about gritting of car parks, the Assistant Director, Frontline Services said that some of the Council's larger public car parks were routinely gritted, and she undertook to provide the Committee with a list of public car parks that were gritted.

Adoption of roads – In response to a Committee Member who commented on the sometimes long time period before roads in new developments were adopted by the Council, the Assistant Director, Frontline Services said that there were certain standards that roads had to reach before the Council would

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consider adopting them. The Roads and Highways Consultant added that this was important to ensure that developers did not use adoption as a way of avoiding maintenance liabilities.

Decision:

The Committee:

- a) Noted the contents of this report and the Annual Review for Year 5 of the HIC as set out in Appendix 1.
- b) Requested that consideration be given regarding how to improve communication to residents in relation to highway works.
- c) Requested that the Assistant Director, Frontline Services provide the Committee with a list of public car parks that were gritted.

527 Highway Asset Management Policy and Strategy

Discussion:

This report set out a new Highway Asset Management Policy and supporting Strategy. This would provide the Department for Transport (DfT) the necessary evidence of the Council's commitment to asset management, in order to receive Incentive Funding. It was noted that the Policy and Strategy would replace existing documents.

A Committee Member acknowledged the need to produce such documents in order to receive funding, which he considered to be a tick box exercise. He expressed concern regarding the condition of some of the assets described in the Strategy and emphasised the need for increased funding. In relation to the major fault that had resulted in the closure of the Medway Tunnel, the Member questioned whether this could happen again and the viability of Medway Council continuing to manage the operation of the Tunnel.

In response, the Assistant Director, Frontline Services said that the Tunnel closure had lasted for 36 hours and had been necessary on safety grounds due to a failure of the system that managed fans, pumps and CCTV. This had been caused by an IT issue. A temporary repair had been made and following a recent planned closure, a permanent repair had been completed. This was the first time that such a closure had been necessary.

Going forward, £4.9 million of Department for Transport Challenge Fund had been secured to replace infrastructure in the Tunnel and additional funding had been secured in the last six months. The system that had caused the closure would be replaced. There was ongoing dialogue between the Council and the Department of Transport and the Department was aware of the importance of the Tunnel to Medway and the wider region.

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The Roads and Highways Consultant said that the development of the Highway Asset Management Strategy was not intended to be a simple tick box exercise. Implementation of the Strategy would help ensure that Medway complies with best practice. Medway would be committing itself to planning ahead and making a transparent commitment upon which it could be held to account.

It was asked whether additional funding for Medway was being requested from the DfT. The Strategic Lead Frontline Services said the DfT was well aware of the funding challenges and condition of the highway network across the country and that it had set aside the Incentive Fund to seek to address the issues.

Decision:

The Committee supported the adoption of the new Highway Asset Management Strategy and Policy to help maintain a Band 3 Self-Assessment Score, which would continue to maximise the 100% level of capital funding that was currently secured through the DfT Incentive Fund.

528 Transport for the South East - Strategic Investment Plan

Discussion:

The Committee received a report that set out TfSE's work in preparing the SIP. This set out a blueprint for investment in strategic transport infrastructure over the next 30 years.

The SIP was due to be considered at a TfSE Partnership Board meeting in March 2023 before being submitted to Government. As one of the 16 constituent authorities, the SIP needed to be agreed by Medway's Cabinet. Should this not be agreed, the Council would not be able to support the SIP or be part of the submission to Government.

During discussion, a Committee Member said how important the development of a SIP and the issues that it covered were. This included the development of the road and rail network, active travel and how Medway connected to other areas. It was acknowledged that development of local infrastructure planning required integrated consideration of work taking place across the South East. The Member hoped that the Council would support the Plan.

Key concerns relating to Medway were emphasised by another Member. These included decarbonisation, and the need to reduce reliance on fossil fuels across the South East, the need to reduce congestion and the potential adverse impact of the proposed Lower Thames Crossing. The Member considered that the SIP covered the key infrastructure challenges.

A Member highlighted the proposed development of a Strood rail interchange and questioned whether the development of Hoo Peninsula passenger rail services was justified. This was because bus services to the interchange could provide better access to the Peninsula. Another Member referenced issues

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around availability of rural transport and older people not being able to use bus passes on early morning services.

Decision:

The Committee considered the SIP, set out at Appendix 1 to the report, and agreed to forward comments to Cabinet.

529 Infrastructure Funding Statement

Discussion:

The Committee received a report setting out the Annual Infrastructure Funding Statement. This was being presented to the Committee as the Committee had previously requested that the document be reported to its next meeting following approval by Cabinet. The IFS provided details of funding agreed, funding received and spent and details of proposed spend.

A Member said that the report highlighted that S106 developer contributions would not be sufficient to provide the infrastructure needed for development in Medway. It was questioned why there had been an underspend and in relation to protection of bird habitats on the north Kent Marshes, the use of developer contributions for this purpose was welcome.

In response, the Head of Planning agreed that developer contributions did not provide sufficient funding to deliver the required infrastructure. Developer contributions would be reviewed as part of the Local Plan development. Associated viability assessments would be undertaken and early work suggested that developer contributions could be increased, particularly in relation to greenfield sites. There was a need to investigate other funding sources. The spending set out in the report was a snapshot in time and the contributions received were held until they were needed. In relation to bird habitats, the contributions helped to offset the impact of development and ensure that legal obligations were met.

With regards to the repayment of borrowing related to education, a Member asked whether interest payments could be recovered and how much the interest payments were in addition to the borrowing figure of £2.2million set out in the IFS. The Head of Planning undertook to investigate this and provide information to the Committee.

A Member asked whether in the event that a developer was not able to pay the originally anticipated level of S106 contribution, this meant that the contribution would not be made. The Head of Planning said that circumstances could change, particularly increased costs. This could result in a development no longer being viable, which could cause the development not to proceed or to not make payments. Depending on the circumstances and the benefit that the development would bring to Medway, consideration could be given to a reduced S106 contribution being agreed. This would be a decision for the Planning Committee. Developers had to provide evidence of affordability

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through a viability assessment which was independently checked and there was also an appeal process in place.

It was suggested by a Member that there should be more Member involvement in setting strategic parameters for priorities relating to the use of S106 funding. The Head of Planning said that the allocation of S106 funding was in accordance with the Developer Contributions Guide and that this was agreed by Members. Where a full contribution being made was not viable, how the funding was used would be a matter for the Planning Committee. Consideration could be given as to how to make clear what the S106 requests were.

A comment was made by a Member that in addition to the provision of affordable housing, it also needed to be ensured that suitable adaptable housing was provided for the aging population.

Decision:

- a) The Committee noted the Infrastructure Funding Statement, 2022 as set out at Appendix 1 to the report.
- b) The Committee requested that the Head of Planning provide information to the Committee to set out whether interest payments relating to planning obligations could be recovered and the value of these interest payments.

530 Work programme

Decision:

The Committee agreed the proposed work programme, set out at Appendix A to the report.

Chairman

Date:

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