

## **Motions**

### **Motion A - Councillor Edwards has submitted the following:**

#### **Standing up for Responsible Tax Conduct**

##### Full Council notes that:

1. The pressure on organisations to pay their fair share of tax has never been stronger.
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.
4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

##### Full Council believes that:

1. Paying tax is often presented as a burden, but it shouldn’t be.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
4. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.
5. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils’ ability to either penalise poor tax conduct (as

exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.

6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

Full Council resolves to:

1. Approve the Councils for Fair Tax Declaration (attached at Appendix 2.)
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
6. Demand clarity on the ultimate beneficial ownership of suppliers.
7. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
9. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.
10. Request that the Cabinet receives a report in due course regarding the implementation of the measures set out in points 1-9 above.

**Motion B – Councillor Spalding has submitted the following:**

This Council fully supports the proposal from Rivermead Inclusive Trust to take over the vacant buildings and site of Stoke Primary School in order to provide much needed additional places for those pupils requiring supported education and requests a letter be sent to the Regional Schools Commissioner confirming this full support.

## **Motion C – Councillor Lammas has submitted the following:**

### **Neurological Diversity and SEND**

This Motion stems from my personal experience as a recipient of SEN support growing up and learning at Medway schools, my recent visit to Maundene Primary School in my ward of Princes Park and my wish that neurodiverse children reach their full potential in Medway.

### **Background**

Neurological diversity or 'Neurodiversity' describes people that experience and interact with the world around them in many different ways; there is no one "right" way of thinking, learning, and behaving, and differences are not viewed as deficits.

The word neurodiversity can be broad and include those suffering brain injury, but it is often used in the context of those with Autism Spectrum Disorder (ASD), as well as other neurological or developmental conditions such as Attention Deficit, Hyperactivity Disorder (ADHD) or learning disabilities such as dyslexia.

Neurodiverse children and young adults with Special Educational Needs and Disabilities (SEND) are often supported in mainstream schools to help meet their learning needs. This additional support is funded through 'high needs' funding, which the Council appropriate and distribute.

Education, Health and Care (EHC) Plans are for children and young people aged up to 25 who need more support than is available through special educational needs support in a mainstream setting. EHC Plans help identify educational, health and social needs and set out the additional support to meet those needs.

### **This Motion seeks to**

1. **Remind** the Council of their statutory responsibilities as a local authority and employer under the Autism Act 2009, Equality Act 2010, Children and Families Act 2014 and the Health Care Act 2022.
2. **Promote** the understanding of the needs of neurodiverse children, young adults and adults in Medway.
3. **Ensure** that the Council never places barriers to accessing SEND support high needs funding for schools.
4. **Improve** the length of time between high needs funding applications and receipt by schools.
5. **Enhance** the Council's communication with schools, as well as parents of children and young people with SEND, and young people themselves.

**Council Notes:**

1. It has statutory responsibility as a local authority and employer under the Autism Act 2009, Equality Act 2010, Children and Families Act 2014 and the Health Care Act 2022 and other guidance to support those with SEND both as an education authority and an employer.

**Council Commits:**

1. To promote the understanding of the needs of neurodiverse children, young adults and adults in Medway through the training for all staff on the statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities.
2. To work to ensure the most appropriate support is provided to SEND children and young adults in education. Medway Council will never use Education, Health and Care plans as barrier to accessing support in mainstream schools or high needs funding.
3. To revise internal procedures to reduce the time between the submission of application for high needs funding from schools and receipt.
4. To ensure that any changes to SEND provision and high needs funding arrangements in Medway are made in close consultation and co-production with the schools and colleges which will be affected. The local Schools' Forum is one way through, but the Council will consult with parents of children and young people with SEND, and young people themselves.

## **Motion D – Councillor Pearce has submitted the following:**

Wednesday 21st June marked ten years since Medway Council's Core Strategy (Local Plan) was found unsound by the Planning Inspector. This Plan included the destruction of the Lodge Hill Bird Sanctuary with a new 5,000 home town on the Hoo Peninsula.

Lodge Hill is designated a Site of Special Scientific Interest (SSSI). This is a nationally protected and incredibly important haven for wildlife, containing rare grassland, insects, flora and fauna. It is specifically the best and most important site for Nightingales in the whole of Britain. A truly wonderful and culturally iconic bird which appears in several of Shakespeare's plays.

"Wilt thou be gone? It is not yet near day. It was the nightingale, and not the lark,  
That pierced the fearful hollow of thine ear. Nightly she sings on yon pomegranate  
tree. Believe me, love, it was the nightingale." - Romeo and Juliet (3:5 2098-2102).

Lodge Hill was not just rejected by the Inspector because it was a special and nationally protected site - the Council had also failed to properly consider alternative locations for the development, including in less harmful locations, and was too narrowly focused on the Hoo Peninsula.

Following two failed Core Strategies (Local Plans) and a failed planning application to destroy Lodge Hill, Medway Council rightly declared a Climate Emergency in April 2019. If the Lodge Hill Plan had succeeded this beautiful wildlife habitat would currently be in the process of being destroyed - at the same time as the declaration. The natural world is now at the forefront of people's minds and decision making.

On reflection, this new Council believes the previous promotion and allocation of the Lodge Hill site for development by former Councils was fundamentally unsound and clearly went against the National Planning Policy Framework (NPPF). Moving forward, this new Council will champion and celebrate our wonderful Nightingales and other wildlife here on the Hoo Peninsula.