

Medway Council
Meeting of Medway Council
Thursday, 13 January 2011
7.00pm to 10.55pm

Record of the meeting

Subject to approval as an accurate record at the next Full Council meeting

Present: The Mayor (Councillor Brake)
The Deputy Mayor (Councillor Hewett)
Councillors Andrews, Avey, Baker, Kenneth Bamber, Bhutia, Bowler, Brice, Bright, Burt, Carr, Rodney Chambers, Mrs Diane Chambers, Chishti, Chitty, Clarke, Crack, Doe, Etheridge, Filmer, Gilry, Godwin, Tony Goulden, Val Goulden, Griffin, Griffiths, Gulvin, Harriott, Haydock, Hicks, Hubbard, Jarrett, Juby, Sheila Kearney, Stephen Kearney, Kemp, Maple, Mason, Murray, O'Brien, Reckless, Royle, Ruparel, Shaw, Smith, Stamp, Sutton, Wicks and Wildey

In Attendance: Neil Davies, Chief Executive
Rose Collinson, Director of Children and Adults
Robin Cooper, Director of Regeneration, Community and Culture
Mick Hayward, Chief Finance Officer
Wayne Hemingway, Cabinet Coordinator
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Julie Keith, Head of Democratic Services
Deborah Upton, Assistant Director, Housing and Corporate Services/Monitoring Officer

682 Record of meeting

The records of the two meetings held on 25 November 2010 were agreed and signed by the Mayor as correct with the following additions:

Minute 548 – To add the following declaration of interest: “Councillor O’Brien declared a personal interest in any discussion that may take place during the course of the meeting with reference to the NHS because some of his family members are employed by the NHS”.

Minute 552(C) – paragraph 6 – replace “Client Change Officers” with “Climate Change Officers”.

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Minute 555(D) – paragraph 5 (penultimate line) – replace “unavailable” with “available”.

683 Apologies for absence

Apologies for absence were received from Councillors Janice Bamber, Hunter, Mackinlay and Maisey.

684 Declarations of interest

Councillor Godwin declared a personal and prejudicial interest in agenda item 14 (Annual Review of Contract Letting in Exceptional Circumstances) because his wife was employed under one of the contracts specified in the report. He also declared a personal interest in item 19A (Motion) because he was a Council appointed Member of the Kent Police Authority.

Councillor Griffiths declared a personal interest in any discussion that may take place during the course of the meeting with reference to NHS Medway because he was a Non-Executive Director of the Trust and a Non Executive Director of Medway Community Healthcare, and concerning Danecourt School, as his wife was an employee there.

Councillor O'Brien declared a personal interest in any discussion that may take place during the course of the meeting with reference to the NHS because some of his family members are employed by the NHS. He also declared a personal interest in item 19A (Motion) because he had made representations on the issue of directly elected Police Commissioners and also as the Cabinet Portfolio Holder for Community Safety and Enforcement he sat on a Joint Committee of Medway Council and the Kent Police Authority.

Councillor Reckless declared a personal interest in item 19A (Motion) because he was a Council appointed Member of the Kent Police Authority.

685 Mayor's announcements

The Mayor informed Members of a number of forthcoming charity events and encouraged them to support them in aid of the Mayor's Charities. These included a Gurkha and Nepalese Night on 9 February 2011, a Chinese Night on 1 March 2011 and a School Choir Celebration on 11 March 2011. He announced that the Mayor's Ball would take place on 19 March 2011 and that there would be a Theatre Night on Wednesday 6 April. Full details were available from the Mayor's office.

The Mayor sought Members' approval to take item 17 on the agenda (Rochester Riverside Phase 1A - Funding and Provision of Infrastructure) at the end of the meeting after the motions at item 19 in case it was necessary to go into closed session and exclude the press and public. This was agreed.

The Mayor welcomed Tony Dance, one of the Independent members of the Standards Committee to the meeting and reminded Members that Council

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meetings were now recorded to assist in producing an accurate record of supplementary questions and answers to questions.

686 Leader's announcements

There were none.

687 Petitions

The following petition was received and referred to the Director of Regeneration, Community and Culture:

Councillor Baker presented a petition requesting a salt bin to be installed on the corner of Cecil Road and Holcombe Road, Rochester, adjacent to St Peter's Infant School.

688 Public questions

(A) Bryan Fowler of Chatham asked the Chairman of the Regeneration, Community and Culture Overview and Scrutiny Committee, Councillor Bright, the following question:

At the Regeneration, Community and Culture Overview and Scrutiny Committee on 29 September, Members of the Conservative party, appeared to be acting in unison, by opposing the request of my Ward Councillor and your fellow Committee Member, that the Committee write to the owners of the Pentagon Centre about the matter of the refurbishment of the Shopping Centre toilets for which a public grant of over £200,000 was made.

The Pentagon Shopping Centre management did not replace the old, cracked wash basins and have levied a charge of 20p for each shopper using them.

The decision not to write to the Pentagon Centre management indicates that the majority of the Overview and Scrutiny Committee are content with the quality of work performed and approve of £200,000 of public money being spent without any negotiated outcomes from the funders' point of view. Could the Chairman comment on his Committee's reason for doing what it did?

Councillor Bright responded by thanking Mr Fowler for his question and by stating that all members of the Regeneration, Community and Culture Committee had carefully considered the issue at the meeting on 29 September 2010 and after being put to the vote the Committee decided not to write to the owners of the Pentagon Centre. Councillor Bright stated that Mr Fowler seemed to be suggesting that there was some collusion amongst the members but he reassured him that there were no declarations of whipping during the meeting and that every member had a free vote.

Bryan Fowler asked a supplementary question in that the issue of the refurbishment of the toilets was inextricably linked to the bus station being relocated to Chatham's Waterside. He stated that Councillor Bright had spoken

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in favour of the bus station's relocation at the Planning Committee meeting in January 2010 and (as Chairman of the Regeneration, Community and Culture Overview and Scrutiny Committee) had consistently agreed that the Cabinet's decisions over the bus station could not be called in. He asked that in view of his reluctance to write to the Pentagon Centre's management about the refurbishment of the toilets could he respond to the public's disquiet about this matter and request a debate at Full Council about the refurbishment of the Pentagon toilets and the bus station project?

Councillor Bright responded that he would not be requesting that at Full Council.

(B) Bryan Fowler of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:

On 20 December 2010, the Director of Regeneration, Community and Culture placed a Temporary Prohibition of Traffic Order in the Medway Messenger which said "The additional safety measures include the prohibition of all Northbound traffic in Globe Lane between Medway Street and Globe Lane, and a prohibition of turning right from Union Street into Best Lane". The notice also stated "The order will only be effective only when appropriate signs are being displayed".

In fact, the prohibition of traffic turning right into Best Street (or is there a Best Lane?) occurred before the notice was posted.

Will he undertake to ensure a review of this notice is conducted as soon as possible as this has caused great inconvenience to the traders and residents of Chatham? If he conducts a review, will it include that Best Street will continue to be accessible by a right turn from Union Street as indicated in the application to Planning Committee in 2009?

Councillor Filmer responded by thanking Mr Fowler for his question. He said that the right turn from Union Street into Best Street was prohibited on 10 December as a result of concerns about traffic safety through the works and significant traffic delays. Councillor Filmer explained the scheme being constructed at Union Street included a right turn lane for traffic turning into Best Street, as indicated in the planning application for the scheme. He stated that the ban on the right turn would be removed following surface works and commissioning of the new traffic signals at the Union Street and Best Street junction.

Bryan Fowler asked a supplementary stating that the Union Street junction was causing immense consternation as well as immense congestion. He stated that never before had the road infrastructure of Chatham looked so overloaded and asked whether Councillor Filmer would commission a review of the road traffic infrastructure in Rochester and Chatham which could be chaired by a non-politically aligned chair?

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Councillor Filmer responded by stating that the Council monitored the works every day so he did not see the necessity to carry out such a review. He stated that the road works would be carried out as quickly as possible without too much detriment to the traders and the public.

689 Leader's report

Discussion:

Members received and debated the Leader's report, which contained the following issues:

- Review of 2010 (Economic Development initiatives, Medway Park, Great Lines Heritage Park, Eastgate House Heritage Lottery Fund application, Academies, external assessments of Children's Services and Adult Social Care, house building, Medway's festivals)
- Budget setting 2011/2012
- City status
- Chatham Dynamic Bus Facility/Road network
- Waste Contracts
- Thames Estuary Airport
- PACT review.

690 Report on overview and scrutiny activity

Discussion:

Members received a report on Overview and Scrutiny activities.

691 Members' questions

(A) Councillor Stephen Kearney, asked the Portfolio Holder for Housing and Community Services, Councillor Doe, the following question:

Will Councillor Doe confirm to Council what the Council policy is on removal of wreaths from War Memorials?

Councillor Doe stated that he understood the current practice, which had been in operation for over three years now, had been to remove wreaths approximately one month after Remembrance Day and that advice had been sought from the Commonwealth War Graves Commission and the War Memorials Trust and both had said there were no hard and fast rules around this issue, and that it was consistently stated this was a matter for local discretion.

He understood that enquiries were made of the Royal British Legion and prior to the Council meeting he had been told that the wreaths should remain in place for one month and then be removed. However, there now seemed to some doubt about that having spoken to Councillor Kearney, so Councillor Doe stated it was necessary to deal with this issue with a great deal of sensitivity.

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He did not want anyone to think that the Council did not acknowledge the debt that it owed to those that gave their lives in both of the world wars and also in the various wars since.

Councillor Doe stated that the Council would consult further with local bodies, however, he did not want to allow the wreaths to deteriorate to a point where they became disrespectful because they were so tatty and poor. He noted there was time to talk to the local organisations and reach a consensus with them and he was sure that that was quite an easy thing to achieve. He concluded by stating they would do this in the most sensitive way possible.

(B) Councillor Juby asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:

Will the portfolio holder look seriously at the issue of continuing the freeze on residential parking permits and also bring visitors permits back to the same figure, both of those being £25.

Councillor Filmer responded by stating that the Council took the decision to freeze residential permits for three years as it has done with the parking charges across Medway. The other matter Councillor Juby had mentioned was subject to the Council's budget setting process and it would not be appropriate for Councillor Filmer to comment outside that procedure. He noted the question and would ask the Deputy Leader to take on board his comments at the budget meeting in February

Councillor Juby stated that he hoped Councillor Filmer was successful in lobbying the Deputy Leader of the Council.

(C) Councillor Juby asked the Portfolio Holder for Strategic Development and Economic Growth, Councillor Chitty, the following question:

Will Councillor Chitty look into the issue that the maximum fees for planning applications is expected to be deregulated, which means that the larger applications (such as power stations on the Hoo Peninsula or the threatened airport) can be made to pay the costs of Medway Council administering them?

Councillor Chitty responded by stating she was sympathetic to the reasoning to the question because quite clearly some of the major planning applications were very expensive to administer as a planning authority. There were three options that the government had issued for consultation. She stated that Medway had made it clear that it preferred option one (Local Planning Authorities would set their own charges). She stated that the Council would be able to reflect cost and workload and the overall efficiency of dealing with some of these large planning applications. She did understand where people considered it was unfair that some applications for very large developments did not have to put in any funding to support the work that was being done.

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Councillor Juby asked whether the ability to charge our own fees would be able to be done in the budget setting process on 24 February 2011 or will it be under the new Council?

Councillor Chitty responded that it would not be possible to make any assessment as to what these costs and income could be until the law was established.

(D) Councillor Sheila Kearney asked the Chairman of the Licensing and Safety Committee, Councillor Mrs Diane Chambers, the following question:

In view of alcohol problems, particularly involving young people, is there a case for a tougher policy for licence applications?

Councillor Mrs Diane Chambers responded by stating that the current Licensing Act came into being in 2003. That Act required the Council to publish a statement of Licensing Policy setting out how it intends to carry out its functions under the Act. That policy had to be reviewed every three years and in setting its policy the Council must have regard to the Licensing Act and the government guidance in setting the policy. The document was required to set out a general approach to making licensing decisions but it must not be inconsistent with provisions of the Licensing Act, as this governed the rights of individuals to apply for a variety of licenses and permissions and to have those applications considered on their individual merits.

Licensing Policy must, in accordance with government guidance, make it clear that licensing was not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the licensee.

The Council had consulted on amendments to its Licensing Policy and was considering those later on in tonight's agenda. The Licensing Policy set within the restraints imposed by the Licensing Act it cannot in itself prevent alcohol problems. The Council and the police had powers to deal with licensees committing offences under the Licensing Act and the Council's Licensing Policy. The licensing team carried out numerous joint enforcement activities with the police each year.

(E) Councillor Crack asked the Portfolio Holder for Children's Services, Councillor Wicks, the following question:

Is he proud of this Conservative Administration record regarding Children's Primary Education in Medway, given that they have been in complete control since 2003?

Councillor Wicks stated that during the period 2003-2010, Medway had undertaken substantial investment and development of early years provision with the creation of 19 children's centres and Foundation Stage units. This investment had improved the outcomes by the end of the foundation stage and was beginning to impact on Key Stage 1 outcomes.

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The Early Years Foundation Stage results had improved significantly from 2005 into 2010, 2005 being the earliest year for which the Council had data.

At Key Stage 1, performance at level 2+ was close to the national average. The focus of work in recent years had been on improving performance, particularly for boys, at level 2B+.

Primary education in Medway ended as children reached the age of 11 and the national benchmark for the end of this phase was key stage 2 SATs, where Medway had improved by the same number of percentage points in English level 4+ and mathematics level 4+ as national improvement gradient. However, the percentage of children below level 4 was higher than the national average and this remained a concern and a focus for ongoing work.

The achievement of vulnerable groups by the end of primary had improved significantly over the last year. Looked after children achieved better than the national average for this group and had gone on to secondary phase well placed to make good progress. Similarly, in 2010 there was a 5 point increase in children eligible for free school meals achieving level 4+ in English and maths, closing the gap between this group and the rest to 18%, which was better than the national gap.

Councillor Wicks stated that he remained concerned about progress through key stage 2 and performance by the end of primary phase. The Council was working in partnership with schools to raise girls' achievement in maths, and boys' achievement in English and to continue to raise the achievement of disadvantaged groups.

Councillor Crack asked whether the Portfolio Holder for Children's Services was equally proud of the way in which his department mishandled the recent primary school closure and merger programme? Also, the fact, in spite of some improvements, Medway primary schools finished very low down in the national league tables in a recent report.

Councillor Wicks responded by stating there were something like 19 schools originally in the Primary Capital Scheme and the only comments had been made about two where the adjudicator got involved. The adjudicator's judgement on how the Council undertook all that consultation and made its decisions was that it was a good, clear, transparent, straightforward process and did not have the disadvantages which some perceived and that the amalgamations which were brought about through that programme had to be good news for a large number of our children.

He said that as far as league positions were concerned, the last league table that Councillor Crack referred to was one that was based on the SAT2 tests which were boycotted by a large number of schools across the country and as such was an invalid measurement.

(F) Councillor Maple asked the Leader of the Council, Councillor Rodney Chambers, the following question:

If the Chatham 'Dynamic Bus Facility' is not completed by 31 March 2011, what financial impact will there be on Medway Council and therefore Medway residents?

Councillor Rodney Chambers responded that with regard to the bus facility, the architects and contractors had given a presentation to the Chatham Members Board that week and informed them that they would be completed on site by 1 August and anticipated that Arriva buses could transfer from the Pentagon into the new bus station around 1 July and of course other bus companies could also start using it at that time.

Although much of the building works would be completed in the next few months, the completion date had been delayed by the effects of the inclement weather experienced throughout December. Following the completion of the building, further work would continue to install the new computer systems which provided information so that approaching buses were allocated to the correct stops. This information would also be relayed to waiting passengers.

Funding for the project was agreed by the Homes and Communities Agency as part of their Thames Gateway funding and he did not anticipate any overspend.

The project was funded until 31 March but because of the unforeseen delays caused by the weather and other issues, officers had been in discussion with the HCA to seek an extension of the funding to its completion. He stated that the Council had received positive responses which suggested that there would not be an issue in seeing the project through and in HCA funding it to its end.

Councillor Maple referred to the ongoing discussion and dialogue between officers and the HCA and that the Leader saw no real concern. He asked if Councillor Chambers had a firm guarantee from the HCA that the funding would not be withdrawn if the project was not completed by 31 March?

Councillor Rodney Chambers stated that was why the discussions were ongoing on, i.e. to seek that guarantee and there had been extensive discussions this week and he had no doubt there would be discussions next week and once we had that guarantee he would inform Members.

692 Licensing Act 2003 - Review of Statement of Licensing Policy (Policy Framework)

Discussion:

This report asked Council to consider and approve the Council Statement of Licensing Policy, following consideration by the Licensing and Safety Committee, the Business Support Overview and Scrutiny Committee and Cabinet.

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Councillor O'Brien, supported by Councillor Mason, proposed the recommendations set out in the report.

Decision:

The Council agreed the proposed changes to the Licensing Policy as set out in paragraphs 5.1.1 – 5.1.5 of the report as part of the Council's policy framework.

693 Sex Establishments and Sexual Entertainment Venues

Discussion:

This report asked Council to consider the draft Policy Statement proposed following changes to the Local Government (Miscellaneous Provisions) Act 1982 introduced by the Policing and Crime Act 2009 in respect of Sex Establishments and Sexual Entertainment Venues.

Councillor O'Brien, supported by Councillor Jarrett, proposed the recommendations set out in the report.

Decision:

- (a) The Council adopted Section 27 of the Policing and Crime Act 2009 with the first appointed day being set as 1 April 2011.
- (b) The Council adopted the Statement of Policy in respect of Sex Establishments and Sexual Entertainment Venues, as set out in Appendix 1 to the report.
- (c) The Council approved the amendments to the Licensing and Safety Committee's Terms of Reference, as set out in Appendix 2 to the report.
- (d) The Council approved an addition to the Employee Scheme of Delegation (part 4 of chapter 3 of the Constitution), as set out in Appendix 3 to the report, so that the Assistant Director, Housing and Corporate Services is delegated authority to grant any applications whereby no representations have been received and the Assistant Director is able to agree suitable conditions with the applicant (to take effect from 1 April 2011).
- (e) The Council noted that the Licensing and Safety Committee will consider the options for a Sub-Committee to decide on applications where there have been relevant representations received in relation to an application or where conditions have been proposed by officers but not accepted by the applicant.
- (f) The Council revoked its decision of 27 November 2002 which set a limit on the number of sex establishments licenses allowable to be a

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maximum of two within the Medway area, for the reasons set out in paragraphs 8.3-8.7 of this report.

694 Additions to the Capital Programme

Discussion:

This report sought approval to add two schemes to the Council's Capital Programme, namely, the Mercury Abatement Project and Woodlands Primary School – Improvements to Nursery, School Reception and SEN Provision.

Councillor Jarrett, supported by Councillor Wicks, proposed the recommendations set out in the report.

Decision:

The Council agreed to include the following schemes in the Capital Programme:

- Mercury Abatement Project
- Woodlands Primary School - Improvements to Nursery, Foundation and SEN Provision.

695 Annual Review of Contract Letting in Exceptional Circumstances

Discussion:

This report detailed contracts awarded in accordance with the provisions of the old Contract Rules 12.1 and 12.2 to deal with the letting of contracts in exceptional circumstances.

Councillor Jarrett, supported by, Councillor O'Brien, proposed the recommendations set out in the report.

Decision:

The Council noted the contents of the report.

696 Council Tax Base 2011/2012

Discussion:

This report set out the calculation of the Council's council tax base for 2011/2012 together with proposals to amend the discounts for second homes and long term empty homes. The report also set out a proposal to delegate the authority for the the calculation or determination of the council tax base to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance.

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Councillor Jarrett, supported by, Councillor Doe, proposed the recommendations set out in the report.

Decision:

- (a) The Council agreed to reduce the discount on second homes from 50% to 10%.
- (b) The Council agreed to continue to award zero discounts on long-term empty properties.
- (c) The Council agreed the Council tax base for 2011/2012 as set out below:

Area	Tax Base	Previous Year
Allhallows	639.85	610.64
Cliffe and Cliffe Woods	1,907.48	1,892.53
Cooling	85.84	85.39
Cuxton	1,030.89	1,031.68
Frindsbury Extra	2,444.00	2,358.66
Halling	1,054.95	1,042.43
High Halstow	738.47	745.00
Hoo St Werburgh	3,081.33	2,948.04
St James, Isle of Grain	489.84	486.34
St. Mary Hoo	102.31	98.39
Stoke	365.44	362.42
Council Area (excluding Parishes)	76,093.28	75,532.73
Total Council Area	88,033.68	87,194.25

- (d) The Council agreed that the Chief Finance Officer (in consultation with the Finance Portfolio Holder) be authorised to set future council tax bases and that the Monitoring Officer be delegated authority to add this to the Employee Scheme of Delegation and make the necessary consequential changes to the Constitution.

697 Appointment to Children and Young People Overview and Scrutiny Committee

Discussion:

This report asked the Council to appoint a new representative of the Medway Governors' Association to the Children and Young People Overview and Scrutiny Committee as a non-voting added member.

Councillor Royle, supported by Councillor Wicks, proposed the recommendations.

Decision:

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- (a) The Council appointed Bryan Frost as the Medway Governors Association representative on the Children and Young People Overview and Scrutiny Committee in a non-voting capacity.
- (b) The Council appointed Peter Martin appointed as the named substitute for the representative of the Medway Governors Association on the Children and Young People Overview and Scrutiny Committee in a non-voting capacity.
- (c) The Council agreed a vote of thanks to Pat Wozencroft for her hard work as the Medway Governors representative since January 2008.

698 Motions

(A) Councillor Maple, supported by Councillor Murray, submitted the following:

This Council notes:

- (i) The Kent Police Authority is currently comprised of 17 members, including nine elected councillors and eight independent members of the Kent community, who represent local views and concerns;
- (ii) Government is seeking to introduce elected Police Commissioners;
- (iii) Kent Police are expecting to cut spending by in the region of £40-50 million over the next four years;
- (iv) The Chair of the Kent Police Authority opposes directly elected Commissioners.

This Council believes:

- (i) Police are there to serve the public and should have no political affiliation to any political party because it will undermine public perception of independence;
- (ii) The cost of running elections will be high, as will additional staffing costs, and this represents additional cost diverted away from front-line policing;
- (iii) There is a lack of public demand for Police Commissioners;
- (iv) That Medway Council should support the Kent Police Authority Chair, Ann Barnes, and oppose the election of elected police commissioners;
- (v) That our MPs should vote against legislation in Parliament that will introduce Police Commissioners.

This Council resolves:

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- (i) That Medway Council oppose moves by government to directly elect a Police Commissioner for Kent Police;
- (ii) That the Leader of the Council should send letters to Medway MPs mandating them to oppose legislation in Parliament.

Decision:

On being put to the vote the motion was lost.

(B) Councillor Jarrett, supported by Councillor Hicks, submitted the following:

The Council notes, with indignation, that whilst Medway is facing a massive 11.9% reduction in its financial settlement in 2011/12, the UK's contribution to the European Union (EU) is set to rise by 60% over two years.

This Council notes that, despite the opposition of some Conservative MPs, and Labour and Conservative MEPs, it is likely that the government will agree to a further 2.9% increase in the overall EU budget.

This Council believes the EU should be treated the same as the other tiers of government and in these austere times should share responsibility, along with central and local government, for public spending reductions. Sharing the burden would result in less severe cuts for local authorities, and give more assistance to councils to protect front line services.

This Council therefore urges Medway's three MPs not to support an increase in the EU budget.

Decision:

The Council notes, with indignation, that whilst Medway is facing a massive 11.9% reduction in its financial settlement in 2011/12, the UK's contribution to the European Union (EU) is set to rise by 60% over two years.

This Council notes that, despite the opposition of some Conservative MPs, and Labour and Conservative MEPs, it is likely that the government will agree to a further 2.9% increase in the overall EU budget.

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This Council therefore urges Medway's three MPs not to support an increase in the EU budget.

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(Under Council rule 12.5 Councillor Chishti requested that his vote against the motion be recorded in the minutes)

(C) Councillor Murray, supported by Councillor Maple, submitted the following:

Council notes:

- (i) that David Cameron pledged to protect Sure Start during the 2010 election campaign saying “we understand and the Labour government understands how important it is for families to have the early support that Sure Start provides”;
- (ii) that funding for Sure Start is no longer ring-fenced, as it was under Labour, and is now under local authority control.

Council resolves:

- (i) to exclude the 19 Sure Start centres in Medway from budget cuts in accordance with the promise made by the Prime Minister before the election and pledges to continue to support the important work that Sure Start centres perform in all of Medway communities, helping families to enable children to have the best possible start and realise their potential in the future.

Councillor Sutton, supported by Councillor Smith, proposed an amendment as follows:

“In resolves (i) line 1, replace “exclude” with “protect”.

Add resolves (ii) to make sure that access to Sure Start is focussed on the most needy families socially and economically”.

On being put to the vote, the amendment was lost.

Councillor Wicks, supported by Councillor Jarrett, proposed an amendment that the motion be replaced with:

“Council notes that:

- (i) David Cameron pledged to protect Sure Start during the 2010 election campaign saying “we understand and the Labour government understands how important it is for families to have the early support that Sure Start provides”;
- (ii) Full funding for Sure Start has been allocated to Medway Council as part of the Council’s financial settlement, published in December;
- (iii) Medway’s Conservative Group has already made a public commitment that they will continue to support Sure Start centres in Medway, which play an important role supporting young children and their families;

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- (iv) Medway Council has a clear budget setting process which will culminate in the 2011/12 budget being considered by Members at the Council meeting on 24 February 2011.

Council resolves:

That all Members fully support the budget that will be recommended to Council on 24 February 2011, which will include a provision to continue fully funding the 19 Sure Start centres in Medway”.

Members asked for it to be recorded that during debate on the amendment, the Council’s Monitoring Officer advised Members that the amendment was lawful and that Conservative Members may be predisposed to Conservative principles in the same way that all the political groups would be predisposed to their own principles but that did not mean that they would have predetermined a decision on the budget. She advised those Members who considered they could not support the amendment to vote against it.

In accordance with rule 11.4 of the Council's constitution at the request of six Members, a vote on the proposed amendment was recorded as follows:

For: Councillors Andrews, Avey, Baker, Brake, Brice, Bright, Bhutia, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Clarke, Doe, Etheridge, Filmer, Griffin, Gulvin, Haydock, Hewett, Hicks, Jarrett, Kemp, Mason, O’Brien, Reckless, Royle, Wicks and Wildey – 29

Against: Councillors Bowler, Burt, Crack, Gilry, Godwin, Tony Goulden, Val Goulden, Griffiths, Harriott, Hubbard, Jones, Juby, Sheila Kearney, Stephen Kearney, Maple, Murray, Ruparel, Shaw, Smith, Stamp and Sutton – 21.

Therefore, the amendment was carried and became the substantive motion.

During debate on the substantive motion, Councillor Godwin requested, on behalf of the Labour Group, that it be recorded in the minutes that the Labour Group did not accept the advice of the Monitoring Officer.

In accordance with rule 11.4 of the Council's constitution at the request of six Members, a vote on the substantive motion was recorded as follows:

For: Councillors Andrews, Avey, Baker, Brake, Brice, Bright, Bhutia, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Doe, Etheridge, Griffin, Gulvin, Haydock, Hewett, Hicks, Jarrett, Kemp, Mason, O’Brien, Reckless, Royle, Wicks and Wildey – 27

Against: Councillors Bowler, Burt, Gilry, Godwin, Tony Goulden, Val Goulden, Griffiths, Harriott, Hubbard, Jones, Juby, Sheila Kearney, Stephen Kearney, Maple, Murray, Ruparel, Shaw, Smith, Stamp and Sutton – 20

Abstain: Councillor Crack – 1.

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The substantive motion was therefore carried.

Decision:

Council notes that:

- (i) David Cameron pledged to protect Sure Start during the 2010 election campaign saying “we understand and the Labour government understands how important it is for families to have the early support that Sure Start provides”;
- (ii) Full funding for Sure Start has been allocated to Medway Council as part of the Council’s financial settlement, published in December;
- (iii) Medway’s Conservative Group has already made a public commitment that they will continue to support Sure Start centres in Medway, which play an important role supporting young children and their families;
- (iv) Medway Council has a clear budget setting process which will culminate in the 2011/12 budget being considered by Members at the Council meeting on 24 February 2011.

Council resolves:

That all Members fully support the budget that will be recommended to Council on 24 February 2011, which will include a provision to continue fully funding the 19 Sure Start centres in Medway.

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Discussion:

This report sought approval to an addition to the Council’s 2011/12 Capital Programme in order to progress development at Rochester Riverside, following consideration at Cabinet on 21 December 2010.

Councillor Rodney Chambers, supported by Councillor Doe, proposed the recommendations set out in the report.

Decision:

The Council agreed that a sum of £2.5m be included in the 2011/2012 Capital Programme and delegated authority to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance and Deputy Leader, to proceed with the prudential borrowing subject to reaching satisfactory agreement with SEEDA and DCLG as to recovering of the funding from future sales on Rochester Riverside.

Council, 13 January 2011

Mayor

Date:

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