

**Medway Council**  
**Meeting of Medway Council**  
**Thursday, 29 February 2024**  
**7.00pm to 10.31pm**

**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 Gurung)  
The Deputy Mayor (Councillor Nestorov) Councillors Anang, Animashaun, Barrett, Bowen, Brake, Browne, Campbell, Clarke, Cook, Coombs, Crozer, Curry, Doe, Edwards, Etheridge, Fearn, Field, Gilbourne, Gulvin, Hackwell, Hamandishe, Hamilton, Howcroft-Scott, Hyne, Jones, Joy, Kemp, Khan, Lawrence, Mahil, Mandaracas, Maple, McDonald, Murray, Myton, Osborne, Paterson, Peake, Pearce, Perfect, Louwella Prenter, Mark Prenter, Price, Sands, Spalding, Stamp, Tejan, Mrs Turpin, Van Dyke, Wildey and Williams

**In Attendance:** Richard Hicks, Chief Executive  
Bhupinder Gill, Assistant Director, Legal and Governance  
Wayne Hemingway, Head of Democratic Services  
Phil Watts, Chief Operating Officer  
Jon Pitt, Democratic Services Officer

**650 Apologies for absence**

Apologies for absence were received from Councillors Filmer, Hubbard, Jackson, Lammas, Shokar and Spring.

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

Disclosable pecuniary interests

The Monitoring Officer advised that Members of the Council who had two or more months of council tax arrears would not be permitted to vote on the Council budget and that any relevant names would not be read out when the vote was taken.

The Monitoring Officer advised that since publication of the Council agenda, he had been made aware that a number of Councillors may have had disclosable pecuniary interests arising from:

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- Licensing/leasing allotments from the Council
- Tenancies of residential or commercial premises to / from the Council
- Their spouse, partner, friend or family member with whom they had a close association may be an employee of the Council,
- Receipt of council tax reduction / exemption.

The Monitoring Officer advised that he had exercised a delegation to grant a dispensation to all Members of the Council to participate, debate and vote on the budget reports considered at the Council Budget setting meeting where a Disclosable Pecuniary Interest (DPI) or Other Significant Interest arose from the circumstances set out above.

This dispensation was limited to the Council meeting at which the Council's budget for the forthcoming year was set and any dispensation in relation to being in receipt of council tax reduction / exemption did not apply to agenda item No.7 (Council Tax Reduction Scheme 2024/2025).

The following Members advised that they had been granted a dispensation: Councillors Browne, Coombs, Edwards, Hamandishe, Hamilton, Mahil, Mandaracas, Myton, Louwella Prenter and Mark Prenter.

A Member asked for clarification of whether any Member owning more than one property in Medway needed to declare a Disclosable Pecuniary interest. The Monitoring Officer advised that Members did need to declare such an interest and that if any were declared to the meeting he would be able to consider granting a dispensation to enable their full participation in the Council meeting.

The following Members were granted the relevant dispensation by the Monitoring Officer – Councillors Gulvin, Hackwell, Mrs Turpin and Wildey.

Councillor Spalding declared a DPI in relation to agenda item nos. 7 (Council Tax Reduction Scheme 2024/2025), 8 (Treasury Management Strategy 2024/25), 9 (Adult Social Care Structural Review and Budget Addition) and 10 (Capital and Revenue Budget 2024/25). This was with regards Section 106 of the Local Government Finance Act 1992. Councillor Spalding left the room during discussion and determination of item no.7. He remained in the room during discussion of items 8,9 and 10 but did not participate in determination of these items.

Councillor McDonald declared an interest in relation to agenda item no. 10 (Capital and Revenue Budget 2024/25) because he is the Chief Executive Officer of Citizens Advice Medway, which was affected by the budget proposals due to be considered by the Council. Councillor McDonald left the room during discussion and determination of the item.

### Other significant interests (OSIs)

Councillor Crozer declared an interest in agenda item no. 10 (Capital and Revenue Budget 2024/25) as he is an unpaid trustee of AMAT UK. Councillor Crozer advised that he had been granted a dispensation by the Monitoring

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Officer to enable him to participate in discussion and determination of the relevant items.

### Other interests

Councillor Hackwell declared an interest in agenda item no. 10 (Capital and Revenue Budget 2024/25) because his wife is a part time tutor for Medway Adult Education.

### **652 Record of meeting**

The record of the Full Council meeting held on 24 January 2024 was approved and signed by Worshipful the Mayor as correct.

It was requested that responses to Member questions that had not been answered at a particular Council meeting be made publicly available in a timely manner after the meeting.

### **653 Mayor's announcements**

The Worshipful The Mayor of Medway said how proud she was of Medway's rich history, heritage and traditions. There was a diverse range of mutually respected community groups which worked well together to build a stronger and more harmonious Medway where everyone felt valued, accepted, included and celebrated.

The Mayor was also proud of Medway's large, free community events that brought the community together. This had included the recent Chinese New Year Parade and Festival in Chatham Town Centre, which was one of the biggest Chinese New Year celebrations in the UK outside London. The Mayor thanked the events team at Medway Council, Chatham Town Centre Forum, Nucleus Arts, Medway Youth Council and Kut-O Chinese Association for this highly successful community event.

The Mayor announced that the Mayor's Charity Gala would be held on Friday 22 March at the Corn Exchange to raise funds for the Mayor's three chosen charities, SSAFA, Medway Help for Ukrainians, and Young Medway.

The event would be attended by a range of dignitaries. The Mayor was looking to showcase Medway as one of the most vibrant, fun, welcoming, positive and sophisticated destinations in the South East. Further details about the event were available from the Mayor's office.

The Mayor reminded the Council of the importance of conducting proceedings in a manner befitting public office and that regard was given to the seven principles of public life.

The Mayor proposed to suspend Council Rule 11.1.1 in respect of time limits on speeches in relation to agenda item 10 (Capital and Revenue Budget 2024/25)

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to allow one Member from each Group to speak for an unlimited time. The normal time limits would then apply. This was agreed.

### **654 Leader's announcements**

There were none.

### **655 Nomination of Mayor and Deputy Mayor for 2024/2025**

It was noted that the Labour and Co-Operative Group had accepted the right to nominate a candidate for the Mayoralty in 2024/2025. Councillor Nestorov was nominated as the candidate to be the Mayor for 2024/2025 and Councillor Hamandishe as the candidate to be the Deputy Mayor.

### **656 Council Tax Reduction Scheme 2024/2025**

#### **Background:**

This report proposed changes to the Council Tax Reduction Scheme for 2024/25 which reflected income bands being uprated for Consumer Price Inflation, as set out at Appendix 1 to the report. It also referred to the permanent discretionary policy for care leavers which sat outside of the Council tax Reduction scheme and formed a significant part of the Council's Local Offer to care leavers.

A Diversity Impact Assessment (DIA) had been completed for the proposed Council Tax Reduction Scheme for 2024/25 and was attached at Appendix 2 to the report.

The report had been considered by the Cabinet on 13 February 2024, details of which were set out in section 6 of the report.

The Portfolio Holder for Business Management, Councillor Van Dyke, supported by the Leader of the Council, Councillor Maple, proposed the recommendations set out in the report.

#### **Decisions:**

- a) The Council noted the decisions of the Cabinet, as set out at section 6 of the report.
- b) The Council agreed to adopt the Council Tax Reduction Scheme (CTRS) 2024/25, reflecting income bands uprated for Consumer Price Inflation, as set out in Appendix 1 to the report.
- c) The Council noted the impact of the Care Leavers Discretionary Council Tax Policy agreed in February 2023, as detailed within paragraph 3.4 of the report.

**657 Treasury Management Strategy 2024/25**

**Background:**

This report provided details of the Council's Treasury Management Strategy for 2024/25. The Strategy had been prepared in line with CIPFA's Local Authority Treasury Management Code and set out the Council's borrowing requirement and strategy in respect of investments. It also provided details of the Council's current portfolio position and set out the prudential and treasury indicators that would be used to monitor and measure treasury performance.

The report had been considered by the Audit Committee on 10 January 2024 and by the Cabinet on 13 February 2024, comments of which were set out in sections 5 and 6 of the report.

A Diversity Impact Assessment had been undertaken on the Treasury Management Strategy, as set out in Appendix B to the report.

The Leader of the Council, Councillor Maple, supported by Councillor Browne proposed the recommendations set out in the report.

**Decisions:**

- a) The Council noted the comments from the Audit Committee, as set out in section 5 of the report and the decisions of the Cabinet, as set out in section 6 of the report.
- b) The Council approved the Treasury Management Strategy 2024/25, as set out in Appendix A to the report.

**658 Adult Social Care Structural Review and Budget Addition**

**Background:**

This report proposed a level of increased investment in the permanent staffing of Adult Social Care (ASC) and a restructure to enhance efficiency, improve service delivery, ensure financial sustainability, and improve the overall quality of care provided to Medway's clients.

The report explained the increase in demand on the service and referred to a review of the Council's ASC service which recommended areas of work that the Council could focus on to make savings, including the recruitment to permanent posts due to the social work workforce being reliant on a significant proportion of agency staff.

The report had previously been considered by the Cabinet, the decisions of which were set out at section 7 of the report.

The Deputy Leader of the Council, Councillor Murray, supported by Councillor McDonald proposed the recommendations set out in the report.

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### **Decisions:**

- a) The Council noted the decisions of the Cabinet, as set out at section 7 of the report.
- b) The Council noted that the Capital and Revenue Budget report, included elsewhere on the Council agenda, asked the Council to agree the addition of £2,413,261 to the Adult Social Care revenue budget for 2024/25.
- c) The Council noted that any ongoing requirements would need to be addressed through the Council's budget setting processes.

### **659 Capital and Revenue Budget 2024/25**

#### **Background:**

This report set out Cabinet's proposals for the Capital and Revenue Budget for 2024/25. In accordance with the Constitution, Council was required to approve the Capital and Revenue Budget, rent increases and Council Tax for 2024/25.

The Cabinet had considered initial budget proposals on 21 November 2023. On 5 February 2024 the Government had published a Local Government Finance Update via a written statement which had included the publication of the Final Local Government Finance Settlement 2024 to 2025.

The majority of allocations for Medway for 2024/25 had been confirmed as per those in the Provisional Settlement, so the extent to which the announcements impacted Medway's Budget was minimal. This had been set out in an Addendum Report to the Proposed Budget presented to Cabinet on 13 February 2024.

In accordance with the budget and policy framework rules within the Constitution, the Overview and Scrutiny Committees had then considered the Cabinet's proposals prior to Cabinet's consideration of the draft budget on 13 February 2024.

It was noted that an overarching Diversity Impact Assessment, as set out in Appendix 11 to the report, summarised the results of Diversity Impact Assessments. These had been completed for each of the services affected by the proposed budget changes.

The Leader informed the Council that a Ministerial statement had been received that confirmed that Medway Council's request for Exceptional Financial Support had been accepted in principle. This would enable the Council to borrow for revenue purposes and provide the flexibility to use existing grants to support Medway's Improvement Programme. The Leader said that this support would enable the Council to move to a position of financial sustainability.

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The Leader of the Council, Councillor Maple, supported by the Deputy Leader, Councillor Murray, proposed the recommendations set out in the report, subject to the following alteration:

Recommendations 1.1.1, 1.1.2 and 1.1.4 to 1.1.16 as set out on pages 213-215 of the Agenda.

Revised recommendation 1.1.3 as follows [change is shown as a bold underline]:

“Approve the additions to the capital programme set out in Table 12 of the report, including the addition of **£22million** funded through a **combination of borrowing, capital receipts and revenue savings** to deliver a programme of essential repairs and improvements to Gun Wharf.”

**Note:** Whilst the Council recommendation correctly references “...the addition of £20million funded through borrowing...” the detailed figures within the exempt appendix to the Cabinet report on 13 February 2024, reflected a £22million scheme netted off against £1.8million of capital receipts and £200,000 of revenue savings. It was this £22million of expenditure for which Council approval was sought.

Councillor Perfect, supported by Councillor Lawrence, proposed the following amendment:

### **Amendment to recommendation 1.1.2:**

Add the following to the end of the recommendation:

“...subject to the following amendments to Appendices 2 – Regeneration, Culture and Environment Directorate pressures and savings and 3 – Business Support Department pressures and savings:

#### **Remove:**

- Sports centre charges review: includes reduction in concessionary membership subsidies and free swimming (agreed saving of £218,000).
- HIF impact - reduction in projected impact as costs met within existing RCE Directorate budgets (saving of £184,000).
- Communications – undeliverable income target (pressure of £100,000).

#### **Replace with:**

- Sports centre charges review – reduction/change in concessionary memberships (agreed saving of £88,000).
- HIF impact - reduction in projected impact as costs met within existing RCE Directorate budgets (saving of £214,000).”

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### Amended recommendation reads:

“1.1.2 - Approve the general fund gross, income and net revenue estimates as summarised in Table 1 of this report in the sum of £438.569million subject to the following amendments to Appendices 2 - Regeneration, Culture and Environment Directorate pressures and savings and 3 – Business Support Department pressures and savings:

### Remove:

- Sports centre charges review: includes reduction in concessionary membership subsidies and free swimming (agreed saving of £218,000)
- HIF impact - reduction in projected impact as costs met within existing RCE Directorate budgets (saving of £184,000)
- Communications – undeliverable income target (pressure of £100,000)

### Replace with:

- Sports centre charges review – reduction/change in concessionary memberships (agreed saving of £88,000).
- HIF impact - reduction in projected impact as costs met within existing RCE Directorate budgets (saving of £214,000).”

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

For – Councillors Anang, Barrett, Brake, Clarke, Crozer, Doe, Etheridge, Fearn, Gilbourne, Gulvin, Hackwell, Hyne, Joy, Kemp, Lawrence, Pearce, Perfect, Sands, Tejan, Wildey and Williams. (21)

Against – Councillors Animashaun, Bowen, Browne, Campbell, Cook, Coombs, Curry, Edwards, Field, Gurung, Hamandishe, Hamilton, Howcroft-Scott, Jones, Khan, Mahil, Mandaracas, Maple, Murray, Myton, Nestorov, Osborne, Paterson, Peake, Louwella Prenter, Mark Prenter, Price, Stamp, Mrs Turpin and Van Dyke. (30)

Abstain – None.

**Note:** Councillor McDonald was not present for this item and Councillor Spalding did not take part in the recorded vote.

The amendment was lost.

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



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For: Councillors Animashaun, Bowen, Browne, Campbell, Cook, Coombs, Crozer, Curry, Edwards, Field, Gurung, Hamandishe, Hamilton, Howcroft-Scott, Jones, Khan, Mahil, Mandaracas, Maple, Murray, Myton, Nestorov, Osborne, Paterson, Peake, Louwella Prenter, Mark Prenter, Price, Sands, Stamp and Van Dyke. (31)

Against: Councillors Anang, Barrett, Brake, Clarke, Doe, Etheridge, Fearn, Gilbourne, Gulvin, Hackwell, Hyne, Joy, Kemp, Lawrence, Pearce, Perfect, Tejan, Mrs Turpin, Wildey and Williams. (20)

Abstain: None.

**Note:** Councillor McDonald was not present for this item and Councillor Spalding did not take part in the recorded vote.

On being put to the vote, the proposal was agreed.

### **Decision:**

The Council:

- a) Approved the recommendations of the Employment Matters Committee on 30 January 2024 as set out in Section 9 of this report:
  - 1) a Cost of Living Adjustment (COLA) of 5% be allocated for the 2024/25 pay award for all on MedPay Terms and conditions.
  - 2) the Range 3 pay band be lifted by £1,052 (excluding the 5% COLA increase).
  - 3) the Range 2 pay band be lifted by £547 (excluding the 5% COLA increase).
  - 4) a gap of £525 be introduced between the Range 1 and 2 pay bands.
  - 5) sleep in payments to be increased by 3.88%.
  - 6) the Annual Leave entitlement be increased to 30 days per annum pro rota for R1-R3, after 5 years' continuous service.
  - 7) the current PDR levels and the associated performance related award attributed to them (i.e. levels 1A and 1B) be removed and instead an additional day's annual leave awarded to everyone in 2024/25 and 2025/26 on MedPay terms and conditions who is not subject to formal performance management measures.

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- 8) a long service award of an additional day's leave at 10 and 15 years of service at all grades be introduced.
- b) Approved the general fund gross, income and net revenue estimates as summarised in Table 1 of the report in the sum of £438.569million.
- c) Approved the additions to the capital programme set out in Table 12 of the report, including the addition of £22million funded through borrowing to deliver a programme of essential repairs and improvements to Gun Wharf.
- d) Noted the Kent Police and Crime Commissioner's precept requirement, as set out in Section 15.2 of the report.
- e) Noted the Kent Fire and Rescue Service precept requirement, as set out in Section 15.3 of the report.
- f) Noted the Parish Council precept requirements of £691,298 as detailed in Section 15.4 of the report.
- g) Approved the basic rate of Council Tax at Band D for 2024/25, before adding the Police, Fire and Parish precepts, at £1,754.69, an increase of 4.994% as set out in Section 16.1 of the report.
- h) Approved the following changes to Council Tax premia in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018:
  - 1) the 100% premium for long-term empty properties may be brought forward so that it could commence after being empty for one year rather than two with effect from 1 April 2024; and
  - 2) a 100% premium may be charged for properties that are unoccupied but furnished (known as second homes) with effect from 1 April 2025.
- i) Approved the following changes to the Council Tax discretionary discounts:
  - 1) reduce the discount in respect of class C to 0% from the day on which a property becomes vacant, and
  - 2) reduce the discount in respect of class D to 0%.
- j) Adopted the formal resolution for the Council Tax requirement and schedule of Council Tax charges for 2024/25, as set out in Appendix 6A to the report.
- k) Approved the Retail, Hospitality and Leisure Relief scheme policy

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in respect of Business Rates for 2024/25, as set out at Appendix 10 to the report.

- l) Approved the Flexible Use of Capital Receipts Strategy set out at Appendix 8 to the report.
- m) Approved fees and charges, as recommended by Cabinet as part of the budget proposals, in the booklet 'Medway Council - Fees and Charges April 2024', as set out in Appendix 7 to the report.
- n) Approved the recommendations set out at Section 14 of the report with regard to the Housing Revenue Account and detailed in the following appendices:
  - 1) The proposed increase in rents as set out at Appendices 4A and 4B;
  - 2) The proposed service charges as set out at Appendix 4C;
  - 3) The budget proposed as summarised at Appendix 4D;
  - 4) The 30 year business plan projections at Appendix 4E.
- o) Approved the declassification of the following amounts currently held in earmarked reserves and transfer them to general reserves:
  - 1) £4.00million held in the South Medway Development Reserve,
  - 2) £1.00million held in the Transformation Reserve, and
  - 3) £727,000 held in the Mosaic Forms Reserve.
- p) Noted the findings of the Diversity Impact Assessment as set out in Appendix 11 to the report, and the proposal to continue, where necessary, to report through quarterly monitoring any further unidentified or unintentional impact.

### **660 Public Space Protection Orders - Alcohol Control**

#### **Background:**

This report proposed the renewal of four town centre alcohol control zone Public Spaces Protection Orders (PSPOs), which related to Rochester, Chatham, Gillingham and Strood and addressed the anti-social consumption of alcohol.

A public consultation exercise in relation to the proposed renewal of the 4 PSPOs had been conducted, the outcomes of which were detailed in Appendix 2 to the report.

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The report had previously been considered by the Cabinet on 13 February 2024, the decision of which was set out at section 6 of the report.

The Portfolio Holder for Community Safety and Enforcement, Councillor Osborne, supported by the Portfolio Holder for Economic and Social Regeneration and Inward Investment, Councillor Edwards, proposed the recommendations set out in the report.

### **Decisions:**

- a) The Council noted the decision of the Cabinet, as set out at section 6 of the report.
- b) The Council approved the extension for a further 3 years of the existing four town centre alcohol control PSPOs (not varied or discharged).

## **661 Pay Policy Statement 2024/2025**

### **Background:**

This report provided details of the Pay Policy Statement (PPS) for the financial year 2024/25 in accordance with the Localism Act 2011. It was noted that the PPS must be approved by a resolution of Full Council before it came into force and had to be prepared and approved before 31 March 2024 for the following financial year.

The report had been considered by the Employment Matters Committee on 30 January 2024, details of which were set out in paragraphs 3.8 to 3.10 of the report.

The Chairperson of the Employment Matters Committee, Councillor Hamilton, supported by the Portfolio Holder for Business Management, Councillor Van Dyke, proposed the recommendations as set out in the report.

### **Decision:**

The Council approved the Pay Policy Statement 2024/2025, as set out in Appendix 1 to the report.

**Mayor**

**Date:**

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**Wayne Hemingway, Head of Democratic Services**

Telephone: 01634 332509

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

**Jon Pitt, Democratic Services Officer**

Telephone: 01634 332715

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)