

**Medway Council**  
**Meeting of Regeneration, Community and Culture**  
**Overview and Scrutiny Committee**

**Thursday, 17 March 2011**

**6.34pm to 8.50pm**

**Record of the meeting**

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

- Present:** Councillors: Andrews, Bright (Chairman), Godwin, Tony Goulden, Griffin, Hewett, Hicks (Vice-Chairman), Hubbard, Maisey and Ruparel
- Substitutes:** Councillor Gulvin (Substitute for Councillor Bhutia) and Councillor Haydock (Substitute for Councillor Mackinlay)
- In Attendance:** Councillor Rodney Chambers, Leader of the Council  
Councillor Mike O'Brien, Portfolio Holder for Community Safety and Enforcement, Ward Councillor  
Robin Cooper, Director of Regeneration, Community and Culture  
Angela Drum, Head of Legal Services  
Tim England, Head of Safer Communities  
Stephen Gaimster, Assistant Director Development, Economy and Transport  
Anna Marie Lawrence-Lovell, Performance Manager  
Andy McGrath, Assistant Director, Front Line Services  
Caroline Salisbury, Overview and Scrutiny Co-ordinator  
Barry Watts, Political Assistant  
Ian Wilson, Head of Capital Projects, Road Safety and Networks

**881 Record of meeting**

The record of the meeting held on 10 February 2011 was agreed and signed by the Chairman as correct.

**882 Apologies for absence**

Apologies for absence were received from Councillors Bhutia, Crack and Mackinlay.

**883 Urgent matters by reason of special circumstances**

There were none.

#### 884 Declarations of interest

There were none.

#### 885 Attendance of the Leader

##### Discussion:

The Leader of the Council, Councillor Rodney Chambers, addressed the committee outlining the achievements of Medway Renaissance. He reminded Members that the Medway Renaissance team would be disbanded at the end of March 2011 after a successful programme of investment of government grants but advised that regeneration in Medway would not cease although it would now have to move in a different direction.

Councillor Chambers explained that an early vision of the regeneration projects had been the need to improve the infrastructure in many areas, make sites ready for development and secure certainty of planning permissions. This was ultimately to encourage the private sector to invest and develop in Medway. He advised that this stage had now been reached and Medway Renaissance had delivered the resource programme to achieve this and he paid tribute to the team and the outstanding work that had been delivered over the past six years.

He highlighted some of the main achievements for each area within Medway which included:

##### Gillingham

- The development of Medway Park
- £3 million improvements to Gillingham railway station
- Gillingham waterfront development

##### Rochester

- This was the biggest project undertaken with approximately £80 million spent to bring the site up to developable condition
- £2.5 million was being spent on the first phase of a spine road into the site
- Improvement to Corporation Street nearing completion

##### Strood

- Disappointment that a bid for plans for Strood were unsuccessful but reassurance that it now featured prominently in the Development Core Strategy so that when the economy improved, Strood would benefit and have priority in the future
- New route to the Medway City Estate along Canal Road.

**Regeneration, Community and Culture Overview and Scrutiny Committee,  
17 March 2011**

Chatham

- Sir John Hawkins flyover removed and the creation of Waterfront Way
- Ongoing public space improvements
- New bus facility
- Gun Wharf area and Best Street/High Street Masterplans in place and a mixed use scheme for Queen Street (private developers were currently looking at the Queen Street site)
- Chatham Waterfront – plans would be considered by the Planning Committee in the next few weeks
- Fort Amherst park land opened to the public
- £2 million spent on the creation of the Great Lines City Park which would be part of the World Heritage Site bid.

Councillor Chambers also praised the work of the Medway Ambassadors who performed an invaluable and superb job of promoting Medway.

The committee asked the Leader about and commented on:

- replacement of signage for the Esplanade in Strood
- retention of Strood market
- railway stations in Medway
- Gillingham station – request to include artwork/historic information boards + twinning with sister cities in Japan as part of refurbishment
- funding for the new bus facility and completion date
- review of the various 'Boards' set up to oversee the regeneration projects
- permanent berth for the Medway Queen paddle steamer at Gillingham marina.

**Decision:**

The committee thanked Councillor Rodney Chambers for attending the meeting and the information and answers he had provided.

**886 Attendance of the Portfolio Holder for Community Safety and Enforcement**

**Discussion:**

The Portfolio Holder for Community Safety and Enforcement, Councillor O'Brien, addressed the committee outlining some of the main achievements within his portfolio:

Partnerships

- Important aspect of delivery of many of the services within his remit was to work very closely with partners and in particular he thanked the police who had been very supportive

## **Regeneration, Community and Culture Overview and Scrutiny Committee, 17 March 2011**

- Operation Elite – a multi-agency operation planned by the Community Safety Partnership (CSP) to tackle anti-social behaviour and environmental issues
- Kent Probation's Community Payback scheme
- Partners and Communities Together (PACTs) – the CSP would respond to the recommendations of this committee's review but in the meantime had held an inaugural Forum for all PACT Chairmen which had been very successful
- Schools and Communities Together (SACTs). The first of these between Rainham Girls School and the Howard School had recently been formed to encourage engagement with young people and the community.

### Environmental enforcement

- There had been a 17.5% increase on the number of cases on last year which was now a total of 3,261 cases – including:  
21 successfully prosecuted cases for waste related offences and 38 pending prosecutions  
64 fixed penalty notices were served for offences including smoking in smokefree premises and lack of trade waste provision

### Operation Cubit

- 449 untaxed vehicles on the highway had been removed to date.

### Trading Standards

- Fair Trader scheme – more than 245 business on the list
- Underage sales – 155 test purchase operations carried out
- Consumer education and advice – advice sessions aimed at vulnerable consumers, scams awareness month, Consumer Challenge quiz, 4,000+ referrals passed to team for intelligence-led enforcement or further action
- Other enforcement – including 350 other enforcement actions in 2010/2011.

### Food enforcement

- "Eat Out Eat Well" scheme – rewarded caterers who made it easier for their customers to make healthy choices when eating out
- 566 food hygiene inspections with 30 notices served and 1823 infectious disease notices received from the Health Protection Agency

### Health and Safety

- 170 businesses on the Gillingham Business Park were visited and offered advice and free training on complying with health and safety requirements
- Officers have developed and produced a guidance document for skin piercing and tattooing establishments jointly with Dartford Borough Council and the Chartered Institute of Environmental Health would like to publish it as national guidance.

**Regeneration, Community and Culture Overview and Scrutiny Committee,  
17 March 2011**

Environmental Protection

- Air quality review and assessment work, which began in 2009, has been finalised. The team is now working on the next stages of the review in conjunction with colleagues from other departments
- Graffiti – 12 offensive items had been reported and 764 non-offensive instances reported to the team for cleaning
- Dogs and dog fouling – 61 complaints of dog fouling were received and dealt with and 589 dogs picked up by the community team and taken into kennels for recovery by owners or re-homing.

CCTV

- 70 arrests during March had been made using CCTV footage and 718 arrests in total for the year.

Use of new “app” (mobile phone application)

- a new “app” was being developed to make it easier for residents, Members, officers and the public to report environmental issues through the use of smartphone technology which integrated with the council computer systems.

Emergency planning

- Exercise Popcorn II – tested a multi-agency tactical group in an exercise to test the off-site plan for BP Grain and National Grid under the Control of Major Accidents Hazards Regulations 1999 (COMAH) sites regulations
- Operation Jupiter III – a test under the same regulations for Southern Gas Networks in Gillingham
- Exercise Watermark – a national exercise to test flood plans, major emergency and recovery plans.

Members asked the Portfolio Holder about and commented on:

- SOS bus
- Leaflets warning of possible prosecution for fly-tipping
- Use of the Community Payback scheme
- Luton Arches, Gillingham – on-going problems with pigeons.

**Decision:**

The committee thanked Councillor O’Brien for attending the meeting and the information and answers he had provided.

**887 Member's Item: adoption of roads on new development sites**

**Discussion:**

Councillor Godwin introduced the item and explained that he had requested it as there had been an on-going issue within his ward. A national house builder had built a development over 10 years ago but the roads had still not been developed by the house builder to the appropriate standard required by the Local Authority to adopt it for future maintenance.

Councillor Godwin advised that he wished the committee to consider what views the council could take on this matter as the report showed more cases within Medway and what could be implemented to ensure this did not happen again. He suggested that Medway could lead a national campaign, as there might be other Local Authorities with similar problems.

The Head of Capital Projects, Road Safety and Networks advised that there were sufficient powers for the council to deal with situations like this if the developer had signed a legal S38 Agreement, as this enforced a bond that could be called in should the developer default on any part of the agreement. The problem arose when a developer did not sign the Agreement, which they could not currently be compelled to do, having the option of keeping the roads within a development as private.

The Head of Legal Services also advised that there were no powers under planning legislation to force builders to adopt new roads, they could legally remain un-adopted. It was possible under provisions of the Highways Act but this was extremely complicated and would incur significant costs for the Council, when the principal under which the Council acted was that all costs should be borne by the developer.

Councillor Godwin responded that it would seem that the Council was not currently in a position to force the issue, so he asked what course of action the Council could pursue? He suggested the Council campaigned for an amendment to existing planning legislation to allow the granting of a planning condition to bring the new road to the required standard for adoption. He acknowledged that this would not help previous sites but would change future developments for the better.

The Vice-Chairman informed the Committee that an Annual Forum meeting was held between the Council and developers to discuss issues that had arisen throughout the previous year and that this might be a good venue to raise the matter.

The Committee discussed various development sites around Medway, as listed in paragraph 3.3 of the report. Members also considered whether there was scope to use a legal S106 notice to enforce the adoption of new roads? The Head of Legal responded that in some circumstances this might be possible, especially on larger sites.

**Regeneration, Community and Culture Overview and Scrutiny Committee,  
17 March 2011**

**Decision:**

The committee agreed to:

- (a) note the report and responses to Members questions;
- (b) write to local MP's to request their help in lobbying the government to amend planning legislation to allow Local Authorities to include the adoption of new roads as a planning condition;
- (c) write to the Local Government Association to enquire whether there were other Local Authorities with a similar problem;
- (d) request officers to raise this issue at the next Annual Forum between the council and developers;
- (e) request that officers investigate whether the adoption of new roads falls within the planning test for a legal S106 notice and to use this wherever possible on any new developments.

**888 Third quarter Council Plan monitoring 2010/2011**

**Discussion:**

The Performance Manager introduced the report and advised that it covered the period from October to December 2010 and updated on the delivery of the Council Plan. She highlighted the areas performing well in quarter three and also informed the committee that there was a correction to NI 192 (percentage of household waste sent for reuse, recycling and composting) in Appendix A on page 30 of the agenda. This was reported with a red indicator but this had been based on interim data. Now that the final data had been analysed it showed quarter 3 to be at 37% and was therefore a green indicator.

Members discussed concerns and issues with regard to: locations of playbuilders schemes; congestion in Union Street; concern at the drop in visitor numbers to museums; car safe-seat programme; the Dog Fouling Act; alleygates and the number of visitors to the Dickens Festival in December 2010.

**Decision:**

The Committee agreed to:

- (a) note the performance for Quarter 3 2010/2011 and the outcomes achieved against priorities;
- (b) request that further information is sent to them on the Dog Fouling Act, a list of the alleygates that have been installed and the locations of the Playbuilder scheme completions in September 2010.

**Regeneration, Community and Culture Overview and Scrutiny Committee,  
17 March 2011**

**889 Petitions**

**Discussion:**

The committee considered the report.

**Decision:**

The committee noted the petition responses and appropriate officer action.

**890 Work Programme**

**Discussion:**

The Overview and Scrutiny Co-ordinator introduced the report and advised that there were no new items on the Cabinet Forward Plan within the remit of this committee.

**Decision:**

The report was noted.

**Chairman**

**Date:**

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