

## Public Questions

### **Question A – Onyx Rist, of Rainham, asked the Leader of the Council, Councillor Maple, the following:**

“As a non-binary resident, I know the Leader is a dedicated ally, and I welcome his recent statement of solidarity with our trans community. However, local solidarity faces a critical national test. The Government's proposed EHRC draft Code of Practice introduced by his own party's leadership is overtly trans-exclusionary, creating dangerous, unworkable barriers in public life.

What direct conversations has the Leader had with Labour ministers to convey the severe risk this guidance poses to Medway residents? In his answer can he please include how he will use his position to challenge his party's national policy as well as protect our community from its enforcement?”

In response the Leader advised that he was incredibly proud of the administration's track record when it came to the issue of equality generally, but specifically in this area, and he was very pleased to join a number of colleagues at the flag raising the day before. He pointed out that not every council in Kent would be raising the pride flag. In fact, some were very proud not to be raising it, a position he thought was incredibly unfortunate.

As regards the conversations with Labour ministers, he had not had a conversation with Labour ministers about this specific issue. Time with ministers was very limited, and certainly from his perspective, he believed it would be a conversation a number of residents would be taking up with Medway's three MPs. He further advised that he believed that there was a lobby of Parliament coming up soon and suggested residents of Medway wanting to make sure their voice was heard could attend that lobby.

One of the things he would be doing was speaking to other council leaders from across the country. For example, his friend and colleague from Brighton and Hove, one of the other greatest unitary authorities in the Southeast had put out a similar statement and again, that was available on social media as well. Certainly Labour and Cooperative council leaders would be having the conversations collectively about how to ensure their areas, were truly for everyone; whether you worked for Medway Council or you received services from Medway Council, in a way where everyone was valued and appreciated for the human being they were. The current administration had been explicitly clear on that and would continue to be so. He gave assurance that this conversation would continue and was something he knew that the whole of the Cabinet felt very strongly about, advising that a number of them, would be there supporting the Medway Pride event in August, and indeed the Medway Pride Awards later in the month.

Onyx Rist asked the following supplementary question.

“So, given that the last review of the Equality Act was 16 years ago. Does the Leader agree that it's time and, you know, agree with the calls from Lib Dem, Labour MPs, and Green MPs to update the Equality Act to have a cross party review of the Equality Act?”

In response the Leader stated that most legislation should be reviewed on a regular basis, but one of the things he thought did incredibly powerful work, were select committees. He was a big fan of scrutiny committees at Medway, and these were based broadly on the concept of select committees in Parliament, were environments where a really deep dive could be taken into specific elements of legislation. Whether it was new legislation being reviewed for the first time, or older legislation being reviewed, as was the suggestion here; this was an area where cross party working could be really powerful, not least because people who had a very specific interest and often knowledge and expertise would be members of the Select Committee.

## Member Questions

### **Question B – Councillor Spalding asked the Portfolio Holder of Climate Change and Strategic Regeneration, Councillor Curry, the following:**

“Three years ago, Network Rail published its Control Period 7 five year strategy to maintain, renew and improve the UK rail network for April 2024 to March 2031.

This included upgrading the level crossing at Grain. There is a relief road adjacent to the level crossing capable of ensuring continued vehicle traffic flow in the event of a crossing closure, albeit with traffic control measures in place.

Network Rail failed to maintain this relief road to the extent it was and is considered unsafe for vehicles. Because of this and a complete failure by Network Rail to properly plan the works at Grain crossing, it was necessary to completely close the crossing, effectively cutting off Grain Village.

Grain hosts two COMAH sites so Medway Council was faced, at very short notice indeed, with having to implement emergency measures to ensure the safety of local residents. This had a monetary effect to Medway council taxpayers in actual cost and the considerable amount of Council officer hours, not to mention the cost to local businesses.

Given the vast majority of this financial impact was caused by Network Rail failings and could have and indeed should have been avoided, can the Portfolio Holder confirm recompense has been sought from Network Rail and when answering state how much has been recovered?”

In response, Councillor Curry advised that based on the information currently available, no formal request had been made to Network Rail for reimbursement in respect of the additional measures put in place during the Grain level crossing works.

As Members would be aware, it was not standard practice within local authority emergency planning activity to seek cost recovery for multi-agency response or resilience measures, except in very specific circumstances such as oil pollution incidents or certain COMAH-related planning arrangements. The actions taken in this instance were consistent with the Council’s statutory duties to protect public safety and ensure continuity of access for residents. It was also important to recognise that Grain Village presented unique challenges due to its geography, infrastructure constraints, and the presence of COMAH sites. As such, contingency planning for disruption affecting the A228 or access routes to the peninsula routinely included enhanced support arrangements, and the Council acted in line with those established principles.

Regarding the specific issue of the adjacent relief road, the land in question was deemed surplus to highway requirements and was formally stopped up in October 2014. This materially affected its status and the Council's position in relation to its maintenance and use.

At this stage, Councillor Curry did not have detailed information regarding any costs incurred by services such as Traffic Management, Highways, or Streetworks, or whether any of those costs had been separately considered for recovery. However should further information become available, he would ensure it was shared with Members.

In summary, Councillor Curry advised that whilst the Council recognised the concerns raised regarding the circumstances surrounding the closure, the priority throughout was to ensure the safety and wellbeing of residents and businesses, and the actions taken reflected that responsibility. He further added his thanks and praise to the emergency planning team and all officers involved who had carried out an excellent job in keeping the people of Grain Village safe and secure.

**Question C – Councillor Lawrence asked the Portfolio Holder for Community Safety, Highways and Enforcement, Councillor Paterson, the following:**

“In the 2025/2026 financial year the Council repaired fewer potholes than the number of new potholes reported. This is the first time this has happened in at least 10 years. Could the Portfolio Holder state the total number of potholes currently waiting to be repaired, including how many he expects to repair this financial year?”

In response Councillor Paterson was incredulous that Councillor Lawrence had not read about or seen him talk in the past 18 months about how the system had changed from the failed whack-a-mole approach to road maintenance, to a system that offered longer lasting repairs and better value for taxpayers, especially as he was the opposition spokesperson for his portfolio.

Councillor Paterson advised that apples could not be compared with oranges. There were no figures from 10 years ago which could in any way be compared to the repairs being carried out today. The redundant previous administration's approach of allowing Medway's roads to go to rack and ruin and then trying to score a few headlines by trumpeting a subjectively impressive number of pothole repairs was over. He would not play that game when he was in the position to not only do things differently but better.

Officers now focussed on long term road condition rather than simply the volume of individual pothole repairs recorded. The pursuit of excellence instead of the measure of failure. Under the previous administration, defects such as potholes had often been repaired individually, with each and every repair counted as a separate intervention, however short term and misleading that approach was. However, now, when defects were identified, typically 5 or more, but sometimes 10 or more in close proximity, a single larger scale permanent patch repair would be carried out. This critically, instead of attempting to artificially inflate performance metaphorically and almost literally papering over the cracks, now counted as one fix. This was not an accounting trick, this approach instead addressed the underlying condition of the road surface rather than treating each pothole as an isolated issue. As a result, the number of individual pothole repairs recorded may appear lower to the careless observer but the actual extent and quality of repairs being carried out had significantly improved. Far from carrying out fewer repairs, the overall area of

carriageway treated had increased. This reduced the likelihood of repeat failures, improved overall road conditions and resilience, and delivered a better visual and structural outcome for residents, which represented better long term value for money. It did not mean there would not be intervention where necessary with individual highway defects which met the threshold, but it did offer an end to the vicious cycle of short term fixes squandering scarce budget which could be better deployed by refusing to deal with cheap headlines and cheap politics. For these reasons, it was no longer appropriate to assess performance solely on the number of potholes repaired as this did not reflect the scale, quality or effectiveness of the work being undertaken. In his opinion the previous approach was a failed approach which he and colleagues spent many years in opposition criticising and when handed the opportunity by the people of Medway three years ago to do things better, words had been put into action.

Councillor Paterson further advised that in terms of current figures, the number of defects awaiting repair was subject to ongoing inspection, risk assessment, and prioritisation in line with a safety-led approach. All defects that met intervention criteria would continue to be repaired within the appropriate timescales. Looking ahead, the programme for the current financial year would continue to prioritise a balanced approach of both reactive repairs and preventative maintenance, with a clear emphasis on permanent, longer-lasting solutions rather than short-term fixes. This ensured the Council was making the best use of available resources while improving the overall condition of the road network.