

Medway Council
Meeting of Medway Council
Thursday, 20 October 2011
7.00pm to 00.15am

Record of the meeting

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

Present: The Worshipful Mayor of Medway (Councillor Baker)
The Deputy Mayor (Councillor Maisey)

Councillors Avey, Bright, Carr, Mrs Diane Chambers, Rodney Chambers, Chishti, Chitty, Clarke, Colman, Cooper, Craven, Doe, Gilry, Christine Godwin, Paul Godwin, Griffin, Griffiths, Adrian Gulvin, Pat Gulvin, Harriott, Hewett, Hicks, Hubbard, Igwe, Iles, Irvine, Jarrett, Juby, Kearney, Kemp, Mackinlay, Mackness, Brake, Maple, Mason, Murray, O'Brien, Osborne, Price, Purdy, Rodberg, Royle, Shaw, Smith, Stamp, Tolhurst, Turpin, Watson, Wicks and Wildey

In Attendance: Neil Davies, Chief Executive
Rose Collinson, Director of Children and Adults
Robin Cooper, Director of Regeneration, Community and Culture
Rosie Gunstone, Democratic Services Officer
Mick Hayward, Chief Finance Officer
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
Simon Wakeman, Marketing and Public Relations Manager

432 Record of meeting

The records of the meetings held on 21 July and 15 September 2011 were agreed and signed by the Mayor as correct.

433 Apologies for absence

Apologies for absence were received from Councillors Bowler, Etheridge and Filmer.

434 Declarations of interest

Councillor Avey declared a personal interest in any reference to Medway Maritime Hospital as he is a member of the Council of Governors on the Medway NHS Foundation Trust.

Councillor Cooper declared a personal interest in agenda item 19B as her grandson took the Medway test at Chatham Grammar School for Boys.

Councillor MacKinlay declared a personal interest in agenda item 19C as he is a member of Kent Police Authority.

Councillor Gilry declared a personal interest in any reference to Medway Maritime Hospital as she still works there occasionally.

Councillor Griffiths declared a personal interest in any discussion on Medway Community Healthcare as he is a Non-Executive Director of the Trust.

Councillor Godwin declared a personal interest in agenda item 19D by virtue of being a Non-Executive Director of Kent and Medway NHS and Social Care Partnership Trust and in agenda item 19 (C) by virtue of being a member of Kent Police Authority.

Councillor Adrian Gulvin declared a personal interest in any reference to the Youth Offending Team as his brother is Manager of that team.

Councillor Pat Gulvin declared a personal interest in the Youth Offending Team because her brother-in-law manages the Youth Offending Team.

Councillor Igwe declared a personal interest in any reference to the prison service or NHS as he is a mental health practitioner working for the prison service and the NHS.

Councillor O'Brien declared a personal interest in any reference to the Health Service as members of his family work within the NHS.

Councillor Stamp declared a personal interest in any reference to the waste contract by virtue of his employment with the Environment Agency.

435 Mayor's announcements

The Mayor referred to the recent resignation of the Monitoring Officer who would be leaving Medway at the end of the year. He stated that this would be her last Council meeting in her position as the Assistant Director of Housing and Corporate Services and asked all Members to join with him in wishing her every success in her new job and placed on record the Council's thanks and appreciation to her.

He then congratulated Councillor MacKinlay on his recent marriage, which he had not known about at the time of the last Council meeting.

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The Mayor then announced the sad death of Alex Sutherland, who had served as the Mayor's Officer for many years at Rochester upon Medway City Council, on 4 October. He stated that he would be sending condolences to the family.

The Mayor announced the following Mayoral events:

- a charity Indian evening at The Shozna on 9 November for which tickets were still available
- a celebration of the Year of the Dragon with a Chinese banquet at Confucius in Chatham on 17 January and a Nepalese evening at Gurkha Cuisine in Chatham on 21 February.

Tickets for these events were available from the Mayor's personal assistant.

In relation to the business on the agenda the Mayor announced that he had been advised that Councillor Igwe had withdrawn his question printed at item 10A on the agenda and that Councillor Chishti had withdrawn his motion printed as item 19A on the agenda. With the Council's agreement it was decided to take agenda item 17 at the conclusion of the meeting in the event it was necessary to go into closed session.

The Mayor welcomed Tony Dance, one of the Independent members of the Council's Standards Committee and reminded members that Council meetings were now recorded to assist in producing an accurate record of supplementary questions and answers to questions

The Mayor reminded members that written copies of any amendments should be provided to the Head of Democratic Services and to the top table.

436 Leader's announcements

There were none.

437 Petitions

The following petitions were received and referred to the appropriate Directors:

Councillor Brake presented a petition containing 18 signatures from residents of The Beeches, Walderslade requesting a salt bin to be situated at the top of the The Beeches, Walderslade on the grounds that The Beeches was on a downward slope and on a bend which made driving more dangerous.

Councillor Irvine presented a petition containing 61 signatures from residents of Peal Close, Hoo requesting the Council to adopt Peal Close, Hoo as a publicly maintainable highway

Councillor Osborne presented a petition containing 355 signatures from residents of Tobruk Way, Chatham opposing a planning application for a telecommunications mast at the Burma Way garages.

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Councillor Stamp presented a petition containing 65 signatures from residents of Gillingham requesting the Council to resurface Woodlands Road/Grange Road because the surface had now deteriorated beyond repair.

Councillor Watson presented a petition containing 619 signatures from Hoo Marina Park Residents Association requesting the Council to improve road safety on Church Street with the junction of Main Road/Stoke Road.

438 Public questions

(A) Miss Lisa Hood of the Isle of Grain asked the Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien the following question:

My question is related to off-site emergency planning for the large Liquefied Natural Gas Plant, positioned just 0.8 mile from the nearest house in Grain village.

Medway Council have recently stated that they intend on installing a warning siren in the village. This siren is to warn all villagers and visitors to the village of an incident on the Grain LNG plant, which would have potential off-site impacts. This is to ensure all persons quickly go into their houses to protect themselves from a potential gas cloud or heat from a fire. Why are we only having this siren fitted now, when it has been a legal requirement, and a more importantly a safety requirement, back when the site expansion was commissioned in 2008, and most of the village was placed in the public information zone – or hazardous area?

The Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien thanked Miss Hood for her question. He explained that there was no legal or safety requirement to have a siren. The COMAH regulations state that the public may be warned by siren, telephone, loud hailer, or some other system. The emergency services were involved in warning and informing the public as 'first responders' to an emergency and this had not changed.

Miss Hood asked a supplementary question by stating that as they had been in the zone since 2008 could Councillor O'Brien confirm that, in the absence of an adequate warning system, the 1700 residents could get inside quickly enough?

Councillor O'Brien stated that the public may be warned by siren, loud hailer or any other method. He stated that a siren would be welcomed in the near future.

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(B) Nichola Hudson of Chatham asked the Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien, the following question:

I have a large family in the Isle of Grain and the eldest of my nieces and nephews are allowed to play out all over the village within reason, which means they might not be very close to their home. We are having a siren fitted in the village to tell us to go indoors if there is an incident at the large gas plant, just outside the village. Me and my family need to education ourselves and our children as to how to react when we hear this siren. When I tell them how quickly they need to get indoors to safety, how long have they actually got in the worst case scenario?

The Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien responded by thanking Miss Hudson for her question. He stated that on receiving a warning either by siren or notification by rapid reach, people should go indoors safely and as quickly as possible. For people outside or around the village they should make reasonable endeavours to get indoors promptly, either to their home, a friend or neighbour or a public building if that is closer. Once indoors with the windows closed residents were protected and could receive information on the status of the incident from TV or the radio. Children who were minors should be organised by the adult supervising them. Teenagers who are unaccompanied in the village should be advised in advance by parents/guardian that if they hear the siren they should immediately make their way home or go to a trusted friend or neighbour and then let their parents know where they were.

Miss Hudson asked a supplementary question by asking how long the residents had to get indoors and whether there was a safe distance? She said if they go for a walk should they only go a few minutes just in case?

In response, Councillor O'Brien reiterated that residents should go to the nearest building as soon as possible and if teenagers are out they should be advised to make their way home or to a trusted friend or neighbour and make contact with their parents to let them know where they were.

(C) Sharron Pickering of Chatham asked the Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien, the following question:

Could you please outline your plans to tackle anti social behaviour, which includes drunk and disorderly, drug dealing and public disturbances along Luton Road?

The Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien, responded by thanking Miss Pickering for her question. He stated that anti social behaviour reports were monitored on

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a daily basis by Kent Police and tasked accordingly. All anti-social behaviour was risk assessed and priority given to tackling harm-based anti-social behaviour.

In addition to ward officers and response officers, there were three late turn anti-social behaviour vehicles, which were deployed to each of Medway's policing sectors and worked closely with the council's community officers. Police presence was increased at vulnerable times such as Halloween and Bonfire Night.

He stated that Luton Road was a priority area for the ward-based officers who patrolled it every day. Kent Police were in consultation with the Council with a view to considering extending the Chatham alcohol control zone into Luton Road and Newnham Street.

He said that the Police and Council were working in partnership with landlords to address crime and anti-social behaviour concerns.

Miss Pickering asked a supplementary question by querying whether Councillor O'Brien would be happy to support the extension of the alcohol control zone in Luton Road?

Councillor O'Brien responded by stating that Kent Police were working in consultation with the Council to consider a possible extension of the Chatham alcohol control zone into Luton Road and Newnham Street.

(D) Chris Slater of Gillingham asked the Portfolio Holder for Housing and Community Services, Councillor Doe, the following question:

Given that 2012 is the Queen's Diamond Jubilee and next year London is hosting the Olympics, does Medway Council plan to reflect this by having patriotic floral displays throughout the towns in the form of red, white and blue flowers?

The Portfolio Holder for Housing and Community Services, Councillor Doe, responded by thanking Ms Slater for her question. He stated that the Council's Greenspaces Team would ensure that the Jubilee was marked with appropriate red, white and blue floral displays and had identified a number of areas around Medway Park where bespoke floral designs would be used to reflect both the Olympic celebrations and the Jubilee. In addition, through partnership with Hadlow College, all the floral bedding sites across Medway would be designed to maximise their visual impact and mark celebrations next year.

He referred to the events programme for next year, which included events to mark Dickens' bicentenary, Her Majesty's Diamond Jubilee, 200 years of the Royal Engineers in Medway and marking the Olympics as Medway would be hosting the British Transplant Games at Medway Park.

(E) Caroline McGrath of Chatham asked the Leader, Councillor Rodney Chambers, the following question:

Chatham is dying on its feet with the lack of variety of shops. Now that the bus station is up and running, only time will tell if it works for Chatham. In addition to promoting the bus station, what else is Medway Council doing to attract other shops into Chatham?

The Leader, Councillor Rodney Chambers, responded by thanking Ms McGrath for her question. He stated that to date £19.5 million of regeneration funding had been invested in Chatham and continued regeneration was a top priority for the Council.

He stated that town centre managers measured their shop vacancy rates and reported these nationally to the Association of Town Centre Managers. Vacancy rate figures measured in June 2011 showed Chatham had a vacancy rate of 14% compared to the national average of 14.5%. This compared to vacancy rates in Maidstone of 10.5%, Ashford 17%, Gravesend 13% and Margate at 37%.

The Chatham figures had been measured at a time when major improvements had been taking place to the road configuration and the building of the new Chatham Waterfront Bus Station.

He referred to new investments in Chatham by multiples not previously here such as New Look, JJB Sports and Subway and major extensions to Primark, with increased floor space, and a refit of Wilkinsons. This showed that major retailers had confidence to continue investing in spite of difficult trading times. He mentioned the work of the Chatham Town Centre Manager and Chatham Forum and the use of the City Card, which encouraged Medway residents to shop locally. This had extended to over 24,000 cardholders. The Council was currently working with retailers on the promotions for Christmas and it had been agreed to have free car parking in all of Medway car parks from 10am to 10 pm on four consecutive days from 19-22 December. Medway Matters had also been sent to all households in Medway promoting Chatham and its shops.

(F) Juliette Harcourt of Chatham asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following question:

When is Medway Council going to remove some of the duplicated sets of traffic lights on the Chatham ox-bow from Railway Street to Dock Road and when is something going to be done to address the atrocious phasing which is currently bottlenecking traffic from Clover Street/New Road right through The Brook and up to the start of Dock Road?

My journey time to work from Maidstone Road has gone from 10 minutes to between 25 to 35 minutes and has actually got worse not better as the roadworks have approached completion.

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Councillor Jarrett, Deputy Leader and Portfolio Holder for Finance responded on behalf of Councillor Filmer who was absent, by thanking Ms Harcourt for her question. He stated that Chatham was an important town centre area and as such had many sets of traffic lights to control movements at junctions and catered for the large pedestrian demand and numerous access points to the Town Centre. There was no duplication of signals but as some of the junctions and pedestrian crossings were in close proximity it may appear that they were superfluous if the route was driven.

He stated that there were sometimes conflicting demands of road users including pedestrians and the Council was under a legal duty to ensure that the needs of all road users, including pedestrians and those with mobility difficulties, were met.

Removing the traffic signals may well speed the flow through Chatham but would give rise to many other problems including safety. He clarified that the traffic restrictions put in place while the new Chatham Waterfront Bus Station was being built had now been removed. There would now be a settling in period while drivers got used to new road layouts and new systems. He stated that the traffic signals were not yet fully linked to the SCOOT system, which would optimise traffic flow. Once this had happened there should be smoother flows and reduced delays. The development process would continue for some weeks and be kept under review.

Miss Harcourt asked a supplementary question by asking if any consideration would be given to the fact there were more pedestrian crossings than access points along Dock Road?

Councillor Jarrett responded by stating that these factors would be kept under review and would do his best to allay her concerns to keep Chatham moving.

(G) John Ward of Chatham asked the Leader, Councillor Rodney Chambers, the following question:

The Government is proposing to offer Councils currently operating under the Cabinet and Scrutiny model the choice of reverting to the former Service Committee system, presumably keeping any good ideas that were introduced for the current scheme.

Can the Leader of Medway Council tell the local electorate whether this Council will debate and vote on such an offer if and when formally made available, and can he say whether it will be decided on a free vote?

The Leader, Councillor Rodney Chambers, responded by thanking Mr Ward for his question. He stated that there were proposals in the government's Localism Bill, which would allow local authorities to change their governance arrangements. He did emphasise, however,

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that the Bill was still progressing through Parliament and may be amended. Once it became law and the full details are known the Council would consider its implications and the opportunities it represented for Medway. How this would be voted on would be a decision for the Council at that time.

John Ward then asked a supplementary question by stating that the public had voted Members onto the Council on the basis of the expectation of their having the current decision-making system. If there was not to be a free vote on this matter how would the Leader explain to the public of Medway why only the elite 10 members could take decisions at this Council?

The Leader stated that this would be a matter for the Council at the time.

439 Leader's report

Discussion:

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

- The Medway Test arrangements
- Academic results for 2011
- University Technical College
- Half-price bus fares and weekend travel for 11-18 year olds
- Chatham Waterfront Bus Facility
- Thames Estuary Airport/Cliffe Airport

440 Overview and Scrutiny Activity

Discussion:

Members received a report on Overview and Scrutiny activities. The following issues were discussed during the debate:

- The in-depth scrutiny review into effective challenge to address underperformance in Medway Schools
- Powers available to the Council to bring empty properties back into use
- Member item – water meter replacement and pavement re-surfacing and the recommendation of the Committee that they did not want pavements which had just been re-surfaced to be dug up to accommodate the installation of water meters
- Interim Medway Housing Design Standards – Planning Guidance
- Supported accommodation
- Access to the river for young people
- Children's Referral Assessment and Support Teams and Independent Reviewing Officers/adoption team

441 Members' questions

(A) Councillor Igwe's question to the Portfolio Holder for Housing and Community Services, Councillor Doe was withdrawn by Councillor Igwe

(B) Councillor Osborne asked the Portfolio Holder for Children's Services, Councillor Wicks, the following:

"Can the Portfolio Holder for Education confirm the level of cuts to devolved capital funding to schools in Medway?"

The Portfolio Holder for Children's Services, Councillor Wicks, stated that whilst Councillor Osborne was correct in his assertion that devolved capital budgets to schools had been cut, the government had replaced them with a greater sum allocated to local authorities to be managed centrally in accord with the James Review principles.

Devolved capital funding to schools in 2010/2011 was £4.8 million and in the current year the equivalent, but centrally managed, capital maintenance grant was £5.1 million in addition to the devolved capital sum of £800,000.

Councillor Osborne asked a supplementary question by asking whether more improvements would be seen particularly in Luton and Wayfield?

Councillor Wicks stated that the £5.1 million was centrally handled and the Council had to ensure value for money.

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

"Do you agree with Councillor Les Wicks, as reported by the Medway Messenger, that the new bus station is unsafe?"

The Leader, Councillor Rodney Chambers, responded by saying that Councillor Wicks had been referring to particular elements of the traffic management related to the bus station. The anti-skid surface on the crossings were installed when the bus station opened but had to set before it was possible to paint in the visible crossing. This had now been completed.

He said that some teething issues would be expected with any new development and emphasised that the Council had closed possibly the worst bus station in Britain and opened one of the best. He stated that the new bus station was clear, well lit with free toilets, was secure and had an Information Centre.

Councillor Maple then asked the Leader of the Council whether the decision to open the bus station on the chosen date, when there were safety addresses outstanding, was an exercise in saving face?

The Leader said this was not the case.

(D) Councillor Stamp asked the Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien, the following:

"The issue of nuisance motorbikes has been a persistent problem in Lower Gillingham for several years now. Local residents are fed up with the excessive noise, criminal damage and illegal and dangerous driving on roads, footpaths, alleyways and local green spaces. Given that tackling nuisance motorbikes is supposed to be a priority for the Community Safety Partnership, what is being done proactively to tackle this problem, and when can residents expect to see a significant improvement in this situation?"

The Portfolio Holder for Community Safety and Customer Contact responded by stating that the Council had received five complaints regarding motorbikes causing anti-social behaviour around the Gillingham North area in the last year and had shared the information with Kent Police.

He stated that MOAT Housing had offered a free bike restrictor and that the Community Officer for Gillingham North was currently in the process of looking to fit this along the cinder path running from Maple Avenue to Woodland Road.

The Public Right of Way Officer had been in contact with ward councillors seeking funding from ward funds for a further restrictor. Other ward councillors had used their ward funding to successfully address motorbike issues in their areas and he suggested that Councillor Stamp could consider doing the same.

He mentioned that the Police had been actively targeting a small group of offenders who had been responsible for a disproportionate amount of anti-social behaviour and had seized five nuisance motorcycles and issued a further five section 59 seizure warnings to riders driving in an anti-social manner. Two targeted arrests had been made and 15 prosecution files submitted to the Courts in relation to driving offences by this group.

Residents had fed back to the Police that their quality of life had improved due to the actions being taken.

Councillor Stamp asked a supplementary question. He referred to the cuts to the Police service and whether these would impact on the effective targeting of these people?

Councillor O'Brien responded by stating that he was sure the Community Safety Partnership would ensure that they did everything in their power to make the area a safe place in which to live.

(E) Councillor Stamp asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

"Despite Veolia's £200 million, 7 year waste contract having only been operational for one year, the Conservative Cabinet have allowed costs for the doorstep recycling service to go significantly over budget while agreeing to a

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method of collection which could leave Medway's streets full of litter. Why has Medway Council yet again been out-manoeuvred during negotiations with a privately owned, profit-making company, at the local taxpayer's expense?"

Councillor Jarrett responded, in the absence of Councillor Filmer, by stating that over the last contract, working with Veolia, Medway had increased its recycling rate from only 18.8% to 38.8% in 2010/2011.

He stated that by separating out paper and encouraging residents to recycle more, the solution selected would save the Council almost £1million per annum in processing and disposal costs, as well as helping towards the Council's aim of a 40% recycling rate.

Since introducing the twin stream service, concerns had been raised over the bags issued and Cabinet decided it would like Medway to continue to issue single use clear sacks to work alongside the reusable bags. This gave additional capacity for the container parts, bottles, plastics, cans etc of their recycling.

As the bags were tied this should help limit litter from bags being knocked over. Veolia would ensure any litter was removed after collection. Since the start of the new collection contract Veolia had been reviewing the street cleaning schedules and were in the final stages of altering the few routes undertaken before collection to a post collection sweep.

(F) Councillor Cooper asked the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

"The Saxon Shore Way between Owens Way and Copperhouse Lane links the Country Park with the Strand Leisure Park in Gillingham. It is a popular right of way used by many local residents.

Why then has it still not been litter picked and cleared of dumped rubbish despite requests being made in February 2011, and will the Council finally agree to place it on a regular cleaning schedule?"

Councillor Jarrett responded on behalf of Councillor Filmer who was absent by stating that the Council's street cleansing contract was used to maintain the visual appearance of highways land, which included many types of route from 'A' roads to footpaths, which are controlled by Medway Council.

Although the Saxon Shore Way was a public right of way, the land was owned by a number of different landowners. Although Medway Council could deal with obstructions to public rights of way, the responsibility for cleaning the land either from litter or dumped rubbish was the responsibility of the landowner.

In view of this the Council could not add the route to its cleansing contract. Discussions had been ongoing with the landowners to attempt to resolve the situation.

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Councillor Cooper asked a supplementary question by requesting details of any outcomes from the discussions once they are available.

Councillor Jarrett agreed to this request.

(G) Councillor Murray asked the Portfolio Holder for Adult Services, Councillor Brake, the following:

“Does the Portfolio Holder think it is wise that Copper Beeches – the care home formerly owned by Southern Cross – has now been taken over by another private equity firm of the same business model, Four Seasons? Have lessons not been learnt?”

The Portfolio Holder for Adult Services, Councillor Brake responded by stating that Four Seasons was the landlord of the Copper Beeches property and that the model of delivery was totally different to that of Southern Cross.

He explained that Southern Cross was a tenant of Four Seasons and therefore at the mercy of a lease agreement that allowed the landlord to increase rent every year. Southern Cross had always been clear that this home and their other home in Frindsbury were both sustainable services once the rental costs were removed from their books.

He stated that a briefing note would be prepared relating to Copper Beeches and this would be sent to Councillors in the coming week.

Councillor Murray welcomed the offer of a briefing note and asked a supplementary question as to whether the Portfolio Holder had obtained a safeguarding agreement for residents and taxpayers with Copper Beeches?

The Portfolio Holder responded by stating that there was no problem to address and he could not comment further.

442 Children and Young People's Plan 2011/2014 (Policy Framework)

Discussion:

Members received a report seeking approval of the Children and Young People's Plan 2011-2014 as part of the Council's policy framework.

Councillor Wicks, Portfolio Holder for Children's Services, supported by Councillor Wildey, Portfolio Holder for Children's Social Care, proposed the recommendation contained in the report.

Councillor Price, supported by Councillor Tolhurst, proposed an amendment by the addition of the following: 'to include in the Children and Young People's Plan that the Council should seek, in partnership with the new marine PACT, to expand access to and use of the River Medway, our most precious natural resource, by our children and young people in Medway'

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With the consent of the Council, Councillor Wicks and the seconder confirmed that in accordance with paragraph 11.4.2 of the Council rules in the constitution, he was happy to incorporate this in the motion.

Decision:

That the Children and Young People's Plan be approved as set out in Appendix A to the report and with the addition of the following words: 'that the Council should seek, in partnership with the new marine PACT, to expand access to and use of the River Medway, our most precious natural resource, by our children and young people in Medway'.

443 Youth Justice Plan 2011/2012 (Policy Framework)

Discussion:

Members received a report seeking approval to the Youth Justice Plan 2011/2012 as part of the Council's policy framework.

Councillor Wicks, Portfolio Holder for Children's Services, supported by Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact, proposed the recommendation contained in the report.

Decision:

The Youth Justice Plan 2011/2012 be approved as part of the Council's policy framework.

444 Better for Less Programme - Establishment of New Models for Customer Contact and Administration

Discussion:

This report sought approval to staffing and budget transfers across directorate boundaries following the implementation of the Better for Less programme.

Councillor Jarrett, Deputy Leader and Portfolio Holder for Finance, supported by Councillor O'Brien, Portfolio Holder for Community Safety and Customer Contact proposed the recommendations contained in the report.

Councillor Griffiths, supported by Councillor Godwin, proposed an amendment to add a new recommendation 7.4 to read as follows:

'7.4 As part of the increased efficiency associated with the Council's Better for Less programme, the Cabinet be reduced in size by 30% to a total of 7 members (including the Leader) with portfolios being reallocated accordingly'.

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

On being put to the vote, the substantive motion was carried and agreed.

Decision:

- (a) The Council delegated authority to the Chief Executive, in consultation with the Leader, to implement any subsequent restructure that crosses directorate boundaries as set out in paragraph 3 of the report;
- (b) The transfer of budget for Libraries totally £4.1m from Business Support to the Regeneration, Community and Culture Directorate was approved;
- (c) The Council approved that the Chief Finance Officer, in consultation with the Deputy Leader, be given delegated authority to make such budget transfers across directorate headings as required to implement the new models of customer contact and administration, for this and subsequent phases of implementation, with reports of the delegations exercised to be included in quarterly budget monitoring reports to Cabinet and Overview and Scrutiny Committees.

445 Additions to the Capital Programme

Discussion:

This report presented a number of additions to the Capital Programme for approval.

Councillor Jarrett, Portfolio Holder for Finance, supported by the Leader, Councillor Rodney Chambers, proposed the recommendation contained in the report.

Decision:

The additions and amendments to the Capital Programme as detailed in paragraph 3 and summarised in paragraph 5.1 were agreed.

446 Constitutional Matters

Discussion:

This report sought approval to several decisions on constitutional matters including the provisions for urgent decisions in the Council's constitution, the position of a Councillor who is currently unable to attend meetings due to family circumstances, the terms of reference for the Kent and Medway Joint Appointments Committee for the Kent Police Authority and the arrangements for Council meetings, usually held in February, where the Council debates and determines the Council's capital and revenue budgets.

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The Leader, Councillor Rodney Chambers, supported by Councillor Jarrett, Portfolio Holder for Finance, proposed the recommendations contained in the report.

Councillor Godwin, supported by Councillor Maple, proposed the following amendment 'subject to officer's viewing the precise wording: in Appendix A, 4.1 (ii) retain the words 'and spokespersons'.

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

On being put to the vote, the substantive motion was carried.

Decision:

- (a) It was agreed that Councillor Jane Etheridge should not cease to be a member of the Council, if as a consequence of the illness of an immediate family member, she is unable to attend any meeting of the authority before 10 February 2012;
- (b) The amendments to the Council's provisions for urgent decisions, as set out in Appendix A to the report, were agreed;
- (c) The terms of reference of the Kent and Medway Joint Appointment Committee, as set out in paragraph 4.1 of the report, were agreed;
- (d) It was agreed that the following footnote should be added at the bottom of paragraph 2 of the Council rules in order to clarify which items of business should be excluded from Council meetings when capital and revenue budgets are determined 'petitions, questions from the public, the Leader's report, a report of Overview and Scrutiny activity, questions from elected members and motions'.

447 Appointments to the Children and Young People Overview and Scrutiny Committee

Discussion:

Members received a report asking the Council to appoint two new representatives of Medway parent governors to the Children and Young People Overview and Scrutiny Committee as voting co-optees.

Councillor Kemp, supported by Councillor Doe, Portfolio Holder for Housing and Community Services, proposed the recommendation set out in the report.

Decision:

It was agreed that Samantha Collins and Noah Kantoh be appointed to the Children and Young People Overview and Scrutiny Committee to fill the two vacancies for parent governor representatives on the Children and Young People Overview and Scrutiny Committee for a four year term.

448 Motions

(A) Councillor Chishti withdrew his motion

(B) Councillor Price, supported by Councillor Craven, proposed the following:

Council notes:

- 1) The 11+ fiasco at the Chatham Grammar School for Boys and the Rainham School for Girls;
- 2) The botched Primary School reorganisation programme which used incorrect pupil statistics to close local primary schools including the closure of Ridge Meadow and St Peter's and St John's threatened;
- 3) The £350,000 bill to cancel photocopier contracts due to school closures;
- 4) The £1.8m overspend on the Walderslade School building project;
- 5) The £1.25m overspend on the Woodlands School building project;
- 6) The cancellation of the school improvements at Luton School, and the cuts to building schools budget from £5m down to covering maintenance only;
- 7) Medway is ranked close to the bottom of Level 4 league tables, with only 67% of pupils across the area gaining the level required.

Council believes:

Councillor Wicks has not managed his brief and should not continue to be Portfolio Holder responsible for schools and young people.

Council resolves:

That Councillor Wicks should resign with immediate effect.

On being put to the vote the motion was lost.

(C) Councillor Osborne, supported by Councillor Igwe proposed the following:

Council notes:

- 1) The 20% cut to the Kent Police budget which will see a reduction of 500 front line police and 800 Police support staff
- 2) The press release by Councillor Mike O'Brien, Chairman of the Medway Community Safety Partnership claiming PCSOs in Medway were to be cut "by more than half"
- 3) The introduction of an elected Police Commissioner, which was opposed by the ruling Conservative and opposition Liberal Democrat and Labour Groups on Kent County Council, and which is expected to incur significant cost to the taxpayer.

Council, 20 October 2011

Council believes:

- 1) Councillor O'Brien inappropriately released information to the public about the impact of police budget cuts on PCSOs in Medway
- 2) In doing so, Councillor O'Brien released sensitive and hitherto confidential information
- 3) That, as such, the Medway Conservatives failed to support the Portfolio Holder on his statement because he had politically compromised the independence of the Medway Community Safety Partnership
- 4) That the cuts to Police budgets are a direct result of the Conservative Government who are cutting budgets too far and too fast.

Council resolves:

- 1) To defend our PCSO numbers against Conservative-led cuts
- 2) That the next Chair of the Medway Community Safety Partnership must not be an elected politician for reasons for impartiality.

The Portfolio Holder for Community Safety and Customer Contact, Councillor O'Brien, supported by Councillor Jarrett, Portfolio Holder for Finance moved the following amendment:

Replace:

Council notes:

- 1) The 20% cut to the Kent Police budget which will see a reduction of 500 front line police and 800 Police support staff
- 2) The press release by Councillor Mike O'Brien, Chairman of the Medway Community Safety Partnership claiming PCSOs in Medway were to be cut "by more than half"
- 3) The introduction of an elected Police Commissioner, which was opposed by the ruling Conservative and opposition Liberal Democrat and Labour Groups on Kent County Council, and which is expected to incur significant cost to the taxpayer.

Council believes:

- 1) Councillor O'Brien inappropriately released information to the public about the impact of police budget cuts on PCSOs in Medway
- 2) In doing so, Councillor O'Brien released sensitive and hitherto confidential information
- 3) That, as such, the Medway Conservatives failed to support the Portfolio Holder on his statement because he had politically compromised the independence of the Medway Safety Partnership
- 4) That the cuts to Police budgets are a direct result of the Conservative Government who are cutting budgets too far and too fast.

Council, 20 October 2011

Council resolves:

- 1) To defend our PCSO numbers against Conservative-led cuts
- 2) That the next Chair of the Medway Community Safety Partnership must not be an elected politician for reasons for impartiality.

With the following amendment:

Council notes:

- That as the Cabinet member for Community Safety and Customer Contact, Cllr Mike O'Brien has raised concerns about potential reductions in PCSO numbers in Medway and their redistribution to other parts of Kent.

Council believes:

- That the role of the Council administration is to stand up for the interests of Medway's residents
- That the Police continue to enjoy the Council's full support in the difficult and often dangerous task that they carry out for the people of Medway and this includes PCSOs. This is reflected in the Council's close partnership working.
- That the Chief Constable of Kent Police faces a challenging restructuring programme due to the difficult financial deficit inherited from the recent Labour government.
- That the election of the Chair of the Medway Community Safety Partnership (CSP) is a matter for the partnership. Many other CSPs, including the Kent CSP, are chaired by elected members.

Council Resolves:

- To confirm its support for the actions of the Cabinet member for Community Safety and Customer Contact, Cllr Mike O'Brien
- To continue to champion the interests of the residents of Medway
- To continue to work closely with all our partners in the CSP

On being put to the vote the amendment was carried.

Decision:

Council noted:

- That as the Cabinet member for Community Safety and Customer Contact, Cllr Mike O'Brien has raised concerns about potential reductions in PCSO numbers in Medway and their redistribution to other parts of Kent.

Council believes:

- That the role of the Council administration is to stand up for the interests of Medway's residents
- That the Police continue to enjoy the Council's full support in the difficult and often dangerous task that they carry out for the people of Medway and this includes PCSOs. This is reflected in the Council's close partnership working.
- That the Chief Constable of Kent Police faces a challenging restructuring programme due to the difficult financial deficit inherited from the recent Labour government.
- That the election of the Chair of the Medway Community Safety Partnership (CSP) is a matter for the partnership. Many other CSPs, including the Kent CSP, are chaired by elected members.

Council Resolved:

- To confirm its support for the actions of the Cabinet member for Community Safety and Customer Contact, Cllr Mike O'Brien
- To continue to champion the interests of the residents of Medway
- To continue to work closely with all our partners in the CSP

(D) Due to the lateness of the hour Councillor Murray withdrew her motion with a view to submitting it again for debate at the next Council meeting

449 Proposed New Supermarket and Community Hub in Strood

Discussion:

This report advised Council of the proposed development of a new supermarket and Community Hub in Strood town centre and requested the Council to approve the disposal of the Temple Street Car Park, Strood, as part of the process.

The Portfolio Holder for Finance, Councillor Jarrett, supported by the Leader, Councillor Rodney Chambers proposed the recommendation contained in the report.

Decision:

Council agreed that the Temple Street Car Park and adjoining yard (as shown edged black and hatched black on the plan set out in Appendix 1 to the report) should be declared surplus and delegated authority to the Assistant Director of Housing and Corporate Services, in consultation with the Portfolio Holder for Finance, to enable their disposal upon the best terms reasonably obtainable.

Council, 20 October 2011

Mayor

Date:

Rosie Gunstone, Democratic Services Officer

Telephone: 01634 332715

Email: democratic.services@medway.gov.uk

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