

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

Tuesday, 13 December 2011

6.30pm to 10.20pm

Record of the meeting

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

Present: Councillors: Bright (Chairman), Griffin, Griffiths, Adrian Gulvin, Hicks (Vice-Chairman), Hubbard, Mackinlay, Maisey, Osborne, Stamp and Turpin

Substitutes: Councillor Pat Gulvin for Councillor Etheridge
Councillor Smith for Councillor Juby

In Attendance: Robin Cooper, Director of Regeneration, Community and Culture
Sarah Dagwell, Acting Head of Waste Services
Angela Drum, Head of Legal Services
Stephen Gaimster, Assistant Director Development, Economy and Transport
Mick Hayward, Chief Finance Officer
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Anna Marie Lawrence-Lovell, Performance Manager
Andy McGrath, Assistant Director, Front Line Services
Caroline Salisbury, Democratic Services Officer

603 Record of meeting

The record of the meeting held on 4 October 2011 was agreed and signed by the Chairman as correct.

604 Apologies for absence

Apologies for absence were received from Councillors Etheridge and Juby.

605 Urgent matters by reason of special circumstances

There were none.

606 Declarations of interest

Councillor Griffiths declared a personal interest to agenda item 8 (Quarter 2 Council Plan monitoring 2011-2012) as he is a Council appointed Member on the Chatham Maritime Charitable Trust Ltd. He also declared a personal

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interest to any reference to Medway Community Healthcare, as he is a non-executive director.

607 Portfolio Holder for Strategic Development and Economic Growth in attendance

Discussion:

The Portfolio Holder for Strategic Development and Economic Development addressed the committee outlining the main achievements within areas of her portfolio between April 2009 and October 2011, including:

- 60 new companies had been created, 35 Medway residents had started work as apprenticeships and over 1,400 local jobs had been created, protected or assessed
- The '100 in a 100' initiative was obtaining commitments, within a 100 day period, from Medway businesses to take on 100 apprentices, jointly funded by Medway Council and the EU
- the Business Start Up Programme, which provides grants of £1,000, enabling people to buy equipment or pay for promotion, had been very successful
- satisfaction levels with the markets had increased significantly
- 90.8% of all retail premises in the five town centres were occupied and actively economically which was well above the national average.

A briefing note was also circulated to Members covering further highlights within the portfolio, including:

- social regeneration
- EU/external funding
- improvements in the local economy
- South Thames Gateway Building Control Partnership
- development management
- planning policy and design.

Members welcomed the information provided but asked, as the Portfolio Holder had given figures of achievement for a two and a half year period, that the information was broken down into relevant numbers for each year and the six months of 2011 and that this information was circulated to Members via a Briefing Note.

The Portfolio Holder was asked whether any pressure could be put on Chatham Maritime Ltd or others to redevelop the remaining undeveloped areas on Chatham Maritime. Councillor Chitty responded that she was aware that council officers were liaising with the Homes & Communities Agency and other interested parties to encourage development to take place.

Members asked Councillor Chitty about a recent announcement from Mary Portas, the government's 'shopping czar', that identified a key issue in the

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national decline of the High Street as being car parking charges and that these should be reduced or scrapped in order to make the High Street more competitive with out-of-town shopping centres. Councillor Chitty responded that she did not agree with this, as it was not practical or possible and that Medway already had competitive car park charges.

Members also asked for assurance that the Capstone Valley would be safeguarded against future development if planning laws were to be relaxed. The Portfolio Holder stated her confidence in the robustness of Medway's Local Development Framework to protect and preserve the Capstone Valley area.

Decision:

The committee:

- (a) thanked Councillor Chitty for her attendance and the information and answers she had provided;
- (b) requested that the figures provided by the Portfolio Holder are broken down into relevant numbers for each year and the six months of 2011 and circulated via a Briefing Note.

608 Portfolio Holder for Housing and Community Services in attendance

Discussion:

The Portfolio Holder for Housing and Community Services addressed the committee outlining the main achievements within areas of his portfolio, including:

- Rochester Castle - there had been an 8% increase in the number of visitors during the past year; there was now a maintenance plan and the fabric of the building would be monitored over the next few years to identify any deterioration; discussions were on-going with the lottery fund for works to the Mural Tower
- Upnor Castle – an EU bid for £85,000 had been successful and would be used for interpretation signage; a study had been carried out on the barrack block which would be used to determine how to attract funding for re-development work
- Eastgate House – stage one of a £1 million bid had been approved
- Museum – The Opening the Doors Programme made the entrance more attractive with better presentation and inter-active displays
- Events – the Dickens Festival had received an unprecedented number of coaches and the festival was near to capacity; a year of celebrations was planned for 2012 including the Queen's Diamond Jubilee, Dickens' 200th anniversary and the 100th anniversary of the Royal Engineers
- Greenspaces – the council had agreed savings of £100,000 with the contractor by working more efficiently without diminution of the quality of service; there had been five green flag accreditations; Phase 2 of the

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Playbuilder scheme had been completed; and work with Hadlow College and friends groups was on-going with floral bedding across Medway involving 4,000 hours of community engagement

- Medway Park – the British Transplant Games was soon to be hosted at the centre; the centre was also being developed as a rugby training venue; coaching qualifications were being developed; four nations were using the facilities as their pre-Olympics training camp; and the Olympic torch relay would be coming through Medway
- Theatre and Arts – this year's pantomime was extremely successful and there had been a series of theatre events throughout the year; greater use was being made of the art gallery in Rochester High Street
- Libraries – work continued to encourage more people to use the libraries for a variety of activities being developed; the community hubs had been located within two libraries
- Tourism – a tourism strategy was in the early stages of being developed which would include an action plan.

The Portfolio Holder was asked about the promotion of tourism to Medway in European countries, in particular with Holland because of the naval history between the two countries. He was asked to note that in 2017 there was the potential for marking the 350th anniversary of a Dutch naval raid up the river Medway. Councillor Doe responded that relations with Europe needed to be strengthened and the proposed tourism strategy would address these types of issues.

Members asked if the council's archives were to be re-located and, if so, could the historic documents currently in storage be put on display, as some documents were not available. Councillor Doe advised that there was a problem with security for some of the important historical documentation but that he would wish to see them accessed by means of virtual reality.

Members asked whether the free-swimming provision for under-11s and over-60s would continue and whether any libraries would have to close as part of the budget proposals for 2012-2013. The Portfolio Holder advised that he knew of no proposal to either end the free-swimming initiative, which had been extremely successful, or to close any of the libraries, which were also performing extremely well in Medway. However, Councillor Doe added that the draft budget proposals for 2012-2013 were on-going and had not been finalised, so he could not give complete assurance to the committee at this stage.

The committee asked about the success of the Dickens Festival, in particular the unprecedented number of coaches, where there had been a suggestion that some coaches had been turned away. The Portfolio Holder responded that the coaches involved had been a small number that had turned up without pre-booking a space in the coach park and were turned away due to health and safety concerns of too many people in a small space.

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The Portfolio Holder was asked about the proposed tourism strategy and what input Members would have into the compilation of this strategy. Councillor Doe advised that he proposed to present it to the Cultural Partnership and he welcomed the opportunity for this committee to also consider it and come forward with ideas. He also cautioned that it would not have a large budget provision, so funding would need to be sourced and applied for externally in a creative way.

Members asked how the theatre and arts budget, with a current forecast overspend of £80,000 for 2011-2012, could be made more sustainable and the effect this would have on the services provided. Councillor Doe responded that the Corn Exchange in Rochester had a net cost of £100,000 and the council was working to this becoming a self-sustaining venue in the next few years, although it was recognised that this would be difficult in the current economic climate. The service was also continually looking at improving ways of working to cut costs.

Following information about a year of celebrations in 2012, the Portfolio Holder was asked to provide information on how the funding for this tied into the proposed budget provision for next year via a Briefing Note.

The Portfolio Holder was also asked whether the cuts to the Greenspaces contract would result in a reduction to services and if not, had the council been paying too much for this contract in the past? Also, would the current quality-check monitoring remain in place? Councillor Doe responded that close monitoring of the contract remained in place and that the council and the contractor had worked together to continually streamline services and find efficiency savings.

Decision:

The committee:

- (a) thanked Councillor Doe for his attendance and the information and answers he had provided;
- (b) requested that information on how the funding for the proposed 2012 year of celebrations would tie into the proposed budget provision for next year via a Briefing Note.

609 Annual review of the waste contracts: Year 1

Discussion:

The Head of Waste Services introduced three representatives of the council's waste contractors, who were in attendance to answer questions at the meeting. These were Countrystyle (providing organic [garden and food] waste processing), Veolia (providing waste and recycling collection, waste disposal and street cleansing services) and Waste Recycling Group (WRG) (providing management of the three household waste recycling centres HWRC)).

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Each contractor gave a presentation giving an overview of the work carried out in the first year of the contract, including:

Countrystyle

- the purpose of processing garden and food waste was to divert biodegradable waste from landfill
- the key purpose of this contract was to allow the council to comply with its statutory duties for landfill allowance targets which would need to be reduced year on year. This process allowed the council to meet those targets
- significantly lower amounts of waste from Medway was being sent to landfill and the council had a surplus of landfill credits
- Countrystyle and Veolia have formulated productive processes required in order to work well together
- Countrystyle was working within the agreed budget framework
- the council had begun discussions about the future of this 15 year contract with a view to taking up a five year extension which would ensure efficiency savings with regard to the capital expenditure.

Veolia

- Medway and Veolia had introduced a new recycling service at the start of the contract in order to increase recycling and reduce costs. It was unique, as no other Local Authority had changed from a fully co-mingled service into a twin stream (paper collected separate from other recycling materials) service
- the volume of clean paper and cardboard collected by kerbside collection (to generate additional income for Medway Council, reduce processing costs and increased recycling performance) had increased by 1,474 tonnes
- household waste collection had reduced by 2,507 tonnes
- garden waste and food collection had increased by 2,866 tonnes
- bulky household waste collections had reduced by 111 tonnes
- current recycling rates was between 39-40%, and there was a commitment to increase this to 45% by 2015
- a review of the kerbside recycling collection had been undertaken as many residents had found the reusable bags insufficient to contain all of their materials, bags had blown away during windy conditions which resulted in significant numbers of requests for replacement bags
- therefore the decision was made for residents to retain their blue boxes and blue re-usable bags for the containment of paper and cardboard and to continue with the provision of clear sacks in addition to the white bags for the containers (bottles, cans, plastics, foil)
- work had started with a company in Thanet to recycle mechanical sweeper arisings which would be screened/washed and aggregates removed. It was hoped that that this would be implemented during 2012, once the facility had been built.

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Waste Recycling Group (WRG)

- the three household waste recycling centres (HWRC) were mobilised in October 2010
- recycling rates for the sites was approximately 35% when WRG began the new contract and the target was to increase this to 50% in the first year. The sites achieved 52.2%
- the next challenge was to achieve 60% recycling in year 2 of the contract
- a major contributor to the recycling rate was mattresses, with 4,700 recycled in six months
- each household waste site had an energy champion, who implemented energy saving ideas, reducing further the sites usage and carbon footprint
- WRG were investigating 're-use' of furniture and household items, engaging with third sector outlets
- it was planned to re-develop the Hoath Way site (pending planning permission) to increase materials and reduce queues
- WRG was in consultation with the council to provide Medway with a local trade waste disposal and recycling facility within the current infrastructure.

The committee asked questions and made comments, including:

- many residents still seemed unaware that they could put food waste in the brown bins
(officers gave assurance that the council would promote this in the Medway Matters newsletter and on the sides of trucks. The annual recycling calendar was being delivered to all properties and it would also be made clear in that information. Members were asked to note that the brown bins could also take shredded paper and pizza boxes. It was important to promote this as every tonne diverted from landfill saved money for the council)
- what had been done to control the queues of vehicles at the Cuxton household site?
(WRG responded that they had extended the parking area and provided more information upon arrival at the site. They were also looking to install signage outside the front of the site to advise on peak times)
- the co-location of glass and plastics into the same container seemed likely to be a problem
(Veolia advised that these were separated once they arrived at the facility and even if the glass was broken there was no problem with this)
- why was Medway's black sack waste sent to London when there was a facility in Allington?
(The Assistant Director Frontline Services indicated that the disposal contract had been subject of an EU procurement and the use of SELCHP (in London) was assessed as the most economically advantageous tender)
- a Member voiced concern about safety at the Capstone household recycling site, specifically with where fluorescent light tubes were recycled and also asked whether mercury in light bulbs was recycled
(WRG gave assurance that they would look into the location of the fluorescent lighting section at Capstone HWRC. Assurance was also given that all lighting tubes were sent away to a specific recycling centre which included the capture of mercury. Officers also advised that they had been

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approached by a company keen to work with the council to arrange collection of light bulbs from contact points, libraries and household waste recycling centres. Officers were keen to look into this and if it went ahead, it would be one of the first in the UK and would build on the current battery recycling collection service)

- was the co-mingling of waste at flats recycled and where did it go? (Veolia confirmed that it was recycled and was taken to a different facility for sorting and recycling)
- the predicted overspend detailed in paragraph 5.4.1 of the report – was this related to the old collection contract which had bigger sacks and now that smaller sacks were being used, had this resulted in less being collected? (officers responded that this was due to a change in the contract arrangements. Previously it had been put into one container but this de-valued the on-cost of the paper. When the contract was re-let, Veolia offered a variant bid that separated paper at the kerbside (with two containers) and, because of this method, it allowed a discounted price to the council. Residents have been keen to keep one clear recycling bag rather than two containers as part of the kerbside recycling service and Cabinet agreed to continue this method in October 2011. The budget pressure of £246,000 was the continued use of the recycling sacks, as this was a contract variation with Veolia)
- why could empty gas canisters not be re-issued to the public from the HWRCs? (WRG advised that this was a health and safety issue as they could not guarantee the safety of the bottle and every bottle had to be issued with a certificate)
- could vehicle tyres be recycled? (WRG confirmed that tyres were sent to a specialist recycling company and the end-product was re-used for highway usage)
- how were mattresses recycled? (WRG advised that these were taken to a company in Ashford where they were stripped down to their component parts and recycled as appropriate)
- Members asked about the possibility of the trade recycling facilities in Medway (officers advised that the council were investigating this option. A government back scheme was available to apply to for funding to undertake a feasibility study in Medway to enable the council to take forward discussions on this matter with WRG)
- a Member asked that a previous request for alleyways within his ward to be cleaned was actioned (officers responded that the alleyways referred to were not part of the contracted routes within Medway and had historically been cleaned on demand. Every metre of pavement cleaned was a cost to the council. However, they would investigate the main pavement mentioned.)

Decision:

The committee thanked the contractors for attending the meeting and providing the information and answers to Members questions.

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610 Quarter 2 Council Plan monitoring 2011/2012

Discussion:

The Performance Manager introduced the report reminding the committee that the performance of each measure was rated green, amber and red to highlight whether the performance levels met the expected standard.

For the Council Plan performance for quarter 2 which covered July – September 2011, 32 key performance indicator measures of success could be rated:

- Green – 24 measures have achieved or outperformed the target (75%)
- Amber – 3 measures are below target but within acceptable variance limits (9%)
- Red – 5 measures are outside acceptable variance limits (16%)

There were 4 performance measures which were not rated as they were 'data only' but have been included for information.

The highlights for Quarter 2 included:

- a task group had been set up to investigate areas of Chatham Town Centre, where people socialised by street drinking and drug use, often resulting in anti-social behaviour
- Love Medway phase 2 campaign was now underway. 1,790 reports were received via the Love Medway mobile phone app, the three most common issues being reported were fly tipping, non-offensive graffiti and fly posting
- all 5 sites submitted for Green Flag status secured accreditation
- Chatham Waterfront bus station opened on 10 October 2011 with one thousand bus services a day running from the new station
- improvement to the existing half fare concession for young people was ongoing. Cabinet approved the scheme on the 4 October 2011. The documentation was being finalised for a January 2012 implementation following a formal consultation with bus operators
- the first outdoor film screening at Rochester Castle attracted a paying audience to watch Ironclad, a film based on the 1215 siege of the castle. The BBC were filming in Rochester and the Mystery of Edwin Drood would be screened on New Year's Day and would be a good start to Medway's Year of Celebrations.

Areas requiring development were:

- results from the latest wave of the Tracker survey showed a dip in satisfaction with the Community Officers
- employment figures had not achieved their targets for quarter 2 due to the closure of the Flexible New Deal programme
- new registrations by local people accessing employment support services.

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Following questions about the drop in satisfaction with Community Officers, the Performance Manager agreed to provide Members with an update at Quarter 3 giving the outcome of a recent meeting held with a focus group from the Citizens Panel to explore the awareness of the Community Officers, their functions most valued by the public and reasons for satisfaction and dissatisfaction.

The committee asked what legal powers were available to enforce the removal of graffiti on land not owned by the council and, in particular, land owned by Network Rail? Officers responded that land owned by Network Rail remained a national problem. There was a variety of legislation available to the council to use but it did not specify a time limit for the removal works to be undertaken and in some cases it was simpler and more effective for the council to carry out the work itself.

With regard to the waste contracts, Members expressed concern that the budget forecast showed £1.3 million overspend and officers were asked how this could be made sustainable in the future without creating an annual budget pressure. The Assistant Director for Front Line Services responded that the primary pressure was an annual increase, written into the contracts, linked to the Retail Price Index (RPI) which currently stood at 5.2%. This accounted for half the predicted overspend. Officers advised that they were due to meet with the contractors to investigate the possibility of the contractors being requested to re-consider this clause in the contracts. It would also be crucial to continue to raise the amount of recycled waste, as this was much cheaper than sending waste to landfill sites.

Members also questioned the purchase of carbon tax credits on the central budget and asked whether schools were aware of the burden placed on the council for taxable carbon emissions. Officers were asked if there was any incentive for schools to act on this, thereby having a direct effect on the budget. Officers confirmed that this issue was dealt with by the Business Support Overview and Scrutiny Committee but did explain that the council's energy consumption figures were converted into notional tonnes. The council was then taxed on that tonnage. As this was a corporate tax, it was split between the Dedicated Schools Grant (DSG) and the Business Support directorate. Schools did have the incentive to keep their fuel bills down and this had an effect on the carbon emissions used by the council.

Following reference to the red indicators for employment statistics and further information circulated at the meeting at the request of Business Support Overview and Scrutiny Committee, officers undertook to clarify, via a Briefing Note, the difference between the 'Flexible New Deal' and 'Work Programme' schemes.

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Decision:

The committee agreed to:

- (a) note the outcomes achieved against priorities;
- (b) request a Briefing Note on the outcome of a recent meeting held with a focus group from the Citizens Panel to explore the awareness of the Community Officers, their functions most valued by the public and reasons for satisfaction and dissatisfaction;
- (c) request a Briefing Note on the difference between the 'Flexible New Deal' and 'Work Programme' schemes.

611 Draft capital and revenue budget 2012/2013

Discussion:

The Chief Finance officer introduced the report advising that it outlined the Cabinet's initial proposals for the budget provision for 2012-2013. He also advised that the Council's Medium Term Financial Plan 2011 was the most comprehensive ever produced and reflected the revenue budget pressures facing individual directorates in 2012-2013. It had predicted a £9 million gap in funding, which had since been reduced to just over £6 million. Appendices 1a gave the current situation and Appendix 1b set out the areas adjusted to help decrease the gap in the Regeneration, Community and Culture Directorate budget. The committee was advised that the Local Government Finance Settlement had recently been announced and there was no change to the predictions made within the proposed budget.

Members commented that the budget figures were not linked to service plans for each department or the over-arching Council Plan, so there was no indication as to whether the proposals meant a change to service commitments. Officers responded that the services remained the same unless otherwise specified. Any changes would be reported at the appropriate stage of the process.

Members questioned the anticipated increase in income and charges shown in Appendix 1b, as the services this applied to had historically overspent their budgets. Therefore, how reasonable and robust were these predictions and were they deliverable? Officers were also asked about the increased National Non-Domestic Rates (NDR) liability at Medway Park showing as a pressure of £169,000 and why no previous provision had been made for this? The Director of Regeneration, Community and Culture responded that there had been an anticipated uplift in the business rates at Medway Park but it was not until the rate demand was received in March 2011 that the new rating was known. The council was appealing against the rise in rateable value. He also advised that the predicted income increase was robust.

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The committee discussed the freezing of council tax over the next four years and the options available to the council over that time. This included legislation under the Localism Act 2011 to limit councils to an annual increase of 3.5%. If an authority proposed to raise taxes above this limit they would have to hold a referendum to get approval for this from local voters who would be asked to approve or to veto the rise.

Decision:

The committee agreed to note the report.

612 Petitions

Discussion:

The Democratic Services Officer updated the committee on the deferred petition referral set out in paragraph 4 of the report. She advised that the Portfolio Holder and officers had met the lead petitioner and other concerned residents on 12 December. Two options were put forward by the council to assist pedestrian movements and alleviate residents concerns and the council aimed to consult with the Parish Council and local residents and businesses in February 2012, with a view to installing a scheme in April subject to a satisfactory consultation.

Decision:

The committee agreed to:

- (a) note the petition responses and appropriate officer action in paragraph 3 of the report;
- (b) note the outcome of the deferred petition referral.

613 Work Programme

Discussion:

The Democratic Services Officer advised that a new version of the Cabinet Forward Plan had been published earlier in the day and the following items, within the remit of this committee, were included:

- Community Infrastructure Levy
- Gateway 4 Procurement – post project completion reviews on the waste contracts (discussed earlier during this meeting)
- Stirling Centre
- Gateway 3 procurement tender process review and contract award for highways and engineering works framework
- Annual Audit and Inspection Letter (of the South Thames gateway Building Control Partnership)

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- Building Control: public protection role
- Gateway 3 procurement tender process review and contract award for software provision (for the South Thames gateway Building Control Partnership).

The committee was advised that officers had requested that a report on the Community Infrastructure Levy was submitted to the committee for consideration on 31 January 2012.

Decision:

The committee noted:

- (a) the addition of a report on the Community Infrastructure Levy for consideration on 31 January 2012;
- (b) the change to the terms of reference as set out in paragraph 5 of the report.

Chairman

Date:

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