

Public Question in relation to Agenda Item 5 'Article 4 Direction – Houses of Multiple Occupation'

Question A – Neil Davies of Chatham, asked the Portfolio Holder Housing and Homelessness, Councillor Curry, the following:

"Given the well documented recent events in Walderslade with asylum seekers being housed in HMO's within residential areas, will the Council consider implementing Article 4's for every ward of Medway in order to give the Council more control/insight into what happens in its area unlike Tonbridge and Malling Borough Council, who were clearly caught out?"

In response to the question, Councillor Curry advised that the Council had made the decision to implement Article 4 Directions in seven wards, with immediate effect. The direction had been introduced on 22 January 2026 and from that point, all small-scale Houses in Multiple Occupation (HMOs) within those wards now required planning permission and be assessed against planning policy, including the adopted Local Plan, the emerging plan, and the National Planning Policy Framework.

Councillor Curry further advised that National legislation was very clear regarding the use of Article 4 Directions to restrict permitted development rights. That they should only be introduced where there was robust, empirical evidence demonstrating that they were necessary to address a specific issue that could not be resolved through other means. Similarly, they should not be applied across an entire council area unless there was clear evidence that the identified harm affected the whole area. As part of the process for introducing an Article 4 Direction, the Council was required to notify the Secretary of State, setting out the reasons for the direction and providing supporting evidence. The Secretary of State had the power to quash the direction if, having reviewed the submission, they considered the evidence insufficient. In this case, having considered the evidence, the Secretary of State had not exercised that power.

In relation to the directions that came into effect in January, there was sufficient evidence to support their implementation in the seven wards identified. However, there was currently not enough evidence to justify extending Article 4 Directions more widely across Medway. Had the Council sought to introduce a borough-wide direction at this stage, it was likely that it would have been quashed. That said, he could confirm that the Council would continue to monitor the impact of the existing Article 4 Directions, not only within the seven wards but also in neighbouring areas to assess any potential displacement effects. If this monitoring identified further issues, the Council would consider introducing additional Article 4 Directions where appropriate.

On the issue of housing for asylum seekers, it was important to note that individuals who had made an asylum claim were legally entitled to remain in the country until their case had been determined, and during this period, they required accommodation, whether self-funded or provided. Both the public and the

government had been clear that this accommodation would not be concentrated in hotels. He stated that the Council would not engage in approaches that might alarm the public, by suggesting the establishment of detention camps in their area.

Neil Davies asked the following supplementary question

“Given that local government reorganisation is on the horizon, what will happen in areas where ward boundaries may change, particularly where part of a ward was previously subject to an Article 4 Direction and other parts were not?”

Councillor Curry responded that his understanding was that, as this was a planning designation applied to a specific area, it would remain in place unless and until any new authority decided to amend or remove it. However, he would need to confirm this and provide a formal response.

It was also worth noting that, for Medway, the working assumption was that whilst there might be minor changes at the boundaries, most wards were likely to remain the same or very similar. Nonetheless, this would be confirmed once further clarity was available.

Public Question

Question B – Andrew Waghorn of Chatham, asked the Leader of the Council, Councillor Maple, the following:

“I understand that Medway Council are planning to renovate their council offices at a cost of £15 million of taxpayers money. I find this amount of money being spent in the hope that Medway council offices will be the central office for any north Kent council authority, an absolute ridiculous amount of money.

Has there been no consultation with Dartford, Gravesham, Swale councils to confirm such money being spent and has it been agreed by the said councils that Medway will host the north Kent central office.”

In response to the question, Councillor Maple advised that he would address the question in two parts.

Firstly, in relation to Gun Wharf, he advised that the discovery of reinforced autoclaved aerated concrete (RAAC), a material used widely in the 1970s, had not been anticipated and that this issue had affected not only this council’s headquarters but hundreds of buildings across the country, including schools, hospitals, council offices, and theatres. As a result, the Council had needed to respond quickly and responsibly to ensure safety, as would be expected.

He also stated that it was important to note that Gun Wharf was a Grade II listed building, and unlike some other council properties where demolition and redevelopment might be an option, the Council was legally unable to pursue that route. As tenants, there was a duty of care to maintain and protect a listed building. He further stated for clarity, that the Council was responsible for a number of such buildings, including historically significant assets such as local heritage sites.

Turning to the second part of the question, Councillor Maple advised that at this stage, pending a decision from central government on local government reorganisation, there was limited scope for formal consultation between councils on long-term structural issues of this nature. To provide context, Kent County Council had recently entered into a 21-year highways contract without consultation with Medway. Similarly, Dartford Borough Council was investing in the Orchard Theatre due to similar RAAC related issues. These decisions were appropriate, as each authority was currently operating independently and addressing its own operational responsibilities. However he advised that this situation was likely to change once there was greater clarity, anticipated around July, regarding the proposed structure and geographical arrangements of any new authorities. Various proposals had been put forward, including the possibility of a single authority encompassing all 14 councils, although that was not a model he supported. Nonetheless, all proposals were being considered. Once a final decision had been made by the Secretary of State, there would be a clear expectation for the relevant councils to work together more closely, and at that stage, questions such as the location of a central headquarters would naturally form part of those discussions.

Councillor Maple asserted that, for now, it would not be appropriate to enter into detailed negotiations on such matters, as it was unknown which councils would ultimately be part of the same authority. That said, he and the Chief Executive, alongside other colleagues, were engaged in ongoing discussions regarding local government reorganisation, and this work would intensify as further clarity emerged.

Andrew Waghorn asked a supplementary question.

'Thank you. I was not aware that the building is Grade II listed, that is helpful to know. However, I still consider £15 million to be a significant sum, particularly when that level of investment could potentially fund the construction of around 150 new homes for families in Medway. Would it not be more prudent to delay such a decision until after the elections next May?'

In response, Councillor Maple stated that he was entitled to his view that this represented a significant or excessive level of expenditure, however from his perspective, this was an investment in a building for which the Council had a clear statutory responsibility. The building was Grade II listed, and therefore there was a requirement to maintain it appropriately. For context, it was listed around the same time as other notable examples of similar architectural style, including the Barbican in London, which reflected the period's design approach.

More broadly, the Council operated within a budget of approximately £690 million per year and made a range of challenging financial decisions. Two key points underpinned the approach. Firstly, since 2010, the Council had experienced a 91% reduction in its Revenue Support Grant, which had significantly constrained available resources; and secondly, the Council was currently spending approximately £1.35 million per day on essential services, including adult social care, children's services, and temporary accommodation for residents, which were vital areas supporting the most vulnerable communities. Given the statutory obligations in relation to the

building, the Council considered the investment carefully and determined it to be the appropriate course of action, which had been subsequently approved by full Council.

Member Question

Question C – Councillor Spalding, asked the Leader of the Council, Councillor Maple, the following:

"Medway Council provides two special allocated areas on Armed Forces Day: one for guests and dignitaries; and another for military veterans. The guests and dignitaries enjoy light lunch/refreshments while the veteran's area lacks this.

Would it be possible this year to provide some form of light lunch/refreshments for the veteran's area?"

In response to the question, Councillor Maple advised that before addressing the substance of his question, it was worth highlighting one of the keyways in which the Council was supporting its veterans. Both veterans and serving personnel had been provided with a week's priority booking window for Armed Forces Day, ensuring they had early access to secure tickets. If anyone had missed that opportunity, he encouraged them to contact him directly, and he would do his best to assist. With reference to general ticket availability, although the event was free, opening later that week, he encouraged everyone to book early given the popularity of the event.

Turning to the substance of the question, Councillor Maple referred specifically to arrangements at the Historic Dockyard, which had been the venue in recent years. A light buffet was provided for invited guests, as they were required to attend for the full duration of the event and often had formal roles within the programme, for example, participating in the parade and ceremonial elements. However, veterans attending the event were provided with free refreshments throughout the day, including tea, coffee, water, and biscuits.

The challenge with extending a light buffet to all veterans was the scale of attendance. Historically, numbers had been very high, often well over 1,000 people, and providing food on that scale, even a light buffet, presented significant logistical and financial challenges, particularly within the current events budget. That said, arrangements would be kept under review, and the Council remained committed to ensuring that veterans, serving personnel, and their families were prioritised and appropriately supported for which he no apology. The Council's focus would always be on balancing that commitment with a fair and sustainable approach to public spending.